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AN ACT

Bill 20-1064
Act 20-565
effective December 3, 2014

Codification District of Columbia Official Code 2001 Edition

INITIATIVE MEASURE

NO. 71

SHORT TITLE

"LEGALIZATION OF POSSESSION OF MINIMAL AMOUNTS OF MARIJUANA FOR PERSONAL USE INITIATIVE OF 2014"

SUMMARY STATEMENT

This initiative changes the laws of the District of Columbia to make it lawful under District of Columbia law for a person 21 years of age or older to:

- possess up to 2 ounces of marijuana for personal use;
- grow no more than 6 cannabis plants with 3 or fewer being mature, flowering plants, within the person's principal residence;
- transfer without payment (but not sell) up to one ounce of marijuana to another person 21 years of age or older; and
- use or sell drug paraphernalia for the use, growing, or processing of marijuana or cannabis.

LEGISLATIVE TEXT

Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014".

Amend § 48-904.01

Sec. 2. Section 401(a) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-904.01(a)), is amended as follows:

(a) Paragraph (1) is amended to read as follows:

"(a)(l) Except as authorized by this act or the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-2010; D.C. Official Code §

7-1671.01 *et seq.*), it is unlawful for any person knowingly or intentionally to manufacture, distribute, or possess, with intent to manufacture or distribute, a controlled substance. Notwithstanding any provision of this act to the contrary, it shall be lawful, and shall not be an offense under District of Columbia law, for any person 21 years of age or older to:

"(A) Possess, use, purchase, or transport marijuana weighing 2 ounces or less;

"(B) Transfer to another person 21 years of age or older, without remuneration, marijuana weighing one ounce or less;

"(C) Possess, grow, harvest, or process, within the interior of a house or rental unit that constitutes such person's principal residence, no more than 6 cannabis plants, with 3 or fewer being mature, flowering plants; provided, that all persons residing within a single house or single rental unit may not possess, grow, harvest, or process, in the aggregate, more than 12 cannabis plants, with 6 or fewer being mature, flowering plants;

"(D) Possess within such house or rental unit the marijuana produced by such plants; provided that, nothing in this subsection shall make it lawful to sell, offer for sale, or make available for sale any marijuana or cannabis plants.".

(b) New paragraphs (1A), (1B), (1C), (1D), (1E), and (1F) are added to read as follows:

"(1A)(A) The terms " controlled substance" and " controlled substances," as used in the District of Columbia Official Code, shall not include:

"(i) Marijuana that is or was in the personal possession of a person 21 years of age or older at any specific time if the total amount of marijuana that is or was in the possession of that person at that time weighs or weighed 2 ounces or less;

"(ii) Cannabis plants that are or were grown, possessed, harvested, or processed by a person 21 years of age or older within the interior of a house or rental unit that constitutes or at the time constituted, such person's principal residence, if such person at that time was growing no more than 6 cannabis plants with 3 or fewer being mature flowering plants and if all persons residing within that single house or single rental unit at that time did not possess, grow, harvest, or process, in the aggregate, more than 12 cannabis plants, with 6 or fewer being mature, flowering plants; or

"(iii) The marijuana produced by the plants which were grown, possessed, harvested, or processed by a person who was, pursuant to sub-subparagraph (ii) of this subparagraph, permitted to grow, possess, harvest, and process such plants, if such marijuana is or was in the personal possession of that person who is growing or grew such plants, within the house or rental unit in which the plants are or were grown.

"(B) Notwithstanding the provisions of this paragraph, the terms "controlled substance" and "controlled substances," as used in the District of Columbia Official Code, shall include any marijuana or cannabis plant sold or offered for sale or made available for sale.

"(1B) Notwithstanding any other provision of the District of Columbia Official Code, no District government agency or office shall limit or refuse to provide any facility service, program, or benefit to any person based upon or by reason of conduct that is made

lawful by this subsection.

"(1C) Nothing in this subsection shall be construed to require any District government agency or office, or any employer, to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growing of marijuana in the workplace or to affect the ability of any such agency, office, or employer to establish and enforce policies restricting the use of marijuana by employees.

"(1D) Nothing in this subsection shall be construed to permit driving under the influence of marijuana or driving while impaired by use or ingestion of marijuana or to modify or affect the construction or application of any provision of the District of Columbia Official Code related to driving under the influence of marijuana or driving while impaired by marijuana.

"(1E) Nothing in this subsection shall be construed to prohibit any person, business, corporation, organization, or other entity, or District government agency or office, who or which occupies, owns, or controls any real property, from prohibiting or regulating the possession, consumption, use, display, transfer, distribution, sale, transportation, or growing of marijuana on or in that property.

"(1F) Nothing in this subsection shall be construed to make unlawful any conduct permitted by the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 *et seq*.).".

Amend § 48-1103

Sec. 3. Section 4 of the Drug Paraphernalia Act of 1982, effective September 17, 1982 (D.C. Law 4-149; D.C. Official Code § 48-1103), is amended as follows:

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

"(a)(1) Except as authorized by the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-2010; D.C. Official Code § 7-1671.01 *et seq*.), it is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inhale, ingest, or otherwise introduce into the human body a controlled substance; except that it shall be lawful for any person 21 years of age or older to use, or possess with intent to use, drug paraphernalia to possess or use marijuana if such possession or use is lawful under section 401(a) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-904.0 l(a)(l)), or to use, or possess with intent to use, drug paraphernalia to grow, possess, harvest, or process cannabis plants, the growth, possession, harvesting or processing of which is lawful under section 401(a) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-904.01(a)(l)).

"(2) Whoever violates this subsection shall be imprisoned for not more than 30 days or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.".

(b) Subsection (b) is amended to read as follows:

"(b)(1) Except as authorized by the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-2010; D.C. Official Code § 7-1671.01 *et seq*.), it is unlawful for any person to deliver or sell , possess with intent to deliver or sell, or manufacture with intent to deliver or sell drug paraphernalia, knowingly, or under circumstances where one reasonably should know, that it will be used to plant , propagate, cultivate, grow, harvest, manufacture , compound , convert, produce , process, prepare , test, analyze, pack, repack, store, contain, conceal , inject, ingest, inhale, or otherwise introduce into the human body a controlled substance; except that it shall be lawful for any person to deliver or sell, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, drug paraphernalia under circumstances in which one knows or has reason to know that such drug paraphernalia will be used solely for use of marijuana that is lawful under section 401(a) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-904.0 l(a)(l)), or that such drug paraphernalia will be used solely for growing, possession, harvesting, or processing of cannabis plants that is lawful under section 401(a) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-904.01(a)(l)).

"(2) Whoever violates this subsection shall be imprisoned for not more than 6 months or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01) , or both, unless the violation occurs after the person has been convicted in the District of Columbia of a violation of this act, in which case the person shall be imprisoned for not more than 2 years, or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.".

Note, §§ 48-904.01 48-1103

Sec. 4. The amounts of the fines set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), and section 4 of the Drug Paraphernalia Act of 1982, effective September 17, 1982 (D.C. Law 4-149; D.C. Official Code § 48-1103), shall be adjusted through implementing or amending legislation enacted by the Council of the District of Columbia to the extent necessary to ensure that this act does not negate or limit any act of the Council of the District of Columbia pursuant to section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46).

Sec. 5. This act shall take effect after a 30-day period of Congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)).

D.C. Law 20-154, effective February 26, 2015
[Partial Delayed Applicability]

AN ACT

Bill 20-641
Act 20-423
effective
September 23, 2014

Codification
District of Columbia
Official Code
2001 Edition

To establish a sustainable solid waste management hierarchy and require mandatory source separation of solid waste in the District, to require a private collection property to provide adequate waste collection on the property and annually communicate information about source separation requirements to individuals who discard solid waste at the property, to require a collector to label waste containers and submit quarterly reports to the Mayor, to require a collector to register with the Office of Waste Diversion, to establish an Office of Waste Diversion within the Department of Public Works, to establish an Interagency Waste Reduction Working Group, to require the Mayor to ensure that training for employees who enforce the District's waste laws addresses the requirements of this act, to authorize the Mayor to enter into contracts for solid waste collection and disposal services, the operation of recycling and composting facilities, and marketing or selling recyclable or compostable materials, to authorize the Mayor to impose fees on the disposal of solid waste at solid waste facilities, to establish a Solid Waste Diversion Fund, to require the Mayor to submit annual updates to the Council about waste diversion in the District, to require an electronics manufacturer to label and provide return information with covered electronic equipment, register with the Mayor, and submit applicable fees, to establish minimum collection standards for an electronics manufacturer, to require an electronics manufacturer to accept covered electronic equipment sold under the manufacturer's brand name and on a one-to-one basis with a purchase of covered electronic equipment, to prohibit the disposal of covered electronic equipment as trash in the District, and to require an electronics manufacturer to submit annual reports to the Mayor; to amend the Litter Control Administrative Act of 1985 to authorize the Mayor to enforce provisions of the Sustainable Solid Waste Management Amendment Act of 2014; to repeal An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes; to repeal An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes; to repeal An Act To provide for the collection and disposal of garbage and miscellaneous refuse of the District of Columbia; to repeal An Act Authorizing the acquisition of land in the District of Columbia and the construction thereon of two modern, high-temperature incinerators for the destruction of combustible refuse, and for other purposes; to repeal An Act For the disposal of combustible refuse from places outside of the city of Washington; to repeal section 3 of the District of Columbia Comprehensive Plan for a Multi-Material Recycling System Act of 1987; and to repeal portions of the Solid Waste Management and Multi-Material Recycling Act of 1988.

Sustainable Solid Waste Management Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sustainable Solid Waste Management Amendment Act of 2014".

New Chapter 10A, Title 8

New § 8-1031.01

TITLE I. WASTE MANAGEMENT, REDUCTION, AND RECOVERY.
SUBTITLE A. SOLID WASTE REDUCTION AND RECOVERY.
Sec. 101. Definitions.
For the purposes of this subtitle, the term:

(1) "Collector" means a person engaged in the collection or transportation of solid waste in the District.

(2) "Compost" means a stable, organic substance produced by a controlled decomposition process that can be used as a soil additive, fertilizer, growth media, or other beneficial use.

(3) "Compostable" means made solely of materials that break down into, or otherwise become part of, usable compost in a safe and timely manner in an appropriate program.

(4) "Composting" or "composted" means the series of activities, including separation, collection, and processing, through which materials are recovered or otherwise diverted from the solid waste stream for conversion into compost.

(5) "Compost collection program" means a waste collection program, implemented either directly or through contract, which provides regular collection of separated compostable materials for public collection properties.

(6) "DDOE" means the District Department of the Environment.

(7) "Disposition" means the transport, placement, reuse, sale, donation, transfer, or temporary storage, for a period of no longer than 6 months, of recyclable materials for all possible uses except disposal as trash.

(8) "DPW" means the Department of Public Works.

(9) "Incineration" means a form of solid waste disposal through combustion or thermal conversion of solid waste materials into ash, flue gas, fuel, or heat; provided, that recycling, composting, anaerobic digestion of compostable solid waste, and conversion of compostable solid waste into biofuel are not considered incineration.

(10) "Intermediate processing facility" means a facility where solid waste can be separated, processed, stored, assembled, and prepared for sale or other disposition, except incineration or burial.

(11) "Private collection property" means a property that does not receive solid waste collection services from the District.

(12) "Public collection property" means a property that receives solid waste collection from the District either directly or through contract.

(13) "Recyclable" means made solely of materials that can be recycled using the District's recycling collection program.

(14) "Recycle" or "Recycled" or "Recycling" means the series of activities, including separation, collection, and processing, through which materials are recovered or otherwise diverted from the solid waste stream for use as raw materials or in the manufacture of products other than fuel.

(15) "Solid waste" means garbage, refuse, trash, or any other waste or waste product, including recyclable, compostable, or otherwise reusable material, whether in solid, liquid, semisolid, or contained gaseous state, resulting from an industrial, commercial, residential, or government operation or community activity; provided, that the following are not considered solid waste for the purpose of this subtitle:

(A) Hazardous waste, as defined in section 2(2A) of the Illegal Dumping Enforcement Amendment Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Official Code § 8-901(2A));

(B) Medical waste, as defined in section 2(3A) of the Illegal Dumping Enforcement Amendment Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Official Code § 8-901(3A)); and

(C) Construction and demolition waste subject to sections 406 and 503 of Title 12K of the District of Columbia Municipal Regulations (12K DCMR §§ 406, 503).

(16) "Solid waste stream" means all solid waste generated within the District.

(17) "Source separation" means the separation of solid waste at the point of discard into the categories required under section 103.

(18) "Sustainable solid waste management hierarchy" means the prioritization of solid waste diversion and disposal activities in the District set forth in section 102.

(19) "SWEEP" means DPW's Solid Waste Education and Enforcement Program.

(20) "Trash" means solid waste that is collected for disposal by incineration or landfill.

(21) "Waste diversion" means activities that result in solid waste source reduction, reuse, recycling, composting, or conversion of compostable solid waste into biofuel.

(22) "Waste diversion rate" means the percentage of the solid waste stream, by weight, successfully diverted from landfilling and incineration through source reduction, reuse, recycling, composting, and conversion of compostable solid waste into biofuel.

Sec. 102. Sustainable solid waste management hierarchy. **New § 8-1031.02**

To the maximum extent practicable, the District shall direct its solid waste management policies and diversion activities in the following order of priority:

(1) Source reduction and reuse;

(2) Recycling or composting of solid waste, or conversion of compostable solid waste into biofuel; and

(3) Landfill or incineration of solid waste.

Sec. 103. Mandatory source separation. **New § 8-1031.03**

(a)(1) Solid waste in the District shall be separated at the point of discard into the following categories:

(A) Recyclable materials;

(B) Compostable materials; and

(C) Trash.

(2) Paragraph (1)(B) of this subsection shall apply upon the Mayor's implementation of a compost collection program; provided, that the Mayor may require that private collection properties or subcategories of private collection properties separate compostable materials before the implementation of a compost collection program.

(b) The Mayor shall make public a list of recyclable materials, and, upon the implementation of a compost collection program established by the Mayor, compostable materials. The Mayor shall review the list on a biannual basis to determine whether additional materials should be added or removed.

(c) By January 1, 2016, the Mayor shall submit a report to the Secretary of the Council regarding the feasibility of and progress made toward implementing a compost collection program. **Delayed Applicability**

(d) The Mayor may establish a uniform color, design, and labeling scheme for public collection property waste containers in the District.

Sec. 104. Mandatory adequate waste collection. **New § 8-1031.04**

(a) A private collection property owner shall provide adequate waste collection service, including:

(1) Supplying waste containers to make source separation accessible for individuals discarding solid waste at the property; provided, that the containers shall:

(A) Be capable of containing reasonably anticipated source-separated waste generated at the location; and

(B) Bear or be near visible signage indicating the category of source-separated material by visuals or description or shall comply with a color scheme established by the Mayor;

(2) Annually communicating information to an individual discarding solid waste at the property regarding the types of materials that must be source separated at the property; and

(3) Ensuring annual training on the property's source separation requirements of any janitorial staff employed at the property.

(b) The Mayor may require a private collection property owner to submit a source separation plan outlining the steps the property owner will take to implement the requirements of this subtitle.

Sec. 105. Collector obligations. **New § 8-1031.05**

(a) A collector shall appropriately and visibly label any solid waste container the collector provides to a property to indicate, by visuals or description, the category of waste for which the container is intended, unless the container complies with a color scheme established by the Mayor.

(b) A collector shall submit an annual report to the Mayor that includes the following information:

(1) The total tonnage of solid waste collected in the District by the collector in the previous calendar year;

(2) A breakdown of the total tonnage reported in paragraph (1) of this subsection by the individual tonnage of solid waste source separated as required by section 103 that was collected for delivery to recycling, composting, landfill, incineration, and any other waste processing or disposal facilities;

(3) The names, locations, and tonnage of solid waste delivered to recycling, composting, landfill, incineration, and other waste processing or disposal facilities; and

(4) Any other information the Mayor may require.

(c) A collector shall retain records of solid waste collected and disposed of for 3 years or a different period as prescribed by the Mayor.

(d) To ensure compliance with this section, the Mayor may inspect all records, documents, or data compilations in the possession or control of a collector during normal operating hours.

(e) Information submitted to the Mayor pursuant to subsection (b) of this section may not be distributed publicly except in aggregate numbers by year, facility name, type, and waste type as part of the reporting required by section 113. Collector-specific information shall be designated confidential. Except as otherwise provided by law or court order, collector-specific information may be used only by the Mayor, the Mayor's agents and employees, other District agencies, and, as authorized by the Mayor, by the United States Environmental Protection Agency.

(f) Failure to submit an annual report required in subsection (b) of this section or to maintain a record pursuant to subsection (c) of this section may result in one or more of the following penalties:

(1) A maximum fine of $25,000; or

(2) Suspension or revocation of a collector's registration or license.

Sec. 106. Collector registration. **New § 8-1031.06**

(a) A collector shall register with the Office of Waste Diversion before operating in the District in accordance with this section.

(b) The Office of Waste Diversion shall issue registrations annually for collectors and vehicles engaged in the collection and transportation of solid waste in the District. No collector registration shall be issued unless a collector:

(1) Certifies that recyclable or compostable materials source separated as required by this subtitle shall be delivered to a recycling or composting facility, as appropriate;

(2) Provides a list of all vehicles used to collect solid waste in the District, including any information the Office of Waste Diversion requires about the vehicles; and

(3) Beginning on October 1, 2016, has submitted the annual report required under section 105(b) for the previous year.

(c) The Mayor may establish separate registration procedures or requirements for collectors and vehicles based upon the type of solid waste collected or transported.

(d) The Mayor shall establish registration fees to offset the costs of administering this subtitle.

Sec. 107. Office of Waste Diversion. **New § 8-1031.07**

There is established an Office of Waste Diversion ("Office") within the Department of Public Works. The duties of the Office shall include:

(1) Coordinating and supervising the implementation of the provisions of this subtitle;

(2) Implementing the source separation education and outreach program developed pursuant to section 108;

(3) Supervising and developing a system to respond to citizen inquiries about mandatory source separation;

(4) Serving as a liaison between the District and neighboring jurisdictions in developing regional waste reduction and diversion campaigns;

(5) Implementing policies developed by the Interagency Waste Reduction Working Group for reducing the generation of solid waste in the District and increasing the District's solid waste diversion rate;

(6) Publishing annually on its website the reports issued to the Council pursuant to section 113; and

(7) Registering all collectors and vehicles engaged in the collection or transportation of solid waste in accordance with section 106.

Sec. 108. Interagency Waste Reduction Working Group. **New § 8-1031.08**

(a) There is established an Interagency Waste Reduction Working Group ("Working Group") that shall regularly evaluate the District's solid waste management and diversion activities and policies, and sustainable waste management and diversion practices, policies, and techniques that could be established in the District. The purpose of the Working Group shall be to advise and guide the Mayor, the Council, and the Office of Waste Diversion on sustainable solid waste management and waste diversion policy in the District in accordance with the sustainable solid waste management hierarchy established in section 102.

(b) The Working Group shall be composed of at least 7 members selected by the Mayor from District agencies that have expertise and experience in solid waste management, environmental policy development, and implementation of public waste diversion programs, including, at a minimum, DPW and DDOE.

(c) The Working Group shall, at a minimum:

(1) Advise the Office of Waste Diversion in the implementation of policies, outreach, and enforcement techniques that have the potential to reduce the generation of solid waste in the District and increase the District's solid waste diversion rate;

(2) Develop a zero waste plan for the District outlining steps the District can take to achieve at least an 80% waste diversion rate;

(3) Design and ensure the development of education and outreach programs with purpose of reducing the generation of solid waste and increasing the waste diversion rate in the District;

(4) Design and guide the development of educational materials reflecting the District's source separation requirements;

(5) Ensure that the educational materials developed pursuant to this section are updated at least every 5 years and upon the addition of a new source separation requirement;

(6) Ensure issuance and accuracy, to the maximum extent practicable, of the reports and studies required by section 113; and

(7) Meet at least quarterly to fulfill the requirements of this section and to evaluate the effectiveness of the programs established pursuant to this section.

(d) The source separation education materials developed pursuant to subsection (c)(4) of this section shall be placed on the DPW and DDOE websites and posted in public places where these kinds of materials are customarily placed.

Sec. 109. Enforcement training. **New § 8-1031.09**

The Mayor shall ensure that training designed for employees who enforce the District's waste laws and regulations addresses the requirements of this subtitle and the policies established by the Interagency Waste Reduction Working Group pursuant to section 108.

Sec. 110. Contract and licensing authority. **New § 8-1031.10**

(a) The Mayor may enter into a contract or agreement for a period not to exceed 10 years for:

(1) Solid waste collection, disposal, and diversion services;

(2) The operation of recycling buy-back centers, composting facilities, and intermediate processing facilities for the collection, storage, processing, and disposition of source separated recyclable or compostable materials; and

(3) The marketing and sale of recyclable and compostable materials.

(b) The Mayor may purchase or lease any equipment necessary to facilitate the marketing and sale of recycling or compostable materials.

(c) The Mayor may issue to universities, nonprofit institutions, and businesses grants for solid waste research, collection, marketing, and other services.

(d)(1) The Mayor may designate, select, or acquire, by purchase, a site or sites that are suitable for the purpose of solid waste disposal or diversion.

(2) The Mayor may acquire a site or sites that are suitable for the purpose of solid waste disposal or diversion through condemnation, in accordance with the provisions of Chapter 13 of Title 16 of the D.C. Official Code.

(3) The Mayor shall submit a proposed site to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed site, in whole or in part, by resolution within this 45-day review period, the proposed site shall be deemed approved.

Sec. 111. Solid waste disposal and reduction fees. **New § 8-1031.11**

(a) The Mayor shall impose:

(1) A fee on the disposal of solid waste at a solid waste disposal facility owned by the District sufficient to cover the costs of operating, maintaining, and improving the solid waste facilities. Revenue from this fee shall be deposited in the Solid Waste Disposal Cost Recovery Fund established under section 6011 of the Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.91); and

(2) A surcharge on the disposal of solid waste at the District's solid waste disposal facilities of, at a minimum, $1 per ton. Revenue from this surcharge shall be deposited in the Solid Waste Diversion Fund established by section 112.

(b) The Mayor may impose a fee on a public collection property owner; provided, that:

(1) The Mayor provides the Council with an analysis of the feasibility and expected economic outcomes of implementing the fee;

(2) Any rules or regulations implementing the fee shall be approved by the Council; and

(3) The fee is proportional to the amount of trash generated at the property.

(c) Failure to comply with this section may result in an assessment of twice the amount of the fee or surcharge due.

Sec. 112. Solid Waste Diversion Fund. **New § 8-1031.12**

(a) There is established as a special fund the Solid Waste Diversion Fund ("Fund"), which shall be administered by the Department of Public Works in accordance with subsection (c) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) The surcharge established under section 111(a)(2);

(2) Any money in the District Recycle Program Fund as of the effective date of this section; and

(3) Other funds designated by the Mayor.

(c) Money in the Fund shall be used to offset the cost of developing new and additional methods of solid waste diversion in the District.

(d) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

Sec. 113. Reporting requirements. **New § 8-1031.13**

(a) On February 28, 2016, and annually thereafter, the Mayor shall provide a solid waste diversion update to the Council that shall include, at a minimum:

(1) The total tonnage of solid waste collected in the District, from both private collection and public collection properties;

(2) A breakdown of the total tonnage reported in paragraph (1) of this subsection by the individual tonnage of solid waste that was collected for delivery to recycling, composting, landfill, incineration, and any other waste processing or disposal facilities;

(3) The names, locations, and tonnage of solid waste delivered to the recycling, compost, landfill, incineration, and other waste processing or disposal facilities;

(4) A calculation of the District's solid waste diversion rate for the previous year; and

(5) A calculation of the District's per-capita solid waste generation for the previous year.

(b) On January 31, 2018, and every 4 years thereafter, the Mayor shall issue a waste characterization study describing solid waste generation, collection, recycling, composting, diversion, and management in the District.

Sec. 114. Rules; enforcement. **New § 8-1031.14**

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), shall issue rules to implement the provisions of this subtitle within one year of its effective date.

(b) Rules and standards adopted pursuant to any act repealed or superseded by this subtitle shall remain in effect unless replaced or repealed by rules and standards promulgated in accordance with this subtitle.

(c) The Mayor may establish civil penalties or fines to enforce the provisions of this subtitle and regulations promulgated pursuant to this subtitle.

(d) The Mayor may require a private collection property owner found in violation of section 104 more than once in a period of 6 months to submit a source separation plan.

SUBTITLE B. EXTENDED MANUFACTURER RESPONSIBILITY FOR ELECTRONIC WASTE. **New Chapter 10B, Title 8**

New § 8-1041.01

Sec. 115. Definitions.

For the purposes of this subtitle, the term:

(1) "Brand" means a manufacturer's name, brand designation, make or model name or number, or other nomenclature by which covered electronic equipment is offered for sale by a manufacturer.

(2) "Collection event" means an event lasting at least 4 hours within normal daylight hours at which a District resident, small nonprofit, or small business can drop off, free of charge, unwanted covered electronic equipment for recycling or reuse.

(3) "Collection site" means a location at which a District resident, small nonprofit organization, or small business can drop off, free of charge, unwanted covered electronic equipment for recycling or reuse during normal business hours.

(4) "Covered electronic equipment" means computers and computer peripherals, including keyboards, electronic pointing devices, printers, computer monitors and display devices, laptops or other portable computers, and portable digital music players that have memory capability and are battery-powered, televisions, and television peripherals. The term "covered electronic equipment" does not include a motor vehicle, part of a motor vehicle, or a

component part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle; telephones of any type, including mobile telephones, a personal digital assistant, a global positioning system, or a hand-held gaming device, household appliances, or covered electronic equipment that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, air purifier, water heater, or exercise equipment, equipment that is functionally or physically part of a larger piece of equipment intended for use in an industrial, research and development or commercial setting, security or anti-terrorism equipment, monitoring and control instrument or system, thermostat, hand-held transceiver, server other than a small-scale server, cash register or retail self-checkout system, stand-alone storage product intended for use in industrial, research and development, or commercial settings, medical equipment that contains a cathode ray tube, a flat panel display or similar video display device, and that is not separate from the larger piece of medical equipment, or other medical devices as defined under the Federal Food, Drug, and Cosmetic Act.

(5) "Covered electronic equipment stewardship program" means a recycling effort for covered electronic equipment established by a manufacturer, partnership, or representative organization.

(6) "Covered entity" means a District household or small nonprofit or small business entity that procures covered electronic equipment through retail channels.

(7) "Manufacturer" means a person who:

(A) Manufactures, imports, assembles, or substantially assembles covered electronic equipment for sale in the District by means of retail, wholesale, or electronic commerce, under its own or another brand name or label, or without affixing a brand name or label;

(B) Sells in the District by means of retail, wholesale, or electronic commerce, under its own brand name or label, covered electronic equipment produced by another person; or

(C) Owns a brand name or label that it licenses to another person for use on covered electronic equipment sold in the District by means of retail, wholesale, or electronic commerce.

(8) "Market share" means the total pounds of covered electronic equipment sold by a manufacturer to District residents and businesses in the previous year divided by the total pounds of all covered electronic equipment sold to District residents and businesses in the previous year.

(9) "Partnership" means an organization of manufacturers created to work together to meet the total minimum collection shares of its member manufacturers under section 119(a)(2).

(10) "Product label" means information on the surface of covered electronic equipment that must be permanently attached to, printed, or engraved on or incorporated in a permanent manner on the equipment and obvious and visible to users of the equipment.

(11) "Representative organization" means an organization created to provide convenient collection service to District residents under section 119(a)(3) and to develop and oversee implementation of a District plan consisting of one or more covered electronic equipment stewardship programs in the District. A representative organization may also oversee plans in other jurisdictions.

(12) "Retailer" means a person engaged in retail sales.

(13) "Reuse" means a process by which covered electronic equipment or a component of covered electronic equipment is used for the same purpose for which it was originally purchased.

Sec. 116. District covered electronics waste diversion goal. **New § 8-1041.02**

In implementing this subtitle, the District shall strive to divert at least 80% of covered electronic equipment waste, estimated based on best available information, to be generated in the District annually from landfill or incineration through recycling or reuse by 2032, and to ensure electronics manufacturer responsibility for the recycling of covered electronic equipment waste.

Sec. 117. Registration. **New § 8-1041.03**

(a) By January 1, 2016, a manufacturer or retailer shall not sell or offer for sale or deliver to a retailer for subsequent sale new covered electronic equipment, unless:

(1) The equipment is labeled with a readily visible brand identifying the manufacturer; and

(2) The manufacturer has registered with the Mayor pursuant to subsection (b) of this section; provided, that the Mayor may establish by rule a *de minimis* level of covered electronic equipment sales in the District that shall be exempt from the provisions of this section.

(b) By January 1, 2016, and annually thereafter, a manufacturer or its partnership or representative organization as provided in subsection (c) of this section shall submit an application for registration with the Mayor that shall include:

(1) The name, address, and contact information of the person responsible for ensuring compliance with this subtitle;

(2) The registration fees applicable under section 118;

(3) A report disclosing:

(A) A list of the brands of covered electronic equipment the manufacturer sells in the District;

(B) Annual data of the manufacturer's covered electronic equipment sold in the District during the previous 3 calendar years;

(C) The total weight or an estimate of the total weight of covered electronic equipment sold in the previous year;

(D) The total weight of covered electronic equipment collected and recycled through the manufacturer's electronics recycling program in the previous year;

(E) Compliance with section 119; and

(F) The end markets and electronics recyclers utilized by the manufacturer in the previous year;

(4) A description of the manufacturer's electronics recycling program in the District, including details for the collection, handling, disposition, recycling or reuse of collected covered electronic equipment and the location of anticipated recycling facilities and end markets;

(5) A description of convenient methods by which a District resident can return covered electronic equipment, and methods by which the manufacturer will inform District residents and businesses about its electronics recycling program;

(6) If the manufacturer has not attained compliance with section 119, a description of how the manufacturer plans to attain compliance;

(7) A signed statement certifying that the manufacturer's collection, handling, and recycling or reuse of covered electronic equipment complies with local state, federal, and international laws and regulations;

(8) A signed statement certifying that vendors who recycle or reuse covered electronic equipment collected under the manufacturer's waste management program have a valid third-party accredited certification as recognized by the Mayor;

(9) If the applicant is a representative organization established to provide convenient collection service to District residents under subsection 119(a)(3), an implementation plan that includes:

(A) A description of the convenient collection system established by the organization, including the collection sites at which the representative organization will ensure continuous service, and how the organization, through public outreach and other means, determined where public collection sites would be located to meet the needs of District residents;

(B) A description of public outreach and awareness activities undertaken to ensure District residents are aware of the availability and location of collection sites and events;

(C) The market share percentage of each manufacturer in the representative organization and a description of how the representative organization will allocate responsibility across member manufacturers to ensure compliance with this subtitle, including how the organization will take into account the economic value of different types of covered electronic equipment;

(D) Sufficient information, including financial and operational information, to allow the Mayor to confirm the consistency of the plan with this subtitle; and

(10) Any other information as may be required by the Mayor by rule.

(c) A partnership established to meet the total minimum collection shares of its member manufacturers under section 119(a)(2) may, and a representative organization established to provide convenient collection service to District residents under section 119(a)(3) shall, submit a single application for registration including the items listed under subsection (b) of this section on behalf of its member manufacturers; provided, that the application shall also include a list of member manufacturers and their market shares, as well as any other individual manufacturer data, information, or certification required by the Mayor through rulemaking.

(d)(1) The Mayor shall approve or disapprove a registration application and notify the applicant in writing or by electronic mail within 45 days of an individual manufacturer's submission and within 60 days of a partnership or representative organization's submission. If the Mayor disapproves an application, the Mayor shall specify the reasons for disapproval. The Mayor shall approve or disapprove a resubmitted application within 30 days of resubmission.

(2) In determining whether to approve the registration application and implementation plan of a representative organization established to provide convenient collection service to District residents under section 119(a)(3), the Mayor shall consider:

(A) The pounds per capita of covered electronics equipment waste generated in the District in the previous year, as estimated using best available data;

(B) The total market share of the representative organization's members and the pounds per capita of covered electronics equipment collected by the representative organization in the previous program year;

(C) The total pounds per capita of covered electronics equipment collected by all manufacturers under this subtitle in the previous program year;

(D) Best practices in similar jurisdictions with pounds per capita electronics recycling rate data;

(E) Whether the convenient collection system outlined in the representative organization's implementation plan is sufficient to provide convenient and equitable collection opportunities to District residents; and

(F) The District's progress toward the goal established in section 116 of this subtitle.

(e) The Mayor may establish a procedure and timeframe for the modification or renewal of manufacturer, partnership, and representative organization applications under this section by rule.

(f) A retailer shall not be subject to penalties for selling or offering to sell covered electronic equipment received from a manufacturer whose registration under this section has expired or been revoked if the manufacturer was registered at the time that the retailer took possession of the covered electronic equipment and the sale occurred within 6 months of the expiration or revocation.

Sec. 118. Registration and shortfall fees. **New § 8-1041.04**

(a)(1) A manufacturer that sold less than 100 units of covered electronic equipment in the District in the previous year shall be exempt from paying an annual registration fee.

(2) For an individual manufacturer that sold at least 100 units but less than 250 units of covered electronic equipment in the District in the previous year, the individual manufacturer's application for registration under section 117 shall be accompanied by a registration fee of $500.

(3) For an individual manufacturer that sold 250 or more units of covered electronic equipment in the District in the previous year, the manufacturer's application for registration under section 117 shall be accompanied by a registration fee of $1,000.

(4) A partnership's application for registration under section 117 shall be accompanied by a registration fee in the amount of the sum of its member manufacturers' registration fees, or $10,000, whichever is less.

(5) A representative organization's application for registration under section 117 shall be accompanied by a registration fee in the amount of $10,000.

(6) A manufacturer participating in a partnership or representative organization shall be exempt from paying an individual annual registration fee.

(b) Beginning January 1, 2017, if a manufacturer or partnership did not comply with section 119(a)(1) or (2) in the previous program year, the manufacturer's or partnership's application for registration under section 117 shall be accompanied by a shortfall fee. The shortfall fee shall be determined by multiplying the difference of the weight of covered electronic equipment collected and recycled or reused by the manufacturer or the partnership and the manufacturer's minimum collection share by $0.30 or the sum of the partnership's member manufacturers' minimum collection shares by $0.30.

(c) The Mayor may increase the fees and modify the fee structures established by this section through rulemaking.

(d) Fees collected under this section shall be used exclusively for the purpose of offsetting the cost of implementing this subtitle, including administering and enforcing the provisions related to supervision of a representative organization.

Sec. 119. Manufacturer responsibilities. **New § 8-1041.05**

(a) Beginning January 1, 2016, and annually thereafter, a manufacturer shall either:

(1) Collect and recycle or arrange for the collection and recycling or reuse of the manufacturer's minimum collection share of covered electronic equipment as established under subsection (b) of this section;

(2) Join a partnership of manufacturers to jointly collect or arrange for the collection and recycling or reuse of the sum of each member manufacturer's minimum collection share of covered electronic equipment as established under subsection (b) of this section; or

(3) Join a representative organization created by manufacturers to establish a convenient collection service for District residents, small nonprofit organizations, and small businesses that consists of, at a minimum:

(A) One permanent publicly accessible collection site in each ward of the District; provided, that, in a ward where there is no feasible location for a permanent collection facility, a collection event made available on a quarterly basis shall fulfill this requirement;

(B) Public outreach and awareness activities to District residents through the representative organization's website and other means to ensure that District residents are aware of the availability and location of collection sites and events; and

(C) Acceptance and recycling or arranging for the recycling or reuse of all covered electronic equipment brought to the sites by covered entities free of charge.

(b)(1) A manufacturer's minimum collection share for covered electronic equipment under subsection (a)(1) of this section shall be:

(A) In 2016, the amount of covered electronic equipment collected by the manufacturer in 2016;

(B) In 2017, 40% of the average annual sales of the manufacturer's covered electronic equipment in the District, reported by weight, during the previous reporting year;

(C) In 2018, 50% of the average annual sales of the manufacturer's covered electronic equipment in the District, reported by weight, during the previous 2 reporting years;

(D) In 2019 and beyond, 80% of the average annual sales of the manufacturer's electronic equipment in the District, reported by weight, during the previous 3 calendar years; or

(E) An amount calculated by a formula established by the Mayor through rulemaking; provided, that the sum of all manufacturer minimum collection shares under the formula, if manufacturers required to comply with this subtitle met their minimum collection share, shall equal at least 60% of the total weight of covered electronic equipment that the Mayor estimates was generated by District residents and businesses in the previous year.

(2) For the purposes of calculating a manufacturer or partnership's achievement of its minimum collection share as set forth in subsection (b) of this section, the manufacturer or partnership may count the collection of a single item of covered electronic equipment as twice its weight when that item is donated free of charge for reuse to the District's public or charter schools, to public or charter schools in counties adjoining the District, or to any nonprofit organization with a principal mission of assisting low-income children or families. To qualify for this credit, the covered electronic equipment must be no more than 3 years old, in full working condition, and accepted in writing by the recipient as a donation.

(3) The Mayor may grant a one-year waiver, in whole or in part, from the minimum collection standards, where a manufacturer not participating in a partnership or representative organization has demonstrated that the standard could not be met despite best efforts because the manufacturer has substantially increased the amount of covered electronic equipment sold within the District over the 3-year period during which compliance with the minimum collection standard is to be calculated.

(d) Beginning January 1, 2017, a manufacturer shall accept, on a one-to-one basis with the purchase of the same type of covered electronic equipment, covered electronic equipment that is offered for return by a person in the District.

(e) Beginning January 1, 2017, a manufacturer or retailer shall provide at the point of sale information on how a person can return purchased covered electronic equipment for recycling.

(f) A manufacturer, partnership, or representative organization shall not be liable for damages arising from information stored on covered electronic equipment collected from the manufacturer's, partnership's, or representative organization's recovery programs that comply with this subtitle.

Sec. 120. Agency responsibilities. **New § 8-1041.06**

(a) Beginning January 1, 2015, the Mayor shall work with any interested manufacturers, partnerships, or representative organizations to identify District properties that could be utilized for ongoing collection opportunities or collection events.

(b) Upon approval of a manufacturer, partnership, or representative organization registration, the Mayor shall provide information on an appropriate public website about the available electronic recycling opportunities in the District, including collection sites and collection events. The website shall also include the definition of covered electronic equipment, the proper methods for disposal of covered electronic equipment, the proper methods for disposal of noncovered equipment, and links to relevant portions of manufacturers' websites. The Mayor may fulfill this requirement by providing a link to a website managed by a third party that contains the required information.

(c) If the District chooses to receive collection or recycling services from a manufacturer, partnership, or representative organization established under this subtitle for covered electronic equipment waste collected by the District, the District shall not charge the manufacturer, partnership, or representative organization for the cost of collection services and shall offer the manufacturer, partnership, or the representative organization the covered electronic equipment at no cost. Nothing in this subtitle shall require a manufacturer, partnership, or representative organization to provide recycling services for covered electronic equipment waste collected by the District.

Sec. 121. Disposal ban. **New § 8-1041.07**

(a) Beginning January 1, 2018, no person in the District shall knowingly dispose of covered electronic equipment or subassemblies of covered electronic equipment as solid waste in the District except through recycling programs or other methods approved by the Mayor.

(b) Beginning January 1, 2017, no manufacturer shall dispose of covered electronic equipment as solid waste in the District except through recycling programs or other methods approved by the Mayor.

Sec. 122. Confidential information and trade secrets. **New § 8-1041.08**

Information submitted to the Mayor pursuant to this subtitle may be designated by the Mayor as confidential upon a showing of good cause by the person submitting the information. Except as otherwise provided by law or court order, information the Mayor deems confidential may be used only by the Mayor, the Mayor's agents and employees, other District agencies, and, as authorized by the Mayor, the United States Environmental Protection Agency.

Sec. 123. Supervision; immunity from liability. **New § 8-1041.09**

(a) The Mayor shall supervise the implementation of this subtitle and manufacturer, partnership, and representative organization activities conducted in connection with this subtitle, including commercial and competitive behavior; provided, that nothing in this section is intended to, or does, create a private right of action against the government of the District of Columbia

and its officers, employees, agents, representatives, contractors, successors, and assigns based upon compliance or noncompliance with its provisions.

(b) Notwithstanding the provisions of Chapter 45 of Title 28, a manufacturer or manufacturers and a partnership or representative organization may negotiate, enter into agreements with, share the burdens of their operation with, and conduct business with each other in accordance with this subtitle in ways that may affect competition. No manufacturer, partnership, or representative organization shall be prosecuted, held liable, or subject to penalties or damages under Chapter 45 of Title 28, for actions conducted in accordance with this subtitle.

Sec. 124. Reporting requirements. **New § 8-1041.10**

(a) On March 1, 2017, and annually thereafter, the Mayor shall submit a report to the Council regarding implementation of the provisions in this subtitle and estimating, based on best available information, the progress the District has made toward achieving the goal outlined in section 116. The annual reports shall be posted on the Mayor's website by April 1 of each year.

(b) By March 1, 2019, the Mayor shall submit a report to the Council analyzing the effectiveness of the provisions outlined in this subtitle in meeting the goal established in section 116, and recommending any changes necessary to ensure that the goal may be met as early as possible. The report shall further advise the Council whether the convenient collection service alternative to the minimum collection share requirement allowed under section 119(a)(3) has generated per capita collection rates similar to the best performing electronics waste programs in other jurisdictions, considering relevant differences in covered electronic equipment and the electronics waste stream.

Sec. 125. Limitation in the event of a federal program. **New § 8-1041.11**

Upon the establishment and implementation of a federal program for the collection and recycling or reuse of covered electronic equipment discarded by households, sections 115, 116, 117, 118, 119, 120, 121, 122, 123, and 124 shall not apply to that covered electronic equipment.

Sec. 126. Rules; enforcement. **New § 8-1041.12**

(a)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this subtitle within one year of its effective date.

(2) The Mayor may expand the definition of covered electronic equipment to include items exempted in section 115(4); provided, that the Mayor shall not do so before January 1, 2018; provided further, that the Mayor shall not include household appliances. Before issuing such a rule, the Mayor shall provide a report and economic analysis to the Council outlining the reasons that expanding the definition is beneficial to the District's electronics waste diversion activities and will likely result in higher recycling or reuse rates of the electronic equipment that the Mayor proposes to include.

(b) The Mayor may establish civil penalties or fines to enforce the provisions of this subtitle and the regulations promulgated pursuant to this subtitle.

TITLE II. WASTE CONTROL AND ENFORCEMENT AMENDMENTS.

Sec. 201. The Litter Control Administrative Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-801 *et seq.*), is amended as follows:

Amend § 8-802

(a) Section 3(a)(1) (D.C. Official Code § 8-802(a)(1)) is amended by striking the phrase "the District of Columbia Solid Waste Management and Multi-Material Recycling Act of 1988," and inserting the phrase "the Sustainable Solid Waste Management Amendment Act of 2014, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-641)," in its place.

Amend § 8-807.01

(b) Section 8a (D.C. Official Code § 8-807.01) is amended as follows:

(1) Subsection (b) is amended by striking the word "continuing" and inserting the word "nonlapsing" in its place.

(2) Subsection (c) is amended to read as follows:

"(c) Monies deposited into the Fund shall be used to offset some of the costs of implementing this act, the costs of the abatement of solid waste nuisances, and to fund waste recovery and recycling education and activities in accordance with the Sustainable Solid Waste Management Amendment Act of 2014, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-641).".

Amend § 8-812

(c) Section 13(b) (D.C. Official Code § 8-812(b)) is amended by striking the phrase "Metropolitan Police Department district," and inserting the phrase "Ward," in its place.

TITLE III. REPEALERS.

Sec. 301. Repealers.

Repeal § 8-701

(a) Chapter 176, paragraph 137, line 25 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes, approved March 2, 1895 (28 Stat. 758; D.C. Official Code § 8-701), is repealed.

Repeal § 8-702

(b) Chapter 248, paragraph 117 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes, approved May 18, 1910 (36 Stat. 389; D.C. Official Code § 8-702), is repealed.

Repeal § 8-703

(c) Section 6 of Chapter 67 of An Act To provide for the collection and disposal of garbage and miscellaneous refuse of the District of Columbia, approved May 6, 1918 (40 Stat. 541; D.C. Official Code § 8-703), is repealed.

Repeal §§ 8-705 - 8-710

(d) An Act Authorizing the acquisition of land in the District of Columbia and the construction thereon of two modern, high-temperature incinerators for the destruction of combustible refuse, and for other purposes, approved March 4, 1929 (45 Stat. 1549; D.C. Official Code § 8-705 *et seq.*), is repealed.

Repeal § 8-711

(e) Chapter 286 of An Act For the disposal of combustible refuse from places outside of the city of Washington, approved May 15, 1930 (46 Stat. 334; D.C. Official Code § 8-711), is repealed.

(f) Section 3 of the District of Columbia Comprehensive Plan for a Multi-Material Recycling System Act of 1987, effective July 25, 1987 (D.C. Law 7-19; D.C. Official Code § 8-1102), is repealed.

Repeal § 8-1102

(g) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 16a, 17, 18,18a, 20, 22, 23, 24, 25, 25a, and 26 of the Solid Waste Management and Multi-Material Recycling Act of 1988, effective March 16, 1989 (D.C. Law 7-226; D.C. Official Code §§ 8-1001-1023), are repealed.

Repeal Subchapter I, Chapter 10, Title 8

TITLE IV. APPLICABIILTY, FISCAL IMPACT, AND EFFECTIVE DATE.

Sec. 401. Applicability.

Note, § 8-1031.03 Delayed Applicability

Section 103(c) shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 402. Fiscal impact statement.

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

Sec. 403. Effective date.

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

AN ACT

Bill 20-750
Act 20-424
effective
September 23, 2014

Codification
District of Columbia
Official Code
2001 Edition

To enact and amend provisions of law necessary to support the Fiscal Year 2015 budget.

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Fiscal Year 2015 Budget Support Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Budget Support Act of 2014".

TITLE I. GOVERNMENT DIRECTION AND SUPPORT
SUBTITLE A. BONUS AND SPECIAL PAY LIMITATION

Sec. 1001. Short title.

This subtitle may be cited as the "Bonus and Special Pay Limitation Act of 2014".

Sec. 1002. Bonus and special pay limitations.

(a) For Fiscal Year 2015, no funds may be used to support the categories of special awards pay or bonus pay; provided, that funds may be used to pay:

(1) Retirement awards;

(2) Hiring bonuses for difficult-to-fill positions;

(3) Additional income allowances for difficult-to-fill positions;

(4) Agency awards or bonuses funded by private grants or donations;

(5) Employee awards pursuant to section 1901 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-619.01);

(6) Safe driving awards;

(7) Gainsharing incentives in the Department of Public Works;

(8) Suggestion or invention awards;

(9) Quality Steps;

(10) Salary incentives negotiated through collective bargaining; or

(11) Any other award or bonus required by an existing contract or collective bargaining agreement that was entered into before the effective date of this subtitle.

(b) No special awards pay or bonus pay may be paid to a subordinate agency head or an assistant or deputy agency head unless required by an existing contract that was entered into before the effective date of this subtitle.

(c) Notwithstanding any other provision of law, no restrictions on the use of funds to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply in Fiscal Year 2015 to employees of the District of Columbia Public Schools who are based at a local school or who provide direct services to individual students.

(d) Notwithstanding this subtitle or any other provision of law, the Office of the Attorney General shall pay employees of the Office of the Attorney General all performance allowance payments to which they are entitled or may become entitled under any approved compensation agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the American Federation of Government Employees, Local 1403, AFL-CIO, for the period from October 1, 2013, through September 30, 2017.

SUBTITLE B. ELECTED ATTORNEY GENERAL IMPLEMENTATION AND LEGAL SERVICE ESTABLISHMENT TECHNICAL AMENDMENT

Sec. 1011. Short title.

This subtitle may be cited as the "Elected Attorney General Implementation and Legal Service Establishment Technical Amendment Act of 2014".

Sec. 1012. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*.), is amended as follows:

(a) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the year "2014" and inserting the year "2018" in its place. **Amend § 1-608.62**

(b) Section 863 (D.C. Official Code § 1-608.63) is amended by striking the year "2014" and inserting the year "2018" in its place. **Amend § 1-608.63**

(c) Section 864 (D.C. Official Code § 1-608.64) is amended by striking the year "2014" wherever it appears and inserting the year "2018" in its place. **Amend § 1-608.64**

Sec. 1013. Section 401(a) of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60; 60 DCR 15487), is amended by striking the year "2014" and inserting the year "2018" in its place. **Amend § 1-608.51a [Law 20-60, Delayed Applicability]**

Sec. 1014. (a) The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*.), as amended by section 1012, is amended as follows:

(1) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the year "2018" and inserting the year "2014" in its place. **Amend § 1-608.62, Delayed Applicability**

(2) Section 863 (D.C. Official Code § 1-608.63) is amended by striking the year "2018" and inserting the year "2014" in its place. **Amend § 1-608.63, Delayed Applicability,**

(3) Section 864 (D.C. Official Code § 1-608.64) is amended by striking the year "2018" wherever it appears and inserting the year "2014" in its place. **Amend § 1-608.64, Delayed Applicability**

(b) Section 401(a) of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60; 60 DCR 15487), as amended by section 1013, is amended by striking the year "2018" and inserting the year "2014" in its place. **Amend § 1-608.51a, Delayed Applicability**

(c) This section shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

SUBTITLE C. PUBLIC SECTOR WORKERS' COMPENSATION BUDGET SAVINGS

Sec. 1021. Short title.

This subtitle may be cited as the "Public Sector Workers' Compensation Budget Savings Amendment Act of 2014".

Sec. 1022. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding a new section designation after "SEC. 2306a. PERIOD OF DISABILITY PAYMENTS" to read as follows:

"SEC. 2306b. REPORT OF EARNINGS".

(b) Title XXIII is amended as follows:

(1) Section 2306(b) (D.C. Official Code § 1-623.06(b)) is repealed. **Amend § 1-623.06**

(2) A new section 2306b is added to read as follows: **New § 1-623.06b**

"Sec. 2306b. Report of earnings.

"(a) The Mayor shall require each employee receiving benefits under this subtitle to report his or her earnings from employment or self-employment by affidavit, including by providing copies of tax returns and authorizing the Mayor to obtain copies of tax documents, within 30 days of a written request for a report of earnings.

"(b) An employee shall forfeit his or her right to workers' compensation with respect to any period for which the report of earnings was required if the employee:

"(1) Fails to file a complete report of earnings within 30 days of a written request for a report of earnings; or

"(2) Knowingly omits or understates any part of his or her earnings.

"(c) Workers' compensation forfeited under this section, if already paid, may be recovered by a deduction from future workers' compensation payments owed to the employee or otherwise recovered under section 2329.

"(d) The Mayor shall notify any employee receiving workers' compensation benefits, on forms prescribed by the Mayor, of that employee's affirmative duty to report earnings and shall specifically notify the employee that a failure to report earnings may subject him or her to termination from the program and civil or criminal liability. The notice by the Mayor may be satisfied by printing the notice on the employee payee statement portion of the indemnity check sent to the employee.

"(e) For the purposes of this section, the term "earnings" includes any cash, wages, or salary received from self-employment or from any other employment aside from the employment in which the worker was injured. The term "earnings" also includes commissions, bonuses, and the cash value of all payments and benefits received in any form other than cash. Commissions and bonuses earned before disability but received during the time the employee is receiving workers' compensation benefits do not constitute earnings that must be reported.".

(3) Section 2307 (D.C. Official Code § 1-623.07) is amended as follows: **Amend § 1-623.07**

(A) Subsection (a)(3) is amended to read as follows:

"(3) In addition to compensation for temporary total or temporary partial disability; provided, that:

"(A) A claimant who has received compensation for temporary total or temporary partial disability under this title shall be eligible for compensation payable under this section only after compensation for the temporary total or temporary partial disability has ceased;

"(B) A claimant shall not receive any further compensation for a single injury for temporary total or temporary partial disability after receiving compensation for the injury under this section; and

"(C) A claimant shall not be entitled to receive multiple awards of compensation under this section for the same permanent disability, but shall only be entitled to receive one award of compensation payable under this section per permanent disability.".

(B) Subsection (b) is repealed.

(4) Section 2333(b)(1)(A) (D.C. Official Code § 1-623.33(b)(1)(A)) is amended by striking the phrase "before reaching age 60". **Amend § 1-623.33**

SUBTITLE D. FLEXIBILITY IN PROVISION OF TECHNOLOGY SERVICES

Sec. 1031. Short title.

This subtitle may be cited as the "Technology Services Support Amendment Act of 2014".

Sec. 1032. Section 1003(a) of the Technology Services Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-1432(a)), is amended as follows: **Amend § 1-1432**

(a) Strike the phrase "health care or education".

(b) Strike the phrase "and any open-access" and insert the phrase "any open-access" in its place.

(c) Strike the phrase "neighborhoods in the District of Columbia" and insert the phrase "neighborhoods in the District, and entities designated by the Mayor as necessary to support economic development initiatives of the District government" in its place.

SUBTITLE E. CAPITAL POLICY AND RESERVE ACCOUNT

Sec. 1041. Short title.

This subtitle may be cited as the "Capital Policy and Reserve Account Amendment Act of 2014".

Sec. 1042. Section 47-392.02 of the District of Columbia Official Code is amended as follows: **Amend § 47-392.02**

(a) Subsection (f) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

"(2) Beginning with the Fiscal Year 2017 budget, and for each subsequent year, the annual proposed budget and financial plan submitted to the Council and the approved budget and financial plan submitted to the Congress of the United States shall include a Pay-as-you-go Capital Account.".

(2) Paragraph (3) is amended by striking the phrase "May, 2015" and inserting the phrase "in May of the previous year" in its place.

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

"(2) The Fiscal Stabilization Reserve Account may be used by the Mayor for the following purposes:

"(A) Those purposes permitted for use of the Contingency Reserve Fund, specified in § 1-204.50a(b)(4), as certified by the Chief Financial Officer, with approval of the Council by act; and

"(B) Funding for locally approved expenditures during a lapse in regular appropriations; provided, that any amounts used must be replenished immediately at the conclusion of the lapse.".

(c) Subsection (j-2) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

"(2) The Cash Flow Reserve Account may be used by the Chief Financial Officer to cover the following:

"(A) Cash-flow needs; provided, that any amounts used must be replenished to the Cash Flow Reserve Account in the same fiscal year; and

"(B) Funding for locally approved expenditures during a lapse in regular appropriations; provided, that any amounts used must be replenished immediately at the conclusion of the lapse.".

(2) A new paragraph (4) is added to read as follows:

"(4) If at the close of a fiscal year, the District has fully funded the Emergency, Contingency, Fiscal Stabilization, and Cash Flow Reserves, all additional uncommitted amounts in the unrestricted fund balance of the General Fund of the District of Columbia as certified by the Comprehensive Annual Financial Report shall be used for the following purposes:

"(A) 50% shall be deposited in the Housing Production Trust Fund; and

"(B) 50% shall be reserved for Pay-as-you-go capital projects.".

Sec. 1043. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-308.04. Replacement schedule for capital assets.".

(b) A new section 47-308.04 is added to read as follows:

New § 47-308.04

"§ 47-308.04. Replacement schedule for capital assets.

"The Chief Financial Officer of the District of Columbia shall develop a 15-year replacement schedule for the capital assets of the District government. The schedule shall be

prepared in a form that reflects both the adopted capital improvements plan and a replacement schedule for District capital assets. The Chief Financial Officer shall report to the Council and the Mayor on the replacement schedule on an annual basis, with the initial report due on October 1, 2015. All agencies shall cooperate with any requests made by the Chief Financial Officer related to this section.".

Amend § 47-335.01

(c) Section 47-335.01 is amended by striking the word "borrowings." and inserting the phrase "borrowings. In determining the amounts to be financed, the Mayor shall consult with the Chief Financial Officer to determine if any funds appropriated for Debt Service, as defined in § 47-334(1), in excess of Debt Service requirements are available to reduce the amount of borrowing for the next bond issuance." in its place.

Amend § 47-362

(d) Section 47-362 is amended by adding a new subsection (f) to read as follows:

"(f) Notwithstanding § 47-363, any funds appropriated for Debt Service, as defined in § 47-334(1), in excess of Debt Service requirements:

"(1) May not be reprogrammed, unless the Council approves the reprogramming request by resolution; and

"(2) At the end of a fiscal year, any excess shall be transferred to the Capital Fund as Paygo.".

SUBTITLE F. GOVERNMENT FAMILY LEAVE PROGRAM

Sec. 1051. Short title.

This subtitle may be cited as the "Government Family Leave Program Amendment Act of 2014".

Sec. 1052. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding new section designations to read as follows:

"SEC. 1203a. UNIVERSAL LEAVE PROGRAM

"SEC. 1203b. DONOR LEAVE

"SEC. 1203c. FAMILY LEAVE".

New § 1-612.03c

(b) A new section 1203c is added to read as follows:

"Sec. 1203c. Family leave.

"(a) An eligible employee shall receive leave with pay for family leave of not more than 8 workweeks within a 12-month period for a single qualifying event.

"(b) Leave authorized by this section for a single qualifying event:

"(1) May be exercised by an eligible employee only within the 12-month period following the qualifying event;

"(2) May be used in no less than one-day increments, either consecutively or intermittently; and

"(3) Shall count against the 16 workweeks of family leave provided under section 3 of the District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-502) ("D.C. FMLA").

"(c) If an employee using leave under this section is serving in a probationary capacity, the employee's probationary period shall be extended by the duration of the leave used.

"(d) An eligible employee using leave under this section shall enjoy the same employment and benefit protections afforded to an employee under section 6 of the D.C. FMLA; provided, that section 6(f) of the D.C. FMLA shall not apply under this section.

"(e) An agency may require that a request for leave under this section be supported by appropriate certification or other supporting documentation. An agency shall keep any information regarding the family relationship confidential.

"(f) Each agency shall maintain an accounting of leave used under this section and any records related to its use.

"(g) For the purposes of this section, the term:

"(1) "Child" means:

"(A) A person under 21 years of age;

"(B) A person, regardless of age, who is substantially dependent upon the employee by reason of physical or mental disability; or

"(C) A person who is under 23 years of age who is a full-time student at an accredited college or university.

"(2) "Eligible employee" means a District government employee eligible to accrue annual leave who has experienced a qualifying event.

"(3) "Family member" means:

"(A) A person to whom the employee is related by blood, legal custody, domestic partnership, or marriage;

"(B) A foster child;

"(C) A child who lives with the employee and for whom the employee permanently assumes and discharges parental responsibility; or

"(D) A person with whom the employee shares or has shared, within the last year, a mutual residence and with whom the employee maintains a committed relationship.

"(4) "Qualifying event" means one of the following:

"(A) The birth of a child of the employee;

"(B) The legal placement of a child with the employee (such as through adoption, guardianship, or foster care);

"(C) The placement with the employee of a child for whom the employee permanently assumes and discharges parental responsibilities; or

"(D) The care of a family member of the employee who has a serious health condition.".

Sec. 1053. Applicability. **Note, § 1-612.03c**

An employee may exercise leave under this subtitle for a qualifying event that occurred before the effective date of this act; provided, that the employee otherwise meets the requirements of this subtitle.

SUBTITLE G. OFFICE OF CONTRACTING AND PROCUREMENT SURPLUS PERSONAL PROPERTY SALES FUND ESTABLISHMENT

Sec. 1061. Short title.

This subtitle may be cited as the “Office of Contracting and Procurement Surplus Personal Property Fund Establishment Act of 2014”.

Sec. 1062. Surplus Personal Property Sales Fund. **New § 1-325.271**

(a) There is established as a special fund the Surplus Personal Property Sales Fund ("Fund"), which shall be administered by the Chief Procurement Officer in accordance with subsection (c) of this section:

(b) Except as provided in subsection (d) of this section, proceeds from the sale of surplus personal property shall be deposited into the Fund.

(c) Money in the Fund shall be used to pay for the cost of online auction contracts for surplus personal property.

(d) Amounts in excess of the money needed to pay for the cost of online auction contracts for surplus personal property shall be deposited into the unrestricted fund balance of the General Fund of the District of Columbia.

SUBTITLE H. COMMISSION ON FATHERS, MEN, AND BOYS

Sec. 1071. Short title.

This subtitle may be cited as the "Commission on Fathers, Men, and Boys Establishment Act of 2014".

Sec. 1072. Commission on Fathers, Men, and Boys. **New § 3-731**

The Commission on Fathers, Men, and Boys ("Commission") is established to advise the Mayor, the Council, and the public on issues and needs of fathers, men, and boys in the District of Columbia.

Sec. 1073. Commission members; qualifications; terms of office; removal. **New § 3-732**

(a) The Commission shall consist of 12 members nominated by the Mayor and subject to the consent of the Council in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)). The makeup of the Commission shall reflect the demographics of the District and shall include prominent business and community leaders and individuals certified in fatherhood training or having documented experience working directly with issues of particular interest and concern to fathers, men, and boys.

(b) Members of the Commission shall be residents of the District.

(c) Members shall be appointed to serve terms of 4 years and shall serve until their successors are appointed. A member of the Commission may be reappointed but may serve no more than 2 consecutive terms.

(d) Whenever a vacancy occurs on the Commission, the Mayor shall, within 90 business days of the vacancy, appoint a successor to fill the unexpired portion of the term.

(e) The Mayor shall designate, from among the members appointed, the Chairman, who shall serve in that capacity at the pleasure of the Mayor.

(f) All members of the Commission shall serve without compensation except that expenses incurred by the Commission as a whole, or by a group of its members, shall become an obligation against appropriated District funds designated for that purpose.

(g) The Mayor may remove, after notice and hearing, any member of the Commission for neglect of duty, incompetence, misconduct, or malfeasance in office.

Sec. 1074. Duties of the Commission. **New § 3-733**

(a) The Commission shall:

(1) Serve as an advocate for fathers, men, and boys residing in the District by advising and making recommendations to the Mayor and the Council concerning the needs of District residents related to or concerning fathers, men, and boys;

(2) Research, review, maintain, and disseminate empirical data, statistics, and facts concerning or attributable to fatherhood and family social economic issues;

(3) Stimulate and encourage the dialogue of responsible fatherhood and spur community initiatives to combat fatherlessness;

(4) Prepare and recommend to the Mayor and the Council an annual plan of programs and services focused on issues directly related to fathers, men, and boys;

(5) Work with District agencies, the private sector, and local communities to promote a healthier societal impact on fathers, men, and boys; and

(6) Nominate special advisors to serve and provide technical and expert advice on specific and particular matters relevant to the functions of the Commission.

(b) The Commission shall devise policies and procedures that will effectively address the social economic concerns of fathers, men, and boys, including:

(1) Employment;

(2) Poverty;

(3) Fatherlessness and responsible fatherhood;

(4) Family law;

(5) Health and well-being; and

(6) Rehabilitation and reintegration.

(c) The Commission may apply for and receive grants to fund programs and initiatives in accordance with procedures relating to grants management, District government statutes, regulations, Mayor's Orders, and procedures as specified by the Office of the Chief Financial Officer, the Office of Partnerships and Grant Services, and the Office of Contracting and

Procurement and to recommend to the Mayor and Council applications for federal grants-in-aid for fatherhood, children, and family initiatives.

(d) The Commission may accept private gifts and donations to carry out the purposes of this subtitle in compliance with the procedures and requirements of the Office of Partnerships and Grant Services.

Amend § 1-523.01

Sec. 1075. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(1) Paragraph (48) is amended by striking the word "and".

(2) Paragraph (49) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (50) is added to read as follows:

"(50) The Commission on Fathers, Men, and Boys established pursuant to section 1072 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750).".

SUBTITLE I. GRANTS ADMINISTRATION

Sec. 1081. Short title.

This subtitle may be cited as the "Grants Administration Amendment Act of 2014".

Amend § 1-328.12

Sec. 1082. Section 1093 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61, D.C. Official Code § 1-328.12), is amended by striking the phrase "shall be administered" and inserting the phrase "or the Fiscal Year 2015 Budget Support Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), shall be administered" in its place.

SUBTITLE J. WORKPLACE WELLNESS

Sec. 1091. Short title.

This subtitle may be cited as the "Workplace Wellness Act of 2014".

New § 1-541.01

Sec. 1092. Workplace wellness policy.

(a) The Mayor shall develop and adopt a workplace wellness policy for the District government no later than one year following the effective date of this act. The workplace wellness policy shall be reviewed and updated annually.

(b) The workplace wellness policy required by subsection (a) of this section shall apply to all District agencies, including independent District agencies and the Council of the District of Columbia, but excluding boards and commissions, Advisory Neighborhood Commissions, and the Courts.

(c) The workplace wellness policy required by subsection (a) of this section shall include initiatives that:

(1) Establish measurable goals for improving the health of District government employees;

(2) Improve nutrition in the workplace, including:

(A) Expanding opportunities for employees to store lunches and foods in District buildings; and

(B) Promoting the availability and consumption of water throughout the day;

(3) Improve the physical fitness of employees and physical activity during the work day, including:

(A) Providing opportunities for employees to exercise at their desks and offices; and

(B) Ensuring that staircases are accessible and their use is encouraged;

(4) Promote healthy living and educate employees about physical activity, healthy eating, stress management, and disease prevention;

(5) Provide for early detection and screening for key health indicators; and

(6) Support changes in the work environment to encourage healthy behaviors and breastfeeding and promote occupational safety and health.

(d) Each agency shall designate one employee as the agency's wellness coordinator who shall have the responsibility of implementing the wellness policy in the agency and promoting wellness programs.

(e) It is the goal of the District for each agency to achieve the American Heart Association's gold-level designation as a "Fit-Friendly" workplace or other evidence-based workplace initiatives of national or local health organizations.

Sec. 1093. Healthy food and beverage standards for District government property. **New § 1-541.02**

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §§ 2-501 *et seq*.), shall issue rules establishing healthy food and beverage nutrition and procurement standards that are guided by the General Services Administration document "Health and Sustainability Guidelines for Federal Concessions and Vending Operations" for all District agencies no later than one year following the effective date of this act.

(b) The standards shall consider both positive and negative contributions of nutrients, ingredients, and foods to diets, including calories, portion size, saturated fat, trans fat, sodium, sugar, and the presence of fruits, vegetables, whole grains, and nutrients of concern in Americans' diets.

(c) The standards shall apply to foods and beverages purchased or served by District agencies, including at meetings, events, in vending machines, and through on-site vendors, with the exception of food served by the Department of Corrections and the Department of Behavioral Health to persons who reside at their institutions or are in their direct custody. No less than 50% of all foods and beverages shall be healthy, as guided by the General Services Administration

document "Health and Sustainability Guidelines for Federal Concessions and Vending Operations".

(d) The standards shall not apply to food to be served to children in schools, but may apply to food served to adults in schools if that food is separate and different from the food served to children.

(e) Exemptions may be allowed for those circumstances in which the individuals consuming the food have specific dietary needs.

Amend § 10-1301

Sec. 1094. Section 601(b)(2) of the Omnibus Spending Reduction Act of 1993, effective November 25, 1993 (D.C. Law 10-65; D.C. Official Code § 10-1301(b)(2)), is amended as follows:

(a) Subparagraph (B) is amended by striking the word "and".

(b) Subparagraph (C) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) Enter into lease or other agreements, with or without monetary consideration, with entities of the District government and with private entities for establishing healthy food retail opportunities within the Property.".

SUBTITLE K. EMANCIPATION DAY.

Sec. 1101. Short title.

This subtitle may be cited as the "Emancipation Day Amendment Act of 2014".

Sec. 1102. The District of Columbia Emancipation Day Parade and Fund Act of 2004, effective March 16, 2005 (D.C. Law 15-240; D.C. Official Code § 1-181 *et seq*.), is amended as follows:

Amend § 1-182

(a) Section 3 (D.C. Official Code § 1-182) is amended by adding a new sentence at the end to read as follows: “For Fiscal Year 2015 only, the Council committee with oversight related to the District of Columbia Emancipation Day shall continue to coordinate the District of Columbia Emancipation Day activities in consultation with the Office of the Mayor.”.

Amend § 1-183

(b) Section 4 (D.C. Official Code § 1-183) is amended by adding a new subsection (e) to read as follows:

"(e) Each agency, including the Metropolitan Police Department, the District Department of Transportation, the Department of Public Works, and the Department of Parks and Recreation, shall absorb permitting, staffing, and related costs associated with the conduct of the Emancipation Day Parade.".

SUBTITLE L. STATEHOOD INITIATIVES BUDGETING

Sec. 1111. Short title.

This subtitle may be cited as the “Statehood Initiatives Budgeting Amendment Act of 2014".

Sec. 1112. Beginning in Fiscal Year 2015, the Chief Financial Officer shall assign an individual agency-level code for Statehood Initiatives in the District's financial system. The agency-level code shall be used to track the operating budget for the District's efforts to achieve statehood and any funds that are appropriated for that purpose.

New § 1-301.154

Sec. 1113. Section 47-1812.11c is revived as of January 1, 2009, and amended to read as follows:

Revive and Amend § 47-1812.11c

"§ 47-1812.11c. Statehood Delegation Fund tax check-off

"(a) There shall be provided on the District of Columbia individual income tax return a voluntary check-off that indicates an individual may contribute a minimum donation or gift of $ 1 to the Statehood Delegation Fund ("Fund"), established by § 1-129.08. The contribution shall reduce any refund owed to the individual taxpayer or increase the tax owed by the individual taxpayer on the taxpayer's tax return. The funds generated from the tax check-off shall be earmarked for the Fund except that any cost incurred by the Chief Financial Officer in collecting, processing, accounting for, or disbursing the funds generated by the tax check-off shall be reimbursed to the Chief Financial Officer from the funds generated by the tax check-off.

"(b) Except as provided in subsection (c) of this section, the funds generated by the tax check-off established by subsection (a) of this section shall be transferred to the Fund pursuant to rules issued by the Chief Financial Officer that establish timetables and procedures for transfer of the funds. Check-off funds shall be transferred to the Fund only after the costs to the Chief Financial Officer described in subsection (a) of this section have been reimbursed.

"(c)(1) Until the District of Columbia Statehood Delegation Fund Commission, established by § 1-129.02, convenes, the funds generated by the tax check-off shall be deposited in equal amounts in the District of Columbia statehood funds established pursuant to § 1-123(g) .

"(2) Semiannually, each Representative and Senator shall submit to the Mayor, the Chairman of the Council, and the Chairman of the District of Columbia Board of Elections and Ethics an accounting of the expenditures made with the tax check-off funds.

"(d)(1) Except as provided in paragraph (2) of this subsection, any unpaid District tax liability on an individual income tax return shall render any voluntary tax check-off election void. Any amount paid for the purpose of contributing to the Fund shall be used first to satisfy any unpaid tax liability, in whole or in part.

"(2) If there is any amount that remains after satisfaction of the unpaid tax liability, the amount shall be transferred to the Fund.".

SUBTITLE M. HOME RULE ACT 40TH ANNIVERSARY CELEBRATION AND COMMEMORATION COMMISSION EXTENSION

Sec. 1121. Short title.

This subtitle may be cited as the "Home Rule Act 40th Anniversary Celebration and Commemoration Commission Extension Amendment Act of 2014".

Sec. 1122. Section 1089 of the Fiscal Year 2013 Budget Support Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-137.08), is amended by striking the phrase "October 1, 2014" and inserting the phrase "January 31, 2015" in its place. **Amend § 1-137.08**

SUBTITLE N. PAY-FOR-SUCCESS CONTRACT AUTHORIZATION

Sec. 1131. Short title.

This subtitle may be cited as the "Pay-for-Success Contract Authorization Act of 2014".

Sec. 1132. Definitions. **New § 2-211.01**

For the purposes of this subtitle, the term:

(1) "Pay-for-success contract" means a contract between the District and a social service intermediary that establishes outcome-based performance standards for social programs performed by nonprofit service providers and initially funded by private investors through a social impact funding instrument and provides a mechanism by which investors shall receive a return of their investment and earnings thereon only if outcome-based performance standards are met by the social service intermediary.

(2) "Social service intermediary" means an organization that is organized and operated pursuant to section 501(c)(3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), or an affiliated legal entity thereof that is so organized and operated and that is capable of entering into a pay-for-success contract with the District that sets forth outcome-based performance standards, contracting with service providers to deliver social services, raising capital to finance the delivery of social services via a social impact funding instrument, and administering the social impact funding instrument by providing ongoing investor relations and project management.

(3) "Social impact funding instrument" means an investment product established by a social service intermediary to raise private investment capital for social programs.

Sec. 1133. Authorization of pay-for-success contracts. **New § 2-211.02**

Notwithstanding any other law, the Mayor may enter into pay-for-success contracts. Each contract shall include:

(1) A requirement that payment from the District be conditioned on the achievement of specific outcomes based on defined performance targets;

(2) An objective process by which an independent evaluator will determine whether the performance targets have been achieved;

(3) A detailed scope of the social service intermediary's service under the contract;

(4) A calculation of the amount and timing of payments to the social service intermediary during each year of the contract if performance targets are achieved as determined by the independent evaluator;

(5) A requirement that the social service intermediary create a social impact funding instrument to obtain the funds required for the social program;

(6) A sinking fund requirement under which the Mayor shall request a multiyear appropriation for every fiscal year that the contract is in effect, in an amount equal to the expected payments that the District would ultimately be obligated to pay in the future based upon service provided, if performance targets were achieved pursuant to the terms of the contract;

(7) A process for the District to review payments made by the social service intermediary through reporting requirements pursuant to the contract; and

(8) A determination by the Mayor that the contract will result in significant performance improvements and budgetary savings to the District across all impacted areas if the performance targets are achieved.

Sec. 1134. Pay-for-Success Contract Fund. **New § 2-211.03**

(a) There is established as a special fund the Pay-for-Success Contract Fund ("Fund") which shall be administered by the Mayor or his or her designee in accordance with subsection (c) of this section.

(b) Each fiscal year there shall be deposited into the Fund the amount of the annual appropriation estimated to be paid in the next fiscal year for any pay-for-success contract.

(c) The Fund shall be used to fund payments to be made pursuant to pay-for-success contracts. The Chief Financial Officer shall create separate accounts within the Fund for each pay-for-success contract entered into by the District.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE O. FINANCIAL REPORTING

Sec. 1141. Short title.

This subtitle may be cited as the "Financial Reporting Act of 2014".

Sec. 1142. (a) No later than December 1, 2014, and on a quarterly basis thereafter, until the approval of the Fiscal Year 2016 budget and financial plan, the Chief Financial Officer shall provide a report to the Council on the following subjects: **New § 1-301.155**

(1) Progress toward ensuring that the Fiscal Year 2016 budget will be balanced, including:

(A) Savings achieved to date;

(B) Additional revenue certified through revised revenue estimates; and

(C) Additional revenue that may be certified through revenue enhancements;

(2) An analysis of procurement reform efforts in Fiscal Year 2014, including:

(A) Contracts reviewed for potential cost savings;

(B) Savings secured through the renegotiation of existing contracts; and

(C) A report from the Office of Contracting and Procurement to the Chief Financial Officer regarding subparagraphs (A) and (B) of this paragraph;

(3) An analysis of personnel review efforts, including:

(A) Positions left vacant or eliminated as a result of cost-savings initiatives; and

(B) Savings secured through personnel savings; and

(4) Any other operating budget savings achieved or targeted in Fiscal Year 2014.

(b) Agencies shall report on their progress toward limiting personal and nonpersonal expenditures whether one-time or recurring.

SUBTITLE P. BEGA ESTABLISHMENT AND COMPREHENSIVE ETHICS REFORM AMENDMENT

Sec. 1151. Short title.

This subtitle may be cited as the "Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2014".

Sec. 1152. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq*.), is amended as follows:

Amend § 1-1162.24

(a) Section 224(a) (D.C. Official Code § 1-1162.24(a)) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) The lead-in language is amended by striking the phrase "Advisory Neighborhood Commissioners and members of the Washington Metropolitan Area Transit Authority Board of Directors appointed pursuant to section 1 of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01)" and inserting the phrase "Advisory Neighborhood Commissioners, members of the Washington Metropolitan Area Transit Authority Board of Directors appointed pursuant to section 1 of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), and candidates for nomination for election, or election, to public office, who are not otherwise required to file pursuant to this paragraph" in its place.

(B) Subparagraph (G)(iv) is amended by striking the phrase "been offered or".

(2) A new paragraph (3) is added to read as follows:

"(3)(A) An Advisory Neighborhood Commissioner who is not otherwise required to file a report pursuant to paragraph (1) of this subsection shall file the certification required by paragraph (1)(G) of this subsection for the preceding year.

"(B) Effective January 1, 2015, a candidate for nomination for election, or election, to public office who is not otherwise required to file a report pursuant to paragraph (1) of this subsection shall file the certification required by paragraph (1)(G) of this subsection for the preceding year.

"(C) A candidate for nomination for election, or election, to public office who, as of May 15, 2014, had not filed a report for calendar year 2013 required by this section and who was not otherwise required to file a report pursuant to paragraph (1) of this subsection shall not be required to do so.".

Amend § 1-1162.25

(b) Section 225(a) (D.C. Official Code § 1-1162.25(a)) is amended by striking the phrase "Advisory Neighborhood Commissioners and members of the Washington Metropolitan Area Transit Authority Board of Directors" and inserting the phrase "members of the Washington Metropolitan Area Transit Authority Board of Directors" in its place.

SUBTITLE Q. ATTORNEY GENERAL ELECTION

Sec. 1161. Short title.

This subtitle may be cited as the "Attorney General 2014 Special Election Authorization Clarification Amendment Act of 2014".

Amend § 1-1001.08

Sec. 1162. Section 8 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 701; D.C. Official Code § 1-1001.08), is amended by adding a new subsection (j-1) to read as follows:

"(j-1) Notwithstanding any other provision of law, and pursuant to the June 4, 2014 Order of the District of Columbia Court of Appeals in *Zukerberg v. D.C. Board of Elections and Ethics, et al.*, No. 14-CV-222, the Board shall conduct the 2014 election of the Attorney General consistent with the procedural requirements for a special election under this act, and shall have the election of the Attorney General coincide with the November 4, 2014, general election.".

Amend § 1-301.82

Sec. 1163. Section 102(a) of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.82(a)), is amended by striking the phrase "which time shall not be before January 1, 2018,".

SUBTITLE R. COMMISSION ON THE ARTS AND HUMANITIES

Sec.1171. Short title.

This subtitle may be cited as the "Commission on the Arts and Humanities Term Limit Amendment Act of 2014".

Amend § 39-203

Sec. 1172. Section 4(b) of the Commission on Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203(b)), is amended by striking the phrase "but may not serve more than 2 consecutive terms".

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION
SUBTITLE A. MANUFACTURER TASTING PERMIT

Sec. 2001. Short title.

This subtitle may be cited as the "Manufacturer Tasting Permit Amendment Act of 2014".

Sec. 2002. Title 25 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for Chapter 1 is amended by adding a new section designation to read as follows:

"25-126. On-site sales consumption permit.".

Amend § 25-110

(b) Section 25-110(a)(2)(B) is amended by striking the phrase "The licensee may sell beer to the consumer only in barrels, kegs, and sealed bottles," and inserting the phrase "Except as provided in § 25-126, the licensee may sell beer to the consumer only in barrels, cans, kegs, and sealed bottles," in its place.

New § 25-126

(c) A new section 25-126 is added to read as follows:

"§ 25-126. On-site sales consumption permit.

"(a) The holder of a manufacturer's license, class B, may apply for an on-site sales and consumption permit in order to use a portion of the licensed premises for the on-premises sale, service, and consumption of beer brewed by the brewery and purchased by the customer.

"(b) The holder of an on-site sales and consumption permit shall only sell, serve, and permit the consumption of beer brewed by the brewery and purchased by the customer between the hours of 1 p.m. and 9 p.m., 7 days a week.

"(c) The on-premises sales and consumption permit shall not obviate the requirement of the holder of a manufacturer's license, class B, to obtain a tasting permit pursuant to § 25-118, to be authorized to provide samples of beer to a customer at no cost.

"(d) A violation of this section shall constitute a primary tier violation.".

Amend § 25-508

(d) Section 25-508 is amended by adding a phrase at the end to read as follows:

"On-site sales and consumption permit $1,000/year.".

SUBTITLE B. CONSUMER PROCEDURES AND PROTECTIONS ENFORCEMENT

Sec. 2011. Short title.

This subtitle may be cited as the "Consumer Procedures and Protections Enforcement Amendment Act of 2014".

Sec. 2012. Chapter 39 of Title 28 of the District of Columbia Official Code is amended as follows:

Amend § 28-3903

(a) Section 28-3903(a) is amended as follows:

(1) Paragraph (14) is amended by striking the word "and" at the end.

(2) Paragraph (16) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (17) is added to read as follows:

"(17) impose civil fines, pursuant to § 28-3905, as alternative sanctions for any violation of the provisions of this chapter or of any rules issued under the authority of this chapter. Any violation of this chapter, or of any rule issued under the authority of this chapter, shall be a Class 2 infraction pursuant to 16 DCMR § 3200.1(b), unless the violation is classified otherwise pursuant to rules issued by the Department.".

Amend § 28-3904

(b) Section 28-3904(m) is amended to read as follows:

"(m) harass or threaten a consumer with any act other than legal process, either by telephone, cards, letters, or any form of electronic or social media;".

Amend § 28-3905

(c) Section 28-3905(i)(3)(A) is amended to read as follows:

"(3)(A) Any person found to have executed a trade practice in violation of a law of the District within the jurisdiction of the Department may be liable for a civil penalty not exceeding $1,000 for each failure to adhere to a provision of an order described in subsection (f), (g), or (j) of this section, or a consent decree described in subsection (h) of this section.".

SUBTITLE C. SOLAR PERMITTING FEES

Sec. 2021. Short title.

This subtitle may be cited as the "Solar Permitting Fees Amendment Act of 2014".

DCMR

Sec. 2022. Chapter 101.1(a) of Title 12-K of the District of Columbia Municipal Regulations (12-K DCMR § 101.1(a)) is amended by inserting a phrase between the fees for "sign" and "swimming pool" to read as follows:

"Solar Photovoltaic	Less than 15 kilowatts	$250 Residential; $300 Commercial
"15 - 99 kilowatts	$300 for first 15 kilowatts and $11.25 per additional kilowatt	
"100 - 199 kilowatts	$1,250 for the first 100 kilowatts and $2.5 per additional kilowatt	
"200 kilowatts or more	$1,250 for the first 200 kilowatts and $1 per additional kilowatt	

"Solar Thermal	Fewer than 10 panels	$250 Residential; $300 Commercial
"10 - 24 panels	$300 for first 10 panels and	$25 per additional panel
"25 - 49 panels	$650 for the first 25 panels and $15 per additional panel	
"50 panels or more	$1,010 for the first 50 panels $10 per additional panel.".	

SUBTITLE D. PUBLIC UTILITIES REIMBURSEMENT FEE AMENDMENT

Sec. 2031. Short title.

This subtitle may be cited as the "Public Utilities Reimbursement Fee Amendment Act of 2014".

Amend § 34-912

Sec. 2032. Paragraph 42(b)(1), (2), and (3) of section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code §§ 34-912(b)(1), (2), and (3)), is amended to read as follows:

"(b)(1) All amounts appropriated for the Public Service Commission and the Office of the People's Counsel for each fiscal year shall be repaid during such fiscal year by the public utilities, natural gas suppliers, electricity suppliers, and telecommunications service providers as a reimbursement fee.

"(2) The Public Service Commission shall annually determine the amount of the reimbursement fee to be paid by each natural gas supplier, electricity supplier, and telecommunications service provider authorized to provide service in the District, excluding the local exchange carrier, and the formula by which the amount shall be determined.

"(3)(A) The amount of the reimbursement fee to be paid by each public utility other than those subject to paragraph (2) of this subsection shall be equal to the amounts appropriated, less the amount to be reimbursed by the providers subject to paragraph (2) of this subsection, multiplied by the fraction, as determined by the Mayor, represented by the gross revenues of the public utility derived from utility operations in the District of Columbia that are regulated by the Public Service Commission during the immediately preceding fiscal year (or other 12-month period as the Mayor may designate), divided by the gross revenues of all public utilities from utility operations in the District of Columbia during such period. The fee shall be paid by the public utilities during such fiscal year to the Treasurer of the District of Columbia, at such time or times and in such manner as the Mayor by regulation may require.

"(B) If the total amount paid or obligated by the Public Service Commission and the People's Counsel during such fiscal year pursuant to appropriations for such fiscal year is less than the amounts appropriated by more than 5%, the Mayor shall refund to or credit each public utility, natural gas supplier, electricity supplier, and telecommunications service provider subject to subparagraph (A) of this paragraph and paragraph (2) of this subsection a portion of the difference, rounded to the nearest dollar, as equals the difference multiplied by the fraction, representing the gross revenues of the public utility, natural gas supplier, electricity supplier, or telecommunications service provider, divided by the gross revenues of all public utilities, natural gas suppliers, electricity suppliers, and telecommunications service providers.

"(C) Subparagraph (B) of this paragraph shall apply as of Fiscal Year 2012.".

SUBTITLE E. DC FILM INCENTIVE FUND

Sec. 2041. Short title.

This subtitle may be cited as the “DC Film Incentive Fund Amendment Act of 2014”.

Sec. 2042. Section 2 of the Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501), is amended as follows: **Amend § 39-501**

(a) The section heading is amended by striking the phrase “Film DC Economic Incentive Fund” and inserting the phrase “DC Film Incentive Fund” in its place.

(b) Subsection (a) is amended to read as follows:

“(a)(1) There is established as a special fund the DC Film Incentive Fund (“Fund”). The Fund shall appear as a separate program line within the budget of the Office of Motion Picture and Television Development. The Fund shall be funded by annual appropriations.

“(2)(A) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

“(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

SUBTITLE F. FREE TRANSPORTATION FOR SUMMER YOUTH

Sec. 2051. Short title.

This subtitle may be cited as the "Free Transportation for Summer Youth Amendment Act of 2014".

Sec. 2052. Section 2 of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended by adding a new subsection (g) to read as follows: **Amend § 35-233**

“(g)(1) Participants in the Summer Youth Employment Program (“SYEP”) administered by the Department of Employment Services pursuant to section 2 of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241), shall be eligible for a summer youth transit subsidy program (“Program”) as established by the Mayor.

“(2) The Program shall allow qualified SYEP participants to travel on Metrobus, Metrorail, and public transportation services offered by the District at subsidized or reduced fares.

“(3) The subsidized or reduced fares established pursuant to this subsection shall be valid only for the transportation of SYEP participants to and from their internships and related activities for the first 3 weeks of the summer 2015 SYEP.”.

SUBTITLE G. FOOD STAMP EXPANSION

Sec. 2061. Short title.

This subtitle may be cited as the "Food Stamp Expansion Amendment Act of 2014".

Sec. 2062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code §§ 4-261.01 *et seq.*), is amended by adding a new section 5084 to read as follows: **New § 4-261.04**

"Sec. 5084. Locally funded minimum benefit.

"Beginning on or after January 1, 2015, but beginning no later than October 1, 2015, a family participating in the food stamp program whose federally funded household benefit is less than $30 per month shall receive locally funded benefits to bring the household's total benefit to $30 per month.".

SUBTITLE H. CABLE TELEVISION O-TYPE TRANSFER

Sec. 2071. Short title.

This subtitle may be cited as the "Cable Television O-Type Transfer Amendment Act of 2014".

Sec. 2072. Notwithstanding any other provision of law, for Fiscal Year 2015, the Chief Financial Officer shall transfer to the unrestricted fund balance of the General Fund of the District of Columbia and recognize as local funds $1.8 million of Fiscal Year 2014 Cable Television Franchise Fee revenues.

Sec. 2073. Applicability.

This subtitle shall apply as of September 30, 2014.

SUBTITLE I. HOME PURCHASE ASSISTANCE PROGRAM

Sec. 2081. Short title.

This subtitle may be cited as the "Home Purchase Assistance Program Amendment Act of 2014".

Sec. 2082. The lead-in language of section 14-2503.1(b) of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2503.1(b)) is amended to read as follows: **DCMR**

"(b) Downpayment Assistance for eligible very low, low, and moderate income applicants shall be in an amount equal to the Desired Purchasing Power less the Standard Mortgage Qualification Level for each eligible applicant, subject to the Per-Client Downpayment Assistance Cap, and adjusted for household size. The maximum amount of Downpayment Assistance for the lowest income applicant shall be $50,000 and shall be adjusted based on the applicant's income according to subparagraph (1) of this paragraph.".

SUBTITLE J. RETAIL PRIORITY AREA

Sec. 2091. Short title.

This subtitle may be cited as the "Retail Priority Area Amendment Act of 2014".

Sec. 2092. Section 2(5) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171(5)), is amended by striking the phrase "beginning point" and inserting the phrase "beginning point, and, after October 1, 2014, the Bladensburg Road, N.E., Retail Priority Area, as defined in section 4(g) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73)," in its place.

Amend § 1-325.171

Sec. 2093. Section 2(4) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended to read as follows:

"(4) Ward 4 Georgia Avenue Priority Area, consisting of the parcels, squares, and lots within the area bounded by a line beginning at the intersection of Kenyon Street, N.W., and Sherman Avenue, N.W.; continuing north along Sherman Avenue, N.W., to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W., to Spring Road, N.W.; then continuing northwest along the center line of Spring Road, N.W., to Kansas Avenue, N.W.; continuing northeast along Kansas Avenue, N.W., to Georgia Avenue; then continuing north along Georgia Avenue, N.W., to Allison Street N.W., then continuing west along Allison Street N.W., to 14th Street, N.W., then continuing north along 14th Street, N.W., to Longfellow Street, N.W., then continuing east along Longfellow Street, N.W., to Georgia Avenue, N.W., then continuing north along Georgia Avenue, N.W., to Eastern Avenue, N.W., then continuing southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E., to Blair Road, N.W., then continuing south along Blair Road, N.W., to North Capitol Street, N.E., then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W., then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W., then continuing southwest along Kansas Avenue, N.W., to Varnum Street, N.W.; then continuing east along Varnum Street, N.W., to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then continuing further south along Warder Street, N.W., to the center line of Kenyon Avenue, N.W.; and then continuing west along Kenyon Avenue, N.W., to the beginning point;".

Sec. 2094. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

Amend § 2-1217.73

(a) Subsection (g) is amended to read as follows:

"(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E., to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.; thence south on 19th Street, N.E., to Benning Road, N.E.; thence east on Benning Road, N.E. to Oklahoma Avenue, N.E.; thence southwest on Oklahoma Avenue, N.E. to Clagett Place, N.E.;

thence northwest on Clagett Place, N.E. to 20th Street, N.E.; thence northwest along the rear boundaries of all properties with frontage along the southwest side of Benning Road, N.E. to 19th Street, N.E.; thence south on 19th Street, N.E. to Gales Street, N.E.; thence northwest on Gales Street, N.E. to 15th Street, N.E.; thence west on G Street, N.E. to 14th Street, N.E.; thence north on 14th Street, N.E. to Florida Avenue, N.E.; thence west on Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the point of beginning.".

(b) A new subsection (k) is added to read as follows:

"(k) There is established the New York Avenue, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of New York Avenue, N.E., and Florida Avenue, N.E.; thence southeast on Florida Avenue, N.E., to West Virginia Avenue, N.E.; thence northeast on West Virginia Avenue, N.E. to 17th Street, N.E.; thence southeast on 17th Street. N.E.; thence continuing northeast on 17th Street, N.E. to Montana Avenue, N.E., thence southeast on Montana Avenue, N.E. to Bladensburg Road, N.E.; thence northeast on Bladensburg Road, N.E. to New York Avenue, N.E.; thence east on New York Avenue, N.E.; thence continuing northeast on New York Avenue, N.E.; thence continuing southeast on New York Avenue, N.E. to Fort Lincoln Drive, N.E.; thence north on Fort Lincoln Drive, N.E.; thence continuing northwest on Fort Lincoln Drive, N.E.; thence continuing southwest on Fort Lincoln Drive, N.E. to 33rd Place, N.E.; thence continuing southwest on 33rd Place, N.E. to South Dakota Avenue, N.E.; thence northwest on South Dakota Avenue, N.E. to Channing Place, N.E.; thence west on Channing Place, N.E. to Bladensburg Road, N.E.; thence southwest on Bladensburg Road, N.E. to Queens Chapel Road, N.E.; thence northwest on Queens Chapel Road to Channing Street, N.E.; thence west on Channing Street, N.E. to 21st Place, N.E., thence south on 21st Place, N.E. to Bryant Street, N.E., thence west on Bryant Street, N.E. to Lawrence Street, N.E., then southwest on Lawrence Street, N.E. to Edwin Street, N.E., thence northwest on Edwin Street, N.E.; thence continuing southwest on Edwin Street, N.E. to Montana Avenue, N.E., thence continuing northwest on Montana Avenue, N.E. to W Street, N.E., thence southwest on W Street, N.E., thence west along a line extending W Street, N.E., west to the continuation of W Street, N.E., and continuing west along W Street, N.E., to Brentwood Road, N.E.; thence southwest along Brentwood Road, N.E., to its end at T Street, N.E.; thence southwest to the intersection of a line extending Fourth Street, N.E., south and a line extending R Street, N.E., east; thence west on R Street, N.E. to Eckington Place, N.E., thence southwest on Eckington Place, N.E., to Florida Avenue, N.E., thence southeast on Florida Avenue, N.E. and continuing southeast until the point of beginning.".

(c) A new subsection (l) is added to read as follows:

"(l) There is established the Good Hope Road, S.E. Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Anacostia Drive and Good Hope Road S.E.; thence southeast on Good Hope Road to Naylor Road S.E.".

SUBTITLE K. RESIDENTIAL ESSENTIAL SERVICE SUBSIDY STABILIZATION

Sec. 2101. Short title.

This subtitle may be cited as the "Residential Essential Service Subsidy Stabilization Amendment Act of 2014".

Sec. 2102. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code §§ 8-1773.01 *et seq*.), is amended as follows:

(a) Section 101(6) (D.C. Official Code § 8-1773.01(6)) is amended to read as follows: **Amend § 8-1773.01**

"(6) "Existing low-income program" means the program operated under the name "LIHEAP Expansion and Energy Education"."

(b) Section 211 (D.C. Official Code § 8-1774.11) is amended as follows: **Amend § 8-1774.11**

(1) Subsection (b)(1) is amended by striking the number ".006" and inserting the number ".0051" in its place.

(2) Subsection (c) is amended by striking the phrase "programs in the amount of $2.409 million in fiscal year 2011, and $2.6 million annually thereafter" and inserting the phrase "program in the amount of $2.33 million annually, and the Mayor shall have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF" in its place.

(c) A new section 215 is added to read as follows: **Amend § 8-1774.15**

"Sec. 215. Discount program for low-income gas customers.

"The Commission shall establish, by order, a discount program for low-income gas customers in the District. The Commission shall establish the eligibility, funding, and administrative guidelines for the program; provided, that the program shall not be funded from existing District funds, District revenue sources, or District assessments.".

SUBTITLE L. RENEWABLE ENERGY PORTFOLIO STANDARD

Sec. 2111. Short title.

This subtitle may be cited as the "Renewable Energy Portfolio Standard Amendment Act of 2014".

Sec. 2112. Section 11(b) of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1439(b)), is amended by striking the phrase "April 1" and inserting the phrase "May 1" in its place. **Amend § 34-1439**

SUBTITLE M. ADULT LITERACY TASK FORCE

Sec. 2121. Short title.

This subtitle may be cited as the “Adult Literacy Task Force Act of 2014”.

Sec. 2122. Establishment of Adult Career Pathways Task Force. **New § 32-1661**

(a) For the purposes of this act, the term:

(1) "Basic skills program" means a secondary, post-secondary, or alternative education or training program that helps individuals enhance the reading, writing, math, English language, digital literacy, or problem-solving skills that adults need to succeed in a job, occupational training, or postsecondary education.

(2) "Career pathways" means an approach to connecting progressive levels of basic skills and postsecondary education, training, and supportive services in specific sectors or cross-sector occupations in a way that optimizes the progress and success of individuals (including those with limited education, English skills, or work experience) in securing marketable credentials, family-supporting employment, and further education and employment opportunities.

(3) "High-demand occupations or sectors" means occupations or sectors consistent with the Workforce Investment Council's current Workforce Investment Act of 1998 Demand Occupation List.

(4) "Task Force" means the Adult Career Pathways Task Force established in subsection (b) of this section.

(b) Beginning October 1, 2014, the Mayor shall establish an Adult Career Pathways Task Force that shall have as its purpose development of a city-wide strategic plan for connecting adult basic skills programs administered in the District to career pathways.

(c) The Task Force shall be convened by the Workforce Investment Council, and shall consist of the following 13 members:

(1) The Chairman of the Council, or his or her designee;

(2) The Chair of the Workforce Investment Council, or his or her designee;

(3) The Deputy Mayor for Education, or his or her designee;

(4) The State Superintendent of Education, or his or her designee;

(5) The Chancellor of the District of Columbia Public Schools, or his or her designee;

(6) The Chair of the Public Charter School Board, or his or her designee;

(7) The Director of the Department of Employment Services, or his or her designee;

(8) The Director of the Department of Human Services, or his or her designee;

(9) The Executive Director of the D.C. Public Library, or his or her designee;

(10) A representative of the University of the District of Columbia Community College, appointed by the President of the University of the District of Columbia; and

(11) Three community representatives, appointed by the Mayor, as follows:

(A) A representative of a District organization engaged in the direct provision of a basic skills program;

(B) A representative of a District school engaged in the direct provision of a basic skills program; and

(C) A representative of a District job training provider.

(d) No later than June 1, 2015, the Task Force shall submit to the Council and the Mayor the city-wide strategic plan required under this section. In developing the strategic plan, the Task Force shall:

(1) Review best practices for improving literacy, numeracy, and technology skills for adults;

(2) Review and analyze adult basic skills programs currently administered by the Office of the State Superintendent of Education, the District of Columbia Public Schools, the District of Columbia Public Charter Schools, the University of the District of Columbia Community College, the District of Columbia Public Library, and other agencies identified by the Task Force , with focus provided to the missions and goals of the various programs, the types of credentials offered, the degree of funding levels, the age and educational functioning level of students at time of program entry and the rates of gains upon completion, and the degree to which the program partners with job training providers, postsecondary education programs, or employers;

(3) Consult with stakeholders, including the following:

(A) Organizations with research or policy expertise in adult basic skills programs and career pathways;

(B) Organizations focused on adult education and workforce development research or service provision;

(C) Representatives of the District's business community in high-demand occupations or sectors that the Task Force has identified for potential career pathways; and

(D) Representatives from the philanthropic community;

(4) Perform an analysis of evidence-based approaches for helping adult learners with different needs and skill levels advance in career pathways, with special attention paid to practices for adult learners with basic skills below the 6th grade level;

(5) Develop a city-wide mission statement for ensuring that adult learners have access to career pathways by 2020 and annual benchmarks for measuring progress toward that goal;

(6) Analyze the high-demand occupations or sectors in which career pathways can be developed;

(7) Develop responsibilities among the Task Force agencies for meeting the city-wide goals, including recommendations to better align policies and practices around support services;

(8) Develop common performance definitions and measures that adult basic skills programs will use to track progress, including educational gains, GED or secondary school diploma attainment, employment placement and retention, entrance into postsecondary education or training, and other credential completion; and

(9) Analyze existing professional development opportunities for adult educators and develop a strategy for addressing any identified gaps.

(e) Following the completion of the city-wide strategic plan, the Workforce Investment Council shall convene the Task Force on a quarterly basis to track implementation of the strategy.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. MPD ESCORT AND REIMBURSEMENT

Sec. 3001. Short title.

This subtitle may be cited as the "Police Escort Reimbursement Amendment Act of 2014".

Sec. 3002. Reimbursable police escorts and other law enforcement services. **New § 5-129.71**

(a) The Chief of Police may charge and collect reimbursement fees, as set forth in the fee schedule established pursuant to subsection (b) of this section, for providing police escorts that are necessary to protect public health and safety. All reimbursement fees collected under this subsection shall be deposited into the fund established by D.C. Official Code § 47-2826(d).

(b) The Chief of Police, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules setting forth a reimbursement fee schedule.

(c) For the purposes of this subtitle, the term "police escort" shall include the assignment of law enforcement personnel and vehicles as necessary to ensure the preservation of public safety, typically either at a specified location or from a point of origin to a specified destination, in a manner consistent with the nature of the persons, material, and the threat posed by the movement or event.

Sec. 3003. Section 47-2826 of the District of Columbia Official Code is amended as follows: **Amend § 47-2826**

(a) Subsection (b) is amended to read as follows:

"(b) The Mayor may adjust the license fee set in subsection (a) of this section to cover the costs to the District of providing police, fire, and other public services that are necessary to protect public health and safety.".

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

"(d)(1) There is established as a special fund the MPD Overtime Reimbursement Fund ("Fund"), which shall be administered by the Metropolitan Police Department ("MPD") in accordance with paragraph (3) of this subsection.

"(2) Except as provided in § 1-325.81, revenue from the following sources shall be deposited in the Fund:

"(A) Fees paid pursuant to this section related to police services; and

"(B) Fees paid pursuant to section 3002 of the Fiscal Year 2015 Budget Support Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750).

"(3) Money in the Fund shall be used for the purpose of reimbursing MPD for the cost of overtime needed to:

"(A) Staff special events such as parades, carnivals, and movie productions; and

"(B) Provide security details to establishments, such as bars, nightclubs, and sports teams, that pay for extra police coverage.".

Sec. 3004. Conforming amendment. **Amend § 1-325.81**

Section 3052(a) of the FEMS Special Events Fee Fund Establishment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.81(a)), is amended by striking the phrase "all fees assessed and collected" and inserting the phrase "all fees assessed and collected relating to Fire and Emergency Medical Services Department service delivery" in its place.

SUBTITLE B. STATE SAFETY OVERSIGHT AGENCY ESTABLISHMENT

Sec. 3011. Short title.

This subtitle may be cited as the "State Safety Oversight Agency Establishment Amendment Act of 2014".

Sec. 3012. Section 1a of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401.01), is amended to read as follows: **Amend § 5-401.01**

"Sec. 1a. State safety oversight agency for DC Streetcar.

"(a) For the purposes of this section, the term "DC Streetcar" means the rail-fixed guideway public transportation system operated by the District Department of Transportation pursuant to section 2 of the Department of Transportation Establishment Act of 2002, effective March 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01), or any future rail-fixed guideway public transportation system operated by the District, whichever exists.

"(b) The Fire and Emergency Medical Services Department is designated as the state safety oversight agency, as required by 49 U.S.C. § 53 *et seq*. and implementing regulations, as they may be amended from time to time (hereinafter referred to as "applicable federal law").

"(c) There is established, within the Fire and Emergency Medical Services Department, a state safety office. The state safety office shall be headed by a Program Manager. The Program Manager shall not be supervised by, or under the direction or control of, any District officer or employee, anyone acting on their behalf, responsible for any aspect of the operation of the DC Streetcar.

"(d) The Program Manager of the state safety office, or his or her designee, shall, in accordance with applicable federal or District law:

"(1) Oversee the operations of the DC Streetcar insofar as those operations affect, or could affect, the safe operation of the DC Streetcar;

"(2) Conduct, or cause to be conducted, investigations, independently or in cooperation with federal or District offices or agencies, into the operations of the DC Streetcar,

including any accident or incident involving the operations or assets of the DC Streetcar, insofar as those operations affect, or could affect, the safe operation of the DC Streetcar;

"(3) Audit the DC Streetcar system for compliance with safety-related plans, or for any other purpose the Program Manager concludes would promote the safe operation of the DC Streetcar;

"(4) Issue reports and findings regarding all aspects of the safety and security of the DC Streetcar, including operations and accidents, when:

"(A) The issuance of reports and findings is required by federal or District law; or

"(B) The Program Manager determines that such action would promote the safe operation of the DC Streetcar;

"(5) Require the DC Streetcar to develop and submit safety-related plans to the Program Manager for review. After review, the Program Manager shall approve or disapprove the safety-related plans as appropriate;

"(6) Enforce statutes, regulations, and executive orders related to the safe operation of the DC Streetcar. If the Program Manager concludes that enforcement is required in order to protect or promote public safety, the Program Manager may:

"(A) Order the partial or complete cessation of an activity undertaken by the District government, or any entity acting on the District government's behalf, in connection with the operation of the DC Streetcar; and

"(B) Take any other enforcement actions that are consistent with federal or District requirements related to the safe operation of the DC Streetcar;

"(7) Conduct any other activity and take any other action necessary to implement federal or District laws or regulations related to the functions and responsibilities of a state safety oversight agency;

"(8) Execute and file an application on behalf of the District with the Federal Transit Administration ("FTA") for federal assistance authorized by 49 U.S.C. §53 *et seq*., Title 23 of the United States Code, or other federal statutes authorizing a project administered by the FTA;

"(9) Execute and file with its application for federal assistance submitted under paragraph (8) of this subsection the annual certifications, assurances, and other documents required by the FTA to award a federal assistance grant or cooperative agreement; and

"(10) Execute grant and cooperative agreements with the FTA on behalf of the District.

"(e) Pursuant to Title I of the District of Columbia Administrative Procedure Act approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), the Program Manager may issue rules to implement the provisions of this section.".

SUBTITLE C. MICROSTAMPING IMPLEMENTATION

Sec. 3021. Short title.

This subtitle may be cited as the "Microstamping Implementation Amendment Act of 2014".

Sec. 3022. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq*.), is amended as follows:

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the phrase "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place. **Amend § 7-2504.08**

(b) Section 503 (D.C. Official Code § 7-2505.03) is amended by striking the phrase "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place. **Amend § 7-2505.03**

SUBTITLE D. ACCESS TO JUSTICE

Sec. 3031. Short title.

This subtitle may be cited as the “Access to Justice Initiative Administrative Costs Amendment Act of 2014”.

Sec. 3032. The Access to Justice Initiative Establishment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01 *et seq*.), is amended as follows:

(a) Section 201 (D.C. Official Code § 4-1702.01) is amended as follows: **Amend § 4-1702.01**

(1) Designate the existing text as subsection (a).

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

“(b) The provisions of this act shall be exempt from the requirements of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).”.

(b) Section 301(b) (D.C. Official Code § 4-1703.01(b)) is amended as follows: **Amend § 4-1703.01**

(1) Designate the existing text as paragraph (1).

(2) A new paragraph (2) is added to read as follows:

“(2) Any training or evaluation deemed necessary by the Bar Foundation for purposes of the Initiative shall be permitted as a non-administrative expense, with reasonable expenses for these purposes not restricted to the percentage set aside for administrative expenses under paragraph (1) of this subsection.”.

(c) Section 401 (D.C. Official Code § 4-1704.01) is amended as follows: **Amend § 4-1704.01**

(1) Subsection (b) is amended by adding a new paragraph (3) to read as follows:

“(3) Any training or evaluation deemed necessary by the Bar Foundation for purposes of the Initiative shall be permitted as a non-administrative expense, with reasonable expenses for these purposes not restricted to the percentage set aside for administrative expenses under subsection (c) of this section.”.

(2) Subsection (c) is amended as follows:

(A) Paragraph (3) is amended by striking the phrase "The Administer may use" and inserting the phrase "Except as provided in paragraphs (3) and (4) of this subsection, the Administrator may use" in its place.

(B) A new paragraph (4) is added to read as follows:

"(4) If the Deputy Mayor has designated the Bar Foundation as Administrator, the Bar Foundation may, in lieu of using a percentage of LRAP grant funding under paragraph (3) of this subsection, use a portion of funds authorized under section 301(b) of this section for reasonable administrative expenses associated with administering the LRAP.".

SUBTITLE E. DEPUTY CHIEF MEDICAL EXAMINER

Sec. 3041. Short title.

This subtitle may be cited as the "Deputy Chief Medical Examiner Amendment Act of 2014".

Amend § 5-1402

Sec. 3042. Section 2903(b) of the Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1402(b)), is amended by striking the phrase "Deputy CME" and inserting the phrase "Deputy CME, to be paid at an annual rate of $206,000," in its place.

SUBTITLE F. FEMS OVERTIME LIMITATION

Sec. 3051. Short title.

This subtitle may be cited as the "Fire and Emergency Medical Services Overtime Limitation Amendment Act of 2014".

Amend § 1-611.03

Sec. 3052. Section 1103(f) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1 611.03(f)), is amended as follows:

(a) Paragraph (2)(B) is amended by striking the phrase "2011, 2012, 2013, and 2014" and inserting the phrase "2011, 2012, 2013, 2014, and 2015" in its place.

(b) Paragraph (4)(A) is amended as follows:

(1) Strike the phrase "2011, 2012, 2013, and 2014" and insert the phrase "2011, 2012, 2013, 2014, and 2015" in its place.

(2) Strike the phrase "$ 20,000" and insert the phrase "$ 30,000" in its place.

Amend § 5-405

Sec. 3053. Section 2 of An Act To amend the Act entitled "An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes", approved June 20, 1906, and for other purposes, approved June 19, 1948 (62 Stat. 498; D.C. Official Code § 5-405), is amended as follows:

(a) Subsection (f) is amended to read as follows:

"(f)(1) Except as provided in paragraph (2) of this subsection and in subsection (h) of this section, for Fiscal Years 2011, 2012, 2013, and 2014, no member of the Fire and Emergency

Medical Services Department, except for officers, shall work more than 204 hours in 2 consecutive pay periods.

"(2) For Fiscal Year 2015, no member of the Fire and Emergency Medical Services Department, except for officers, shall work more than 228 hours in 2 consecutive pay periods.".

(b) Subsection (g) is amended by striking the phrase "2011, 2012, 2013, and 2014" and inserting the phrase "2011, 2012, 2013, 2014, and 2015" in its place.".

SUBTITLE G. MARIJUANA POSSESSION DECRIMINALIZATION EVIDENCE

Sec. 3061. Short title.

This subtitle may be cited as the "Marijuana Possession Decriminalization Evidence Amendment Act of 2014".

Amend § 48-1213

Sec. 3062. Section 203(e) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; 61 DCR 3482), is amended by striking the phrase "a statement from a law enforcement officer on the weight of the seized marijuana,".

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS

Sec. 4001. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Amendment Act of 2014".

Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq*.), is amended as follows:

Amend § 38-2903

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase "$9,306 per student for fiscal year 2014" and inserting the phrase "$9,492 per student for Fiscal Year 2015" in its place.

Amend § 38-2904

(b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following chart in its place:

Grade Level	Weighting	Per Pupil Allocation in FY 2015
Pre-Kindergarten 3	1.34	$12,719
Pre-Kindergarten 4	1.30	$12,340
Kindergarten	1.30	$12,340
Grades 1-5	1.00	$9,492
Grades 6-8	1.08	$10,251

Grades 9-12	1.22	$11,580
Alternative program	1.44	$13,668
Special education school	1.17	$11,106
Adult	0.89	$8,448

(c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows: **Amend § 38-2905**

"(c)(1) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

"Special Education Add-ons:

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	$9,207
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services.	1.2	$11,390
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	$18,699
"Level 4: Special Education	More than 24 hours per week which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	$33,127
"Blackman Jones Compliance	Weighting provided in addition to special education level add-on weightings on a per student basis for Blackman Jones compliance.	0.069	$655
"Attorney's Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per student basis for attorney's fees.	0.089	$845
"Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	$15,852

"General Education Add-ons:

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015

ELL	Additional funding for English Language Learners	0.49	$4,651
At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level	0.219	$2,079

"Residential Add-ons:

Level/Program	**Definition**	**Weighting**	**Per Pupil Allocation in FY 2015**
Level 1: Special Education – Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	$3,493
Level 2: Special Education – Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	$12,691
Level 3: Special Education – Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	$27,438
Level 4: Special Education – Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.874	$27,280
LEP/NEP –Residential	Additional funding to support the after-hours Limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with	0.668	$6,341

	room and board in a residential setting		

" Special Education Add-ons for Students with Extended School Year ("ESY") Indicated in Their Individualized Education Programs ("IEPs"):

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
"Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs.	0.063	$598
"Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.227	$2,155
"Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.491	$4,661
"Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.489	$4,642

"(2) Pursuant to section 106a, allocations in addition to the grade level and supplemental allocations provided pursuant to section 105 and this section shall be provided in accordance with section 106a for students identified as at-risk.".

Amend § 38-2905.01

(d) Section 106a(c) (D.C. Official Code § 38-2905.01(c)) is amended by striking the period at the end and inserting the phrase "; provided, that for students identified as both as at-risk and as participating in an alternative program or as adult learners, only the alternative program weighting shall apply." in its place.

SUBTITLE B. ALTERNATIVE SCHOOLS

Sec. 4011. Short title.

This subtitle may be cited as the "Alternative Education Amendment Act of 2014".

Amend § 38-2901

Sec. 4012. Section 102(1B) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998,

effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(1B)), is amended to read as follows:

"(1B) "Alternative program" means specialized instruction for students under court supervision or who have a history of being on short- or long-term suspension or who have been expelled from school, or who meet other criteria as defined by the State Education Office through rulemaking. To qualify as an alternative program, a school must meet the criteria and rules set by the State Education Office. An alternative program may describe an entire school or a specialized program within a school.".

SUBTITLE C. DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD FUNDING

Sec. 4021. Short title.

This subtitle may be cited as the "District of Columbia Public Charter School Board Funding Amendment Act of 2014".

Amend § 38-1802.11

Sec. 4022. Section 2211(b)(2) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.11(b)(2)), is amended by striking the phrase "one-half of one percent" and inserting the phrase "1%" in its place.

SUBTITLE D. PREFERENCES IN ADMISSION FOR PUBLIC CHARTER SCHOOL APPLICANTS.

Sec. 4031. Short title.

This subtitle may be cited as the "Preferences in Admission for Public Charter Schools Amendment Act of 2014".

Amend § 38-1802.06

Sec. 4032. Section 2206(c) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code, § 38-1802.06(c)), is amended to read as follows:

"(c) Random selection. - - If there are more applications to enroll in a public charter school from students who are residents of the District of Columbia than there are spaces available, students shall be admitted using a random selection process; except, that a preference in admission may be given to an applicant who is a:

"(1) Sibling of a student already attending or selected for admission to the public charter school in which the applicant is seeking enrollment;

"(2) Child of a member of the public charter school's founding board; provided, that enrollment of such children is limited to no more than 10% of the school's total enrollment or to 20 students, whichever is less; and

"(3) Child of a full-time employee of the public charter school who is a District resident; provided, that enrollment of such children is limited to no more than 10% of the school's total enrollment.”.

SUBTITLE E. RESIDENCY EXEMPTION FOR WARDS OF THE STATE

Sec. 4041. Short title.

This subtitle may be cited as the "Educational Continuity Amendment Act of 2014".

Amend § 38-302

Sec. 4042. Section 2 of the District of Columbia Nonresident Tuition Act, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302), is amended by adding a new subsection (e) to read as follows:

"(e) Notwithstanding the provisions of subsection (a) of this section, a child in the care and custody of the District pursuant to D.C. Official Code § 16-2320(a)(3) who, while attending a DCPS or public charter school, ceases to be in that care and custody as a result of being placed in the permanent care and custody of a parent, guardian, or custodian who resides outside the District of Columbia shall be considered a resident of the District of Columbia for the purpose of school attendance and shall be exempt from the requirement to pay tuition for the period of time until the child completes the educational program offered at the school the child currently attends.".

SUBTITLE F. ESTABLISHMENT OF THE COMMON LOTTERY BOARD

Sec. 4051. Short title.

This subtitle may be cited as the "Common Lottery Advisory Board Establishment Amendment Act of 2014".

Sec. 4052. The Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191 *et seq.*), is amended as follows:

Amend § 38-191

(a) Section 202(b) (D.C. Official Code § 38-191(b)) is amended as follows:

(1) Paragraph (7) is amended by striking the word "and" at the end.

(2) Paragraph (8) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (9) is added to read as follows:

"(9) Provide administrative and technical support for the Common Lottery Board.".

New § 38-194

(b) New sections 205 and 206 are added to read as follows:

"Sec. 205. Common Lottery Board.

"(a)(1) There is established a Common Lottery Board ("CLB") within the Department of Education. The purpose of the CLB shall be to develop and maintain a common lottery system for admission to public schools in the District of Columbia and shall:

"(A) Adopt policies and procedures to govern the common lottery system, to be implemented by the Department of Education;

"(B) Develop a 5-year strategic plan for the continuous improvement of the common lottery system;

"(C) Develop an annual budget for the common lottery system;

"(D) Promote participation of local educational agencies in the common lottery system;

"(E) Identify critical entities with which to partner that will enable the CLB to further develop the common lottery system; and

"(F) Solicit input from a Parent Advisory Council as established by the CLB;

"(2) The CLB shall be funded through local appropriations and any private funding that it receives. The CLB may solicit, accept, and use private gifts, grants, or donations to further its stated purposes.

"(3) The CLB shall adopt its own by-laws and rules of procedure.

"(4) The CLB may utilize District public space for its official duties.

"(5) Subject to the availability of appropriations, the Chairperson shall appoint, terminate, and fix the pay of an Executive Director of the CLB; provided, that the CLB shall approve the appointment and termination of the Executive Director.

"(b) The CLB shall consist of the following 10 members:

"(1) Seven voting members as follows:

"(A) The Deputy Mayor for Education, or designee, who shall serve as Chairperson of the CLB;

"(B) The Chancellor of the District of Columbia Public School ("DCPS"), or designee;

"(C) Two representatives from DCPS, as appointed by the Chancellor; and

"(D) Three representatives from public charter schools, each appointed by a vote among charter schools as organized by the Public Charter School Board "(PCSB"); and

"(2) Three non-voting members as follows:

"(A) The State Superintendent of Education, or designee;

"(B) The Chair of the Public Charter School Board ("PCSB"), or designee; and

"(C) The Executive Director of the CLB.

"(c)(1) Except as provided in paragraph (2) of this subsection, the representatives appointed by DCPS and by a vote organized by the PCSB ("termed members") shall serve 2-year terms and may be reappointed without limitation.

"(2) The initial appointment of the termed members shall be as follows:

"(A) One member appointed by DCPS and one member appointed by a vote organized by the PCSB to serve terms of 2 years, with the term to begin on July 1 and end on June 30; and

"(B) One member appointed by DCPS and 2 members appointed by a vote organized by the PCSB to serve terms of one year, with the term to begin on July 1 and end on June 30.

"(3) When a vacancy occurs in the membership of the CLB for reasons other than the expiration of a term, an appointment to fill the remainder of the vacated term shall be made

in the same manner as prescribed in subsection (b)(1)(C) or (D) of this section, whichever is applicable.

New § 38-195

"Sec. 206. Common Lottery Board Fund.

"(a) There is established as a special fund the Common Lottery Board Fund ("Fund"), which shall be administered by the Deputy Mayor for Education in accordance with subsections (c) and (d) of this section.

"(b) Deposits into the Fund shall include:

"(1) Appropriated funds;

"(2) Gifts,

"(3) Grants; and

"(4) Donations.

"(c) Money in the Fund shall be used for the continued development and improvement of the common lottery system.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE G. EDUCATION FUNDING FORMULA EQUITY

Sec. 4061 Short title.

This subtitle may be cited as the "Education Funding Formula Equity Amendment Act of 2014".

Amend § 38-2913

Sec. 4062. Section 115 of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 38-2913), is amended by striking the phrase "fiscal year 2015" and inserting the phrase "Fiscal Year 2016" in its place.

SUBTITLE H. HEALTHY TOTS

Sec. 4071. Short title.

This subtitle may be cited as the "Healthy Tots Act of 2014".

New § 38- 281

Sec. 4072. Definitions.

For the purposes of this subtitle, the term:

(1) "Child and Adult Care Food Program" or "CACF Program" means the program authorized by section 17 of the National School Lunch Act, approved October 7, 1975 (89 Stat. 522; 42 U.S.C. § 1766).

(2) "Child development facility" means a licensed community-based center, home, or other structure, regardless of its name, that provides care, supervision, guidance, and other services for infants, toddlers, and preschoolers on a regular basis. The term "child

development facility" does not include a child development center or program that is sponsored or run by a public or private school.

(3) "Eligible child" means a child who is a District resident who occupies a slot funded in whole or in part by the childcare subsidy program, authorized by section 3 of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-402), the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), or the District of Columbia Public Schools' Head Start program.

(4) "Farm-to-preschool programs" means programs at child development facilities that connect early care and education settings to local food producers, as an extension of the farm-to-school model, which connect children to local foods through meals and snacks, taste tests, lessons, farmer visits, cooking, field trips, growing food, and community and parent engagement.

(5) "Infant" means a child younger than 12 months of age.

(6) "Locally grown" shall have the same meaning as provided in section 101(3) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01(3)).

(7) "OSSE" means the Office of the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C Official Code § 38-2601).

(8) "Preschool" or "preschooler" means a child older than 24 months of age but younger than compulsory school attendance age, who is not enrolled in a public, charter, or private school.

(9) "Sustainable agriculture" shall have the same meaning as provided in section 101(9) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01(9)).

(10) "Toddler" means a child between 12 months of age and 24 months of age.

(11) "Unprocessed" shall have the same meaning as provided in section 101(10) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01(10)).

(12) "WIC" means the Special Supplemental Nutrition Program for Women, Infants, and Children, as provided in section 17 of the Child Nutrition Act of 1966, approved September 26, 1972 (86 Stat. 729; 42 U.S.C. § 1786).

Sec. 4073. Healthy Tots Fund. **New § 38- 282**

(a) There is established as a special fund the Healthy Tots Fund ("Fund"), which shall be administered by OSSE in accordance with this section.

(b)(1) The Fund shall be funded by annual appropriations, which shall be deposited into the Fund. The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

(c) OSSE shall make funds from the Fund available for the following purposes:

(1) To provide additional funding for healthy meals served by child development facilities participating in the CACF Program by reimbursing the child development facility for each meal that meets the rules issued pursuant to this subtitle as follows:

(A) For meals eligible for reimbursement through the CACF Program served to an eligible child:

(i) Ten cents for each breakfast;

(ii) Ten cents for each lunch; and

(iii) Ten cents for each supper;

(B) For breakfasts served to any child attending the child development facility but not eligible for reimbursement through the CACF Program because child development facilities have maximized the number of allowable reimbursable meals, an amount of local funding equal to the free federal rate as established under the CACF Program; provided, that the breakfasts meet the rules issued pursuant to this subtitle; provided further, that at least 75% of the children attending the child development facility are District residents and at least 50% are eligible to receive free or reduced meals.

(2)(A) To provide additional funding to child development facilities participating in the Child and Adult Care Food Program that use local foods by reimbursing the child development facility an additional $0.05 per lunch or supper that meets the rules issued pursuant to this subtitle served to eligible children and at least one component of a meal is comprised entirely of locally grown and unprocessed foods; provided, that the child development facility reports to OSSE the name and address of the local farms where the foods were grown.

(B) For the purposes of this paragraph, the term "locally grown and unprocessed foods" shall not include milk.

(3) To provide funding to child development facilities that have partnerships with the Office of the State Superintendent of Education and that follow Early Headstart Standards as defined by 45 C.F.R. § 1304 and that provide comprehensive services, including health, mental health, nutrition, and family services; provided, that the funds shall be used for recruitment into or administration of the Child and Adult Care Food Program, including meal planning and nutrition education to children and their families.

(d) In addition to the requirements set forth in subsection (c) of this section, and subject to available funding, OSSE shall make funds from the Fund available:

(1) To make competitive grants available to child development facilities participating in the Child and Adult Care Food Program to support physical activity, nutrition, gardens, natural play areas, and farm-to-preschool programs; and

(2) As an incentive to increase participation in the Child and Adult Care Food Program, provide a $300 grant per year to a child development home that participates in the Child and Adult Care Food Program to help pay for costs associated with licensing, renewal, and other related expenses.

(e) A child development facility receiving a reimbursement or other funding pursuant to this section shall provide the meals at no charge to participating infants, toddlers, and preschoolers.

(f)(1) OSSE may, by rule, increase the amount of reimbursements, grants, or other funding provided by this section to further improve the quality and nutrition of meals provided by a child development facility.

(2) OSSE may withhold reimbursements or other funding authorized by this section from a child development facility that does not meet the requirements of this subtitle, or rules issued pursuant to this subtitle.

Sec. 4074. OSSE requirements. **New § 38- 283**

(a) The OSSE shall:

(1) Provide training to support the efforts of a child development facility to meet the requirements of this subtitle;

(2) Monitor the progress of a child development facility in complying with this subtitle during the facility's licensing process and record collected data in each facility's compliance history; and

(3) Provide to the Mayor, the Council, and the Healthy Schools and Youth Commission an annual evaluation of the effect of the implementation of this subtitle on the health, well-being, and school-readiness of participating District children.

(b) Within 60 days of the effective date of this subtitle, the OSSE shall add participation in the Child and Adult Care Food Program to the searchable criteria on the website for the OSSE Child Care Connections, which is the District's child care resource and referral center.

(c) No later than December 30 of each year, the OSSE shall submit, in conjunction with the Department of Health, a report to the Council and the Mayor on the efforts to promote WIC in child development facilities, including data on:

(1) Identifying opportunities to better promote WIC at child development facilities;

(2) The feasibility of the development of a breastfeeding-friendly rating for child development facilities; and

(3) Whether data matching or other means tested programs can be used to identify families receiving child-care subsidies and connect them to WIC if they are eligible for WIC benefits and are not receiving them.

(d) Within 120 days of the effective date of this subtitle, pursuant to the authority granted by section 3(b)(11) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C Official Code § 38-2602(b)(11)), the OSSE shall issue rules to implement this subtitle, which, at a minimum, shall:

(1) Establish nutritional standards for meals and snacks served at child development facilities;

(2) Establish physical activity standards for child development facilities;

(3) Improve the environmental sustainability of child development facilities;

(4) Increase the use of locally grown and unprocessed foods from growers engaged in sustainable agriculture practices;

(5) Enhance nutrition and healthy eating education programming for infants, toddlers, and preschoolers at child development facilities, including farm-to-preschool programs; and

(6) Ensure that child development facilities provide sufficient training to staff on improving nutrition and increasing the level of physical activity of participating infants, toddlers, and preschoolers.

Sec. 4075. Use of Department of Parks and Recreation facilities. **New § 38- 284**

The Department of Parks and Recreation shall, to the extent feasible, partner with child development facilities to allow the facilities to use District recreation centers, fields, playgrounds, and other facilities on occasions that do not conflict with the Department of Parks and Recreation's existing programming or with on-going community obligations.

Sec. 4076. Conforming amendment. **Amend § 38-2602**

Section 3b of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C Official Code § 38-2602(b)), is amended as follows:

(a) Paragraph (20)(O)(vi) is amended by striking the word "and" at the end.

(b) Paragraph (21) is amended by striking the period and inserting a semicolon in its place.

(c) New paragraphs (22) and (23) are added to read as follows:

"(22) Administer the Healthy Schools Fund and fulfill its other responsibilities under the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01 *et seq*.); and

"(23) Administer the Healthy Tots Fund and fulfill its other responsibilities under the Healthy Tots Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750).".

SUBTITLE I. CHARTER SCHOOL FACILITIES ALLOTMENT

Sec. 4081. Short title.

This subtitle may be cited as the "Charter School Facilities Allotment Amendment Act of 2014".

Sec. 4082. Section 109 of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2908), is amended by adding a new subsection (b-2) to read as follows: **Amend § 38-2908**

"(b-2)(1) For Fiscal Years 2015 and 2016, the per pupil facility allowance for Public Charter Schools shall be $3072.

"(2) For Fiscal Year 2017 and succeeding fiscal years, the per pupil facility allowance for Public Charter Schools shall be $3100.

"(3) The facility allowance set forth in paragraphs (1) and (2) of this subsection shall be multiplied by the number of students estimated to attend each Public Charter School to determine the actual facility allowance payments to be received by each Public Charter School.".

SUBTITLE J. PCSB DONATIONS

Sec. 4091. Short title.

This subtitle may be cited as the "Public Charter School Board Donation Amendment Act of 2014".

Amend § 1-329.01

Sec. 4092. Section 115 of the Consolidated Appropriations Resolution, 2003, approved February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01), is amended as follows:

(a) Subsection (d) is repealed.

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

"(d-1) This section shall not apply to the Public Charter School Board, which may accept and use gifts to the Public Charter School Board without prior approval by the Mayor.".

SUBTITLE K. DEPUTY MAYOR FOR EDUCATION GRANT-MAKING AUTHORITY

Sec. 4101. Short title.

This subtitle may be cited as the "Deputy Mayor for Education Limited Grant-Making Authority Act of 2014".

Note, § 38-191

Sec. 4102. Deputy Mayor for Education limited grant-making authority.

For Fiscal Year 2015, the Deputy Mayor for Education shall have grant-making authority solely to provide:

(1) An operational grant of $2 million for the development of a language immersion public charter school campus serving middle- and high-school students; provided, that the grant shall not be used for the lease, renovation, or development costs of a temporary location; and

(2) An operational grant of $2 million to support the project development and management of an athletic and community meeting space on the grounds of a public charter school that provides a classical education to students in grades 5 through 12.

Note, § 38-191

Sec. 4103. Grants issued pursuant to this subtitle shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

SUBTITLE L. JOINTLY OPERATED PUBLIC CHARTER SCHOOL

Sec. 4111. Short title.

This subtitle may be cited as the “Jointly Operated Public Charter School Amendment Act of 2014”.

Amend § 38-1802.01

Sec. 4112. Section 2201 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.01), is amended by adding a new subsection (c-1) to read as follows:

"(c-1) *Jointly Operated School* – The Public Charter School Board shall have the authority to approve one joint program for applicants seeking to establish a jointly operated school where 2 or more public charter schools that have adopted, for the combined program, identical mission statements, goals, curricula and educational philosophy ("member schools") may combine to create a jointly operated middle and high school. Notwithstanding any other law, the jointly operated school shall have the same duties, powers and responsibilities of a public charter school, shall be funded as if a public charter school, and shall be treated as a single local educational agency under federal and local law. Students matriculating directly from the highest grade of a member school into the entry grade of the jointly operated school shall be exempt from the requirements of section 2206(c).".

SUBTITLE M. PUBLIC EDUCATION REFORM EVALUATION

Sec. 4121. Short title.

This subtitle may be cited as the "Public Education Reform Evaluation Amendment Act of 2014".

Amend § 38-193

Sec. 4122. Section 204 of the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-193), is amended as follows:

(a) Subsection (b) is amended by striking the phrase "On September 30, 2014"and inserting the phrase "No later than June 1, 2015" in its place.

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

"(e)(1) There is established as a special fund the PERAA Evaluation Fund ("Fund"), which shall be administered by the Office of the District of Columbia Auditor in accordance with paragraph (3) of this subsection.

"(2) The following shall be deposited in the Fund:

"(A) All excess monies, not to exceed $600,000, remaining in the local funds operating budget for the Office of the District of Columbia Auditor at the end of each fiscal year; and

"(B) Any interest earned from the monies deposited into the Fund.

"(3) Money in the Fund shall be used for the purpose of contracting for the remaining reports with NRC as required by this section.

"(4) The money deposited in the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(5) This subsection shall expire on September 30, 2015".

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. DEVELOPMENTAL DISABILITY SERVICE MANAGEMENT REFORM

Sec. 5001. Short title.

This subtitle may be cited as the "Department on Disability Services Amendment Act of 2014".

Sec. 5002. The Department on Developmental Disabilities Establishment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 7-761.02) is amended as follows: **Amend § 7-761.02**

(1) A new paragraph (3A) is added to read as follows:

"(3A) "DHCF" means the Department of Health Care Finance as established by section 3 of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.02).".

(2) Paragraph (8) is repealed.

(3) Paragraph (9) is amended by striking the phrase "Medical Assistance Administration" and inserting the acronym "DHCF" in its place.

(b) Section 105(4) (D.C. Official Code § 7-761.05(4)) is amended by striking the acronym "MAA" and inserting the acronym "DHCF" in its place. **Amend § 7-761.05**

(c) Section 106(c) (D.C. Official Code § 7-761.06(c)) is amended by striking the phrase "action," and inserting the phrase "action, including issuing grants and stipends," in its place. **Amend § 7-761.06**

(d) Section 107 (D.C. Official Code § 7-761.07) is amended as follows: **Amend § 7-761.07**

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

"(a) The Department and DHCF shall enter into an agreement for the Department to direct: policy development and design of services, rate-setting, and support provided under the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities or any other waiver targeted for people with intellectual and developmental disabilities and their families that is approved under section 1915(c) of the Social Security Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1369n); and policies, services, and supports related to the operation of intermediate care facilities for individuals with intellectual disabilities.".

(2) Subsection (b) is amended by striking the phrase "Medical Assistance Administration" and inserting the acronym "DHCF" in its place.

(e) A new section 112 is added to read as follows: **New § 7-761.12**

"Sec. 112. Family Support Council.

"(a) The Director shall establish a Family Support Council to assist, within available appropriations, the Department and other agencies to develop systems of support for families throughout the lifespans of their family members with intellectual and developmental disabilities.

"(b) The Family Support Council shall be composed of 11 members, of whom the majority shall be people with developmental disabilities and their family members.

"(c) No later than one year following the effective date of the Department on Disability Services Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Department shall publish operating procedures for the Family Support Council, and the Director shall appoint the initial Family Support Council members.".

SUBTITLE B. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION AMENDMENTS

Sec. 5011. Short title.

This subtitle may be cited as the "Department of Health Functions Clarification Amendment Act of 2014".

Sec. 5012. The Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 *et seq*.), is amended as follows:

Amend § 7-736.01

(a) Section 4907a (D.C. Official Code § 7-736.01) is amended by adding new subsections (e), (f), and (g) to read as follows:

"(e)(1) Through Fiscal Year 2015, the Director of the Department of Health may issue grants totaling $1,550,000 to District of Columbia HIV prevention programs for a combination of HIV prevention interventions. These interventions shall include HIV screening in clinical and non-clinical settings and effective behavioral programs.

"(2) Through Fiscal Year 2015, the Director of the Department of Health may issue HIV prevention grants for a combination of HIV prevention interventions that include:

"(A) HIV screening;

"(B) Harm reduction;

"(C) Social network HIV screening;

"(D) Partner services;

"(E) Faith-based initiatives;

"(F) Youth peer education; and

"(G) Other health-education services for adolescents and older adults.

"(3) For the purposes of this subsection, the term "faith-based initiative" means a program to encourage and support places of worship in delivering HIV prevention messages that promote safe-sex practices, educate people about HIV, and promote HIV screening.

"(4) In Fiscal Year 2015, the Director of the Department of Health shall issue a competitive grant totaling $480,000 to a qualified community-based nonprofit corporation or organization for the creation of a comprehensive concussion care protocol for children.

"(f) For Fiscal Year 2015, the Director of the Department of Health may issue grants to qualified community organizations to provide:

"(1) Clinical nutritional home delivery services for individuals living with cancer and other life-threatening diseases;

"(2) Ambulatory health services;

"(3) Poison control hotline and prevention education services;

"(4) Operations and primary care services for school-based health clinics; and

"(5) A teen pregnancy prevention program.

"(g)(1) All grants issued pursuant to subsections (e) and (f) of this section shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

"(2) The Department of Health shall submit a quarterly report to the Secretary to the Council on all grants issued pursuant to the authority granted in subsections (e) and (f) of this section.".

(b) New sections 4907b and 4907c are added to read as follows:

"Sec. 4907b. Communicable and Chronic Disease Prevention and Treatment Fund. **New § 7-736.02**

"(a) There is established as a special fund the Communicable and Chronic Disease Prevention and Treatment Fund ("Fund"), to be administered by the Department of Health in accordance with subsection (c) of this section.

"(b) The Fund shall consist of revenue from the following sources related to the prevention and treatment of communicable and chronic diseases by the Department of Health:

"(1) Third-party payors;

"(2) Sliding-fee scale collections; and

"(3) Other collections.

"(c) The Fund shall be used for operations necessary to provide communicable and chronic disease prevention and treatment services.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"Sec. 4907c. Communicable disease fees. **New § 7-736.03**

"(a) The Director of the Department of Health may establish a schedule of fees for the prevention and treatment of communicable diseases, including HIV/AIDS, hepatitis, sexually transmitted diseases, and tuberculosis to be provided to any individual who presents for prevention or treatment services, regardless of health insurance coverage or ability to pay. The Director may periodically revise the schedule of fees and may establish a sliding fee scale, based on income, for uninsured individuals. The fees, including any sliding fee scale, shall be published in the District of Columbia Register.

"(b) The Director may seek reimbursement from any third-party payor for services provided relating to the prevention and treatment of communicable diseases.".

SUBTITLE C. MEDICAL ASSISTANCE PROGRAM AMENDMENTS

Sec. 5021. Short title.

This subtitle may be cited as the "Medical Assistance Program Amendment Act of 2014".

Sec. 5022. Section 1 of An Act to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, **Amend § 1-307.02**

and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), is amended as follows:

(a) Subsection (a) is amended by adding a new paragraph (8) to read as follows:

"(8) Review and approval by the Council of the Fiscal Year 2015 Budget and Financial Plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any amendment, modification, or waiver of the state plan required to:

"(A) Implement needed amendments to the Elderly and Individuals with Physical Disabilities waiver to ensure compliance with federal law and promote best practices;

"(B) Establish new payment rates for Federally-Qualified Health Centers;

"(C) Establish a new payment method and make other improvements to the payment methodology for hospital inpatient treatment;

"(D) Establish a new payment method and make other improvements to the payment methodology for hospital outpatient services;

"(E) Implement needed amendments to the Intellectual Disabilities/Developmental Disabilities waiver to ensure compliance with federal law and promote best practices;

"(F) Align specialty hospital payments with the complexity of their patient mixes and national best practices and to describe payment standards for sub-acute services for children who are inpatients in private psychiatric specialty hospitals; and

"(G) Update transplantation coverage standards and provide coverage for lung transplantation and autologous bone marrow transplantation.".

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

"(e)(1) The District state plan required under Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq*.), may provide for reimbursement of chiropractic services.

"(2) The Mayor may develop and implement a reimbursement methodology for chiropractic services.".

SUBTITLE D. DEPARTMENT OF BEHAVIORAL HEALTH ESTABLISHMENT AMENDMENT

Sec. 5031. Short title.

This subtitle may be cited as the "Department of Behavioral Health Establishment Amendment Act of 2014".

Amend § 7-1141.07

Sec. 5032. Section 5118 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 7-1141.07), is amended as follows:

(a) Designate the existing text as subsection (a).

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

"(b) The following powers, duties, functions, and responsibilities are hereby transferred to the Department of Health, effective October 1, 2014:

"(1) All property, Career and Excepted Service, Management Supervisory Service, and trainee positions, personnel, assets, records, obligations, unexpended balances of appropriations, allocations, and other funds available or to be made available to the Tobacco Control Program.

"(2) The Mayor shall coordinate, as necessary, the transfer from the Department to the Department of Health of any property, positions, personnel, assets, records, obligations, unexpended balances of appropriations, allocations, and other funds required for the management and operation of the Tobacco Control Program.".

SUBTITLE E. DEPARTMENT OF BEHAVIORAL HEALTH ENTERPRISE FUND

Sec. 5041. Short title.

This subtitle may be cited as the "Department of Behavioral Health Enterprise Fund Act of 2014".

Sec. 5042. Department of Behavioral Health Enterprise Fund. **New § 1-325.281**

(a) There is established as a special fund the Department of Behavioral Health Enterprise Fund ("Fund"), which shall be administered by the Department of Behavioral Health ("Department") in accordance with subsection (c) of this section.

(b) The Fund shall consist of revenue from the following fees, proceeds, and revenues collected from the following activities and operations:

(1) Proceeds from the cafeteria managed and operated by the Department on the St. Elizabeths Hospital Campus;

(2) Fees charged for trainings and Continuing Education Units by the Department's Organizational Development- DMH Training Institute; and

(3) Recoupment and collection of housing bridge subsidy payments from individual consumers, representative payees, and landlords by the Department's Adult Services Supported Housing program.

(c) The Fund shall be used for the management and operation of the food cafeteria, DMH Training Institute, and Supported Housing programs managed and operated by the Department.

SUBTITLE F. LIHEAP HEAT AND EAT ELIGIBILITY PRESERVATION

Sec. 5051. Short title.

This subtitle may be cited as the "LIHEAP Heat and Eat Eligibility Preservation Amendment Act of 2014".

Sec. 5052. Section 5083(c) of the Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.03(c)), is amended by striking the phrase "$1" and inserting the phrase "$20.01" in its place. **Amend § 4-261.03**

SUBTITLE G. HEALTH SERVICES PLANNING AND DEVELOPMENT

Sec. 5061. Short title.

This subtitle may be cited as the "Health Services Planning and Development Amendment Act of 2014".

Amend § 44-401

Sec. 5062. Section 2(12) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401(12)), is amended as follows:

"(12) "Health service" means any medical or clinical related service, including services that are diagnostic, curative, or rehabilitative, as well as those related to inpatient mental health services, home health care, hospice care, medically supervised day care, and renal dialysis. The term "health service" shall not include those outpatient behavioral health services subject to the exclusive regulatory authority of the Department of Behavioral Health and services provided by physicians, dentists, HMOs, and other individual providers in individual or group practice.".

SUBTITLE H. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES COST-OF-LIVING ADJUSTMENT

Sec. 5071. Short title.

This subtitle may be cited as the "Temporary Assistance for Needy Families Cost-of-Living Adjustment Amendment Act of 2014".

Sec. 5072. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

Amend § 4-205.11b

(a) Section 511b (D.C. Official Code § 4-205.11b) is amended by striking the phrase "in the District".

Amend § 4-205.52

(b) Section 552 (D.C. Official Code § 4-205.52) is amended by adding a new subsection (d-1) to read as follows:

"(d-1)(1) Effective October 1, 2015, the payment levels issued pursuant to section (c) of this subsection shall be adjusted annually for the rate of inflation, except for Fiscal Year 2017, for which the payment level shall be increased by 46%.

"(2) To adjust for the rate of inflation each year, the payment levels from the immediately preceding year shall be multiplied by the CPI percentage increase from the preceding calendar year, as determined by the United States Department of Labor Bureau of Labor Statistics in the Consumer Price Index for Urban Consumers (CPI-U) for all items.".

Amend § 4-205.72a

(c) Section 572a(b) (D.C. Official Code § 4-205.72a(b)) is amended to read as follows:

"(b) An assistance unit's eligibility for POWER pursuant to subsection (a) of this section shall be subject to periodic review and redetermination as determined by the Mayor or the Mayor's designee.".

(d) Section 575 (D.C. Official Code § 4-205.75) is amended by adding a new subsection (c) to read as follows: **Amend § 4-205.75**

"(c) A POWER recipient who is determined eligible for continuation of one year due to incapacity under section 572(b)(2) shall be informed by the Mayor or the Mayor's designee about the recipient's potential eligibility for Social Security Disability Insurance ("SSDI") or Supplemental Security Income ("SSI"). If appropriate, the POWER recipient shall submit an application for SSDI or SSI benefits as part of the recipient's self-sufficiency plan. The Mayor or the Mayor's designee shall offer application and advocacy assistance.".

SUBTITLE I. INSURANCE REGULATORY TRUST FUND

Sec. 5081. Short title.

This subtitle may be cited as the "Insurance Regulatory Trust Fund Bureau Amendment Act of 2014".

Sec. 5082. The Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1201 *et seq*.), is amended as follows:

(a) Section 4(b) (D.C. Official Code § 31-1203(b)) is amended by adding a new sentence at the end to read as follows: "The assessment shall be a tax and licensing and regulatory fee for purposes of 45 CFR §§ 158.221(c) and 158.161(b).". **Amend § 31-1203**

(b) Section 9 (D.C. Official Code § 31-1208) is amended as follows: **Amend § 31-1208**

(1) Designate the existing text as subsection (a).

(2) The newly designated subsection (a) is amended to read as follows:

"(a) All insurers and health maintenance organizations subject to assessments in accordance with this act shall be members of an Insurance Regulatory Trust Fund Bureau, organized and maintained by such insurers and health maintenance organizations at their own expense, for the purpose of advising the Commissioner and the Executive Director of the District of Columbia Health Benefit Exchange Authority as to the need for the proposed assessments, including the assessment of health carriers in section 4(f) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.03(f)), the fairness of the proposed assessments, and any other matters with respect to the administration of the Insurance Regulatory Trust Fund. The Commissioner and the Executive Director of the District of Columbia Health Benefit Exchange Authority shall submit to the Insurance Regulatory Trust Fund Bureau annually, in advance of the Mayor's budget submission to the Council, a detailed budget showing how the proposed assessments are to be expended.".

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

"(b) The board of directors of the Insurance Regulatory Trust Fund Bureau shall consist of no fewer than 15 members and shall include at least a majority of the health carriers issuing qualified health plans and some representation from health carriers issuing qualified dental plans as defined in section 2 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01).".

(c) Section 10 (D.C. Official Code § 31-1209) is amended to read as follows: **Amend § 31-1209**

"Sec. 10. Annual audit of Insurance Regulatory Trust Fund or District of Columbia Health Benefit Exchange Authority Fund.

"Upon a vote of the Insurance Regulatory Trust Fund Bureau taken in accordance with its bylaws, the Insurance Regulatory Trust Fund Bureau, at its own expense, may annually arrange for an independent audit of the expenditures made in any fiscal year by the Insurance Regulatory Trust Fund or the District of Columbia Health Benefit Exchange Authority Fund established in section 4(a) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.03(a)). The Commissioner, the Department of Insurance, Securities, and Banking, the Executive Director of the District of Columbia Health Benefit Exchange Authority, and all other elements of the District of Columbia government shall cooperate with such an audit and shall make available all documents and records reasonably necessary to the conduct of the audit.".

Sec. 5083. Section 4(e) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.03(e)), is amended by adding a new paragraph (3) to read as follows: **Amend § 31-3171.03**

"(3) The assessment on health carriers pursuant to subsection (f) of this section shall be a tax and licensing and regulatory fee for purposes of 45 CFR §§ 158.221(c) and 158.161(b).".

SUBTITLE J. POWER EXPANSION

Sec. 5091. Short title.

This subtitle may be cited as the "POWER Expansion Amendment Act of 2014".

Sec. 5092. Section 572a(a) of the District of Columbia Public Assistance Act of 1982, effective April 20, 1999 (D.C. Law 12-241; D.C. Official Code § 4-205.72a(a)), is amended by adding a new paragraph (1A) to read as follows: **Amend § 4-205.72a**

"(1A) Is a single custodial parent or caretaker with a child under 6 months old; provided, that no parent or caretaker may remain eligible under this paragraph for more than 12 months;".

SUBTITLE K. END YOUTH HOMELESSNESS

Sec. 5101. Short title.

This subtitle may be cited as the "End Youth Homelessness Amendment Act of 2014".

Sec. 5102. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq*.), is amended as follows:

(a) Section 5(b)(9) (D.C. Official Code § 4-752.02(b)(9)) is amended to read as follows: **Amend § 4-752.02**

"(9) By September 1 of each year, develop a plan, consistent with the right of clients to shelter in severe weather conditions, describing how member agencies will coordinate

to provide hypothermia shelter, identifying the specific sites that will be used as hypothermia shelters, and including protocols on how to provide shelter services for unaccompanied minors; and".

(b) A new section 5a is added to read as follows: **New § 4-752.02a**

"Sec. 5a. Plan to end youth homelessness in the District by 2020.

"(a) No later than 300 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750) , the Interagency Council, working jointly with organizations providing service to homeless youth within the Continuum of Care as well as homeless or formerly homeless youth and their advocates, shall prepare, publish, and submit to the Council a comprehensive Plan to End Youth Homelessness in the District by 2020.

"(b) The plan required by this section shall:

"(1) Include a community-wide needs assessment that takes into account existing data, including the results of the extended youth count required in section 7(h);

"(2) Include an analysis of strategies that have been successful in reducing youth homelessness;

"(3) Be developed pursuant to a process that includes public hearings and that will identify, prioritize, and target needs for services for homeless youth within the Continuum of Care;

"(4) Include specific recommendations for eradicating youth homelessness in the District by 2020, including recommendations for:

"(A) A grant-based family reunification program, a host-home program, and additional cultural competency training for youth homeless service workers, including intake and drop-in center workers, designed to inform such workers adequately concerning the developmental needs of homeless youth; and

"(B) Other specific culturally-competent and language-accessible programs designed to prevent youth from becoming homeless, identify youth that are homeless or at risk of becoming homeless, and provide counseling, shelter, and appropriate services to the youth so identified (including minor heads of households and minors temporarily without parental supervision); and

"(5) Include estimates of the costs of carrying out various components of the plan.

"(c) The plan required by this section shall identify any new legislation that is necessary to implement its recommendations, and provide recommendations concerning how to fund the provisions of the plan without reducing funding for other social programs.

"(d) The Interagency Council shall revise and submit to the Council the strategic plan required by section 5(b)(2) no later than 390 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), incorporating the provisions of the plan required by this section.".

(c) Section 7 (D.C. Official Code § 4-753.01) is amended by adding new subsections (h) and (i) to read as follows: **Amend § 4-753.01**

"(h) No later than 300 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Department of Human Services shall establish a program of street outreach to youth which shall be competitively granted.

"(i) No later than 180 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), and annually thereafter, the Department of Human Services, in coordination with the Interagency Council, shall conduct a youth census, separate from the annual Point-in-Time survey, to determine the needed scale and scope of a comprehensive program to end youth homelessness in the District. The youth census shall:

"(1) Count all children and youth under 18 years of age who are living apart from a parent or guardian, excluding those who are in the physical custody of the District, and all youth between the ages of 18 and 24 years of age who are economically or emotionally detached from their families and lack an adequate or fixed residence, including children and youth who are unstably housed, living in doubled up circumstances, in transitional housing, in shelter, or on the street;

"(2) For each child or youth counted, record basic demographic information including age, race, and gender identification, the location where the child or youth stayed the night before the count, the child or youth's education and employment status, and membership in pertinent subgroups based on sexual orientation, gender orientation, pregnancy or parenting status, or involvement in the foster care or juvenile or adult criminal justice systems;

"(3) Identify patterns in responses describing factors leading to homelessness;

"(4) Identify patterns in responses describing services used and gaps in service;

"(5) Be conducted over a period of at least one week, controlling for duplication by assigning each child or youth a unique identifier; and

"(6) Include multiple strategies and entry points to identify homeless children and youth.".

(d) Section 8(c) (D.C. Official Code § 4-753.02(c)) is amended by adding a new paragraph (1C) to read as follows: **Amend § 4-753.02**

"(1C)(A) No later than 180 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Mayor shall issue a grant to a community-based organization to establish one or more intake and drop-in center for youth, including minors and youth-headed families, for the purposes of:

"(i) Assessing the eligibility of youth for services within the Continuum of Care and making referrals, including to the Child and Family Services Agency as appropriate; provided, that homelessness alone is not a valid reason for an allegation of abuse or neglect;

"(ii) Coordinating as necessary with the intake centers for families operated pursuant to paragraph (1) of this subsection;

"(iii) Contacting the parent or guardian of an unaccompanied minor within 72 hours of the minor's request for services within the Continuum of Care; and

"(iv) Tracking outcomes, utilization rates, and turn-aways of youth across service providers.

"(B) Grants issued pursuant to this paragraph shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).".

Amend § 4-755.01

(e) Section 28 (D.C. Official Code § 4-755.01) is amended by adding a new subsection (d) to read as follows:

"(d)(1)Notwithstanding subsections (a) and (b) of this section, the Mayor shall fund a minimum of 5 additional shelter beds for homeless youth up to 24 years of age and additional transitional housing capacity for 10 youth 18 to 24 years of age.

"(2) Homeless services for youth shall be provided through 2-year grants to eligible community organizations based in the District with expertise in systems of care for homeless youth.

"(3) Recipients of grants shall establish, maintain, or expand facilities through these grants that protect the safety of homeless youth through facilities that are specifically for homeless youth and separate from any existing homeless services for the general population.

"(4) Grants issued pursuant to this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).".

SUBTITLE L. HOMELESS PREVENTION PROGRAM ESTABLISHMENT

Sec. 5111. Short title.

This subtitle may be cited as the "Homeless Prevention Program Establishment Act of 2014".

New § 4-771.01

Sec. 5112. Homeless Prevention Program.

(a) There is established within the Department of Human Services ("Department") a Homeless Prevention Program ("Program") to conduct community outreach and provide services to families at risk of becoming homeless.

(b) The Department may contract with a qualified community-based nonprofit corporation, organization, or consortia of organizations, with offices located in the District, to operate the Program. The Department shall establish the criteria that an entity must meet to be selected to operate the Program. If the Department is unable to contract with an outside entity that meets the specified criteria, or determines it to not be in the best interest of the District, the Department shall operate the Program.

(c) The Program shall be administered by the Department in consultation with the Interagency Council on Homelessness.

(d) The Program shall:

(1) Use an evidence-based assessment and evaluation method to target and identify families most at risk of becoming homeless;

(2) Connect individuals and families at risk of becoming homeless with housing and financial assistance programs that provide short- and long-term assistance to allow households to remain in their current housing situation, if appropriate;

(3) Have multiple locations in communities identified as being at-risk of homelessness;

(4) Conduct educational campaigns and outreach to inform District residents about the services available to prevent homelessness;

(5) Conduct family or tenant-landlord mediation to assist families in remaining in their current housing situation or provide referrals to other organizations that can provide this assistance, if appropriate;

(6) Provide classes in skills critical to maintaining housing, including household budgeting, financial management, and financial literacy, or provide referrals to other organizations that can provide this assistance;

(7) Provide job training and placement referrals to employment services or provide referrals to other organizations that can provide this assistance, including connecting families with resources available at District agencies;

(8) Assist families in applying for public benefits, including child care, SNAP, tax credits, and Medicaid or provide referrals to other organizations that can provide this assistance; and

(9) Provide other counseling, case management, or services, including mental or behavioral health services or referrals to mental or behavioral health programs, to assist families in preventing homelessness.

(e) No later than January 1, 2016, and annually thereafter, the Program shall submit a report to the Council on the operations and services of the Program during the preceding fiscal year.

Amend § 4-752.02

Sec. 5113. Section 5 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.02), is amended by adding a new subsection (e) to read as follows:

"(e) The Department of Human Services shall administer the Homeless Prevention Program, established pursuant to the Homeless Prevention Program Establishment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), in consultation with the Interagency Council on Homelessness.".

SUBTITLE M. TOBACCO PRODUCT MANUFACTURER RESERVE FUND

Sec. 5121. Short title.

This subtitle may be cited as the "Tobacco Product Manufacturer Reserve Fund Amendment Act of 2014".

Amend § 7-1803.05

Sec. 5122. Section 6(b) of the Tobacco Product Manufacturer Reserve Fund Complementary Procedures Act of 2004, effective April 22, 2004 (D.C. Law 15-150; D.C. Official Code § 7-1803.05(b)), is amended as follows:

(a) Strike the phrase "Corporation Counsel" wherever it appears and insert the phrase "Attorney General" in its place.

(b) A new sentence is added at the end to read as follows:

"The Attorney General may also disclose the information received under this act with the data clearinghouse created to implement the term sheet agreed to by the District and Participating Manufacturers, and given effect by a March 12, 2013, arbitral award.".

SUBTITLE N. SOAR PILOT PROGRAM ESTABLISHMENT

Sec. 5131. Short title.

This subtitle may be cited as the "SSI/SSDI Outreach, Access, and Recovery ("SOAR") Pilot Program Establishment Act of 2014".

New § 4-271.01

Sec. 5132. SOAR Pilot Program.

(a) There is established within the Department of Human Services ("Department") a SSI/SSDI Outreach, Access, and Recovery, or SOAR Pilot Program ("Program") to provide application assistance for individuals applying to receive Supplemental Security Income ("SSI") and Social Security Disability Insurance ("SSDI").

(b)(1) The Department may contract with, or provide a grant to, a qualified community-based nonprofit corporation, organization, or consortia of organizations, with offices located in the District, to operate the Program. The Department shall establish the criteria that an entity must meet to be selected to operate the Program. If the Department is unable to contract with an outside entity that meets the specified criteria, or determines it to not be in the best interest of the District, the Department shall operate the Program.

(2) A grant issued under this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

(c) The Program shall conduct outreach to homeless individuals to provide intensive assistance and support with completing an SSI or SSDI application with the federal Social Security Administration.

SUBTITLE O. TEEN PREGNANCY PREVENTION FUND

Sec. 5141. Short title.

This subtitle may be cited as the "Teen Pregnancy Prevention Fund Establishment Act of 2014".

New § 1-325.321

Sec. 5142. Definitions.

For the purposes of this subtitle, the term:

(1) "Fund" means the Teen Pregnancy Prevention Fund established in section 5143.

(2) "Grant-managing entity" means the DC Campaign to Prevent Teen Pregnancy, as authorized by section 5146.

Sec. 5143. Teen Pregnancy Prevention Fund. **New § 1-325.322**

(a) There is established a Teen Pregnancy Prevention Fund to provide subgrants to nonprofit organizations.

(b) The Department of Health shall make a grant to a single grant-managing entity of which at least 90% shall be used to make subgrants for the purpose of teen pregnancy prevention. The remaining 10% shall be utilized for administrative expenses and evaluation of the Fund. The grant-managing entity is limited to spending any funds received from the Fund on administrative costs only, and not any substantive work related to teen pregnancy prevention.

(c) The Fund is designed to provide subgrants to nonprofits in health services for teens, reproductive health education, professional development and training, research and policy development, and public education and awareness. The funds shall be available for conveyance to a grant-managing entity for the purposes identified in subsection (b) of this section.

(d) Subgrants shall be awarded, subject to the availability of funding, as follows:

(1) All subgrants shall be awarded on a competitive basis;

(2) The subgrants shall not exceed $100,000 per year;

(3) Subgrants are one-time;

(4) The subgrant funds shall be used exclusively to serve District of Columbia residents; and

(5) All subgrants shall be subject to District transparency requirements, such as Freedom of Information Act requests.

(e) The Fund shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

Sec. 5144. Required information before approval. **New § 1-325.323**

(a) To be eligible to receive a subgrant from the grant-managing entity pursuant to section 5143, a subgrantee shall submit the following required documentation to the grant-managing entity, as well as any additional information required by the grant-managing entity:

(1) Internal Revenue Service certification that the organization is tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A 24 Stat. 163; 26 U.S.C. § 501(c)(3));

(2)(A) The organization's most recent financial audit, not more than 2 years old; or

(B) A recent financial statement, not more than one year old, prepared by a certified accountant that shows that the organization is in good financial standing and which delineates its:

(i) Existing assets and liabilities;
(ii) Pending lawsuits, if any; and
(iii) Pending and final judgments, if any;

(3) Internal Revenue Service Form 990 covering the organization's most recently completed fiscal year;

(4) A notarized statement from the subgrantee certifying that:

(A) The organization is current on District and federal taxes;

(B) The grant-managing entity is authorized to verify the organization's tax status with the Office of Tax and Revenue and the Office of Tax and Revenue is authorized to release this information to the grant-managing entity;

(C) The grant-managing entity shall have access to the subgrantee's financial, administrative, and operational records, including specific consent for the grant-managing entity to access its books, accounts, records, findings, and documents related to the subgrant; and

(D) The subgrantee is registered with the Department of Consumer and Regulatory Affairs; and

(5) A comprehensive program statement that includes a detailed:

(A) Scope of work; and

(B) Budget that describes how the subgrant funds shall be spent.

Sec. 5145. Reporting requirements. **New § 1-325.324**

Beginning December 1, 2014, the grant-managing entity shall submit a bimonthly report to the Council of all District funds allocated, which includes:

(1) Detailed subgrantee data;
(2) Performance measures and performance outcomes under each subgrant;
(3) The specific services provided under each subgrant;
(4) The entity providing the services, if one other than the subgrantee;
(5) The time period of delivery of the services;
(6) The type of service provided;
(7) The actual amount paid for the services; and
(8) The amount of other expenditures under the subgrant, if any.

Sec. 5146. Authorization for grant-managing entity. **New § 1-325.325**

For Fiscal Year 2015, the DC Campaign to Prevent Teen Pregnancy ("DC Campaign") is designated as the grant-managing entity. The DC Campaign shall be required to enter into a Memorandum of Understanding ("MOU") with the District of Columbia government. The MOU shall set forth certain administrative requirements for the DC Campaign to abide by when it obtains District funds and awards subgrants involving District funds, and will clarify and reaffirm the DC Campaign's responsibility and obligation with respect to District funds, including the monitoring of the use of District funds.

Sec. 5147. Limitation on duplicative projects. **New § 1-325.326**

(a) The grant-managing entity shall take steps to avoid awarding subgrants to a nonprofit that has been awarded or is being awarded funds from another District agency for the same or similar program purposes for which it is applying for funding from the Fund.

(b) Within 30 days after the effective date of the MOU, the grant-managing entity shall provide to the Department of Health and the Council a plan that sets forth procedures for avoiding the award of duplicative funds.

SUBTITLE P. UNITED MEDICAL CENTER TRANSFORMATION INITIATIVE

Sec. 5151. Short title.

This subtitle may be cited as the "United Medical Center Transformation Initiative Act of 2014".

Sec. 5152. Findings and policy.

(a) It is the policy of the District government that there shall be an enduring, full-service hospital east of the Anacostia River. To effect this policy, the government is committed to improving the United Medical Center ("UMC") with the expectation that its improved financial condition (i.e., solvency) will enable eventual divestiture of UMC from District ownership and management.

(b) The government recognizes and supports the proposition that maintaining full hospital service may likely entail more than renovation of the current facility on Southern Avenue, S.E.

(c) Substantial funding has been made available to UMC in the Capital Improvement Plan accompanying the Fiscal Year 2015 budget. Although most of these dollars are strategic investment in facilities, equipment, and information technology, the Council would be supportive of utilizing these dollars toward a viable proposal, which may involve a public-private partnership, to construct a new hospital facility rather than renovation of the existing facility.

(d) The Council affirmatively approved a contract in 2012 with Huron Consulting Group ("Huron") in part to improve the operations of UMC and to assist with the divestiture of UMC from District ownership and management. Huron is urged to solicit bidders for ownership and management without constraint as to a particular business model or financing structure other than to obtain an offer that is both in the best interest of the District government and the policy to maintain an enduring, full-service hospital east of the Anacostia River.

(e) The Executive is urged to move forward expeditiously with improving UMC operations and soliciting proposals for private sector takeover of the ownership and management of the United Medical Center.

SUBTITLE Q. LOCAL RENT SUPPLEMENT PROGRAM REFERRALS

Sec. 5161. Short title.

This subtitle may be cited as the "Local Rent Supplement Program Referrals Amendment Act of 2014".

Sec. 5162. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16- 35; D.C. Official Code § 4-751.01 *et seq*.), is amended by adding a new section 8d to read as follows:

"Sec. 8d. Notwithstanding section 8c, during Fiscal Year 2015, the District of Columbia Housing Authority shall fill 75 tenant-based Rent Supplement Program vouchers, established by section 26c of the District of Columbia Housing Authority Act, effective March 2, 2007 (D.C. Law 13-105; D.C. Official Code § 6-228), through referrals by the Department of Human Services. The referrals shall be based on special eligibility criteria established in 29 DCMR § 2557.1, or shall consist of families currently in the Department of Human Services Permanent Supportive Housing Program who the Department determines no longer need intensive services.".

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

SUBTITLE A. VAULT RENT

Sec. 6001. Short title.

This subtitle may be cited as the "Vault Rent Amendment Act of 2014".

Sec. 6002. The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10–1101.01 *et seq*.), is amended as follows:

Amend § 10-1101.01 Delayed Applicability

(a) Section 103 (D.C. Official Code § 10-1101.01) is amended as follows:

(1) New paragraphs (1B), (1C), and (1D) are added to read as follows:

"(1B) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

"(1C) "Condominium unit owners' association" shall have the same meaning as the unit owner's association described in section 301 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.01), or a master association as defined in section 102(19A) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.02(19A)), as the context may require.

"(1D) "Declarant" shall have the same meaning as provided in section 102(11) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.02(11)).".

(2) A new paragraph (6A) is added to read as follows:

"(6A) "Responsible condominium unit owners' association" means a condominium unit owners' association if vault rent was an obligation of the condominium as a whole before there was a unit owner other than the declarant, or the condominium unit owners' association or its predecessor entered into an agreement with the Mayor relating to the occupation of vault space.".

(3) A new paragraph (9) is added to read as follows:

"(9) "Vault rent year" means the period beginning July 1st each year and ending June 30th of each succeeding year.".

Amend § 10-1102.02

(b) Section 202 (D.C. Official Code § 10-1102.02) is amended as follows:

(1) Designate the existing text as subsection (a).

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

"(b) Notwithstanding the requirements of subsection (a) of this section, the District shall not charge a fee to a nonprofit organization for occupying public space to operate a farmers market.".

Amend § 10-1103.02 Delayed Applicability

(c) Section 303 (D.C. Official Code § 10-1103.02) is amended to read as follows:

"Sec. 303. (a)(1) The Chief Financial Officer shall assess and collect rent and charges from the owner or owners of abutting property for any vault located in the public space abutting such property, unless such vault has been removed, filled, sealed, or otherwise rendered unusable in a manner satisfactory to the Mayor.

"(2) Bills and notices shall be deemed to be properly served when mailed via first class mail to the abutting property owner's mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(b)(1) Notwithstanding section 104 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision of law that imposes liability for vault rent that is contrary to this subsection, vault rent shall be assessed against a responsible condominium unit owners' association.

"(2) The responsible condominium unit owners' association shall be billed for vault rent as a separate and distinct taxable entity with its own vault rent account, as designated by the Chief Financial Officer, and, unless the context requires otherwise, for purposes of this title shall be deemed to be the owner of the property abutting public space in which any vault is located.

"(3) A notice of proposed land assessment relating to the vault rent account shall be given to the responsible condominium unit owners' association by March 1st before the beginning of the applicable vault rent year.

"(4) The assessed value of the land derived for purposes of billing the vault rent may be appealed as provided under D.C. Official Code § 47-825.01a(d), (e), and (g); except, that for the purposes of this section any references in that section to an owner shall be deemed to be references to a responsible condominium unit owners' association.

"(5) Provided that the land values of comparable multi-family residential properties shall only be used in determining land values for vault rent purposes in residential condominiums, the Chief Financial Officer may correct or change any land assessment relating to the vault rent account for which a responsible condominium unit owners' association is responsible as under the circumstances and subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to:

"(A) Tax years shall be deemed to be a reference to vault rent years;

"(B) Owner shall be deemed to be a reference to a responsible condominium unit owners' association; and

"(C) The owner's address of record shall be deemed to be a reference to the responsible condominium unit owners' mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(c) Where vault rent is assessed against any owner other than a responsible condominium owners' association, the Mayor may adjust any utilization factor or area of the vault level under the circumstances, subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to tax years shall be deemed to be a reference to vault rent years .".

Amend § 10-1103.04 Delayed Applicability

(d) Section 305 (D.C. Official Code § 10-1103.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "shall pay the rent established in accordance with this part for such vault. Such rent shall be payable annually for the year commencing July 1st and ending on the following June 30th, and shall be payable in full prior to the beginning of such year." and inserting the phrase "shall pay the rent established in accordance with this part for such vault and any charges levied under § 308(a). Such rent and charges shall be payable annually for the vault rent year and shall be payable in full on or before the later of 30 days after the date the vault rent bill was mailed or September 15 of the vault rent year." in its place.

(2) Subsection (c) is amended by striking the second sentence.

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

"(c-1) Notwithstanding subsection (c) of this section, rent per fuel oil tank shall be $100; provided, that the Council may adjust the amount of rent per fuel oil tank pursuant to section 401.".

Amend § 10-1103.04a Delayed Applicability

(e) Section 305a (D.C. Official Code § 10-1103.04a) is amended by striking the word "Mayor" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

Amend § 10-1103.07 Delayed Applicability

(f) Section 308 (D.C. Official Code § 10-1103.07) is amended by adding subsections (c), (d), (e), and (f) to read as follows:

"(c)(1) For vault years beginning after June 30, 2015, the Mayor, in the Mayor's discretion, may seal off, remove in whole or in part, fill, reconstruct, repair, or close a vault or vault opening, or perform any other service in connection with a vault or vault opening that the Mayor considers necessary or appropriate; provided, that should the subject vault contain utility infrastructure, the Mayor shall confer with the affected utility before any modification to the vault about whether the planned activity would compromise the operations of the utility infrastructure system.

"(2) The Chief Financial Officer shall levy a charge against the abutting property for the reasonable cost of action by the Mayor.

"(d)(1) For periods beginning after June 30, 2015, interest on unpaid vault rent and the charges authorized under subsection (a) of this section shall accrue at the rate set forth in D.C. Official § 47-811(c) per month or part thereof after the due date prescribed in section 305.

"(2) Except as provided in subsection (f) of this section, the abutting property for any vault located in the public space shall be sold by the Chief Financial Officer at a tax sale held under Chapter 13A of Title 47 of the District of Columbia Official Code for vault rent, charges, and interest that are delinquent as of the October 1st before the tax sale.

"(3) Notwithstanding any other provision of law, delinquent vault rent, charges, and interest shall not be required to be certified for purposes of the tax sale and the lien priority of vault rents, charges, and interest shall be immediately junior to real property taxes.

"(e) Payments shall be applied to the oldest vault year owed, and within such year first to interest, then to charges, and then to rent.

"(f)(1) When a responsible condominium unit owners' association is billed for vault rent, charges, and interest and the rent, charges, and interest are not timely paid, the rent, charges, and interest shall constitute a delinquent tax to be collected against the responsible condominium unit owners' association in accordance with Chapter 44 of Title 47 of the District of Columbia Official Code, notwithstanding section 104 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision to the contrary. Liability shall follow to any subsequent or successor responsible condominium unit owners' association or the resulting owners of any termination of the condominium, as the case may be, notwithstanding any other law to the contrary.".

(g) A new subsection 308a is added to read as follows: **New § 10-1103.07a**

"Sec. 308a. Waiver and compromise; authority of the Chief Financial Officer.

"The Chief Financial Officer may:

"(1) Waive, in whole or in part, interest assessed pursuant to this act in the interest of equity or in the public interest; or

"(2) Compromise any charge or vault rent assessed pursuant to this act when, in the Chief Financial Officer's judgment, there is reasonable doubt as to the liability of the owner against whom the vault rent was assessed or the collectability of the tax.".

(h) A new section 311 is added to read as follows: **New § 10-1103.10**

"Sec. 311. Rules.

"The Chief Financial Officer, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat 1204; D.C. Official Code § 2-501 *et seq*.), may issue rules to implement the provisions of this title.".

Sec. 6003. Applicability. **Note, §§ 10-1101.01, 10-1103.02, 10-1103.04, 10-1103.04a, 10-1103.07**

Sections 6002 (a), (c), (d), (e), and (f) shall apply as of July 1, 2015.

SUBTITLE B. CAPITAL BIKESHARE CORPORATE SPONSORSHIP ESTABLISHMENT

Sec. 6011. Short title.

This subtitle may be cited as the "Private Sponsorship of Capital Bikeshare Amendment Act of 2014".

Sec. 6012. Section 5(a) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)), is amended as follows: **Amend § 50-921.04**

(a) Paragraph (4)(G)(iv) is amended by striking the period and inserting the phrase "; provided, that proceeds related to advertisements on bicycles, equipment, or facilities used for the purposes of the Bicycle Sharing program shall be deposited into the Bicycle Sharing Fund established by section 9h." in its place.

(b) A new paragraph (4A) is added to read as follows:

"(4A) Rights-of-Way Management Administration may enter into agreements to allow the private sponsorship of bicycles, equipment, and facilities used in the Bicycle Sharing program, the placement of a corporate logo, slogan, or other indicia on the bicycles or facilities, and on related websites and social media; provided, that that an agreement that would modify the name or design of any part of the Capital Bikeshare system, including equipment, or facilities, shall be submitted to the Council for a 30-day period of passive review before execution. The agreement submitted to the Council shall include detailed information about a proposed name or design. All proceeds collected from a private sponsorship agreement shall be deposited into the Bicycle Sharing Fund established by section 9h.".

SUBTITLE C. DDOT MANAGED LANE AUTHORIZATION

Sec. 6021. Short title.

This subtitle may be cited as the "District Department of Transportation Managed Lane Authorization Amendment Act of 2014".

Amend § 50-921.04

Sec. 6022. Section 5(a)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)(2)), is amended as follows:

(a) Subparagraph (M) is amended by striking the word “and” at the end.

(b) Subparagraph (N) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new subparagraph (O) is added to read as follows:

"(O) Implement managed lane policies, including lane pricing, vehicle eligibility, and access control; provided, that at least one lane of traffic on a street with managed lanes shall be free of charge; provided further, that the Department shall submit to the Council any policy created pursuant to this subparagraph for approval by act before implementation.”.

SUBTITLE D. INTEGRATED PREMIUM TRANSIT SYSTEM AMENDMENT

Sec. 6031. Short title.

This subtitle may be cited as the "Integrated Premium Transit System Amendment Act of 2014".

Sec. 6032. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq*.), is amended as follows:

Amend § 50-921.04

(a) Section 5 (D.C. Official Code § 50-921.04) is amended as follows:

(1) The lead-in language is designated as subsection (a).

(2) The newly designated subsection (a) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (C) is amended by striking the word “and” at the end.

(ii) Subparagraph (D) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(E) Plan, manage, and contract for all, or any part of, the design, engineering, construction, operation, and maintenance of any element of the Integrated Premium Transit System.".

(B) Paragraph (2) is amended as follows:

(i) Subparagraph (L) is amended by striking the phrase "Operate, develop, and finance" and inserting the phrase "Operate, maintain, and regulate" in its place.

(ii) Subparagraph (N) is amended by striking the phrase "Operate, develop, regulate, and finance" and inserting the phrase "Operate, maintain, and regulate" in its place.

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

"(b) For the purposes of this section, the term:

"(1) "DC Streetcar" means a fixed guideway transit network offering rail passenger service operated by the District government or its agent.

"(2) "Integrated Premium Transit System" means an integrated transit system composed of any or all of the DC Streetcar, bus service operated or managed by, or on behalf of, the District government consistent with the Washington Metropolitan Area Transit Regulation Compact, and facilities including buildings, other structures, and parking areas appurtenant to the DC Streetcar and bus service.".

Amend § 50-921.72

(b) Section 11n (D.C. Official Code § 50-921.72) is amended as follows:

(1) Paragraph (1) is amended by striking the word “and” at the end.

(2) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (3) is added to read as follows:

"(3) Enter into contracts with third parties for the design, construction, operation, and maintenance of the DC Streetcar.".

Amend § 47-392.02

Sec. 6033. Section 47-392.02 of the District of Columbia Official Code is amended as follows:

(a) Subsection (f) is amended as follows:

(1) Paragraph (5)(A) is amended by striking the phrase "Beginning in the fiscal year following the completion of the capital construction of the Streetcar Project," and inserting the phrase "Beginning in Fiscal Year 2045," in its place.

(2) Paragraph (6) is amended to read as follows:

"(6) All funds in the Pay-as-you-go Capital Account shall be budgeted for the Integrated Premium Transit System until Fiscal Year 2045.".

(b) A new subsection (l) is added to read as follows:

"(l) For the purposes of this section, the term:

"(A) "DC Streetcar" shall have the same meaning as provided in section 5(b)(1) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b)(1)).

"(B) "Integrated Premium Transit System" shall have the same meaning as provided in section 5(b)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b)(2)).".

Sec. 6034. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.), is amended as follows:

(a) Section 104 (D.C. Official Code § 2-351.04) is amended as follows: **Amend § 2-351.04**

(1) A new paragraph (2A) is added to read as follows:

"(2A) "Alternative technical concept" means a proposed change to an agency-supplied base design configuration, project scope, design criterion, or construction criterion that the agency determines is equal to or better than a requirement in a request for proposals.".

(2) Paragraph (13) is amended to read as follows:

"(13) "Construction" means the process of building, altering, repairing, improving, or demolishing any public infrastructure facility. The term "construction" does not include the routine operation, routine repair, or routine maintenance of an existing public infrastructure facility.".

(3) A new paragraph (37A) is added to read as follows:

"(37A) "Public infrastructure facility" includes any public structure, public building, any element of the Integrated Premium Transit System, as that term is defined in section 5(b)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b)(2)), and other public improvements of any kind to real property.".

(b) Section 201(d) (D.C. Official Code § 2-352.01(d)) is amended by striking the phrase "roads and bridges" and inserting the phrase "roads, bridges, other transportation systems, and facilities and structures appurtenant to roads, bridges, and other transportation systems" in its place. **Amend § 2-352.01**

(c) Section 403 (D.C. Official Code § 2-354.03) is amended by adding a new subsection (d-1) to read as follows: **Amend § 2-354.03**

"(d-1) An RFP for the construction of a road, bridge, other transportation system, or a facility or structure appurtenant to a road, bridge, or other transportation system, may allow prospective offerors or contractors to submit alternative technical concepts as a part of their proposals. The agency's determination on the alternative technical concepts may be considered by the contracting officer as part of the evaluation and ranking of proposals.".

SUBTITLE E. PESTICIDE REGISTRATION FUND AMENDMENT

Sec. 6041. Short title.

This subtitle may be cited as the "Pesticide Registration Fund Amendment Act of 2014".

Amend § 8-438.01

Sec. 6042. Section 9a(c) of the Pesticide Education and Control Amendment Act of 2012, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 8-438.01(c)), is amended by striking the word "pesticide" and inserting the phrase "pesticide, chemical, tank, land remediation, and wildlife protection" in its place.

SUBTITLE F. DISTRIBUTED GENERATION AMENDMENT

Sec. 6051. Short title.

This subtitle may be cited as the "Distributed Generation Amendment Act of 2014".

Amend § 34-1432

Sec. 6052. Section 4(e) of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1432(e)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "serving the District" and inserting the phrase "serving the District; provided, that renewable energy credits from solar energy systems larger than 5MW in capacity located on property owned by the District, or by any agency or independent authority of the District, may be used to meet the solar requirement" in its place.

(b) Paragraph (2) is amended to read as follows:

"(2) As of January 1, 2015, notwithstanding paragraph (1) of this subsection, an electricity supplier may meet the remaining non-solar tier one renewable source requirement of the renewable energy portfolio standard by obtaining the equivalent amount of renewable energy credits from solar energy systems that do not satisfy the requirements under paragraph (1) of this subsection.".

SUBTITLE G. CLEAN AND AFFORDABLE ENERGY AMENDMENT

Sec. 6061. Short title.

This subtitle may be cited as the “Clean and Affordable Energy Amendment Act of 2014”.

Sec. 6062. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

Amend § 8-1774.01

(a) Section 201(d)(4) (D.C. Official Code § 8-1774.01(d)(4)) is amended to read as follows:

"(4) Improve the energy efficiency or increase the renewable energy generating capacity of low-income housing, shelters, clinics, or other buildings serving low-income residents in the District of Columbia;".

(b) Section 202(a) (D.C. Official Code § 8-1774.02(a)) is amended by striking the phrase "5 years" and inserting the phrase "5 years. Upon the expiration of the initial SEU contract, including any option years, subsequent SEU contracts shall be multiyear contracts of not less than 4 years. If options to extend the SEU contract are included in subsequent SEU contracts, the option periods shall be for not less than 2 years" in its place. **Amend § 8-1774.02**

(c) Section 210 (D.C. Official Code § 8-1774.10) is amended as follows: **Amend § 8-1774.10**

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

(A) Paragraph (1) is amended by striking the word "nonlapsing" and inserting the word "special" in its place.

(B) Paragraph (2) is amended to read as follows:

"(2) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.".

(C) A new paragraph (3) is added to read as follows:

"(3) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

(2) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended to read as follows:

"(1) The SEU contract in an amount of at least $20 million annually;".

(B) Paragraphs (5), (6), (7), and (8) are repealed.

Sec. 6063. Section 8 of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1436), is amended as follows: **Amend § 34-1436**

(a) Subsection (b) is amended by striking the phrase "shall receive" and inserting the phrase "may receive" in its place.

(b) Subsection (c) is amended by adding a new sentence at the end to read as follows: "The Fund may be used to supplement programs supporting the creation of new solar energy sources in the District of Columbia through the Sustainable Energy Utility contract established by the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*).".

SUBTITLE H. ATHLETIC FIELD PERMIT COORDINATION COMMITTEE

Sec. 6071. Short title.

This subtitle may be cited as the "Athletic Field Permit Coordination Committee Amendment Act of 2014".

Sec. 6072. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq.*), is amended by adding a new section 7b to read as follows:

“Sec. 7b. Athletic Field Permit Coordination Committee. **New § 10-308**

“(a)(1) Within 90 days of the effective date of the Athletic Field Permit Coordination Committee Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version

of Bill 20-750), the Department shall establish an Athletic Field Permit Coordination Committee ("Committee") to advise the Department on how to develop a collaborative permitting system for athletic fields located on property owned by the District of Columbia.

"(2) The Committee shall include representatives from the following:

"(A) The Department;

"(B) The Department of General Services;

"(C) The District of Columbia Public Schools;

"(D) The District of Columbia Public Charter School Board; and

"(E) The National Park Service.

"(3) The Department shall assign an employee from the Department to perform duties, including the following:

"(A) Coordinating and securing a location for Committee meetings;

"(B) Ensuring administrative support for the Committee, such as circulating meeting notices and keeping meeting minutes; and

"(C) Developing an agenda for meetings and ensuring that the Committee issues the comprehensive report described in subsection (b) of this section.

"(b) By March 31, 2015, the Committee shall transmit to the Mayor and to the Council, and make publicly available, a comprehensive report containing the following:

"(1) An analysis of public field availability throughout the District;

"(2) An analysis of whether it is feasible to create a singular office for permitting public athletic field space located throughout the District;

"(3) A recommendation of how to proportionately allocate permit revenue to the District government entities whose fields are being used, as opposed to all funds being deposited into the General Fund of the District of Columbia; and

"(4) A list of underutilized public fields that the Department, in collaboration with the Department of General Services, may convert to usable and sustainable fields.

"(c) By March 31, 2016, and each year thereafter, the Committee shall transmit to the Mayor and to the Council, and make publicly available, a report containing the following:

"(1) An update on the progress of the analysis conducted and recommendations provided in previous reports created by the Committee;

"(2) Actions taken by the Committee in the preceding year; and

"(3) Recommendations for methods to develop and provide a collaborative permitting system for athletic fields owned by the District of Columbia.".

SUBTITLE I. COMPETITIVE GRANTS

Sec. 6081. Short title.

This subtitle may be cited as the "Competitive Grants Act of 2014".

Sec. 6082. In Fiscal Year 2015, the Council shall award a grant on a competitive basis to a regional organization, in an amount not to exceed $500,000, to produce a comprehensive rail plan for the District, including plans to accommodate future increases in passenger, commuter,

and freight rail traffic. The Council shall consult with the Office of Planning and the District Department of Transportation before awarding the grant.

Sec. 6083. In Fiscal Year 2015, the District Department of the Environment shall award a grant on a competitive basis, in an amount not to exceed $50,000, for recycling education at public housing.

Sec. 6084. In Fiscal Year 2015, the Department of Parks and Recreation shall award a grant on a competitive basis, in an amount not to exceed $250,000, to improve the Kenilworth Parkside Community Park.

Sec. 6085. In Fiscal Years 2015 to 2018, the Office of the State Superintendent of Education shall award a grant on a competitive basis, in an amount not to exceed $63,000, to one or more nonprofit organizations to support school pantries at low-income schools in the District.

Sec. 6086. In Fiscal Years 2015 to 2018, the District Department of the Environment shall award a grant on a competitive basis, in an amount not to exceed $200,000, to provide wildlife rehabilitation services.

Sec. 6087. (a) Of the funds appropriated in Fiscal Years 2015 and 2016 to the Department of Small and Local Business Development for Clean Teams, the amount of $600,000 shall be awarded as a competitive grant over a 2-year period to include $300,000 in Fiscal Year 2015 and $300,000 in Fiscal Year 2016 to a Business Improvement District ("BID") that can provide clean team services to, at minimum, the following areas, with funds divided equally:

(1) In Ward 7: Pennsylvania Avenue, S.E., from Fairlawn Street, S.E., to Naylor Road, S.E.;

(2) In Ward 3: Wisconsin Avenue, N.W., from Lowell Street, N.W., to Davenport Street, N.W.; and

(3) In Ward 5: Penn Street, N.E., between 6th Street, N.E., and 4th Street, N.E.; 4th Street, N.E., between Penn Street, N.E., and New York Avenue, N.E.; New York Avenue, N.E., between 4th Street, N.E., and Fenwick Street, N.E.; Fenwick Street, N.E., between New York Avenue, N.E., and West Virginia Avenue, N.E.; West Virginia Avenue, N.E., between Fenwick Street, N.E., and Mount Olivet Road, N.E.; Capitol Avenue, N.E., between Fenwick Street, N.E., and Mount Olivet Road, N.E.; Gallaudet Street, N.E., between Fenwick Street, N.E., and Corcoran Street, N.E.; Fairview Avenue, N.E., between New York Avenue, N.E., and Gallaudet Street, N.E.; Corcoran Street, N.E., between Gallaudet Street, N.E., and Mount Olivet Road, N.E.; Kendall Street, N.E., between New York Avenue, N.E., and Capitol Avenue, N.E.; Central Place, N.E., between Gallaudet Street, N.E., and West Virginia Avenue, N.E.; Providence Street, N.E., between Gallaudet Street, N.E., and Capitol Avenue, N.E.; Okie Street,

N.E., between Fenwick Street, N.E., and Kendall Street, N.E.; and the 1100 block of Okie Street, N.E.

(b) The BID must further have experience in:

(1) Providing clean team services;

(2) Providing job training services to its employees;

(3) Hiring District residents; and

(4) Providing additional social support services to its Clean Team employees.

(c) Section 6082 of the Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12541), is amended by striking the phrase "Cathedral Avenue" and inserting the phrase ""Devonshire Place" in its place.

Sec. 6088. All grants issued pursuant to this subtitle shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

Sec. 6089. Notwithstanding section 6088 or the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.), in Fiscal Year 2015, the Deputy Mayor for Planning and Economic Development shall award a grant of $5 million for the improvement of facilities and operations of the Animal Care and Control Agency selected pursuant to section 3 of the Animal Control Act of 1979, effective October 17, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1802).

SUBTITLE J. ANACOSTIA RIVER TOXICS REMEDIATION

Sec. 6091. Short title.

This subtitle may be cited as the “Anacostia River Toxics Remediation Act of 2014”.

New § 8-104.31

Sec. 6092. By June 30, 2018, the Director of the District Department of the Environment shall adopt and publish a record of decision in the District of Columbia Register choosing the remedy for remediation of contaminated sediment in the Anacostia River. The remedial choice shall be based on the remedial investigation and feasibility study results and shall be consistent with the National Contingency Plan set forth in 40 C.F.R. Part 300, and with section 121 of the Comprehensive Environmental Response Compensation and Liability Act, approved October 17, 1986 (100 Stat. 1672; 42 U.S.C. § 9621).

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS

Sec. 7001. Short title.

This subtitle may be cited as the "Subject to Appropriations Amendment Act of 2014".

Amend § 47-4304.01

Sec. 7002. Section 47-4304.01(3) of the District of Columbia Official Code is amended to read as follows:

"(3) The tax credit shall be applied over a 3-year period in equal amounts in tax years beginning on or after January 1, 2019.".

Sec. 7003. Section 3 of the Earned Sick and Safe Leave Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-89; 61 DCR 317), is repealed. **Implement Law 20-89**

Sec. 7004. Section 3 of the Minimum Wage Amendment Act of 2013, effective March 11, 2014 (D.C. Law 20-91; 61 DCR 3746), is repealed. **Implement Law 20-91**

Sec. 7005. Section 4(c) of the Small and Certified Business Enterprise Development and Assistance Amendment Act of 2014, effective June 10, 2014 (D.C. Law 20-108; 61 DCR 3892), is repealed. **Implement Law 20-108**

Sec. 7006. Section 5 of the Fair Student Funding and School-Based Budgeting Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-87; 61 DCR 3742), is repealed. **Implement Law 20-87, § 4(b)**

Sec. 7007. Section 4 of the Smoking Restriction Amendment Act of 2013, effective December 13, 2014 (D.C. Law 20-48; 61 DCR 15145), is repealed. **Implement Law 20-48**

Sec, 7008. Section 13 of the Wildlife Protection Act of 2010, effective March 8, 2011 (D.C. Law 18-289; 57 DCR 11499), is repealed. **Implement Law 18-289**

Sec. 7009. Section 5 of the Traffic Adjudication Amendment Act of 2014, effective July 23, 2014 (D.C. Law 20-127; 61 DCR 5711), is amended to read as follows: **Implement Law 20-127**

"Sec. 5. Applicability.

"This act shall apply as of October 1, 2014.".

Sec. 7010. Section 501 of the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; 61 DCR 5193), is repealed. **Implement Law 20-102**

SUBTITLE B. TAX REVISION COMMISSION IMPLEMENTATION

Sec. 7011. Short title.

This subtitle may be cited as the "Tax Revision Commission Implementation Amendment Act of 2014".

Sec. 7012. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new chapter designation to read as follows:

"1C . Tax Revision Implementation.".

(b) A new Chapter 1C is added to read as follows:

"CHAPTER 1C. TAX REVISION IMPLEMENTATION.

Sec.

"47-181. Tax reform procedure and priority.

New § 47-181

"§ 47-181. Tax reform procedure and priority.

"(a) If local Fiscal 2015 or Fiscal Year 2016 recurring annual revenues included in the quarterly revenue estimate issued in February 2015 exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2015:

"(1) The first $181 million shall be recognized as Fiscal Year 2016 revenue; and

"(2) Any additional recurring revenue remaining after paragraph (1) of this subsection has been addressed shall be used to implement the provisions set forth in the Tax Revision Commission Implementation Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750) ("TRC Act"), according to the priority set forth in subsection (c) of this section, for taxable years beginning or deaths occurring, as applicable, after December 31, 2015.

"(b) After the Fiscal Year 2016 budget and financial plan has been approved, any recurring revenues in a quarterly revenue estimate preceding any subsequent fiscal year, net of the dedication required by § 47-392.02(f), that exceed the local revenue incorporated in the approved budget and financial plan for that year shall be used to continue implementation of the TRC Act according to the priority set forth in subsection (c) of this section for taxable years beginning or deaths occurring, as applicable, after December 31 of the year of the applicable February estimate.

"(c) The tax reform provisions of this section shall be implemented in the following priority:

"(1) Reduce the rate on the new individual income tax middle bracket of $40,000 - $60,000 from 7.0% to 6.75%;

"(2) Create new individual income tax brackets of $350,000 to $1 million at 8.75% and in excess of $1million at 8.95%;

"(3) Reduce the unincorporated and incorporated business franchise tax from 9.4% to 9.2%;

"(4) Reduce the rate on the new individual income tax middle bracket of $40,000 - $60,000 from 6.75% to 6.5%;

"(5) Reduce the unincorporated and incorporated business franchise tax from 9.2% to 9.0%:

"(6) Raise the estate tax threshold from $1 million to $2 million;

"(7) Raise the standard deduction from $5,200 for singles, $6,650 for Head of Household, and $8,350 for married to $5650 for singles, $7,800 for Head of Household, and $10,275 for married;

"(8) Increase the personal exemption from $1,675 to $2,200;

"(9) Raise the standard deduction from $5,650 for singles, $7,800 for Head of Household, and $10,275 for married to conform to the federal level;

"(10) Increase the personal exemption from $2,200 to $2,700;

"(11) Reduce the unincorporated and incorporated business franchise tax from 9.0% to 8.75%;

"(12) Increase the personal exemption from $2,700 to $3,200;

"(13) Raise estate threshold from $2 million to conform to the federal level;

"(14) Reduce unincorporated and incorporated business franchise tax from 8.75% to 8.5%;

"(15) Increase the personal exemption from $3,200 to $3,700;

"(16) Reduce unincorporated and incorporated business franchise tax from 8.5% to 8.25%; and

"(17) Increase the personal exemption from $3,700 to conform to the federal level, and repeal the low income credit.

"(d) Except for those provisions of the TRC Act that are funded in the approved budget and financial plan for Fiscal Year 2015, the currently unfunded provisions of the TRC Act shall not apply until their fiscal effect is provided for pursuant to this section.

"(e) The cost of the tax policy reforms authorized by subsections (a) and (b) of this section shall be recalculated on an annual basis and reported in each February revenue estimate.".

(c) Chapter 18 is amended as follows:

Amend § 47-1801.04

(1) Section 47-1801.04 is amended as follows:

(A) Paragraph (11)(A) is amended by striking the phrase "paragraph (44)(A) and (B)" and inserting the phrase "paragraph (44)(A), (B), and (C)" in its place.

(B) Paragraph (43) is amended by striking the phrase "section." and inserting the phrase "section. The term "sales" does not include receipts of a taxpayer from hedging transactions and from the maturity, redemption, sales, exchange, loan, or other disposition of cash or securities." in its place.

(C) Paragraph (44) is amended to read as follows:

"(44) "Standard deduction" means:

"(A) In the case of a return filed by a single individual or married individual filing a separate return:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after January 1, 2015, the highest of:

"(I) $5,200 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $5,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the amount of the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(B) In the case of a return filed by a head of household:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after January 1, 2015, the highest of:

"(I) $6,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $7,800 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(C) In the case of a return filed by married individuals filing a joint return, or a surviving spouse:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after January 1, 2015, the highest of:

"(I) $6,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $7,800 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) The standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986; and

"(D) In the case of an individual who is a resident, as defined in paragraph (42) of this section, for less than a full 12-month taxable year, the amounts specified in subparagraph (A), (B), or (C) of this paragraph prorated by the number of months that the individual was a resident.".

Amend § 47-1803.02

(2) Section 47-1803.02(a)(2)(N) is amended as follows:

(A) Sub-subparagraph (i) is amended by striking the word "and" at the end.

(B) Sub-subparagraph (ii) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new sub-subparagraph (iii) is added to read as follows:

"(iii) This paragraph shall apply for taxable years beginning before January 1, 2015.".

Amend § 47-1803.03

(3) Section 47-1803.03(b-1) is amended by striking the phrase "An individual" and inserting the phrase "For taxable years beginning before January 1, 2015, an individual" in its place.

Amend § 47-1806.02

(4) Section 47-1806.02 is amended as follows:

(A) Subsection (c) is amended to read as follows:

"(c) Before January 1, 2015, there shall be allowed an additional exemption for a taxpayer who qualifies as a head of household.".

(B) Subsection (d) is amended by striking the phrase "There shall" and inserting the phrase "Until § 47-181(c)(I) is implemented, there shall" in its place.

(C) Subsection (e) is amended by striking the phrase "There shall" and inserting the phrase "Until § 47-181(c)(I) is implemented, there shall" in its place.

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

"(A) Whose gross income for the calendar year in which the year of the taxpayer begins is less than the higher of:

"(i) $1,675, increased annually, beginning January 1, 2013, by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(ii) The amount set forth in subsection (i) of this section; or".

(E) Subsection (i) is amended to read as follows:

"(i) For the purposes of this section, the deduction for personal exemptions shall be:

"(1) For taxable years beginning after December 31, 2012, $1,675, increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(2) Subject to availability of funding and in accordance with § 47-181 and subject to § 47-1806.04(e), the amount shall be:

"(A) $2,200;

"(B) $3,200; or

"(C) The prescribed personal exemption amount in section 151 of the Internal Revenue Code of 1954 without reduction for the phaseout of section 151(d)(3) of the Internal Revenue Code of 1954.".

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

"(h-1)(1) The amount of the personal exemption otherwise allowable for the taxable year in the case of an individual whose adjusted gross income exceeds $150,000 shall be reduced by 2% for every $2,500 of the excess of the adjusted gross income over $150,000.

"(2) No amount of the personal exemption in excess of the amount provided in paragraph (1) of this subsection shall be available for an adjusted gross income in excess of $275,000.".

Amend § 47-1806.03

(5) Section 47-1806.03(a) is amended as follows:

(A) Paragraph (8)(B) is amended by striking the phrase "January 1, 2016" and inserting the phrase "January 1, 2015" in its place.

(B) New paragraphs (9) and (10) are added to read as follows:

"(9) In the case of the taxable year beginning after December 31, 2014, there is imposed on the taxable income of every resident a tax determined in accordance with the following table:

"If the taxable income is:....	The tax is:
"Not over $10,000	4% of the taxable income.
"Over $ 10,000 but not over $ 40,000	$400, plus 6% of the excess over $ 10,000.
"Over $ 40,000 but not over $ 60,000	$2,200, plus 7% of the excess over $ 40,000.
"Over $ 60,000 but not over $ 350,000	$3,600, plus 8.5% of the excess over $ 60,000.
"Over $350,000	$28,250, plus 8.95% of the excess above $350,000.

"(10) In the case of taxable years beginning after December 31, 2015, there is imposed on the taxable income of every resident a tax determined in accordance with the following table:

"(A) "If the taxable income is: The tax is:

"Not over $ 10,000	4% of the taxable income.
"Over $ 10,000 but not over $ 40,000	$400, plus 6% of the excess over $ 10,000; and

"(B) Subject to availability of funding and in accordance with § 47-181,

"If the taxable income is:	The Tax is:
"Over $ 40,000 but not over $ 60,000	$2,200, plus 6.5% of the excess over $ 40,000.
"Over $ 60,000 but not over $ 350,000	$3,500, plus 8.5% of the excess over $ 60,000.
"Over $350,000 but not over $1,000,000	$28,150, plus 8.75% of the excess above $350,000.
"Over $1,000,000	$85,025, plus 8.95% of the excess above $1,000,000

"(C) Paragraph (9) of this subsection shall continue to apply for taxable years beginning after December 31, 2015, except where superseded by any funded provision of § 47-181, until subparagraph (B) of this paragraph is fully applicable.".

Amend § 47-1806.04

(6) Section 47-1806.04 is amended as follows:

(A) Subsection (e) is amended by adding a new paragraph (4) to read as follows:

"(4) The credit provided for in paragraph (1) of this subsection shall no longer be allowed upon the personal exemption being increased to conform to the federal level.".

(B) Subsection (f) is amended as follows:

(i) Paragraph (1) is amended as follows:

(I) Designate the existing text as subparagraph (A).

(II) New subparagraphs (B) and (C) are added to read as follows:

"(B) If a return is filed for a full calendar or fiscal year beginning after December 31, 2014, an individual with a qualifying child who is eligible for and claimed an earned income tax credit on their federal tax return under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against the tax imposed by this chapter for the taxable year in an amount equal to 40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986.

"(C)(i) If a return is filed for a full calendar or fiscal year beginning after December 31, 2014, an individual without a qualifying child who is eligible for an earned income tax credit on their federal tax return under section 32 of the Internal Revenue Code of 1986 (without regard to the limit in section 32(a)(2) of the Internal Revenue Code of 1986) shall be allowed a credit against the tax imposed by this chapter in an amount equal to the credit percentage of so much of a taxpayer's earned income as does not exceed the earned income amount.

"(ii) The amount of the credit allowable to a taxpayer under sub-subparagraph (i) of this subparagraph for any taxable year shall not exceed the credit percentage of the earned income amount, over the phaseout percentage of 8.48% of so much of the adjusted gross income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the phaseout amount of $17,235, increased annually by the cost-of-living adjustment.".

(ii) A new paragraph (4) is added to read as follows:

"(4) For the purposes of this subsection, credit percentage, earned income, earned income amount, and qualifying child shall have the same meanings as provided in section 32 of the Internal Revenue Code of 1986.".

(C) Subsection (g)(1) is amended by striking the phrase “under subsection” and inserting the phrase “under subsection (f)(1)(C) of this section or subsection” in its place.

Amend § 47-1807.02

(7) Section 47-1807.02(a) is amended by adding new paragraphs (5) and (6) to read as follows:

"(5) For the taxable year beginning after December 31, 2014, a tax at the rate of 9.4% upon the taxable income of every corporation, whether domestic or foreign; and

"(6) Subject to availability of funding and in accordance with § 47-181, upon the taxable income of every corporation, whether domestic or foreign, a tax at the rate of 9%, 8.75%, 8.5%, or 8.25%.”.

Amend § 47-1808.01

(8) Section 47-1808.01 is amended as follows:

(A) Paragraph (4) is amended by striking the word "or" at the end.

(B) Paragraph (5) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(C) A new paragraph (6) is added to read as follows:

"(6) For tax years beginning after December 31, 2014, a trade or business that arises solely by reason of the purchase, holding, or sale of, or the entering, maintaining, or

terminating of positions in, stocks, securities, or commodities for the taxpayer's own account; provided, that this paragraph shall not apply to:

"(A) A taxpayer that holds property, or maintains positions, as stock in trade, inventory, or for sale to customers in the ordinary course of the taxpayer's trade or business;

"(B) A taxpayer that acquires debt instruments in the ordinary course of the taxpayer's trade or business for funds loaned or services rendered; or

"(C) A taxpayer that holds any of the following that is not traded on an established securities market:

"(i) Stock in a real estate investment trust; or

"(ii) A partnership interest.".

Amend § 47-1808.03

(9) Section 47-1808.03(a) is amended by adding new paragraphs (5) and (6) to read as follows:

"(5) For the taxable year beginning after December 31, 2014, a tax at the rate of 9.4% upon the taxable income of every unincorporated business, whether domestic or foreign; and

"(6) Subject to availability of funding and in accordance with § 47-181, upon the taxable income of every unincorporated business, whether domestic or foreign, a tax at the rate of 9%, 8.75%, 8.5%, or 8.25%.".

Amend § 47-1810.02

(10) Section 47-1810.02 is amended as follows:

(A) Subsection (d) is amended by striking the phrase "(d-1), all" and inserting the phrase "(d-1) or (d-2), whichever is applicable, all" in its place.

(B) Subsection (d-1)(2) is amended by striking the phrase “beginning after December 31, 2010.” and inserting the phrase “beginning after December 31, 2010, and before January 1, 2015.” in its place.

(C) A new subsection (d-2) is added to read as follows:

"(d-2) Apportionment of business income.

"(1) All business income shall be apportioned to the District by multiplying the income by the sales factor.

"(2) This subsection shall be applicable for the tax years beginning after December 31, 2014.".

(D) Subsection (g)(3) is amended to read as follows:

"(3)(A) Sales, other than sales of tangible personal property, are in the District if the taxpayer's market for the sales is in the District. The taxpayer's market for sales is in the District:

"(i) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in the District;

“(ii) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in the District;

"(iii) In the case of the sale of a service, if and to the extent the service is delivered to a location in the District; and

"(iv) In the case of intangible property:

"(I) That is rented, leased, or licensed, if and to the extent the property is used in the District; provided, that intangible property utilized in marketing a good or service to a consumer is used in the District if that good or service is purchased by a consumer who is in the District; and

"(II) That is sold, if and to the extent the property is used in the District; provided, that:

"(aa) A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is used in the District if the geographic area includes all or part of the District;

"(bb) Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under sub-sub-subparagraph (I) of this sub-subparagraph; and

"(cc) All other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the sales factor.

"(B) If the state or states of assignment under subparagraph (A) of this paragraph cannot be determined, the state or states of assignment shall be reasonably approximated.

"(C) If the taxpayer is not taxable in a state in which a sale is assigned under subparagraph (A) or (B) of this paragraph, or if a state of assignment cannot be determined under subparagraph (A) of this paragraph or reasonably approximated under subparagraph (B) of this paragraph, the sale shall be excluded from the denominator of the sales factor.

"(D) The Chief Financial Officer may prescribe regulations as necessary or appropriate to carry out the purposes of this subsection.".

Amend § 47-1810.04

(11) Section 47-1810.04(c) is amended as follows:

(A) The lead-in text is amended by striking the phrase “The taxpayer’s share” and inserting the phrase “Except as provided in paragraph (3), the taxpayer’s share” in its place.

(B) A new paragraph (3) is added to read as follows:

"(3) For taxable years beginning after December 31, 2014, the apportionment provisions of § 47-1810.02(d-2) shall apply.".

Amend § 47-2001

(d) Section 47-2001 is amended as follows:

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

“(e-1) “e-cigarette” means an electronic vaporizer that produces an aerosol that simulates tobacco smoking.”.

(2) Subsection (h-3) is amended to read as follows:

"(h-3) "Other tobacco product" means any product containing, made, or derived from tobacco, other than a cigarette or a premium cigar, that is intended or expected to be consumed. The term "other tobacco product" does not include an e-cigarette or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation

product, a tobacco dependence product, or for other medical purposes and is being marketed and sold solely for the approved purpose.".

(3) Subsection (n) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (T) is amended by striking the word "or" at the end.

(ii) Subparagraph (U) is amended by striking the period at the end and inserting a semicolon in its place.

(iii) New subparagraphs (V), (W), (X), (Y), (Z), and (AA) are added to read as follows:

"(V) The sale by a bottled water delivery service of bottled water by the gallon generally for use with and to be dispensed from a water cooler or similar type of water dispenser;

"(W) The sale of or charge for the service of the storage of household goods through renting or leasing space for self-storage, including rooms, compartments, lockers, containers, or outdoor space, except general merchandise warehousing and storage and coin-operated lockers;

"(X) The sale of or charge for the service of carpet and upholstery cleaning, including the cleaning or dyeing of used rugs, carpets, or upholstery, or for rug repair;

"(Y)(i) The sale of or charge for health-club services or a tanning studio;

"(ii) For the purposes of this subparagraph, the term:

“(I) "Health-club services" includes the use of, access to, or membership to, an athletic club, fitness center, gym, recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities including swimming, skating, or racquet sports, or other facility for the purpose of physical exercise. The term “health club services” does not include the use of facilities for non-fitness-related purposes, including room rentals, or for other services or charges covered by a separate contract with the user, such as a lease or occupancy agreement.

“(II) "Tanning studio" means a business the purpose of which is to provide individuals a manmade tan, including sun tanning salons and spray tanning salons;

"(Z) The sale of or charge for the service of car washing, including cleaning, washing, waxing, polishing, or detailing an automotive vehicle, except not for coin-operated self-service carwashes; or

"(AA)(i) The sale of or charge for the service of a bowling alley or a billiard parlor;

"(ii) For the purposes of this subparagraph, the term:

“(I) "Billiard parlor" means the structure where the game of striking balls on a cloth-covered table with a cue stick for amusement and recreation takes place, including a billiard room, pool room, and pool parlor.

"(II) "Bowling alley" means a structure where the game of rolling a ball down a wooden alley to knock down pins for amusement and recreation takes place, including candle-pin, duck-pin, five-pin, and ten-pin bowling.".

(B) Paragraph (2)(J) is amended to read as follows:

"(J) Sales of cigarettes, as defined in § 47-2401(1A), and other tobacco product, as defined in § 47-2401(5A).".

(e) Chapter 24 is amended as follows:

Amend Chapter Heading

(1) The chapter heading is amended by striking the word "CIGARETTE" and inserting the word "TOBACCO" in its place.

Amend § 47-2401

(2) Section 47-2401 is amended as follows:

(A) Paragraph (1) is amended to read as follows:

"(1) The term "cigar" means any roll for smoking, other than a cigarette, where both the roll and wrapper or cover of the roll are composed entirely of tobacco.".

(B) Paragraph (2) is amended by striking the word "cigarettes" and inserting the phrase "cigarettes or other tobacco products" in its place.

(C) Paragraph (5) is amended by striking the phrase "cigarettes, cigars, or other tobacco products" and inserting the phrase "cigarettes or other tobacco products" in its place.

(D) Paragraph (5A) is amended to read as follows:

"(5A) The term "other tobacco product" means any product containing, made from, or derived from tobacco, other than a cigarette or premium cigar, that is intended or expected to be consumed. The term "other tobacco product" does not include an e-cigarette (as that term is defined in § 47-2001(e-1)) or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and that is being marketed and sold solely for such an approved purpose.".

(E) A new paragraph (7A) is added to read as follows:

"(7A) The term "premium cigar" means any cigar with a retail cost of $ 2.00 or more, or packaged units of cigars averaging $ 2.00 or more per packaged cigar at retail.".

(F) Paragraph (8) is amended by striking the word "cigarettes" and inserting the phrase "cigarettes or other tobacco products" in its place.

(G) Paragraph (8A) is repealed.

(H) Paragraph (10) is amended by striking the word "cigarettes" and inserting the phrase "cigarettes or other tobacco product" in its place.

(I) A new paragraph (11) is added to read as follows:

"(11) The term "wholesale price" means the price for which a licensed wholesaler sells other tobacco products. The wholesale price includes the applicable federal excise tax, freight charges, or packaging costs, regardless of whether they were included in the purchase price, but excludes any discount, trade allowance, rebate, or other reduction.".

Amend § 47-2402

(3) Section 47-2402 is amended by striking the word "payment" in the section heading and inserting the phrase "payment of cigarette tax" in its place.

Amend § 47-2402.01

(4) Section 47-2402.01 is amended as follows:

(A) The section heading is amended to read as follows:

"§ 47-2402.01. Tax on other tobacco products.".

(B) Subsection (a) is amended to read as follows:

"(a)(1)(A) A tax is levied and imposed on the sale or possession of other tobacco products in the District.

"(B)(i) Other tobacco products on which the taxes levied and imposed by this section have been paid shall not be subject to additional taxation under this section; provided, that the burden of proof that the taxes levied and imposed by this section have been paid shall be upon the person who sells or possesses other tobacco products in the District, against whom a tax assessment has been made, who has submitted an application for a refund, or whose other tobacco products have been seized.

"(ii) For the purposes of this subparagraph, the term "person" includes any officer or employee of a corporation responsible for payment of the tax, or any member of a partnership or association responsible for the payment of the tax.

"(C) The tax rate for other tobacco products shall be equal to the cigarette tax and surtax under § 47- 2402(a)(1)-(2) on a pack of 20 cigarettes, expressed as a percentage of the average wholesale price of a package of 20 cigarettes, for the March 31 preceding the September 1 announcement of the change in rates, or in the case of retailers upon whom this tax is imposed, at a rate prescribed in regulations promulgated by the Mayor. The first calculation shall be made and applicable for calendar quarters beginning after September 30, 2014.

"(D) The rate shall be applied against gross receipts from sales of or charges for such other tobacco products subject to the tax under this section.

"(2)(A) Beginning as of March 31, 2015, and on March 31 of each year thereafter, the Mayor shall reevaluate the percentage calculation in paragraph (1) of this subsection on the basis of the § 47-2402 cigarette tax and surtax to be effective on the following October 1 on a pack of 20 cigarettes and shall recompute the tax rate on other tobacco product as defined in this chapter.

"(B) The Mayor shall provide notice of any change in the tax rate for other tobacco products on or before September 1 of that year, and the change shall be effective as of the following October 1.".

Amend § 47-2403

(5) Section 47-2403 is amended as follows:

(A) Subsection (a) is amended as follows:

(i) Paragraph (1) is amended by striking the word "cigarettes" wherever it appears and inserting the phrase "cigarettes or other tobacco products" in its place.

(ii) Paragraph (4) is amended by striking the word "and" at the end.

(iii) Paragraph (5) is amended as follows:

(I) Strike the word "cigarettes" and insert the phrase "cigarettes or other tobacco products" in its place.

(II) Strike the period and insert the phrase "; and" in its place.

(iv) A new paragraph (6) is added to read as follows:

"(6) Possession of other tobacco product by licensed wholesalers for sale outside of the limits of the District or for sale to other licensed wholesalers as provided for in § 47-2402(f), sales of other tobacco products by licensed wholesalers to other licensed wholesalers as provided for in § 47-2402(f), and possession by authorized licensed retailers and vending machine operators of other tobacco products on which the tax rate for any other state or jurisdiction has been paid, for sale in such other state or jurisdiction; provided, that such authorized licensed retailers and vending machine operators are licensed under the laws of such other state or jurisdiction to engage in the business of selling other tobacco products therein.".

(B) Subsection (b) is amended by striking the word "cigarettes" wherever it appears and inserting the phrase "cigarettes or other tobacco products" in its place.

Amend § 47-2404

(6) Section 47-2404(3)(B) is amended by striking the word "cigarettes" wherever it appears and inserting the phrase "cigarettes or other tobacco products" in its place.

Amend § 47-2405

(7) Section 47-2405 is amended as follows:

(A) The heading is amended by striking the phrase "cigarettes." and inserting the phrase "cigarettes and other tobacco products." in its place.

(B) Subsections (a) and (b) are amended to read as follows:

"(a) Any person, other than a consumer, who transports cigarettes not bearing District cigarette tax stamps or other tobacco products over the public highways, roads, streets, waterways, or other public space of the District, shall have in his actual possession invoices or delivery tickets for such cigarettes or other tobacco products, which show the true name and address of the consignor or seller, the true name and address of the consignee or purchaser, and the quantity and brands of the cigarettes or other tobacco products so transported.

"(b) If the cigarettes or other tobacco products are consigned to or purchased by any person in the District, such purchaser or consignee must be a person authorized by this chapter to possess unstamped cigarettes or untaxed other tobacco products in the District. If the invoice or delivery ticket specifies that the cigarettes or other tobacco products are to be delivered to any person in any state or jurisdiction other than the District, such person must be licensed under the laws of such other state or jurisdiction to engage in the business of selling cigarettes or other tobacco products within that state or jurisdiction. Any cigarettes or other tobacco products transported in violation of any of the provisions of this section shall be deemed contraband cigarettes and other tobacco products and such cigarettes or other tobacco products, the conveyance in which such cigarettes or other tobacco products are being transported, and any equipment or devices used in connection with, or to facilitate, the transportation of such cigarettes or other tobacco products shall be subject to seizure and forfeiture as provided for in § 47-2409.".

Amend § 47-2408

(8) Section 47-2408 is amended as follows:

(A) Subsection (b) is amended as follows:

(i) Paragraph (3)(B) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco product” in its place.

(ii) Paragraph (4) is amended to read as follows:

“(4) Stop any conveyance that the Mayor has knowledge or reasonable cause to believe is carrying more than 200 cigarettes or other tobacco products with a value exceeding the wholesale price of 200 cigarettes and, upon presenting appropriate credentials to the operator of the conveyance, examine the invoices or delivery tickets for such cigarettes or other tobacco products and inspect the conveyance for contraband cigarettes or other tobacco products.”.

(B) Subsection (c) is amended by striking the word “cigarettes” wherever it appears and inserting the phrase “cigarettes or other tobacco product” in its place.

(C) Subsection (g) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco product” in its place.

Amend § 47-2422

(9) Section 47-2422(a) is amended by striking the word “cigarette” and inserting the phrase “cigarette or other tobacco product” in its place.

Amend § 47-2425

(10) Section 47-2425(b) is amended by striking the word “cigarettes” wherever it appears and inserting the phrase “cigarettes or other tobacco products” in its place.

(f) Chapter 37 is amended as follows:

Amend § 47-3701

(1) Section 47-3701 is amended as follows:

(A) The lead-in language of paragraph (4)(C) is amended to read follows:

"(C) For a decedent dying after December 31, 2002, but before January 1, 2016:".

(B) Paragraph (6) is amended by striking the period and inserting the phrase “; provided, that if the federal estate tax is not in effect at the time of the decedent's death, it means the Internal Revenue Code as in effect immediately before the federal estate tax ceased to be in effect." in its place.

(C) Paragraph (12) is amended as follows:

(i) Subparagraph (B) is amended by striking the phrase "decedent whose death occurs on or subsequent to January 1, 2008, the meaning defined in section 2501" and inserting the phrase "decedent dying after December 31, 2007, but before January 1, 2015, the meaning defined in section 2051" in its place.

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

"(C) For a decedent dying after December 31, 2014, the meaning defined in section 2051 of the Internal Revenue Code, but without reduction for the deduction provided in section 2058 of the Internal Revenue Code, and calculated as if the federal estate tax recognized a domestic partner in the same manner as a spouse.".

(D) A new paragraph (12A) is added to read as follows:

"(12A) "Taxable situs" means with regard to:

"(A) Real property, the place where the property is situated;

"(B) Tangible personal property, the place where the property is customarily located at the time of the decedent's death; and

"(C) Intangible personal property, the domicile of the decedent at the time of the decedent's death; provided, that intangible personal property used in a trade or business in the District shall have a taxable situs in the District regardless of the domicile of the owner.".

(E) Paragraph (13) is amended to read as follows:

"(13) "Value" means value as finally determined for federal estate tax purposes, or otherwise defined under the Internal Revenue Code.

(F) A new paragraph (14) is added to read as follows:

"(14) (A) "Zero bracket amount" means, subject to available funding and in accordance with § 47-181:

"(i) $2 million; or

"(ii) $5 million increased by an amount equal to $5 million multiplied by the cost-of-living adjustment for the calendar year.

"(B) For the purposes of this paragraph, the term:

"(i) "Cost-of-living adjustment" means for a calendar year the percentage (if any) by which the CPI for the preceding calendar year exceeds the CPI for the calendar year 2010; provided, that for any amount as adjusted under the preceding sentence that is not a multiple of $10,000, the amount shall be rounded to the nearest $10,000.

"(ii) "CPI" means the consumer price index as defined in sections 1(f)(4) and (5) of the Internal Revenue Code.".

Amend § 47-3702

(2) Section 47-3702 is amended as follows:

(A) Subsection (a) is amended by striking the phrase "resident dying on or after April 1, 1987, subject" and inserting the phrase "resident decedent dying after March 31, 1987, but before January 1, 2015, subject" in its place.

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

"(a-1) A tax is imposed on the taxable estate of every resident decedent dying after December 31, 2015, as follows:

"(1) The rate of tax shall be 16%; except, that if the taxable estate does not exceed the zero bracket amount, the tax rate shall be 0%, and if the taxable estate exceeds the zero bracket amount, the following tax rates shall be applied to the incremental values of the taxable estate:

"(A) The rate of tax on the taxable estate over $2 million but not over $2.5 million shall be 8.0%;

"(B) The rate of tax on the taxable estate over $2.5 million but not over $3 million shall be 8.8%;

"(C) The rate of tax on the taxable estate over $3 million but not over $3.5 million shall be 9.6%;

"(D) The rate of tax on the taxable estate over $3.5 million but not exceeding $4 million shall be 10.4%;

"(E) The rate of tax on the taxable estate over $4 million but not exceeding $5 million shall be 11.2%;

"(F) The rate of tax on the taxable estate over $5 million but not exceeding $6 million shall be 12%;

"(G) The rate of tax on the taxable estate over $6 million but not exceeding $7 million shall be 12.8%;

"(H) The rate of tax on the taxable estate over $7 million but not exceeding $8 million shall be 13.6%;

"(I) The rate of tax on the taxable estate over $8 million but not exceeding $9 million shall be 14.4%; and

"(J) The rate of tax on the taxable estate over $9 million but not exceeding $10 million shall be 15.2%.

"(2) If any real or tangible personal property of a resident decedent has a taxable situs outside the District, the amount of the tax due under this section shall be reduced by the proportion that the value of the real or tangible property outside the District bears to the amount of the gross estate of the resident decedent.".

(C) Subsection (b) is amended by striking the word "If" and inserting the phrase "For a decedent dying before January 1, 2015, if" in its place.

(D) Subsection (c) is repealed.

(3) Section 47-3703 is amended as follows: **Amend § 47-3703**

(A) Subsection (b) is amended by striking the word "The" and inserting the phrase "For every nonresident decedent dying before January 1, 2016, the" in its place.

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

"(b-1) For every nonresident decedent dying after December 31, 2015, the tax shall be an amount computed by multiplying the tax determined under § 47-3702(a-1) by a fraction, the numerator of which shall be the value of that part of the gross estate that has its taxable situs in the District and the denominator of which shall be the value of the nonresident decedent's gross estate.".

(C) Subsection (c) is repealed.

(4) Section 47-3705(a)(2) is amended to read as follows: **Amend § 47-3705**

"(2) A personal representative shall not be required to file a return if the gross estate does not exceed $1 million or the zero bracket amount, whichever is higher.".

(5) Section 47-3723 is repealed. **Repeal § 47-3723**

Sec. 7013. Section 7 of the Government Employer-Assisted Housing Amendment Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2506), is amended by adding a new subsection (c) to read as follows: **Amend § 42-2506**

"(c) This section shall apply for taxable years beginning after October 1, 2006, through the taxable year ending December 31, 2014.".

SUBTITLE C. URBAN INSTITUTE REAL PROPERTY TAX REBATE

Sec. 7021. Short title.

This subtitle may be cited as the "The Urban Institute Real Property Tax Rebate Amendment Act of 2014".

Amend § 47-4624

Sec. 7022. Section 47-4624 of the District of Columbia Official Code is amended to read as follows;

"§ 47-4624. The Urban Institute tax rebate.

"(a) If The Urban Institute leases and occupies a building or a portion of a building that is subject to real property taxation under Chapter 8 of this title, The Urban Institute shall receive a rebate of its proportionate share of the real property tax paid with respect to the building, if:

"(1) It is liable under the lease for its proportionate share of the real property tax;

"(2) It applies for the rebate of real property tax by September 15 of the calendar year in which the tax was payable as provided under § 47-811; and

"(3) The real property tax was paid.

"(b) The rebate shall be the amount of the portion of the real property tax that was paid, either directly or indirectly, by The Urban Institute under its lease with the lessor.

"(c) The application for the rebate shall include:

"(1) A copy of the lease with the lessor; and

"(2) Documentation that the tax has been paid.

"(d) If a proper application has been made, the Chief Financial Officer shall rebate the tax on or before December 31 of the same calendar year.

"(e) The real property tax rebate established by this section shall begin no earlier than January 1, 2015, and shall be effective for a 10-year period. The first year of the 10-year period shall be the year that The Urban Institute occupies a building or a portion of a building that is subject to real property taxation under Chapter 8 of this title pursuant to a signed lease with the lessor of that building or building portion. The amount of the rebate shall not exceed $1 million per tax year.".

SUBTITLE D. INDUSTRIAL REVENUE BOND SECURITY INTEREST INSTRUMENT RECORDATION TAX EXEMPTION

Sec. 7031. Short title.

This subtitle may be cited as the "Industrial Revenue Bond Security Interest Instrument Recordation Tax Exemption Amendment Act of 2014".

Amend § 42-1102

Sec. 7032. Section 302 of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

(a) Paragraph (31) is amended by striking the word "and".

(b) Paragraph (32) is amended by striking the period and inserting a semicolon in its place.

(c) A new paragraph (33) is added to read as follows:

"(33) A security interest instrument executed by a borrower in connection with a loan under the Industrial Revenue Bond Forward Commitment Program authorized by Subchapter II-B of Chapter 3 of Title 47 of the District of Columbia Official Code; provided, that unless waived by regulation, a certification by the Mayor that the security interest instrument is entitled to this exemption accompanies the security interest instrument at the time it is presented for recordation; and".

SUBTITLE E. FISCAL YEAR 2014 BUDGET SUPPORT ACT AMENDMENTS

Sec. 7041. Short title.

This subtitle may be cited as the "Fiscal Year 2014 Budget Support Act Amendment Act of 2014".

Sec. 7042. The Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12472), is amended as follows:

(a) Section 4092 is repealed. **Note, § 38-1941**

(b) Section 4122 is repealed. **Note, § 38-2971.01**

Sec. 7043. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-2002(c) is repealed. **Amend § 47-2002**

(b) Section 47-2402(l) of the District of Columbia Official Code is amended as follows: **Amend § 47-2402**

(1) Paragraph (1) is amended by striking the phrase “Department of Behavioral Health” and inserting the phrase “Department of Health” in its place.

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

“(A) Such funds as may be appropriated from time to time; and”.

(3) Paragraph (4) is repealed.

Sec. 7044. Section 6a of the Commission on the Arts and Humanities Act, effective January 29, 1998 (D.C. Law 12-42; D.C. Official Code § 39-205.01), is amended as follows: **Amend § 39-205.01**

(a) Subsection (a-1)(1) is repealed.

(b) Subsection (a-2) is repealed.

(c) Subsection (f) is repealed.

SUBTITLE F. SENIOR CITIZEN REAL PROPERTY TAX RELIEF

Sec. 7051. Short title.

This subtitle may be cited as the "Senior Citizen Real Property Tax Relief Amendment Act of 2014".

Sec. 7052. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 8 is amended as follows:

(1) Section 47-845.03(c) is amended to read as follows: **Amend § 47-845.03**

"(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than $12,500 of household interest and dividend income, and has owned a residence in the District for at least 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section.".

(2) Section 47-863(a) is amended by adding a new paragraph (6) to read as follows: **Amend § 47-863**

"(6) "20 consecutive tax years" shall include no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days.".

(b) Section 47-1806.06 is amended as follows: **Amend § 47-1806.06**

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

(A) Paragraph (2)(C) is amended by striking the phrase "for all claimants" and inserting the phrase "for all claimants other than eligible senior claimants" in its place.

(B) A new paragraph (2A) is added to read as follows:

"(2A) For taxable years beginning after December 31, 2014, the percentage required under paragraph (1) of this subsection to be determined for eligible senior claimants shall be 100% of property tax or of rent constituting property taxes accrued exceeding 3.0% of adjusted gross income of the tax filing unit.".

(2) Subsection (b) is amended by adding a new paragraph (9) to read as follows:

"(9) The term "eligible senior claimant" means a claimant who is 70 years or older at any time during the tax year and whose adjusted gross income does not exceed $60,000.".

(3) Subsection (r) is amended by striking the phrase "$50,000 shall be" and inserting the phrase "$50,000 ($60,000 for eligible senior claimants) shall be" in its place.

SUBTITLE G. WHITMAN-WALKER REAL PROPERTY TAX REBATE

Sec. 7061. Short title.

This subtitle may be cited as the "Whitman-Walker Tax Rebate Act of 2014".

Sec. 7062. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-4662. Whitman-Walker Clinic, Inc.; Lot 129, Square 241.".

(b) A new section 47-4662 is added to read as follows: **New § 47-4662**

"§ 47-4662. Whitman-Walker Clinic, Inc.; Lot 129, Square 241."

"(a) Real property taxes paid with respect to Lot 129, Square 241 shall be rebated to the Whitman-Walker Clinic, Inc. ("WWC"), to the extent of WWC's proportionate share of the real property tax incurred if:

"(1) The WWC is liable under the lease for its proportionate share of the real property tax;

"(2) The WWC applies for the rebate of real property tax by September 15 of the calendar year in which the tax was payable as provided under § 47-811; and

"(3) The real property tax was paid.

"(b) The rebate shall be the amount of the real property tax passed through to WWC under a lease with the lessor that was paid, directly or indirectly, by WWC.

"(c) The application for the rebate shall include:

"(1) A copy of the lease with lessor; and

"(2) Documentation that the real property tax has been paid.

"(d) If a proper application as required by this section has been submitted, the Chief Financial Officer shall rebate the real property tax on or before December 31 of the same calendar year.

"(e) The rebate provided pursuant to this section shall apply beginning with tax year 2015.

"(f) The rebate provided pursuant to this section shall be in addition to, and not in lieu of, any other tax, financial, or development incentive, or tax credit, or any other type of incentive provided to WWC under any District or federal program.".

SUBTITLE H. ENCOURAGING ALTERNATIVE FUEL VEHICLES AND INFRASTRUCTURE INSTALLATION THROUGH TAX INCENTIVES

Sec. 7071. Short title.

This subtitle may be cited as the "Alternative Fuel Vehicle and Infrastructure Installation Through Tax Incentives Act of 2014".

Sec. 7072. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended as follows:

(1) New section designations 47-1806.12 and 47-1806.13 are added to Subchapter VI to read as follows:

"47-1806.12. Tax on residents and non-residents — Credits — Alternative fuel infrastructure credit.

"47-1806.13. Tax on residents and non-residents – Credits – Alternative fuel vehicle conversion credit.”.

(2) New section designations 47-1807.10 and 47-1807.11 are added to Subchapter VII to read as follows:

"47-1807.10. Tax on corporations — Credits — Alternative fuel infrastructure credit.

"47-1807.11. Tax on corporations – Credits – Alternative fuel vehicle conversion credit.”.

(3) New section designations 47-1808.10 and 47-1808.11 are added to Subchapter VIII to read as follows:

"47-1808.10. Tax on unincorporated businesses — Credits — Alternative fuel infrastructure credit.

"47-1808.11. Tax on unincorporated businesses – Credits – Alternative fuel vehicle conversion credit.".

(b) New sections 47-1806.12 and 47-1806.13 are added to read as follows:

"§ 47-1806.12. Tax on residents and non-residents — Credits — Alternative fuel infrastructure credit.

New § 47-1806.12

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed on an eligible applicant by § 47-1806.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the purchase and installation of alternative fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle refueling property or in a qualified private residence; provided, that the credit shall not exceed:

"(1) For a qualified private residence, $1,000 per vehicle charging station; or

"(2) For a qualified alternative fuel vehicle refueling property, $10,000 per qualified alternative fuel vehicle refueling property or vehicle charging station.

"(b) The equipment and labor costs for which a tax credit may be claimed under this section shall not include costs associated with the:

"(1) Purchase of land, or access to land, to be used as a qualified alternative fuel vehicle refueling property;

"(2) Purchase of an existing qualified alternative fuel vehicle refueling property; or

"(3) Construction or purchase of any structure.

"(c) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1806.03 for that year.

"(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise due under § 47-1806.03, the amount of the credit not used may be carried forward for up to 2 tax years. The credit shall not be refundable.

"(e) If the alternative fuel storage and dispensing equipment or charging equipment on a qualified alternative fuel vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not claim a tax credit for the portion of the tax year after the date on which the alternative fuel storage and dispensing equipment or charging equipment was no longer used to dispense or sell alternative fuel to the public.

"(f) For the purposes of this section, the term:

"(1) "Alternative fuel" means a fuel used to power a motor vehicle that consists of one or more of the following:

"(A) At least 85% ethanol;

"(B) Natural gas;

"(C) Compressed natural gas;

"(D) Liquefied natural gas;

"(E) Liquefied petroleum gas;

"(F) Biodiesel, excluding kerosene;

"(G) Electricity provided by a vehicle-charging station; or

"(H) Hydrogen.

"(2) "Eligible applicant" means a resident who is an owner or lessee of a qualified alternative fuel vehicle refueling property or a qualified private residence.

"(3) "Qualified alternative fuel vehicle refueling property" means a property in the District that contains equipment available for use by the public for storing and dispensing alternative fuel, including charging electrically.

"(4) "Qualified private residence" means a property that is the dwelling of a person that has a vehicle-charging station.

New § 47-1806.13

"§ 47-1806.13. Tax on residents and non-residents – Credits – Alternative fuel vehicle conversion credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1806.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum derived gasoline to a motor vehicle that operates on an alternative fuel, not to exceed $19,000 per vehicle.

"(b) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1806.03 for that year. The credit shall not be refundable.

"(c) For the purposes of this section, the term "alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).".

(c) New sections 47-1807.10 and 47-1807.11 are added to read as follows:

New § 47-1807.10

"§ 47-1807.10. Tax on corporations — Credits — Alternative fuel infrastructure credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed on an eligible applicant by § 47-1807.02 a credit in the amount of 50% of the equipment and labor costs directly attributable to the purchase and installation of alternative fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle refueling property.

"(b) The equipment and labor costs for which a tax credit may be claimed under this section shall not include costs associated with the:

"(1) Purchase of land, or access to land, to be used as a qualified alternative fuel vehicle refueling property;

"(2) Purchase of an existing qualified alternative fuel vehicle refueling property; or

"(3) Construction or purchase of any structure.

"(c) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1807.02 for that year.

"(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise due under § 47-1807.02, the amount of the credit not used may be carried forward for up to 2 tax years. The credit shall not be refundable.

"(e) If the alternative fuel storage and dispensing equipment or charging equipment on a qualified alternative fuel vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not claim a tax credit for the portion of the tax year after the date on which the alternative fuel storage and dispensing equipment was no longer used to dispense or sell alternative fuel to the public.

"(f) For the purposes of this section, the term:

"(1) "Alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).

"(2) "Eligible applicant" means a corporation that is the owner or lessee of a qualified alternative fuel vehicle refueling property.

"(3) "Qualified alternative fuel vehicle refueling property" shall have the same meaning as provided in § 47-1806.12(f)(3).

New § 47-1807.11

"§ 47-1807.11. Tax on corporations – Credits – Alternative fuel vehicle conversion credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1807.02 a credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum derived gasoline to a motor vehicle that operates on an alternative fuel, not to exceed $19,000 per vehicle.

"(b) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1807.02 for that year. The credit shall not be refundable.

"(c) For the purposes of this section, the term "alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).".

(d) New sections 47-1808.10 and 47-1808.11 are added to read as follows:

New § 47-1808.10

"§ 47-1808.10. Tax on unincorporated business — Credits — Alternative fuel infrastructure credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed on an eligible applicant by § 47-1808.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the purchase and installation of alternative fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle refueling property, not to exceed $10,000 per qualified alternative fuel vehicle refueling property or per vehicle-charging station.

"(b) The equipment and labor costs for which a tax credit may be claimed under this section shall not include costs associated with the:

"(1) Purchase of land, or access to land, to be used as a qualified alternative fuel vehicle refueling property;

"(2) Purchase of an existing qualified alternative fuel vehicle refueling property; or

"(3) Construction or purchase of any structure.

"(c) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1808.03 for that year.

"(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise due under § 47-1808.03, the amount of the credit not used may be carried forward for up to 2 tax years. The credit shall not be refundable.

"(e) If the alternative fuel storage and dispensing equipment or charging equipment on a qualified alternative fuel vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not claim a tax credit for the portion of the tax year after the date on which the alternative fuel storage and dispensing equipment was no longer used to dispense or sell alternative fuel to the public.

"(f) For the purposes of this section, the term:

"(1) "Alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).

"(2) "Eligible applicant" means an unincorporated business that is the owner or lessee of a qualified alternative fuel vehicle refueling property.

"(3) "Qualified alternative fuel vehicle refueling property" shall have the same meaning as provided in § 47-1806.12(f)(3).

New § 47-1808.11

"§ 47-1808.11. Tax on unincorporated businesses – Credits – Alternative fuel vehicle conversion credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1808.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum derived gasoline to a motor vehicle that operates on an alternative fuel.

"(b) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1808.03 for that year. The credit shall not be refundable.

"(c) For the purposes of this section, the term "alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).".

SUBTITLE I. REAL PROPERTY TAX CALCULATED RATE CLARITY

Sec. 7081. Short title.

This subtitle may be cited as the "Real Property Tax Calculated Rate Clarity Amendment Act of 2014".

Amend § 47-812

Sec. 7082. Section 47-812 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b-8) is amended as follows:

(1) Paragraph (1)(A)(iv) is amended as follows:

(A) Sub-sub-subparagraph (I) is amended by striking the phrase ", as certified in the latest revenue estimate,".

(B) Sub-sub-subparagraph (II) is amended to read as follows:

"(II) By January 5 of the tax year, the Mayor shall submit to the Council the real property tax rate computed under sub-sub-subparagraph (I) of this sub-subparagraph.".

(2) Paragraph (2) is repealed.

(b) Subsection (b-9) is amended as follows:

(1) Paragraph (1)(A) is amended to read as follows:

"(A) For the first $3 million of assessed value, $1.65 of each $100 of assessed value; and".

(2) Paragraph (2) is amended as follows:

(A) Subparagraph (A)(i) is amended to read as follows:

"(i) For the first $3 million of assessed value, the rate as established in subparagraph (B) of this paragraph; provided, that for the tax year beginning October 1, 2011, the tax rate shall be $1.65 of each $100 of assessed value; and".

(B) Subparagraph (B) is amended as follows:

(i) Sub-subparagraph (ii) is amended as follows:

(I) Sub-sub-subparagraph (I) is amended by striking the word "received" and inserting the phrase "estimated to be received" in its place.

(II) Sub-sub-subparagraph (II) is amended by striking the phrase "for Class 2 Properties based upon a rate of $1.85 of each $100 of assessed value" and inserting the phrase "in the tax year based upon the applicable rates in effect for Class 2 Properties during the prior tax year" in its place.

(ii) Sub-subparagraph (iii) is amended by striking the phrase "Before September 16 of each year" and inserting the phrase "By January 5 of each tax year" in its place.

(c) A new subsection (f) is added to read as follows:

"(f)(1) When the last day prescribed under this section for performing any act falls on Saturday, Sunday, or a legal holiday, the performance of the act shall be considered timely if it is performed on the next succeeding day that is not a Saturday, Sunday, or a legal holiday.

"(2) The last day for the performance of any act shall be determined by including any authorized extension of time.

"(3) For the purposes of this subsection, the term "legal holiday" means a legal holiday in the District of Columbia.".

SUBTITLE J. CARVER 2000 SENIOR MANSION REAL PROPERTY TAX ABATEMENT

Sec. 7091. Short title.

This subtitle may be cited as the "Carver 2000 Senior Mansion Real Property Tax Abatement Amendment Act of 2014".

Sec. 7092. Section 47-4605(d) of the District of Columbia Official Code is amended as follows: **Amend § 47-4605**

(a) Paragraph (2) is amended by striking the number "16".

(b) Paragraph (3) is repealed.

SUBTITLE K. RESIDENTIAL REAL PROPERTY EQUITY AND TRANSPARENCY AMENDMENT

Sec. 7101. Short title.

This subtitle may be cited as the "Residential Real Property Equity and Transparency Revised Amendment Act of 2014".

Sec. 7102. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 8 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

"47-805. Office of Real Property Tax Ombudsman.". **Amend § 47-802**

(2) Section 47-802(5) is amended as follows:

(A) Subparagraph (D) is amended by striking the word "or" at the end.

(B) Subparagraph (E) is amended by striking the period and inserting the phrase "; or" in its place.

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

"(F) For purposes of appealing the assessment of real property sold under § 47-1353(b), the tax sale purchaser or the purchaser's assignee, as applicable; provided, that the Mayor shall not be required to mail notices or bills issued under this chapter to the tax sale purchaser or assignee; provided further, that the owner of record is not appealing the assessment for the same tax year.".

(3) A new section 47-805 is added to read as follows: **Amend § 47-805**

"§ 47-805. Office of Real Property Tax Ombudsman.

"(a) There is created within the Office of the Mayor the Office of the Real Property Tax Ombudsman ("Office"), which shall be headed by the Real Property Tax Ombudsman ("Ombudsman"), who shall be appointed by the Mayor pursuant to § 1-523.01(a), as a statutory employee in the Excepted Service pursuant to § l-609.08. The Ombudsman shall serve for a term of 5 years. The Ombudsman shall serve at the pleasure of the Mayor.

"(b) The Ombudsman shall appoint staff and additional personnel as provided for in an approved budget and financial plan for the District.

"(c) The Ombudsman shall:

"(1) Consult with and advise Class 1 real property owners on any real property tax matter arising under Chapter 8 or 13A of this title or under Chapter 31A of Title 42;

"(2) Receive and investigate concerns and complaints from Class 1 real property owners related to real property tax matters;

"(3) Provide counsel and assistance to Class 1 real property owners relating to real property taxes, including referring Class 1 real property owners to appropriate:

"(A) Legal service providers;

"(B) Public interest organizations; and

"(C) Government offices;

"(4) Maintain a list of organizations that provide free or reduced-price legal services to District of Columbia residents and a list of housing counseling agencies approved by the U.S. Department of Housing and Urban Development;

"(5) Protect the confidentiality of records and comply with all applicable confidentiality provisions, including § 47-821(d)(2); and

"(6) Prepare and submit to the Council and the Mayor an annual report on the activities of the Office that the Mayor shall make available to the public on the Mayor's website.

"(d) The Ombudsman may assist an owner with matters concerning an abutting lot where the abutting lot and the Class 1 property are owned by the same owner.

"(e) The Ombudsman shall not appear on behalf of Class 1 real property owners in any court, administrative, or quasi-judicial proceeding.

"(f) The Office of the Chief Financial Officer may share confidential tax information with the Ombudsman.

"(g) For purposes of this section, the term "Class 1 real property owner" shall have the same meaning as provided in § 47-813(c-3)(1); provided, that the term owner as used in § 47-813(c-3)(1) shall be construed broadly and include the persons defined as owners in § 47-802 as well as other persons with an equitable interest in the property, and any other persons the Ombudsman determines to be appropriate representatives of the property owner (or, if applicable, the property owner's estate), or any other persons the Ombudsman determines to be consistent with the purposes of this section.".

Amend § 47-811

(4) Section 47-811(c) is amended by striking the phrase "plus interest on the unpaid amount" and inserting the phrase "plus simple interest on the unpaid amount" in its place.

Amend § 47-845.03

(5) Section 47-845.03 is amended as follows:

(A) Subsection (c) is amended to read as follows:

"(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than $12,500 of household interest and dividend income, and has owned a residence in the District for at least 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section.".

(B) Subsection (g) is amended to read as follows:

"(g) If a properly completed and approved application is filed, the applicant may choose to have the deferral apply to past years; provided, that the amount deferred shall comply with

subsection (d) of this section and the periods of applicability are stated in the application; provided further, that the applicant is responsible for accrued attorneys' fees.".

(C) Subsection (p) is repealed.

(6) Section 47-895.31(8) is amended to read as follows: **Amend § 47-895.31**

"(8) "Lot" means real property as defined in § 47-802(1) where such real property for billing and collection purposes under this subchapter shall be further described with the letters "PC" preceding the sequence of square, suffix and lot, or parcel and lot, numbers under § 47-802(1).".

(7) Section 47-895.33 is amended by adding a new subsection (b-1) to read as follows: **Amend § 47-895.33**

"(b-1) A notice, bill, or other correspondence under this subchapter or § 47-1336 shall be mailed to the owner's specifically designated mailing address as provided in the energy efficiency loan closing documents and as may be updated from time to time by the Chief Financial Officer, which may be different from the general mailing address provided pursuant to § 42-405, or as provided in the transfer and recordation tax return.".

(b) Section 47-902 is amended by adding a new paragraph (26) to read as follows: **Amend § 47-902**

"(26) Transfers of property transferred to a named beneficiary of a revocable transfer on death deed under Subchapter IV of Chapter 6 of Title 19, by reason of the death of the grantor of the revocable transfer on death deed.".

(c) Chapter 13A is amended as follows:

(1) The table of contents is amended as follows:

(A) A new section designation is added to read as follows:

"47-1353.01. Post-sale notice.".

(B) A new section designation is added to read as follows:

"47-1382.01. Equity distribution post-judgment – owner-occupant properties.".

(C) A new section designation is added to read as follows:

"47-1390. Office of Real Property Tax Sale Review.".

(2) Section 47-1330 is amended as follows: **Amend § 47-1330**

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

"(2) "Tax" means unpaid real property tax and vault rent owing as of October 1, and unpaid business improvement district tax owing as of September 1, including penalties, interest, and costs, as calculated by the Mayor. The term "tax" includes an assessment or charge due at any time to the District and certified to the Mayor for collection under this chapter in the same manner as a real property tax, along with permitted penalties, interest, and costs, as calculated by the Mayor.".

(B) A new paragraph (2A) is added to read as follows:

"(2A) "Tax sale date" or "date of the tax sale" means for purposes of the tax sale held under § 47-1346 the date when the tax sale during which the real property was sold concluded.".

(C) A new paragraph (4A) is added to read as follows:

"(4A) "Premises address" means the address, if any, for the square, suffix, and lot numbers, or parcel and lot numbers, of real property as reflected in the records in the Office of Tax and Revenue.".

Amend § 47-1332

(3) Section 47-1332 is amended to read as follows:

"§ 47-1332. Sale of properties by Mayor; exemptions from sale.

"(a) Except as provided in subsections (c) and (d) of this section or as provided in other law, the Mayor shall sell all real property on which the tax is in arrears.

"(b) The Mayor shall designate a single agency to conduct tax sales.

"(c) The Mayor shall not sell any real property if:

"(1) A forbearance authorization has been approved in writing by the Mayor for the applicable tax sale;

"(2) For improved Class 1 Property, the tax amount to be sold is less than $2,500; or

"(3) The real property is a Class 1 Property that is receiving a homestead deduction, with respect to which there is an outstanding non-void certificate of sale; provided, that no real property shall be excluded from sale solely pursuant to this paragraph if the non-void certificate of sale has been outstanding for 3 years or more.

"(d) The Mayor, in the Mayor's discretion, may decline to sell any Class 1 Property or any real property for a delinquency in the payment of a non-real property tax that does not have to be certified.

"(e)(1) An application for a forbearance authorization, utilizing the form of application as shall be devised by the Mayor, may be submitted to the Mayor up to 30 days before the first day of the tax sale.

"(2) The Mayor shall review and approve or deny the application within 90 days of receipt of the application.

"(3)(A) The Mayor shall approve an application if the real property receives a homestead deduction and the tax amount to be sold is less than or equal to $7,500.

"(B) The Mayor, in the Mayor's discretion, may approve an application that does not meet the criteria for demonstrated hardship set forth in subparagraph (A) of this paragraph.

"(4) Upon approving an application for forbearance authorization, the Mayor shall remove the real property from the tax sale to which the forbearance corresponds or, if the tax sale has occurred with respect to the real property, cancel the tax sale pursuant to § 47-1366.".

Amend § 47-1334

(4) Section 47-1334 is amended to read as follows:

"§ 47-1334. Interest rate.

"(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid, excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

"(b) The purchaser shall receive simple interest of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following when the real property was sold or the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no interest for expenses or the reasonable value of improvements.".

Amend § 47-1336

(5) Section 47-1336 is amended as follows:

(A) Subsection (a) is amended by adding a new sentence at the end to read as follows:

"The special assessment shall be collectible under this chapter notwithstanding any provision of law to the contrary granting a tax exemption, and the real property formerly described under § 47-895.31(8) shall revert to its description under § 47-802(1) for purposes of collection under this chapter.".

(B) Subsection (b)(2) is amended as follows:

(i) Strike the word "transaction" and insert the word "sale" in its place.

(ii) Strike the phrase "§§ 47-1341 and 47-1342" and insert the phrase "§§ 47-1341, 47-1342, and 47-1353.01" in its place.

(C) Subsection (e) is amended as follows:

(i) Paragraph (1) is amended by striking the phrase "contrary," and inserting the phrase "contrary, provisions in this section excepted," in its place.

(ii) Paragraph (2) is amended as follows:

(I) The lead-in language is amended by striking the phrase "record owner" and inserting the phrase "record owner at the mailing address provided in § 47-895.33(b-1)" in its place.

(II) Subparagraph (C) is amended by striking the word "and".

(III) Subparagraph (D) is amended to read as follows:

"(D) Once the complaint is filed, expenses under § 47-1377 shall be owed; and".

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

"(E) The real property described under § 47-895.31(8) and billed as such (with account number) for purposes of Subchapter IX of Chapter 8 of this title and the correlating description under § 47-802(1) (with square, suffix, and lot numbers, or parcel and lot numbers, as applicable) is under which the complaint shall be filed.".

Amend § 47-1340

(6) Section 47-1340 is amended as follows:

(A) Subsection (a) is amended as follows:

(i) Strike the phrase "Each of the taxing" and insert the phrase "Subject to the limitation set forth in § 34-2407.02, each of the taxing" in its place.

(ii) Strike the phrase "notice of delinquency required by § 47-1341" and insert the phrase "notices required by § 47-1341 and § 47-1353.01" in its place.

(B) Subsection (c) is amended to read as follows:

"(c) If a taxing agency does not certify a tax that is due to the District as of the date of the Mayor's notice under subsection (a) of this section, the tax shall not be collected through such tax sale.".

(C) Subsection (d) is amended by striking the phrase "Unpaid real property taxes" and inserting the phrase "Unpaid real property taxes, business improvement district taxes, and vault rents" in its place.

(D) Subsection (f) is amended to read as follows:

"(f)(1) If a taxing agency certifies taxes (for which real property is offered for sale) to the Mayor under subsection (a) of this section, and the payment of taxes to the Mayor as specified in § 47-1361(a) or by a purchaser under § 47-1382(c) has occurred for the real property, or the amount in the notices under § 47-1341 is paid before the tax sale, the taxing agency may submit an accounting to the designated agency under § 47-1332(b) in the form that the Mayor requires.

"(2) Upon receipt of the accounting and verification of the payment of taxes to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by a purchaser under § 47-1382(c), or the amount in the notices under § 47-1341 is paid before the tax sale, the amount of taxes collected that are not imposed under Chapter 8 of this title shall be disbursed regardless of lien priority from the General Fund for the purpose designated by, and in accordance with, the law creating the obligation for such taxes; provided, that, in the case of a sale under § 47-1353(b), the disbursement shall be limited to the amount available after application of lien priorities to such taxes before certification.".

Amend § 47-1341

(7) Section 47-1341 is amended as follows:

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

"(a)(1) On or before May 1, the Mayor shall send a notice of tax delinquency by first class mail, postage prepaid, bearing a postmark from the United States Postal Service, to the person who last appears as the owner of the real property on the tax roll, at the last mailing address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form:

"THIS IS A NOTICE OF DELINQUENCY

"FAILURE TO PAY TAXES WILL HAVE SERIOUS CONSEQUENCES

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

Total Amount Due on the Account: $.....

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by May 31, 20__)

"This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.
"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property.
"You must act now to avoid additional costs and significant expenses.
"If payment is not made before May 31, 20__, the amount listed on this notice may no longer be accurate. In that case, you must contact the Office of Tax and Revenue at …….. to obtain an updated payoff amount.
"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com or at any District branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.
"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.
"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).
"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA
"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……
"Office of Tax Sale Review. If there are special circumstances that should keep the real property out of the upcoming sale, contact the Office of Tax Sale Review at …….. for information on how to petition the Mayor to exempt the real property from sale.
"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.
"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….
"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.
"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am

to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

(B) Subsection (b) is amended by striking the phrase "Failure of the Mayor to mail the notice of delinquency as provided in subsection (a) of this section, or to include" and inserting the phrase "Subject to the Mayor's authority to cancel the sale under § 47-1366(b)(3)(A) and (B), the failure of the Mayor to mail the notices of delinquency as provided in subsections (a) and (b-1) of this section, or to include" in its place.

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

"(b-1)(1) At least 2 weeks before real property is offered at a tax sale under this chapter, the Mayor shall send a final notice of delinquency, by first class mail, postage prepaid, bearing a postmark from the United States Postal Service, to the person who last appears as the owner of the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"Total Amount Due on the Account: $.....

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by [Last Business Day before tax sale]

"This amount may include fees or fines due to other District agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Official Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com, at any District branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is made less than 10 calendar days before [the last business day before tax sale], you must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure that your property is removed from the tax sale.

• "You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the Customer Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

• "Do not mail your paid receipt.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Office of Tax Sale Review. If there are special circumstances that should keep the real property out of the upcoming sale, contact the Office of Tax Sale Review at …….. for information on how to petition the Mayor to exempt the real property from sale.

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am

to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

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

"(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section.".

Amend § 47-1342

(8) Section 47-1342 is amended as follows:

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

"(a) At any time after 30 days from the mailing of the notice of delinquency required by § 47-1341(a), the Mayor shall, simultaneously:

"(1) Cause to be advertised, at least once in not less than 2 newspapers of general circulation in the District that are published at least once every 2 weeks, a public notice stating that listed real property will be sold at public auction because of taxes on the date and at the place named in the public notice; and

"(2) Post the list of real property in the public notice on the Office of Tax and Revenue's website.".

(B) Subsection (b)(1)(A) is amended by striking the phrase "by taxation square," and inserting the phrase "by premises address, taxation square," in its place.

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

"(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section.".

Amend § 47-1343

(9) Section 47-1343 is amended to read as follows:

"§ 47-1343. Real property to be sold in its entirety.

"Subject to § 47-1345, each real property for sale shall be sold in its entirety, which shall be the parcel of real property as assessed in the assessment records under § 47-802(1) or as described under § 47-895.31(8) as related to a sale under § 47-1336.".

Amend § 47-1345

(10) Section 47-1345 is amended to read as follows:

"§ 47-1345. Sale of real property subject to possessory interest.

"(a) Whether or not any real property subject to sale under this chapter is subject to an estate for life, or a lease or ground rent for a term (with renewals) that is at least 30 years, the Mayor shall sell the entire fee simple estate; provided, that after the judgment of foreclosure of the right of redemption, no claim for rent unpaid, due, or accruing before the date of the judgment of foreclosure of the right of redemption shall be made by the purchaser (or assignee).

"(b) Notwithstanding subsection (a) of this section or any other provision to the contrary, when a real property subject to sale under this chapter is subject to a ground lease and the ground

lessor is the District of Columbia, or an instrumentality of the District, the Washington Metropolitan Area Transit Authority, or an entity whose real property is exempt from real property taxation or the enforced collection thereof under the laws of the United States of America, the Mayor shall sell the real property's improvements only. Any additional representation related to what is being sold shall be ineffectual and shall not affect the validity of the sale.

"(c) The termination of claims on real property sold under this section shall not foreclose any personal claims against previous holders of the interest sold for any damages including rent unpaid, due, or accruing before the date of the judgment of foreclosure.".

Amend § 47-1346

(11) Section 47-1346(a)(5) is amended to read as follows:

"(5)(A) A potential purchaser, including a natural person or business entity, who is delinquent in payment of taxes to the District or who has been convicted of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior may not bid on real property offered at a sale held under this chapter or otherwise acquire an interest in real property sold under this chapter.

"(B) A potential purchaser, including a natural person or business entity, shall certify under oath, subject to the penalties of perjury, that the potential purchaser is not more than one year in arrears in any jurisdiction in payment of taxes not being contested in good faith and has not been convicted in any jurisdiction of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior.

"(C) A certificate of sale held by a purchaser that willfully and materially violates the provisions of this paragraph shall be voidable at the discretion of the Mayor; provided, that after the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption, the certificate is no longer voidable. A certificate that is voided by the Mayor pursuant to this subparagraph shall be subject to the provisions of § 47-1355(b).

"(D) The intent of this paragraph shall not be circumvented by a purchaser through the use of one or more business entities to avoid its intended application.

"(E) For the purposes of this paragraph, a potential purchaser shall include a person owning a 10% or more equity interest in, or an officer of, an entity that owns a 10% or more equity interest in real property on which taxes are delinquent.".

Amend § 47-1348

(12) Section 47-1348 is amended as follows:

(A) Subsection (a) is amended as follows:

(i) Paragraph (3) is amended by striking the phrase "date of the original public tax sale" and inserting the phrase "date of the tax sale" in its place.

(ii) Paragraph (4) is amended by striking the phrase "purchaser;" and inserting the phrase "purchaser, which shall be the same date as in paragraph (3) of this subsection, if the purchaser purchased the real property at the tax sale held under § 47-1346;" in its place.

(iii) Paragraph (10) is amended to read as follows:

"(10)(A) A statement that the rate of simple interest, upon redemption, shall be 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.

"(B) This paragraph shall apply upon its fiscal effect being included in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.".

(B) Subsection (b) is repealed.

(C) Subsection (c) is amended as follows:

(i) Strike the phrase "telephone number." and insert the phrase "telephone number. If notice is not provided within 30 days of the assignment, the certificate shall be voidable at the discretion of the Mayor." in its place.

(ii) Strike the phrase "On redemption, the purchaser will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 18% per annum from the date the real property was sold to the date of redemption; provided, that the purchaser shall not receive interest on any surplus." and insert the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus." in its place.

Amend § 47-1349

(13) Section 47-1349(c) is amended by adding a new sentence at the end to read as follows:

"If notice is not provided within 30 days of the assignment, the certificate shall be voidable at the discretion of the Mayor; provided, that after the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption, the certificate shall no longer be voidable. A certificate that is voided by the Mayor pursuant to this subsection shall be subject to the provisions of § 47-1355(b).".

Amend § 47-1352

(14) Section 47-1352(a), is amended by striking the phrase "from the date the real property was bid off," and inserting the phrase "thereon accruing from the first day of the month following the date of the tax sale where the real property was bid off," in its place.

Amend § 47-1353

(15) Section 47-1353 is amended as follows:

(A) Subsection (a)(1)(B) is amended by striking the word "May" both times it appears and inserting the word "Mayor" in its place.

(B) Subsection (b)(1)(G) is amended by striking the phrase "by square," and inserting the phrase "by premises address, taxation square," in its place.

(C) Subsection (c)(2) is amended by striking the phrase "date of the original tax sale" and inserting the phrase "applicable date of the tax sale" in its place.

(D) Subsection (d) is amended to read as follows:

"(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the day of the tax sale to the purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.".

Amend § 47-1353.01

(16) A new section 47-1353.01 is added to read as follows:

"§ 47-1353.01. Post-sale notice.

"(a) Within 30 days after the date of the tax sale, the Mayor shall send notice of the sale by first class mail, postage prepaid, bearing a postmark from the United States Postal Service to the last known address of the owner. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(b) The notice required pursuant to subsection (a) of this section shall be in substantively the following form:

"ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address]

"Tax Sale Date: [July __, 20__]

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Please follow the below instructions to redeem your property from tax sale and prevent a foreclosure lawsuit.

- "To redeem your property from the tax sale, you must pay all taxes owed, as well as any legal fees and expenses that may become due.
- "A tax bill is mailed to you during the last week of August. You should pay the bill in full and on time.
- "If you are receiving this notice after October 31, 20__, or if you have not already paid your tax bill in full, you should contact the Office of Tax and Revenue ("OTR") at …….. for a current tax bill and up-to-date payoff amount.
- "After you have paid your taxes, you should call OTR to confirm that you have redeemed your property. Keep a copy of your proof of payment in case there is a later dispute about the payment.
- "If you have not paid all taxes within four months after the Tax Sale Date stated above, an additional $381.50 may be added to reimburse the purchaser for some costs.
- "If you do not redeem the property within six months of the Tax Sale Date stated above, the tax sale purchaser may file a lawsuit against you to obtain title to the property.

• "If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees and expenses that may total thousands of dollars. You may also lose title to the property.
• "For further information on how to redeem, please read our Real Property Owner's Guide to the Tax Sale Redemption Process, available on our Web site at www.taxpayerservicecenter.com by clicking on "Real Property." You may also request a copy by visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.
"YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE. SEE THE NEXT PAGE FOR MORE INFORMATION.
"Should you have additional questions, please call OTR's Customer Service Center at (202) 727-4TAX (4829).
"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA
"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……
"Office of Tax Sale Review. If there are special circumstances that should have kept the real property from being included in the tax sale, contact the Office of Tax Sale Review at …….. for information on how to petition the Mayor to cancel the sale.
"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.
"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….
"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.
"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.
"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).
"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).

"(c) The tax sale purchaser shall cause a copy of the notice referred to in subsection (b) of this section to be posted on a place on the premises of the real property where it may be conveniently read. The copy of the notice shall be posted no sooner than 4 months after the date of the tax sale but at least 45 days before the filing of a complaint under § 47-1370.

"(d) Subject to the Mayor's authority to cancel the sale under § 47-1366(b)(3)(A) and (B), the failure of the Mayor to mail the notice as provided in subsections (a) and (b) of this section, or to include any tax amounts in the notice, shall not:

"(1) Invalidate or otherwise affect a tax;

"(2) Invalidate or otherwise affect a sale made under this chapter to enforce payment of taxes;

"(3) Prevent or stay any proceedings under this chapter; or

"(4) Affect the title of a purchaser.

"(e) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section.".

(17) Section 47-1354(b) is amended to read as follows: **Amend § 47-1354**

"(b) Upon payment as specified in § 47-1361(a) or by another purchaser under § 47-1382(c), the purchaser shall receive a refund of its payment made under this section, with interest as required to be paid by the redeemer or the other purchaser. The purchaser shall receive interest only on the principal tax amount paid and not on the interest or penalties paid. The purchaser is entitled to the refund only if the purchaser's certificate of sale is not void and the purchaser provides proof satisfactory to the Mayor that the purchaser made the payment.”.

(18) Section 47-1355(a)(2) is repealed. **Amend § 47-1355**

(19) Section 47-1361 is amended as follows: **Amend § 47-1361**

(A) Subsection (a) is amended as follows:

(i) The lead-in text is amended by striking the phrase "the Mayor, for deposit" and inserting the phrase "the Mayor, except as set forth in paragraph (6A) of this subsection, for deposit" in its place.

(ii) Paragraphs (2) and (3) are amended to read as follows:

"(2) If the real property was bid off to the District, the sale amount with interest thereon beginning on the first day of the month following the date of the tax sale where the real property was bid off;

"(3) If the real property was bid off to the District and subsequently sold or the certificate of sale assigned to a purchaser:

"(A) The original sale amount with interest thereon beginning on the first day of the month following the date of the tax sale where the real property was bid off; plus

"(B) Interest accruing thereafter on the sale amount in subparagraph (A) of this paragraph from the first day of the month following the date the real property was subsequently sold or the certificate of sale assigned to the purchaser;".

(iii) Paragraph (4) is amended by striking the phrase "taxes provided, that the certificate of sale of the purchaser is not void;" and inserting the phrase "taxes;" in its place.

(iv) Paragraph (5) is amended to read as follows:

"(5) All other real property taxes, business improvement district taxes, and vault rents to bring the real property current; provided, that any such amounts that become due and owing after receipt of the payment that permits a refund to issue to the purchaser under subsection (e) of this section shall not be required to be paid to redeem the real property;".

(v) A new paragraph (5A) is added to read as follows:

"(5A) Any delinquent special assessment owed pursuant to an energy efficiency loan agreement under Subchapter IX of Chapter 8 of Title 47; provided, that any such assessment that becomes due and owing after receipt of the payment that permits a refund to issue to the purchaser under subsection (e) of this section shall not be required to be paid to redeem the real property;".

(vi) Paragraph (6) is amended to read as follows:

"(6) All expenses for which each purchaser is entitled to reimbursement under § 47-1377(a)(1)(A); and".

(vii) A new paragraph (6A) is added to read as follows:

"(6A) Where an action to foreclose the right of redemption has been properly filed, the person redeeming shall pay directly to the applicable purchaser all expenses to which the purchaser is entitled to reimbursement under § 47-1377(a)(1)(B); and".

(viii) Paragraph (7) is repealed.

(B) New subsections (b-1) and (b-2) are added to read as follows:

"(b-1) The redeeming party shall not be required to pay any tax that is required to be certified by § 47-1340 unless the tax has been certified by a taxing agency and sold as a lien at a tax sale.

"(b-2) Notwithstanding subsection (a) of this section, the remaining amounts that are payable to the Mayor, including tax, interest, penalties, and expenses, for the real property shall be deemed to have been brought current for purposes of redemption if, at any time, the balance falls below $100; provided, that the remaining balance shall remain due and owing and any remaining expense shall be thereafter deemed a real property tax.".

(C) Subsection (c) is amended by striking the second sentence.

(D) Subsection (d) is amended to read as follows:

"(d)(1) Subject to the liability threshold set forth in subsection (b-1) of this section, after receipt of the payment set forth in subsection (a)(1) through (6) of this section, the Mayor shall notify the purchaser of the payment. The purchaser shall receive from the Mayor the refund to which the purchaser is entitled, subject to the purchaser's compliance with all procedures for issuance of the refund, as may be established by the Mayor.

"(2) If a complaint under § 47-1370 has been properly filed, a purchaser may continue to prosecute the complaint until receipt of the expenses owed to the purchaser and payable to the purchaser by the redeeming party as set forth in subsection (a)(6A) of this section, but shall dismiss the complaint upon receipt thereof.

"(3) A complaint to foreclose the right of redemption shall not be maintained solely to await the administrative refund under this subsection.

"(4) Notification by the Mayor under this subsection may be accomplished by making the information publicly available through an electronic medium, including by posting on a website.".

(E) Subsection (e) is amended as follows:

(i) Strike the phrase "Upon request and subject to the payment of a fee," and insert the phrase "Upon request, within 60 days of the request," in its place.

(ii) Add a new sentence at the end to read as follows:

"The Recorder of Deeds shall waive all fees relating to the recordation of a certificate of redemption.".

(F) A new subsection (f) is added to read as follows:

"(f) The Mayor may abate interest or penalties or compromise taxes, whether arising before or after the tax sale, in the same manner as set forth in § 47-811.04; provided, that the abatement or compromise shall not affect the refund due to the purchaser.".

Amend § 47-1362

(20) Section 47-1362 is amended as follows:

(A) Subsection (a) is amended by striking the phrase "If the real property is redeemed after an action to foreclose the right of redemption is filed and there is a dispute regarding redemption, the" and inserting the phrase "If there is a dispute regarding redemption after an action to foreclose the right of redemption is filed, the" in its place.

(B) Subsection (c) is repealed.

Amend § 47-1363

(21) Section 47-1363(a) is amended by striking the phrase "date of the sale" and inserting the phrase "date of the tax sale" in its place.

Amend § 47-1366

(22) Section 47-1366 is amended to read as follows:

"§ 47-1366. Cancellation of sale by Mayor.

"(a) The Mayor, in the Mayor's discretion, may cancel a sale before the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption to prevent an injustice to the owner or person with an interest in the real property.

"(b) The Mayor shall cancel a sale before the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption where:

"(1) The record owner or other interested party timely pays the amount set forth in the notice of delinquency to avoid the tax sale as required under § 47-1341(a) or otherwise pays the outstanding taxes before the tax sale;

"(2) The real property meets the qualifications to be exempt from sale under § 47-1332(c);

"(3) In a sale involving Class 1 property with 5 or fewer units that a record owner (or a person with an interest in the property as heir or beneficiary of the record owner, if the record owner is deceased) occupies as his or her principal residence, the record owner or other interested person proves:

"(A) A failure of the Mayor to mail any of the notices required by §§ 47-1341(a), 47-1341(b), or 47-1353.01; or

"(B) That the mailing address of the person who last appears as the record owner of the real property on the tax roll, as properly updated by the record owner by the filing

of a change of address with the Office of Tax and Revenue in accordance with § 42-405, was not correctly or substantively updated by the Office of Tax and Revenue notwithstanding proper filing; or

"(4) A properly filed application for a forbearance authorization was filed at least 30 days before the sale and was approved within 60 days after the sale.

"(c) Subject to the limitations set forth in § 47-1377(b), (c), (d), and (e), if the Mayor cancels a sale pursuant to this section, the Mayor shall pay to the purchaser the amount that the purchaser would have received if the real property had been redeemed, but no part of the amount shall be considered a payment of tax on behalf of the real property. A certificate of redemption, if necessary, shall be executed and filed by the Mayor with the Recorder of Deeds for no fee.".

Amend § 47-1370

(23) Section 47-1370 is amended as follows:

(A) Subsection (a) is amended by striking the phrase "date of sale" and inserting the phrase "date of the tax sale" in its place.

(B) Subsection (c) is amended by adding a new paragraph (4) to read as follows:

"(4) Proof of the posting required under § 47-1353.01 shall be attached to and made part of the complaint. The posting shall be held to the same standard as the proof of posting required under § 47-1372(f).".

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

"(e) The purchaser shall immediately notify the Chief Financial Officer and the Real Property Tax Ombudsman, established by § 47-805, upon the filing of a complaint under this section.".

Amend § 47-1371

(24) Section 47-1371(b) is amended by adding a new paragraph (2A) to read as follows:

"(2A) The plaintiff shall certify to the Superior Court of the District of Columbia, under penalties of perjury, that a search was conducted for the record owner in bankruptcy records.".

Amend § 47-1372

(25) Section 47-1372(a)(1)(C) is amended by striking the phrase "date of sale" and inserting the phrase "date of the tax sale" in its place.

Amend § 47-1374

(26) Section 47-1374 is amended as follows:

(A) Subsection (c) is amended to read as follows:

“(c) This subsection applies only if a last known address for a defendant is obtained as provided under subsections (a) and (b) of this section. The plaintiff shall cause a copy of the order of publication to be mailed by first class, certified mail, postage prepaid, to each defendant’s address as determined by the provisions of subsections (a) and (b) of this section.”.

(B) Subsection (e) is amended to read as follows:

"(e)(1) A final judgment may not be entered earlier than the later of:

"(A) One year following the initial scheduling conference in the foreclosure action; or

"(B) Four months following the completion of service on the owner and all parties identified as defendants in § 47-1371.

"(2) Paragraph (1) of this subsection shall not apply to any final judgment in which all interested parties have disclaimed any interest in the property subject to the judgment or in a case where a real property was sold under § 47-1353(a)(3) or (b).".

Amend § 47-1377

(27) Section 47-1377 is amended to read as follows:

"§ 47-1377. Purchaser reimbursed by redeeming party for expenses.

"(a)(1) Except as provided in subsection (b) of this section, upon redemption, a purchaser is entitled to be reimbursed by the redeeming person for the following expenses incurred in an action, or in preparation for an action, to foreclose the right of redemption:

"(A) If an action to foreclose the right of redemption has not been filed and the property is redeemed more than 4 months after the applicable tax sale's tax sale date, the purchaser may be reimbursed for the following pre-complaint legal expenses:

"(i) The amount of $50 for any posting required by § 47-1353.01;

"(ii) Costs for recording the certificate of sale; and

"(iii) The cost of a title search, not to exceed $300.

"(B) If an action to foreclose the right of redemption has been filed, the purchaser may also be reimbursed for:

"(i) Reasonable attorneys' fees as follows:

"(I) In a case in which the property is redeemed before the 5th status hearing, reasonable attorneys' fees not to exceed $1,500;

"(II) In a case requiring 5 or more status hearings, reasonable attorneys' fees not to exceed $1,500, plus $75 for the 5th status hearing and each additional status hearing thereafter; and

"(III) In a case in which a motion for judgment is filed with the court, additional attorneys' fees in the amount of $300;

"(ii) Notwithstanding sub-subparagraph (i) of this subparagraph, in cases requiring prolonged or complex representation not typically necessary to resolve an action filed under this chapter, including cases in which the purchaser incurs attorneys' fees and expenses under § 47-1382.01(a), other reasonable attorneys' fees incurred and specifically requested by the purchaser and approved by the court, on a case-by-case basis; provided, that additional attorneys' fees shall not be awarded if a tax sale is cancelled by the Mayor under § 47-1366, or where a purchaser is required to show good cause under subsection (c) of this section; and

"(iii) Expenses actually incurred as follows:

"(I) Filing fee charged by the Superior Court of the District of Columbia;

"(II) Service of process fee, including fees incurred attempting to serve process;

"(III) If a 2nd title search is conducted more than 6 months after the initial title search, a title search update fee, not to exceed $75;

"(IV) Publication fee charged by a newspaper of general circulation in the District;

"(V) Posting fees;

"(VI) Postage and certified mail costs;

"(VII) Substantial repair order fee, not to exceed the fee charged by the government agency issuing the certificate of substantial repair; and

"(VIII) Any court approved expense for stabilization or conversion of, or to make safe and compliant with Chapter 31A of Title 42, the property under § 47-1363 or to comply with an action taken against the property by the Mayor in accordance with the applicable building, fire, health, or safety code.

"(2)(A) In calculating the number of hearings in a case for the purposes of paragraph (1)(B)(i) of this subsection, any status hearing held before the redeeming party was served shall be excluded from the calculation.

"(B) For purposes of paragraph (1)(B)(i) of this subsection, an initial scheduling conference shall be deemed a status hearing.

"(C) Nothing in paragraph (1) of his subsection shall be construed as prohibiting the purchaser from settling attorneys' fees in a lesser amount than the purchaser may be eligible for under this section.

"(b) No purchaser of a certificate of sale shall be reimbursed for expenses incurred within 4 months after the date of the tax sale. A purchaser other than the District shall not be reimbursed for any expenses if the certificate becomes void under this chapter.

"(c) The purchaser shall not be entitled to be reimbursed for any expenses or attorney's fees not included in this section. Expenses or attorneys' fees incurred by a purchaser who appeals the assessment or the vacant status of the property are not reimbursable.

"(d) If the purchaser fails to satisfy the requirements for posting under § 47-1353.01 or fails to provide proof of posting required under § 47-1370(c)(4), the purchaser shall not be entitled to collect the legal expenses set forth in subsection (a) of this section; provided, that upon a showing to the Superior Court of the District of Columbia of good cause for the failure to meet the posting requirements of § 47-1353.01 or § 47-1370(c)(4), the purchaser shall be entitled to collect those expenses, not to exceed the amounts set forth in subsection (a) of this section, that the Superior Court of the District of Columbia considers reasonable.

"(e) Notwithstanding subsection (d) of this section, if the tax sale is cancelled by the Mayor under § 47-1366, the purchaser shall not be entitled to reimbursement of the expenses permitted under subsection (a)(1)(B) of this section if the purchaser fails to specifically disclose to the Mayor, at least 45 days before the filing of a complaint to foreclose the right of redemption, information that is obtained or should have been obtained from the pre-complaint investigation, including the title examination and review of bankruptcy records under § 47-1371(b)(2) and § 47-1371(b)(2A), that evidences a violation of § 47-1332(c), a violation of a bankruptcy stay, or errors, as prescribed by the Mayor through regulation.".

Amend § 47-1380

(28) Section 47-1380(d) is amended by striking the phrase "the sale." and inserting the phrase "the sale and the purchaser shall not receive any amounts otherwise due under this chapter." in its place.

Amend § 47-1382

(29) Section 47-1382(a) is amended as follows:

(A) The lead-in text is amended by striking the phrase "A final" and inserting the phrase "Except as provided in § 47-1382.01, a final" in its place.

(B) Paragraph (1) is amended to read as follows:

"(1) A taxing agency lien that is recorded in the Office of the Recorder of Deeds;".

(C) Paragraph 4 is amended by striking the word "and".

(D) Paragraph (5) is amended by striking the period and inserting the phrase "; and" in its place.

(E) A new paragraph (6) is added to read as follows:

"(6) A ground lease described in § 47-1345(b), any recorded covenant, agreement, or other instrument, and any other document incorporated by reference into a recorded covenant, agreement, or other instrument, to which a ground lessor as described in § 47-1345(b) is a party or beneficiary.".

Amend § 47-1382.01

(30) A new section 47-1382.01 is added to read as follows:

"§ 47-1382.01. Equity distribution post-judgment – owner-occupant properties.

"(a) This section shall apply to any Class 1 property with 5 or fewer units in which a record owner (or a person with an interest in the property as heir or beneficiary of the record owner, if deceased), was occupying as his or her principal residence when the complaint to foreclose the right of redemption was filed. The purchaser shall bear the burden of establishing that this section is not applicable to the real property.

"(b) Upon issuing a final judgment foreclosing the right of redemption, the Superior Court of the District of Columbia shall appoint a trustee and shall order that the trustee sell the property pursuant to Rule 308 of the Superior Court of the District of Columbia Rules of Civil Procedure, or its equivalent.

"(c) The trustee shall sell a fee simple interest in the property, subject to the encumbrances set forth in § 47-1382(a).

"(d) The court shall order the trustee to distribute the proceeds of the sale in priority order as follows:

"(1) Reasonable compensation and reasonable expenses due to the trustee or to any other person (including an auctioneer) who provided services relating to the sale of the property, and all other payments the court deems to have been necessary to effect the sale of the real property, including recordation and transfer taxes;

"(2) Payment to the Mayor of:

"(A) All amounts payable to the Mayor for deposit into the General Fund of the District of Columbia under § 47-1361 as of the date of the court's order regarding distribution;

"(B) Any promissory note executed pursuant to § 47-1353(a)(3); and

"(C) Any lien certified under § 47-1340;

"(3) Payment to the purchaser of all amounts provided for in § 47-1377, as fixed by the court; and

"(4) Any remaining amounts as follows:

"(A) Ten percent or $20,000, whichever is less, to the purchaser; and

"(B) The remainder to the person or persons (including, when appropriate, a decedent's estate) entitled to the balance, in proper proportion as determined by the trustee, or, when necessary, a court.

"(e)(1) The trustee shall notify the purchaser once payment is made to the Mayor pursuant to subsection (d)(2) of this section, at which time the purchaser shall surrender the certificate of sale and receive from the Mayor the amount to which the purchaser would have been entitled had redemption occurred in accordance with § 47-1361.

"(2) For purposes of calculating the refund due to the purchaser, the date of the court's order providing for distribution or the sale proceeds in accordance with subsection (d) of this section shall be deemed the date of redemption.

"(f)(1) If the trustee in the trustee's best judgment determines that a sale of the real property will not generate proceeds sufficient to fund the distributions required under subsection (d)(1) and (2) of this section, the trustee shall timely inform the court of that determination.

"(2) Upon receipt of the trustee's determination as described in paragraph (1) of this subsection, the court shall:

"(A) Rescind the trustee's appointment and the order to sell the real property;

"(B) Issue a final judgment foreclosing the right of redemption in accordance with the provisions of § 47-1382; and

"(C) Require the purchaser to pay such fees and expenses of the trustee as the court determines appropriate.".

Amend § 47-1384

(31) Section 47-1384 is amended by striking the phrase "Notwithstanding any other law, the provisions of this chapter" and inserting the phrase "Notwithstanding any other law, if a court determines that any provision of this chapter is ambiguous, the provision" in its place.

Sec. 7103. Conforming amendments.

Amend § 1-609.08

(a) Section 908 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § l-609.08), is amended as follows:

(1) Paragraph (15) is amended by striking the word "and" at the end.

(2) Paragraph (16) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (17) is added to read as follows:

"(17) The Real Property Tax Ombudsman of the Office of the Real Property Tax Ombudsman.".

Amend § 2-1215.15

(b) Section 15(f) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11–134; D.C. Official Code § 2–1215.15(f)), is amended by striking the phrase "plus interest on the unpaid amount at the rate of 1 1/2%" and inserting the phrase "plus simple interest on the unpaid amount at the rate of 1%" in its place.

(c) Section 499d of An Act To establish a code of law for the District of Columbia, effective October 23, 1997 (D.C. Law 12-34; D. C. Official Code § 42-405), is amended to read as follows: **Amend § 42-405**

"Sec. 499d. Notice of address and name change.

"(a) Any owner, as defined under D.C. Official Code § 47-802(5), of real property entitled to receive notices under Chapter 8 of Title 47 shall notify the Office of Tax and Revenue of a name change or address change within 30 days.

"(b) Any name change shall be evidenced by the recording of a confirmatory deed with the Recorder of Deeds and submission of supporting documents with and as required by the Recorder of Deeds relating to the applicable property.

"(c) Any address change shall be filed with the Office of Tax and Revenue on the form and in the manner as may be prescribed.

"(d) The Chief Financial Officer may issue rules to implement the provisions of this section.".

(d) Section 302 of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended by adding a new paragraph (34) to read as follows: **Amend § 42-1102**

"(34) Deeds to property transferred to a named beneficiary of a revocable transfer on death deed under the Uniform Real Property Transfer of Death Act of 2012, effective March 19, 2013 (D.C. Law 19-230; D.C. Official Code § 19-604.01 *et seq*.), by reason of the death of the grantor of the revocable transfer on death deed.".

(e) Section 5(4) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3131.05(4)), is amended by striking the phrase "Office of Tax and Revenue" and inserting the phrase "Office of Tax and Revenue, and a tax sale purchaser under D.C. Official Code § 47-1353(b) or the purchaser's assignee, as applicable, except where the owner of record is challenging or appealing the vacant status of the real property for the same period" in its place. **Amend § 42-3131.05**

Sec. 7104. Repealer.

The Residential Real Property Equity and Transparency Amendment Act of 2014, enacted on July 15, 2014 (D.C. Act 20-378; 61 DCR 7763), is repealed.

SUBTITLE L. KELSEY GARDENS REDEVELOPMENT

Sec. 7111. Short title.

This subtitle may be cited as the "Kelsey Gardens Redevelopment Amendment Act of 2014".

Sec. 7112. Section 47-4625(a)(2) of the District of Columbia Official Code is amended to read as follows: **Amend § 47-4625**

"(2) Contain approximately 13,363 square feet of ground-level retail space; and".

Sec. 7113. Applicability.

This subtitle shall apply as of December 17, 2009.

SUBTITLE M. UNDERPAYMENT OF ESTIMATED TAX

Sec. 7121. Short title.

This subtitle may be cited as the "Underpayment of Estimated Tax Amendment Act of 2014".

Sec. 7122. Chapter 42 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new subchapter designation to read as follows:

"Subchapter I-A. Underpayment

"47-4203. Underpayment of estimated tax by individuals.

"47-4204. Underpayment of estimated tax by corporations, financial institutions, and unincorporated businesses.".

(b) A new Subchapter I-A is added to read as follows:

"Subchapter I-A. Underpayment.

"§ 47-4203. Underpayment of estimated tax by individuals. **New § 47-4203**

"(a) An individual shall pay 4 installments of estimated tax on the dates as provided in § 47-1812.08(i)(4) in the amounts provided under subsection (b) of this section.

"(b)(1) The amount of each installment of estimated tax shall be the lesser of:

"(A) The amount required under the annualized income method under paragraph (2) of this subsection, or

"(B) Twenty-five percent of the lesser of:

"(i) Ninety percent of the tax shown on the return for the taxable year (or, if no return is filed, 90% of the tax for the taxable year);

"(ii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-subparagraph, 100% of the tax shown on the return of the individual for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(II) For tax years beginning after December 31, 2011, 110% of the tax shown on the return of the individual for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(iii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-subparagraph, 100% of the tax computed on the basis of the facts shown on the individual's return for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(II) For tax years beginning after December 31, 2011, 110% of the tax computed on the basis of the facts shown on the individual's return for the

preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months.

"(2)(A) The required payments under the annualized income method shall be, on a cumulative basis, as follows:

"(i) On the first installment date, 22.5% of the tax for the taxable year based upon the annualized income of the individual for the first 3 months of the taxable year;

"(ii) On the second installment date, 45% of the tax for the taxable year based upon the annualized income of the individual for the first 5 months of the taxable year;

"(iii) On the third installment date, 67.5% of the tax for the taxable year based upon the annualized income of the individual for the first 8 months of the taxable year; and

"(iv) On the fourth installment date, 90% of the tax for the taxable year.

"(B) The annualized income method shall not apply to individuals filing a return for part of a taxable year except under regulations as the Mayor may prescribe.

"(c)(1) Except as otherwise provided in this section, in the case of an underpayment of estimated tax by an individual, there shall be added to the tax imposed under § 47-1806.03(a) an amount of interest determined by applying the underpayment rate set forth in § 47-4201 to the amount of the underpayment for the period of the underpayment.

"(2) For the purposes of this subsection:

"(A) The amount of the underpayment shall be the excess of the required installment, over the amount, if any, of the installment paid on or before the due date for the installment; and

"(B) The period of the underpayment shall run from the due date for the installment to the earlier of the 15th day of the 4th month following the close of the taxable year or the date on which the amount of the underpayment is made; provided, that an underpayment that is unpaid during part of a month shall be considered to be paid at the end of the month.

"(d) For the purposes of this section:

"(1) A payment of estimated tax shall be credited against unpaid required installments in the order in which the installments are required to be paid.

"(2) The term "tax" means the tax imposed by § 47-1806.03, less the amount of credit allowed against the tax (other than the credit under § 47-1806.04(b) for withholding of wages).

"(3) The amount of the credit allowed under § 47-1806.04(b) for withholding of wages shall be deemed a payment of estimated tax. An equal part of such amount shall be deemed paid on each due date for the payment of estimated tax for the taxable year unless the taxpayer establishes the dates on which all amounts were actually withheld, in which case the amounts withheld shall be deemed payments of estimated tax on the dates on which such amounts were actually withheld.

"(4) The amount of a refund of a prior year's tax applied against the tax during the taxable year shall be deemed a payment of estimated tax.

"(e) Interest shall not be imposed under subsection (c) of this section for a taxable year if:

"(1) The tax shown on the return for the taxable year (or, if no return is filed, the tax), reduced by applicable credits and payments of estimated tax that are timely made, is less than $ 100;

"(2) The individual did not have any liability for tax for the preceding taxable year;

"(3) The Mayor determines that:

"(A) The taxpayer retired after having attained 62 years of age or developed a disability in the taxable year for which estimated payments were required to be made or in the taxable year preceding such taxable year; and

"(B) The underpayment was due to reasonable cause and not to willful neglect;

"(4) The Mayor determines that, by reason of casualty, disaster, or other unusual circumstances, the imposition of the addition to tax would be against equity and good conscience; or

"(5) The taxpayer dies during the taxable year.

New § 47-4204

"§ 47-4204. Underpayment of estimated tax by corporations, financial institutions, and unincorporated businesses.

"(a) A corporation, financial institution, or unincorporated business shall pay 4 installments of estimated tax as provided in § 47-1812.14 in the amount provided under subsection (b) of this section.

"(b)(1) The amount of each installment of estimated tax shall be the lesser of:

"(A) The amount required under the annualized income method under paragraph (2) of this subsection; or

"(B) Twenty-five percent of the lesser of:

"(i) Ninety percent of the tax shown on the return of the entity for the taxable year (or, if no return is filed, 100% of the tax for the taxable year); or

"(ii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-subparagraph, 100% of the tax shown on the return of the entity for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(II) For tax years beginning after December 31, 2011, 110% of the tax shown on the return of the entity for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months.

"(2) (A) The required payments under the annualized income method shall be, on a cumulative basis, as follows:

"(i) On the first installment date, 22.5% of the tax for the taxable year based upon the annualized income of the entity for the first 3 months of the taxable year;

"(ii) On the second installment date, 45% of the tax for the taxable year based upon the annualized income of the entity for the first 5 months of the taxable year;

"(iii) On the third installment date, 67.5% of the tax for the taxable year based upon the annualized income of the entity for the first 8 months of the taxable year; and

"(iv) On the fourth installment date, 90% of the tax for the taxable year based upon the annualized income of the entity for the first 9 months of taxable year.

"(B) The annualized income method shall not apply to entities filing a return for part of a taxable year except under regulations as the Mayor may prescribe.

"(c)(1) Except as otherwise provided in this section, in the case of an underpayment of estimated tax by a corporation, financial institution, or unincorporated business, there shall be added to the tax imposed under Chapter 18 of this title an amount of interest determined by applying the underpayment rate set forth in § 47-4201 to the amount of the underpayment for the period of the underpayment.

"(2) For the purposes of this subsection:

"(A) The amount of the underpayment shall be the excess of the required installment over the amount, if any, of the installment paid on or before the due date for the installment; and

"(B) The period of the underpayment shall run from the due date for the installment to the earlier of the 15th day of the 3rd month following the close of the taxable year or the date on which the amount of the underpayment is made; provided, that an underpayment that is unpaid during part of a month shall be considered to be paid at the end of the month.

“(d) For the purposes of this section:

“(1) A payment of estimated tax shall be credited against unpaid required installments in the order in which the installments are required to be paid.

“(2) The term "tax" means the tax imposed by § 47-1807.02 or § 47-1808.03, less the amount of credit allowed against the tax (other than the credit with respect to payments of tax).

“(3) The amount of a refund of a prior year's tax applied against the tax during the taxable year shall be deemed a payment of estimated tax.

“(e) Interest shall not be imposed under subsection (c) of this section for a taxable year if:

“(1) The tax shown on the return for the taxable year (or, if no return is filed, the tax) reduced by applicable credits and estimated payments that are made timely, is less than $1,000; or

“(2) The preceding taxable year was a taxable year of 12 months, and the entity did not have any liability for tax for the preceding taxable year.".

(c) Sections 47-4214 and 47-4215 are repealed.

Repeal §§ 47-4214, 47-4215 Note, §§ 47-4203, 47-4204, 47-4214, 47-4215

Sec. 7123. Applicability.

This subtitle shall be applicable for tax years beginning after December 31, 2014.

SUBTITLE N. TAX TRANSPARENCY AND EFFECTIVENESS

Sec. 7131. Short title.

This subtitle may be cited as the "Tax Transparency and Effectiveness Act of 2014".

Sec. 7132. Definitions. **New § 1-301.156**

For the purposes of this subtitle, the term:

(1) "Categorical preference" means a tax preference that sets eligibility criteria and is potentially available to all entities that meet the criteria, subject to any funding limitations.

(2) "CFO" means the Chief Financial Officer of the District of Columbia.

(3) "Economic development purpose" means a goal to increase or retain business activity, including attracting new businesses or retaining existing ones, encouraging business expansion or investment, increasing or maintaining hiring, or increasing sales.

(4) "Individual preference" means a tax preference, such as a tax abatement, applied to one entity, project, or associated projects.

(5) "On-cycle tax preference" means a tax preference being reviewed in a current year.

(6) "Tax preference" shall have the same meaning as the phrase “tax expenditures” as defined in D.C. Official Code § 47-318(6).

Sec. 7133. Tax preference review. **New § 1-301.157**

(a) The CFO shall review all locally adopted tax expenditures on a 5-year cycle and publish annually a report complying with the requirements of this section.

(b) By October 1, 2015, and by October 1 of every year thereafter, the CFO shall submit for publication in the District of Columbia Register a report for on-cycle tax preferences that complies with the requirements of this section.

(d) An on-cycle individual preference shall be analyzed and reported in the following manner:

(1) An individual preference shall be analyzed and reported in groupings of similarly purposed preferences, with the report focusing on collective effects or trends that emerge.

(2) The report shall include the stated purpose of the of tax preferences within the grouping, if clarified in the authorizing legislation.

(3) The report shall include the amount of lost revenue due to the tax preferences within the grouping.

(4) The report shall include an assessment of the general effects on the District resulting from the preferences.

(5) The report on groupings of individual preferences shall include recommendations on how to improve similar preferences in the future.

(6) For groupings of individual tax preferences with an economic development purpose, the analysis shall consider the economic impact of the preferences, and where sufficient data are available, take into account factors including:

(A) Whether the economic impact of the tax preferences would have been expected without the preferences;

(B) The extent to which the economic impact of the tax preferences was offset by economic losses elsewhere;

(C) The average economic impact for a level of direct expenditures equal to the cost of the tax preferences;

(D) The indirect economic impact of the tax preferences;

(E) The number of jobs created by the preference;

(F) The wages of the jobs created;

(G) The percentage of jobs filled by District residents; and

(H) Whether any terms of the tax preferences have been or are being satisfied.

(e) Except as provided in subsection (f) of this section, on-cycle categorical preferences shall receive a full review that, where sufficient data are available, includes:

(1) The purpose of the tax preference, if clarified in the authorizing legislation;

(2) The tax preference's cost in terms of lost revenue;

(3) An assessment of whether the tax preference is meeting its goals;

(4) An assessment of whether the tax preference is achieving other goals;

(5) Recommendations for improving the effectiveness of the tax preference;

(6) Recommendations for whether the tax preference should be modified, discontinued, or remain in its existent state; and

(7) For tax preferences with an economic development purpose, an analysis that measures the economic impact of the preference, including:

(A) Whether the economic impact of the tax preference would have been expected without the preference;

(B) The extent to which the economic impact of the tax preference was offset by economic losses elsewhere;

(C) The average economic impact for a level of direct expenditures equal to the cost of the tax preference; and

(D) The indirect economic impact effect of the tax preference.

(f) For on-cycle categorical tax preferences that the CFO determines do not merit a full review, the CFO shall instead perform a summary review. In determining which tax preferences are appropriate for a summary review, the CFO shall consider factors including, at a minimum:

(1) The revenue lost due to the tax preference and the number of potential or actual claimants;

(2) Whether the revenue lost due to the preference has increased or decreased since the preference was last reviewed;

(3) Whether the preference has been included in legislative or administrative proposals to modify or repeal; and

(4) Whether the preference is required by the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code §1-201.01 *et seq*.).

(g) A report on a categorical preference designated for summary review shall include:

(1) A narrative summary of the preference, including its purpose;

(2) The source and year of statutory authorization;

(3) The fiscal impact of the preference; and

(4) A description of the beneficiaries of the tax preference.

(h) All District agencies, offices, and instrumentalities shall cooperate with the CFO and shall provide any records, information, data, and data analysis needed to complete the reviews and reports required by this section.

SUBTITLE O. LOW-INCOME HOUSING TAX CREDIT

Sec. 7141. Short title.

This subtitle may be cited as the "Low-Income Housing Tax Credit Act of 2014".

Sec. 7142. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new chapter designation to read as follows:

"48. District of Columbia Low-Income Housing Tax Credit.".

(b) A new Chapter 48 is added to read as follows:

"CHAPTER 48. DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX CREDIT.

Sec.

"47-4801. Definitions.
"47-4802. Credit established.
"47-4803. Eligibility.
"47-4804. Recapture.
"47-4805. Additional filings.
"47-4806. Transfer, sale or assignment.
"47-4807. Compliance.
"47-4808. Expiration of credits.
"47-4809. Efficiency.
"47-4810. Fees.
“47-4811. Look-back requirement.
"47-4812. Rules.

"§ 47-4801. Definitions.

New § 47-4801

"For the purposes of this chapter, the term:

"(1) "Administrative costs" means the costs of the Department to administer, manage, and monitor the Low-Income Housing Tax Credit Program, including personnel costs.

"(2) "Department" means the Department of Housing and Community Development, or its successor agency.

"(3) "Developer" means a person or entity that proposes to cause the construction of affordable housing using tax credits provided under the District of Columbia's Low-Income Housing Tax Credit Program.

"(4) "Director" means the Director of the Department.

"(5) "District of Columbia low-income housing tax credit" means the tax credit established by § 47-4802 pursuant to the Low-Income Housing Tax Credit Program.

"(6) "Low-Income Housing Tax Credit Program" means the program authorized by section 42 of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 42) ("1986 Internal Revenue Code").

"(7) "Pilot period" means the initial year of the credit program established under this chapter.

"(8) "Qualified project" means a rental housing development that receives an allocation of federal Low-Income Housing Tax Credits from the Department.

"(9) "User fee" means a fee charged by the Department to a developer in connection with the District of Columbia's Low-Income Housing Tax Credit Program, including application, reservation, allocation, and monitoring fees.

"§ 47-4802. Credit established. **New § 47-4802**

"(a)(1) There is established a District of Columbia low-income housing tax credit. Subject to available funds, the Department may authorize annually under this chapter total tax credits equal to the credit ceiling allocated to the District of Columbia by the federal Internal Revenue Service in accordance with 26 U.S.C. § 42(h)(3)(c).

"(2) For the pilot period, the Department shall make available $1 million in credits in tax year 2015.

"(b) Unless otherwise provided in this section, the Department shall authorize, allocate, administer, and determine eligibility for the District of Columbia low-income housing tax credit and allocate the credit in accordance with the standards and requirements as set forth in section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year; provided, that the combined federal and District of Columbia low-income housing tax credit shall be the least amount necessary to ensure financial feasibility of a project.

"(c) The Department shall allocate the total available District of Columbia low-income housing tax credit among as many qualified District of Columbia projects as fiscally feasible, with the goal of increasing the stock of affordable housing units.

"(d) Only qualified projects are eligible for a District of Columbia low-income housing tax credit award.

"§ 47-4803. Eligibility. **New § 47-4803**

"(a) A taxpayer may receive a District of Columbia low-income housing tax credit with respect to a qualified project; provided, that the Department issues an eligibility statement for that qualified project.

"(b) The total District of Columbia low-income housing tax credit available to a qualified District of Columbia project shall be authorized and allocated by the Department based on the qualified project's need for the credit for economic feasibility.

"(c) The District of Columbia low-income housing tax credit shall be taken against the income, insurance premium, or franchise taxes imposed under this title, claimed equally for 10 years, subtracted from the amount of District of Columbia tax otherwise due for each taxable period and shall not be refundable; provided, that the credit may not be taken against any tax that is dedicated in whole or in part to the Healthy DC and Health Care Expansion Fund established by § 31-3514.02. Any amount of the low-income housing tax credit that exceeds the tax due for a taxable year may be carried forward to any of the 10 remaining subsequent taxable years.

"(d)(1) All or any portion of District of Columbia tax credits issued in accordance with the provisions of this section may be allocated to parties who are eligible under the provisions of subsection (a) of this section.

"(2) An owner of a qualified project shall certify to the Chief Financial Officer the amount of credit allocated to the owner. The owner of the qualified project shall provide to the Chief Financial Officer appropriate information so that the low-income housing tax credit can be properly allocated.

"(e) If the recapture of District of Columbia low-income housing tax credits is required pursuant to § 47-4804(a) or (b), any statement submitted to the Chief Financial Officer as provided in this section shall include the:

"(1) Proportion of the District of Columbia credit required to be recaptured;

"(2) Identity of each taxpayer subject to the recapture; and

"(3) Amount of credit previously allocated to such taxpayer.

"(f)(1) A tax credit allowed under this section shall not be denied to the taxpayer with respect to any qualified project merely by reason of a right of first refusal held by the tenants, in cooperative form or otherwise, or resident management corporation of such building or by a qualified nonprofit organization, as defined in section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, or government agency to purchase the qualified District of Columbia project after the close of the compliance period for a price which is not less than the minimum purchase price determined under paragraph (2) of this subsection.

"(2) The minimum purchase price shall be an amount equal to the sum of the principal amount of outstanding indebtedness secured by the building, other than indebtedness incurred within the 5-year period ending on the date of the sale pursuant to paragraph (1) of this subsection, and all federal and District taxes attributable to the sale.

New § 47-4804

"§ 47-4804. Recapture.

"(a) The owner of a qualified project eligible for the District of Columbia low-income housing tax credit shall submit a copy of the eligibility statement issued by the Department with respect to the qualified project at the time of filing the project owner's state tax return. In the case of failure to attach the eligibility statement, a credit under this section shall not be allowed with respect to such qualified project for that year until the copy is provided to the Office of Tax and Revenue.

"(b) If under section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, a portion of any federal low-income housing tax credits taken on a low-income qualified project is required to be recaptured, the District of Columbia low-income housing tax

credit authorized by this chapter with respect to such qualified District of Columbia project shall also be recaptured. The District of Columbia recapture amount shall be equal to the amount of the District of Columbia low-income housing tax credits previously claimed times a fraction, the numerator of which shall be the amount of recaptured federal low-income housing tax credits and the denominator of which shall be the amount of federal low-income housing tax credits previously claimed.

"§ 47-4805. Additional filings. **New § 47-4805**

"The Chief Financial Officer or the Department may require the filing of additional documentation necessary to determine the eligibility or accuracy of a tax credit claimed under the provisions of this chapter through the promulgation of regulations.

"§ 47-4806. Transfer, sale, or assignment. **New § 47-4806**

"(a) All or any portion of tax credits issued in accordance with the provisions of this section may be transferred, sold, or assigned.

"(b) An owner or transferee desiring to make a transfer, sale, or assignment shall submit to the Chief Financial Officer a statement that describes the amount of District of Columbia low-income housing tax credit for which such transfer, sale, or assignment of District of Columbia low-income housing tax credit is eligible. The owner shall provide to the Chief Financial Officer appropriate information so that the low-income housing tax credit can be properly allocated.

"(c) If the recapture of District of Columbia low-income housing tax credits is required pursuant to§ 47-4804, any statement submitted to the Chief Financial Officer as required in subsection (b) of this section shall include the:

“(1) Proportion of the District of Columbia low-income housing tax credit required to be recaptured;

“(2) Identity of each transferee subject to recapture; and

“(3) Amount of credit previously transferred to such transferee.

"§ 47-4807. Compliance. **New § 47-4807**

"(a) The Department, in consultation with the Chief Financial Officer, shall monitor and oversee compliance with the District of Columbia’s Low-Income Housing Tax Credit Program and may promulgate regulations requiring the filing of additional documentation considered necessary to determine continuing eligibility for the District of Columbia low-income housing tax credit.

“(b) The Department or the Chief Financial Officer shall report specific occurrences of noncompliance to appropriate state, federal, and local authorities.

"§ 47-4808. Expiration of credits. **New § 47-4808**

"Except for unused credits carried forward pursuant to § 47-4803(c) and for credits claimed under regulations promulgated by the Department consistent with the special rule set forth in section 42(f)(2) of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, a qualified District of Columbia project shall not be eligible for any District of Columbia low-income housing tax credits for more than 11 taxable years.

"§ 47-4809. Efficiency. **New § 47-4809**

"The Department may pursue methods of enhancing the efficiency of the District of Columbia low-income housing tax credit program, including,

"(1) Pursuing opinions from the United States Department of Treasury's Internal Revenue Service in the form of:

"(A) General Counsel memoranda;

"(B) Private letter rulings and other notices,:

"(C) Rulings; or

"(D) Guidelines; and

"(2) Reviewing other state low-income housing tax programs that have an option for taxpayers to receive such tax credit in the form of a loan generated by transferring the credit to a designated state entity.

"§ 47-4810. Fees. **New § 47-4810**

"The Department may charge a user fee equal to up to 1% of the District of Columbia low-income housing tax credits awarded to a qualified project to pay for the administrative costs associated with the establishment of a District of Columbia low-income housing tax credit. The user fee shall be deposited into the Low-Income Housing Tax Credit Fund, as established in § 42-2853.02.

"47-4811. Look-back requirement. **New § 47-4811**

"As soon as practicable after the first tranche of credits is sold during the pilot period, the Department shall provide a report to the Mayor and the Council on the credit program, including:

"(1) A list of projects financed with the low-income housing tax credits;

"(2) The number of affordable units per transaction and the level of affordability per unit;

"(3) Copies of the basic development budget or budgets, also known as the "DHCD 202"; and

"(4) The syndication rate for each credit sold.

"§ 47-4812. Rules. **New § 47-4812**

"(a) The Mayor shall issue rules to implement the provisions of this chapter.

"(b) The Chief Financial Officer shall issue rules to implement § 47-4805.".

SUBTITLE P. IPW FUND, DESTINATION DC MARKETING FUND, AND WMATA MOMENTUM FUND ESTABLISHMENT

Sec. 7151. Short title.

This subtitle may be cited as the "IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Support Fund Establishment Act of 2014".

Sec. 7152. IPW Fund. **New § 1-325.291**

(a) There is established as a special fund the IPW Fund ("Fund"), which shall be administered by Destination DC in accordance with subsection (c) of this section.

(b) The following funds shall be deposited into the Fund:

(1) Upon approval of the settlement by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc.*, et al., Nos. 14-CV-308, 14-CV-309 and subject to subsection (d) of this section,$3.5 million from the $60.9 million settlement the District obtained; and

(2) In private-sector matching funds, $3.5 million to be raised by Destination DC.

(c) Money in the Fund shall be used to pay for the costs associated with hosting the U.S. Tourism Association's annual international tourism conference, known as the IPW.

(d) The portion of the Fund described in subsection (b)(1) of this section shall be available for expenditure only if Destination DC raises private-sector matching funds on a one-to-one basis. Destination DC shall return to the District any settlement funds for which a private-sector match is not secured.

(e) Destination DC shall submit an annual report by the end of each fiscal year to the Mayor and Council, which shall include the amount of private-sector matching funds raised and the amount expended from the Fund.

(f)(1)The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 7153. Destination DC Marketing Fund. **New § 1-325.301**

(a) There is established as a special fund the Destination DC Marketing Fund (“Fund”), which shall be established under the auspices of and administered by Destination DC, and which shall be used by Destination DC for the purposes of marketing the District.

(b) The amount of $1.5 million shall be deposited into the Fund from the $60.9 million settlement the District obtained with online travel companies to recover unpaid hotel-room taxes, only upon approval of the settlement by the District of Columbia Court of Appeals, *District of Columbia v. Expedia, Inc.*, et al., Nos. 14-CV-308, 14-CV-309.

(c)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 7154. WMATA Momentum Support Fund. **New § 1-325.311**

(a) There is established as a special fund the WMATA Momentum Support Fund ("Fund”), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

(b) Upon approval of the settlement by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc.*, et al., Nos. 14-CV-308, 14-CV-309, $55.9 million from the $60.9 million settlement the District obtained shall be deposited in the Fund.

(c) Upon execution of an inter-jurisdiction funding agreement for implementation of the Washington Metropolitan Area Transit Authority Momentum Strategic Plan (“Momentum”), any monies in the Fund shall be made available to finance the District’s share of the implementation costs of Momentum.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE Q. LAHDO ESTOPPELS

Sec. 7161. Short title.

This subtitle may be cited as the "LAHDO Estoppels Amendment Act of 2014".

Amend § 47-1005.01

Sec. 7162. Section 47-1005.01(c-1) of the District of Columbia Official Code is amended to read as follows:

"(c-1)(1) Effective June 9, 2001, an existing or future lease entered into under the provisions of the Land Acquisition for Housing Development Opportunities Program, set forth in Chapter 45 of Title 10 of the District of Columbia Municipal Regulations (10 DCMR § 45) ("LAHDO"), shall be exempt from all taxes, assessments, and public charges related to the leased land, including any possessory interest tax, for periods for which the Department of Housing and Community Development ("DHCD") certifies in writing to the lessee and the Chief Financial Officer that the lessee is in compliance with its LAHDO lease and the lessee is in good standing with DHCD.

“(2) As to any property for which a written certification of compliance is issued, DHCD shall notify the lessee and the Chief Financial Officer if the lessee no longer is in compliance with its lease or is not in good standing with DHCD.

“(3) The exemption provided in this subsection shall end at the beginning of the first month following the date that the lessee did not comply with its lease or was not in good standing with DHCD, whichever occurs first.".

SUBTITLE R. QUALIFIED HIGH TECHNOLOGY CLARIFICATION

Sec. 7171. Short title.

This subtitle may be cited as the "Qualified High Technology Clarification Amendment Act of 2014".

Amend § 47-1817.01

Sec. 7172. Section 47-1817.01(5) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (A) is amended as follows:

(1) Sub-subparagraph (i) is amended by striking the phrase “maintaining an office, headquarters, or base of operations” and inserting the phrase “leasing or owning an office” in its place.

(2) Sub-subparagraph (ii) is amended by striking the word “employees” and inserting the phrase “qualified employees” in its place.

(3) Sub-subparagraph (iii) is amended as follows:

(A) Sub-sub-subparagraph (II) is amended by striking the phrase “digital media. Such technologies shall include” and inserting the phrase “digital media, including” in its place.

(B) Sub-sub-subparagraph (III) is amended by striking the phrase “medical processes. Such materials and technologies shall include” and inserting the phrase “medical processes, including” in its place.

(C) Sub-sub-subparagraph (IV) is amended as follows:

(i) Strike the word “biotechnology” and insert the phrase “biotechnology,” in its place.

(ii) Strike the phrase “or propulsion” and insert the word “propulsion” in its place.

(iii) Strike the phrase “equipment. Such technologies shall include” and insert the phrase “equipment, including” in its place.

(D) Sub-sub-subparagraph (V) is amended by striking the phrase “media content. Such technologies shall include” and inserting the phrase “media content, including” in its place.

(b) Subparagraph (B)(i) is amended as follows:

(1) Sub-sub-subparagraph (I) is amended to read as follows:

“(I) An on-line or brick and mortar retail store;”.

(2) Sub-sub-subparagraph (II) is amended by striking the phrase “facility;” and inserting the phrase “facility; or” in its place.

(3) \A new sub-sub-subparagraph (III) is added to read as follows:

“(III) A building or construction company.”.

SUBTITLE S. EMERGING BUSINESS DISTRICT DEMONSTRATION

Sec.7181. Short title.

This subtitle may be cited as the "Emerging Business District Demonstration Act of 2014".

Sec. 7182. Emerging Business District Demonstration Projects. **New § 2-1210.31**

(a) The Mayor shall authorize the creation of Emerging Business District Demonstration Projects for business development purposes and provide financial assistance, beginning in Fiscal Year 2016, for up to 5 years while a business tax base is further established. These funds shall be distributed through a grant program by the Office of the Deputy Mayor for Planning and Economic Development.

(b)(1) To be eligible for these funds, applicants must demonstrate property owner commitment to the program through matching grants of at least 25% of the proposed program's total budget.

(2) Business Improvement Districts with budgets under $1 million as well as eligible 501(c)(3) and 501(c)(6) organizations may apply and be awarded these funds.

(c) Within 45 days of the effective date of this subtitle, the Mayor shall publish draft regulations regarding the criteria and awarding of grants; provided, that if no regulations are published, organizations will be entitled to apply as of November 1, 2015.

(d) Regulations shall include:

(1) The ability to establish and assemble a panel of reviewers for applications;

(2) A formula to determine what level of seed funding is sufficient to establish operations and allows the pursuit of matching funds from the private sector or otherwise;

(3) The ability for applicants to be eligible for technical assistance, training, and mentoring opportunities; and

(4) Eligible uses of funds, which shall include:

(A) Economic research; or

(B) Community or business outreach.

New § 2-1210.32

Sec. 7183. The grant program established by this subtitle shall not prevent an entity or a neighborhood from receiving any other form of District or federal assistance, including loans or other grants.

Note, § 47-4656

Sec. 7184. The Howard Town Center Real Property Tax Abatement Act of 2012, effective April 20, 2013 (D.C. Law 19-257; 60 DCR 992), is amended by adding a new section 3a to read as follows:

"Sec. 3a. Applicability.

"This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.".

SUBTITLE T. SOUTHWEST WATERFRONT PROJECT CLARIFICATION

Sec. 7191. Short title.

This subtitle may be cited as the "Southwest Waterfront Project Clarification Amendment Act of 2014".

Amend § 2-1217.131

Sec. 7192. Section 101(3) of the Southwest Waterfront Bond Financing Act of 2008, effective October 22, 2008 (D.C. Law 17-252, D.C. Official Code § 2-1217.131(3)), is amended to read as follows:

"(3) "Available Sales Tax Revenues" means the revenues in excess of $208,549 generated in the Southwest Waterfront PILOT/TIF Area in any fiscal year of the District commencing on the Commencement Date resulting from the imposition of the sales tax under

Chapter 20 of Title 47, including penalty and interest charges, exclusive of the portion required to be deposited in the Washington Convention Center Fund established pursuant to the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.08). The term "Available Sales Tax Revenues" includes sales tax revenues from any business existing in the Southwest Waterfront PILOT/TIF Area on October 22, 2008, only after the business has re-opened as a result of the development of any portion of the project.".

SUBTITLE U. NON-DEPARTMENTAL FUND ADMINISTRATION

Sec, 7201. Short title.

This subtitle may be cited as the "Non-Departmental Fund Administration Act of 2014".

Sec. 7202. In Fiscal Year 2015, of the funds allocated to the Non-Departmental agency, an amount up to $1 million shall be transferred to the University of the District of Columbia ("UDC") if, by January 1, 2015, UDC raises the amount of $1 million from private donations for the purpose of meeting accreditation standards. The amount transferred under this section shall be matched dollar-for-dollar from the amount raised up to $1 million.

Sec. 7203. In Fiscal Year 2015, and beginning no later than the effective date of the Transportation Reorganization Act of 2014, as introduced on April 8, 2014 (Bill 20-759) ("Act"), the City Administrator shall convene and lead a multi-agency working group to plan for and implement the agency restructuring required by the Act. The City Administrator may use up to $500,000 from the Non-Departmental agency for this process.

SUBTITLE V. UNITED HOUSE OF PRAYER FOR ALL PEOPLE EQUITABLE REAL PROPERTY TAX RELIEF

Sec. 7211. Short title.

This subtitle may be cited as the "United House of Prayer for All People Equitable Real Property Tax Relief Act of 2014".

Sec. 7212. United House of Prayer for All People equitable real property tax relief.

The Council orders that:

(1) Real property taxes, interest, penalties, fees, or other related charges assessed against the real property formerly designated as Lots 88 and 982, Square 5861, and paid by the United House of Prayer for All People, for tax years 2001 through 2013, shall be forgiven and refunded; and

(2) Real property taxes, interest, penalties, fees, or other related charges assessed against the real property formerly designated as Lot 988, Square 5861, for the first 2 months of tax year 2014, shall be forgiven and any payments by the United House of Prayer for All People shall be refunded.

SUBTITLE W. MERIDIAN INTERNATIONAL CENTER REAL PROPERTY TAX EXEMPTION ACT

Sec. 7221. Short title.

This subtitle may be cited as the "Meridian International Center Real Property Tax Exemption Act of 2014".

Sec. 7222. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1092. Meridian International Center.".

(b) A new section 47-1092 is added to read as follows: **New § 47-1092**

"§ 47-1092. Meridian International Center.

"(a)(1) Beginning on the effective date of this section, the real property designated as Lots 806, 808, and 809 in Square 2568, known as the Meridian House and the White-Meyer House, and Lots 2369 through 2401, 2413 through 2417, 2423, 2441, and 2442 in Square 2567, together with any improvements and furnishings ("Property") shall be exempt from all taxation; provided, that the Property is:

"(A) Owned by the Meridian International Center, a District of Columbia nonprofit corporation;

"(B) Used for the purposes and activities of the Meridian International Center; and

"(C) Not used for any commercial purposes, except as provided in subsection (b) of this section.

"(2) Use of the premises by agencies of the United States of America or by any organization exempt from federal income taxation shall not affect the exemption from taxation provided for in this section.

"(b) Section 47-1005 shall apply with respect to the Property; provided, that a portion of the Property may be rented out to another person or entity as long as the rent or other income generated shall be used for the maintenance and preservation of the Property.

"(c) Meridian International Center shall comply with the reporting requirement of § 47-1007 and have the appeal rights provided by § 47-1009.".

Sec. 7223. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the Property for the period beginning with tax year 2006 through the effective date of this subtitle be forgiven and that any payments made be refunded. **NA**

SUBTITLE X. SCOTTISH RITE TEMPLE REAL PROPERTY TAX ACT

Sec. 7231. Short title.

This subtitle may be cited as the "Scottish Rite Temple Real Property Tax Act of 2014".

Sec. 7232. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1094. Supreme Council of Scottish Rite Free Masonry of the Southern Jurisdiction of the United States; Lot 108, Square 192.".

(b) A new section 47-1094 is added to read as follows: **New § 47-1094**

"§ 47-1094. Supreme Council of Scottish Rite Free Masonry of the Southern Jurisdiction of the United States; Lot 108, Square 192.

"The real property described as Lot 108 in Square 192 shall be exempt from real property taxation so long as the real property is owned by The Supreme Council (Mother Council of the World) of the Inspectors General Knights Commanders of the House of the Temple of Solomon of the Thirty-Third Degree of the Ancient and Accepted Scottish Rite of Free Masonry of the Southern Jurisdiction of the United States of America ("Supreme Council") or its subsidiaries, including the House of the Temple Historic Preservation Foundation, Inc., and is used by the Supreme Council or its subsidiaries to carry on their purposes and activities, and is not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009 as if the exemption had been granted administratively under this chapter.".

SUBTITLE Y. AMERICAN ACADEMY OF ACHIEVEMENT REAL PROPERTY TAX EXEMPTION ACT

Sec. 7241. Short title.

This subtitle may be cited as the "American Academy of Achievement Real Property Tax Exemption Act of 2014".

Sec. 7242. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1093. American Academy of Achievement.".

(b) A new section 47-1093 is added to read as follows: **New § 47-1093**

"§ 47-1093. American Academy of Achievement.

"(a)(1) Beginning on the effective date of this section, the real property designated as Lot 0829 in Square 0182, known as the American Academy of Achievement building, together with any improvements and furnishings ("Property") shall be exempt from all taxation; provided, that the Property is:

"(A) Owned by the American Academy of Achievement, a nonprofit corporation;

"(B) Used for the purposes and activities of the American Academy of Achievement; and

"(C) Not used for any commercial purposes, except as provided in subsection (b) of this section.

"(2) Use of the premises by agencies of the United States of America or by any organization exempt from federal income taxation shall not affect the exemption from taxation provided for in this section.

"(b) Section 47-1005 shall apply with respect to the Property; provided, that a portion of the Property may be rented out to another person or entity as long as the rent or other income generated shall be used for the maintenance and preservation of the Property.

"(c) The American Academy of Achievement shall comply with the reporting requirement of § 47-1007 and have the appeal rights provided by § 47-1009.".

Sec. 7243. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the Property for the period beginning with tax year 2006 through the effective date of this subtitle be forgiven and that any payments made be refunded.

SUBTITLE Z. AFFORDABLE HOUSING REAL PROPERTY TAX RELIEF

Sec. 7251. Short title.

This subtitle may be cited as the "Affordable Housing Real Property Tax Relief Act of 2014".

Amend § 47-1002

Sec. 7252. Section 47-1002(20)(A)(ii) of the District of Columbia Official Code is amended by striking the phrase "and for which an exemption was granted;" and inserting a semicolon in its place.

Note, § 47-1002

Sec. 7253. Applicability.

This subtitle shall apply with respect to renewal contracts entered into before, on, or after the effective date of the Fiscal Year 2015 Budget Support Emergency Act of 2014, effective July 14, 2014 (D.C. Act 20-377; 61 DCR 7598).

SUBTITLE AA. TANF CONTINGENCY APPROPRIATION

Sec. 7261. Short title.

This subtitle may be cited as the "TANF Contingency Appropriation Amendment Act of 2014".

Sec. 7262. Pursuant to the Fiscal Year 2015 Budget Request Act of 2014, passed on final reading on May 28, 2014 (Enrolled version of Bill 20-749), $5,771,880.64 of local revenues certified in the June 2014 revenue estimate that exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2015 shall be allocated to the Department of Human Services to expand POWER eligibility, for Fiscal Year 2015, to include families who have been on TANF longer than 60 months, are enrolled with a TANF

Employment Program vendor, and are not the subject of a sanction as of October 1, 2014, pursuant to section 7263.

Sec. 7263. (a) Section 572a(a)(6) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.72a(A)(6)), is amended to read as follows: **Amend § 4-205.72a**

"(6) Is the head of an assistance unit who is meeting the full requirements of his or her Individual Responsibility Plan and can show that he or she is enrolled in an accredited postsecondary education program or a Department of Employment Services approved job training program in which he or she is working towards the attainment of a degree, certificate, or official credential, or for fiscal year 2015, has been on TANF over 60 months, is enrolled with a TANF Employment Program vendor, and is not the subject of a sanction as of October 1, 2014.".

(b) Subsection (a) of this section shall apply upon an allocation of $5,771,880.64 made pursuant to section 7262. **Note, § 4-205.72a**

TITLE VIII. CAPITAL BUDGET

SUBTITLE A. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY

Sec. 8001. Short title.

This subtitle may be cited as the "Department of Transportation Capital Budget Allocation Authority Amendment Act of 2014".

Sec. 8002. Section 3(e) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)), is amended by adding a new paragraph (3) to read as follows: **Amend § 50-921.02**

"(3) The Director may submit requests to OBP to re-allocate funds from any Related Project to the applicable capital project created in Fiscal Year 2012 or later funded from the District of Columbia Highway Trust Fund. The Director, following re-allocation of funds by OBP from a Related Project to its applicable capital project, shall have the authority to submit requests to OBP to allocate these funds to another Related Project.".

SUBTITLE B. DDOT CAPITAL PROJECT REVIEW AND RECONCILIATION

Sec. 8011. Short title.

This subtitle may be cited as the "Department of Transportation Capital Project Review and Reconciliation Amendment Act of 2014".

Sec. 8012. Section 11j(a) of Title IV of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.53(a)), is amended to read as follows: **Amend § 50-921.53**

"(a) Funds resulting from the closure of a capital project pursuant to section 11i(a) shall be allocated to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund, established by section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective

August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), up to an annual level of $1.5 million and then equally among the Local Streets Ward-based capital projects; provided, that funds specific to non-participating costs shall be allocated to the non-participating Highway Trust Fund Support project.".

SUBTITLE C. FISCAL YEAR 2015 CAPITAL PROJECT FINANCING REALLOCATION APPROVAL

Sec. 8021. Short title.

This subtitle may be cited as the "Fiscal Year 2015 Capital Project Reallocation Approval Act of 2014".

Sec. 8022. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate $84,463,423 in general obligation bond proceeds from District capital projects listed in Table A to the District capital projects, in the amounts specified, listed in Table B.

(b) The current allocations were made pursuant to the Fiscal Year 2009 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2009, effective March 3, 2009 (Res. 18-0034; 56 DCR 2082), the Fiscal Year 2010 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of 2009, effective December 4, 2009 (D.C. Act 18-240; 56 DCMR 9265), the Fiscal Year 2011 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of 2010, effective November 17, 2010 (D.C. Act 18-607; 57 DCR 11054), and the Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011, effective December 6, 2011 (Res. 19-0315; 58 DCR 10556).

TABLE A.

Owner Agency Title	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Department of General Services	EA7	DGS	Neighborhood Revitalization	2009E	9,629
Office of the Attorney General	EN2	OAG	Child Support Enforcement System - CSED	2009D	20,885
Metropolitan Police Department	FRI	MPD	Base Building Renovation	2009D	4,848,843
Metropolitan Police Department	ITI	MPD	Information Technology Initiative - MPD	2010A	11,039
Department of General Services	AA9	DGS	Procurement of 225 Virginia Avenue	2011A - IT	13,792

DC Public Library	CWM	DCPL	African American Civil War Memorial	2011A - IT	1,118,561
Deputy Mayor for Economic Development	AWT	DMPED	Walter Reed Redevelopment	2011A - IT	402,214
Fire and Emergency Medical Services	LC7	FEMS	Engine Company 25 Renovation	2009D	4,066
Fire and Emergency Medical Services	LC7	FEMS	Engine Company 25 Renovation	2010A	787
Fire and Emergency Medical Services	LE3	FEMS	Engine Company 5 Renovation	2010A	6,321
Fire and Emergency Medical Services	LE3	FEMS	Engine Company 5 Renovation	2011A - IT	7,337
District of Columbia Public Schools	GM0	DGS	Woodrow Wilson Natatorium/Pool	2009E	4,039,764
University of the District of Columbia	ET9	UDC	Higher Education Back Office - Banner	2011A - IT	302,363
Department of Parks and Recreation	QK1	DPR	Renovation Of The S & T St NW Park	2010A	425,476
Department of Parks and Recreation	QS6	DPR	Renovation Of The S & T St NW Park	2009D	73,312
Department of Human Services	SH1	DGS	Oak Hill Youth Facility	2010A	501
District Department of Transportation	GFL	DDOT	SE Salt Dome	2010A	21,288
District Department of Transportation	BRI	DDOT	Pedestrian Bridge	2010A	4,987,554
Office of the Chief Technology Officer	N16	OCTO	District Reporting System	2010A	472,381
Office of the Chief Technology Officer	N16	OCTO	District Reporting System	2011A - IT	3,351
DC Public Library	NL6	DCPL	Reconstruction/Renovation Neighborhood Libraries	2012 FG	3,955,680
Fire and Emergency	LC4	FEMS	Engine Company	2012 FG	1,525,115

Medical Services			22 Replacement		
Fire and Emergency Medical Services	LE5	FEMS	Engine Company 27 Renovation	2012 FG	1,956,335
Fire and Emergency Medical Services	LE7	FEMS	Engine Company 27 Renovation	2012 FG	1,000,000
District of Columbia Public Schools	PR3	DGS	Ron Brown ES Modernization	2012 FG	4,050,000
Department of Parks and Recreation	QJ8	DPR	Friendship Park	2012 FG	1,629,830
Mass Transit Subsidies	SA4	WMATA	Metrorail Construction	2012 FG	53,577,000
TOTAL					**$84,463,423**

TABLE B.

Agency	**Project Number**	**Implementing Agency**	**Project Title**	**Bond Issuance Series**	**Amount**
Mass Transit Subsidies	TOP	WMATA	Transit Operations & Dedicated Facilities	N/A	25,787,055
District of Columbia Public Schools	MH1	DGS	Dunbar SHS Modernization	N/A	29,453,153
District of Columbia Public Schools	NX3	DGS	Cardozo HS Modernization	N/A	29,223,215
TOTAL					**$84,463,423**

SUBTITLE D. H STREET STREETCAR PRIORITY

Sec. 8031. Short title.

This subtitle may be cited as the "H Street Streetcar Priority Act of 2014".

Sec. 8032. (a) The Mayor shall include the full replacement of the H Street Bridge in the Regional Transportation Improvement Program for completion before Fiscal Year 2018.

(b) The Mayor and the District Department of Transportation ("DDOT") shall prioritize the full replacement of the H Street Bridge under DDOT capital project SA306C, H Street/Benning/K Street Line. The full replacement of the bridge shall be completed before Fiscal Year 2018.

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS

SUBTITLE A. LOCAL AND O-TYPE FUND AMENDMENTS

Sec. 9001. Short title.

This title may be cited as the "Local and Special Purpose Revenue Fund Amendment Act of 2014".

Sec. 9002. RFK & DC Armory Maintenance Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 1440 within the Department of General Services shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9003. Facilities Service Request Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 1500 within the Department of General Services shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9004. Distribution Fees.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 1243 within the Office of the Secretary shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9005. Copy Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0651 within the Public Service Commission shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9006. DCPS PEPCO.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0604 within the District of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the

end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9007. DCPS Security.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0609 within the District of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9008. DCPS Custodial.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0607 within the District of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9009. DPR Enterprise Fund.

Notwithstanding any other law, the fund which is designated for accounting purposes by the Office of the Chief Financial Officer as fund 0602 within the Department of Parks and Recreation shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9010. Pedestrian and Bicycle Safety and Enhancement Fund. **Amend § 1-325.131**

Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "nonlapsing" and inserting the phrase "lapsing" in its place.

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

"(c)(1) All funds deposited into the Fund but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 9011. DMV Out-of State Vehicle Registration Fee. **Amend § 50-1501.03a**

Section 3a(a) of the District of Columbia Revenue Act of 1937, effective March 28, 2008 (D.C. Law 17-130; D.C. Official Code § 50-1501.03a(a)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "nonlapsing" and inserting the phrase "lapsing" in its place.

(b) Paragraph (3) is amended to read as follows:

"(3) All funds deposited into the Fund but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 9012. OCTO SERVUS Program.

Amend § 1-1433

Section 1004(d) of the Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-1433(d)), is amended to read as follows:

"(d) All funds deposited into the Fund but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 9013. Healthcare Forfeiture.

Notwithstanding any other law, the fund which is designated for accounting purposes by the Office of the Chief Financial Officer as the Healthcare Forfeiture fund shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9014. Child SPT – Title IV Incentive Fees.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Child SPT – Title IVC Incentive Fees fund within the Office of the Attorney General shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9015 Adult Training Fund.

Repeal § 32-1671

Section 2261 of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 32-1671), is repealed.

Sec. 9016. Youth Jobs Fund.

Repeal § 2-1516.01

Section 1009 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 2-1516.01), is repealed.

Sec. 9017. Neighborhood Investment Fund.

Repeal §§ 6-1071 – 6-1073

(a) The Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071 *et seq*.), is repealed

Amend § 2-218.75

(b) Section 2375(d)(2) of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 2-218.75(d)(2)), is amended as follows:

(1) Subparagraph (A) is amended by adding the word "or" at the end.

(2) Subparagraph (B) is repealed.

(c) Section 2(16)(C)(i) of the Certified Capital Companies Act of 2003, effective March 10, 2004 (D.C. Law 15-87; D.C. Official Code § 31-5231(16)(C)(i)), is repealed. **Amend § 31-5231**

(d) Section 2172 of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 38-1011.02), is repealed. **Repeal § 38-1011.02**

Sec. 9018. Senior Citizens Housing Modernization Grant Fund. **Repeal §§ 1-325.161 – 1-325.164**

The Senior Housing Modernization Grant Fund Act of 2010, effective August 12, 2010 (D.C. Law 18-218; D.C. Official Code § 1-325.161 *et seq*.), is repealed

Sec. 9019. Shaw Community Development Fund.

Section 204(l) of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.04(l)), is repealed. **Amend § 10-1202.04**

Sec. 9020. AWC Integration.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0626 within the Deputy Mayor for Planning and Economic Development shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9021. Commercial Revitalization Assistance Fund.

(a) Section 2376 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 2-218.76), is repealed. **Repeal § 2-218.76**

(b) Section 20(b) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20(b)), is repealed. **Amend § 2-1215.20**

Sec. 9022. TDL Career Cluster.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the TDL Career Cluster fund within the District of Columbia Public Schools shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9023. Pre-k for All.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Pre-k for All fund within

the Office of the State Superintendent of Education shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9024. Air Quality Construction Permits.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Air Quality Construction Permits fund within the Department of Health shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9025. DDOT Operating (Unified) Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 6900 within the District Department of Transportation shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9026. Parking Meter Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 6906 within the District Department of Transportation shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9027. Prison Diversion.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Prison Diversion fund within the Department of Behavioral Health shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9028. Integrated Service Fund.

Repeal §§ 4-1345.01 – 4-1345.03

The Integrated Funding and Services for At-Risk Children, Youth, and Families Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 4-1345.01 *et seq*.), is repealed.

Sec. 9029. Applicability.

Note §§ 4-1345.01 – 4-1345.03

This subtitle shall apply as of September 30, 2014.

SUBTITLE B. LOCAL AND O-TYPE FUND TRANSFERS

Sec. 9031. Short title.

This subtitle may be cited as the "Local and Special Purpose Revenue Fund Transfer Act of 2014".

Sec. 9032. Before the end of Fiscal Year 2014, the Chief Financial Officer shall transfer the following amounts from the accounts listed below to the Contingency Cash Reserve Fund, established by section 450A(b) of the District of Columbia Home Rule Act, approved November 22, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a(b)):

Agency Code	Agency	Fund Name	Amount
AM0	DGS	Fixed Cost Commodity Reserve	$22,288,649
CF0	DOES	Adult Training Fund	$10,156,624
CF0	DOES	Youth Jobs Fund	$6,431,374
EB0	DMPED	Neighborhood Investment Fund	$60,226
EB0	DMPED	Senior Housing Modernization grant Fund Act of 2010	$100,000
EB0	DMPED	AWC Integration	-$6,146
EN0	DSLBD	Commercial Revitalization Assistance Fund	$1,245,199
HT0	DHCF	Hospital Assessment Tax	$715,707
KA0	DDOT	DDOT Operating (Unified) Fund	$65,084
KA0	DDOT	Parking Meter Fund	$534,282
RM0	DBH	Prison Diversion	$128,000
XXX	OCFO	Integrated Service Fund	$4,576,805
GD0	OSSE	Healthy Schools Act	$4,349,170
XXX	OCFO	Healthcare Forfeiture	$1,176,069
TOTAL			$51,821,042

Sec. 9033. Notwithstanding any other provision of law, for Fiscal Year 2015, the Chief Financial Officer shall transfer to the unrestricted fund balance of the General Fund of the District of Columbia and recognize as local funds revenue $3 million of fund balance from the Recorder of Deeds Automation and Infrastructure Improvement Fund.

Sec. 9034. Applicability.
This subtitle shall apply as of September 30, 2014.

TITLE X. REPORTING REQUIREMENTS
Sec. 10001. Short title.
This title may be cited as the "Council Reporting Requirements Act of 2014".

Sec. 10002. For purposes of this title, unless otherwise provided, reports made to the Council shall be made to the Secretary to the Council.

PUBLIC EDUCATION
Sec. 10003. State Board of Education reporting requirements.
By October 1, 2014, the State Board of Education shall submit to the Council:
(1) An implementation plan for the establishment of the Office of the Student Advocate, which is to be fully operational by January 1, 2015;
(2) A report on the accomplishments of the Office of the Ombudsman for Public Education during Fiscal Year 2014 and a strategic plan for the Office for Fiscal Year 2015; and
(3) A report on the status of development and approval of high school graduation requirements for District of Columbia students, including the proposed standard diploma, diploma of distinction, a career credential aligned with CTE standards, and an achievement diploma for students with severe cognitive disabilities.

Sec. 10004. Office of the State Superintendent of Education reporting requirements.
By October 1, 2014, the Office of the State Superintendent of Education ("OSSE") shall submit to the Council:
(1) A report on the status of the opening the Youth Re-Engagement Center ("Center"). The report shall include, at a minimum:
(A) A summary of activities undertaken during Fiscal Year 2014 in support of the Center;
(B) A description of Center programs and activities underway or planned for Fiscal Year 2015 that will support re-engagement of youth; and
(C) The name of the staff members working at the Center and their qualifications;
(2) A report on OSSE's efforts to improve access to college entrance exams for District of Columbia students. The report shall include, at a minimum:
(A) The number of District public school students who took the Scholastic Aptitude Test ("SAT") and the ACT test during school year ("SY") 2013-2014, by school and local education agency ("LEA"), and whether or not those students took advantage of free or reduced-price vouchers;
(B) The average and median score for District public school students on the SAT and ACT in SY2013-2014 by LEA;

(C) The type of preparation courses offered to students free of charge for both the SAT and ACT and the number of students who participated during SY2013-2014; and

(D) Information regarding planned efforts for Fiscal Year 2015, including the projected number of students who will participate in test preparation courses and who will utilize free or reduced vouchers for college entrance exams, and the projected cost;.

(3) A report on the development of an information management system to ensure that the District is able to provide necessary services to homeless students;

(4) A report on the identification of at-risk students for the purposes of developing the Fiscal Year 2016 budget, including the methodology that will be used to project the number of at-risk students at each LEA and school and an update on OSSE's at-risk early warning system, including a timetable for its implementation;

(5) A plan to increase Medicaid reimbursement for services rendered to students with individualized education Programs ("IEP"), including:

(A) A list of all services provided to students with IEPs that the District does not currently include under its Medicaid state plan as an eligible service;

(B) For each of the services identified in subparagraph (A) of this paragraph, the actual Fiscal Year 2014 local expenditures, projected Fiscal Year 2015 local expenditures, and estimated local savings available to the District if the services were included in the Medicaid state plan; and

(C) Recommended amendments to the District Medicaid state plan and other policy options to expand federal reimbursement for services provided to students with IEPs;

(6) A report on the status of centralizing non-resident student investigations within OSSE, including the status of transferring nonresident tuition funds from DCPS to OSSE, as part of the implementation of sections 15a, 15b, and 15c of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.01 *et seq*.); and

(7) The status of the development of a memorandum of understanding with the Department of Employment Services to provide adult workforce training.

Sec. 10005. District of Columbia Public Schools reporting requirements.

By October 1, 2014, the District of Columbia Public Schools ("DCPS") shall submit to the Council:

(1) A report on efforts to work with youth educators, including the Young Women's Project, to supplement health-education services, along with a delineation of Fiscal Year 2015 funding dedicated to supporting youth educators;

(2) A report on implementation of a restorative justice pilot program, including a list of participating schools and a Fiscal Year 2015 spending plan;

(3) A report on DCPS' summer school program, including:

(A) The number of students served in Fiscal Year 2014 and total program expenditures;

(B) Projected number of students to be served in Fiscal Year 2015, and the total program budget;

(4) A report on efforts undertaken in Fiscal Year 2014 and planned for Fiscal Year 2015 to ensure full implementation of the Focused Student Achievement Act of 2013, effective February 22, 2014 (D.C. Law 20-84; 61 DCR 178);

(5) All student promotion and attendance data by school and grade for school year 2013-2014;

(6) A report on the current inventory of DCPS library collections and resources available at each DCPS school, and efforts planned for Fiscal Year 2015 to expand access to library materials and resources, including efforts to:

(A) Provide at least 20 library items per student in each DCPS school;

(B) Balance the collections at DCPS Libraries between content areas; and

(C) Ensure that the average age of materials in each DCPS Library is less than 10 years old;

(7) A report on fixed costs, including:

(A) A comparison of projected and actual Fiscal Year 2014 fixed-costs expenditures by DCPS facility;

(B) Projected Fiscal Year 2015 fixed-costs expenditures by DCPS facility and actual fixed-costs expenditures incurred during school year 2014-2015;

(C) Implementation of the Sustainable DC Initiative; and

(D) Efforts to coordinate with the Department of General Services on a regular basis to review fixed costs projections and actual expenditures;

(8) A plan to ensure full implementation of the Fair Funding and Student-Based Budgeting Act of 2013, effective February 22, 2014 (D.C. Law 20-87; 61 DCR 3742) ("Fair Funding Act"), for the Fiscal Year 2016 budget;

(9) A report on the effort undertaken and planned for Fiscal Year 2015 related to the re-opening of Van Ness elementary school and the opening of an application middle school east of the Anacostia River;

(10) A report on implementation of the budget recommendations included in the Committee on Education budget report for Fiscal Year 2015, including detailed information by school of the services or programs each of the allocations supported:

(A) The $2,563,500 to be used to supplement those schools most impacted by the budgetary discrepancy between DCPS' allocation of at-risk funds and the requirements set forth in the Fair Funding Act; and

(B) The $236,500 to augment the at-risk allocation at Anacostia High School, which has the highest percentage of special education students among those schools that did not receive their estimated at-risk allotment pursuant to the Fair Funding Act.

Sec. 10006. Public Charter School Board reporting requirements.

By October 1, 2014, the Public Charter School Board ("PCSB") shall submit to the Council:

(1) Recommendations on how the PCSB will incorporate students' educational and programmatic needs as part of its application review for new and expanding public charter schools in school year 2014-2015. The recommendations may include how the agency and potential applicants are collaborating with the Deputy Mayor for Education, other appropriate agencies, and incorporating school enrollment, demand, and need as part of the application process; and

(2) A report on the current inventory of library collections and resources available at District public charter schools.

Sec. 10007. Deputy Mayor for Education reporting requirements. **Note, § 2-1517.01**

By October 1, 2014, the Deputy Mayor for Education shall submit to the Council:

(1) A report on its continued implementation of the South Capitol Street Memorial Amendment Act of 2012, effective June 7, 2012 (D.C. Law 19-141; D.C. Official Code § 2-1517.01 *et seq*.), including a Fiscal Year 2015 spending plan;

(2) Recommendations on expanding transportation subsidies to students between the ages of 21-24 years old enrolled in DCPS or a public charter school;

(3) An update on the activities and Fiscal Year 2015 goals of the State Early Childhood Development Coordinating Council; and

(4) A report on implementation of the Graduation Pathways Project and how it will identify students who are off-track, assess current programs, and create or expand programs in both sectors that have demonstrated success at reducing truancy and keeping students on track to graduate on time.

HEALTH AND HUMAN SERVICES

Sec. 10008. Feasibility and assessment study.

(a) The Department of Human Services shall commission a feasibility and assessment study to determine the housing and space needs for the residents and service providers within the building located at 425 2nd Street, N.W.

(b) The study shall be conducted by a policy, planning, or design firm.

(c) In keeping with the recommendations of the CCNV Task Force, the study shall:

(1) Consider and address the existence of a need for new facilities to replace the existing building;

(2) Identify the service and support needs of current residents;

(3) Develop and design shelter for the newly homeless and housing options for current residents based on identified service needs of the population;

(4) Identify opportunities for funding for shelter for the newly homeless and housing options for current residents;

(5) Propose a timeline for development and provision of shelter for the newly homeless and housing options for current residents;

(6) Provide specific recommendations regarding shelter for the newly homeless and housing options for current residents; and

(7) Estimate capital and operational costs of completing the recommendations.

(d) The study shall be completed no later than 180 days from the date that the contract is awarded.

Sec. 10009. Department of Health reporting requirements.

By October 1, 2014, the Department of Health ("DOH") shall submit to the Council:

(1) A quarterly report on all grants administered by the DOH, which shall include, at a minimum, the:

(A) Grant title and number;
(B) Source of the funding;
(C) Approved budget authority;
(D) Expenditures, including encumbrances and pre-encumbrances;
(E) Purpose of the grant;
(F) Name of grantees and subgrantees for each grant;
(G) Date of grant funding expiration; and
(H) DOH employees responsible for overseeing the grant;

(2) An annual report on all federal grants for health services that DOH is aware of being in jeopardy of being cut at the conclusion of that fiscal year, when that funding has supported 3 or more community organizations that have history of providing services in the District;

(3) A biannual report on how existing District teenage pregnancy prevention programs are evaluated. The report should include information regarding the following:

(A) The rate of teen pregnancy in the wards that the program services;
(B) The number of girls served;
(C) The number of girls that have successfully completed the program; and
(D) Any other information DOH deems critical to critiquing the success of the program; and

(4) A bi-monthly report regarding the efficiency of the medical marijuana program in the District, the number of medical marijuana applications received from patients and doctors, the time it took to process each application, the names of the individuals in charge of processing the application, the average overall wait time for processing doctor and patient applications, and any other information critical to analyzing the program's efficiency.

Sec. 10010. Department of Health Care Finance reporting requirements.

(a) By October 1, 2014, the Department of Health Care Finance ("DHCF") shall submit to the Council a report on:

(1) DHCF’s reevaluation of the Alliance recertification process and recommendation for whether recertification rules need to be modified; and

(2) Description and timeline for implementation of DHCFs coordination of care plan.

(b) Starting on October 1, 2014 and ending on September 31, 2015, DHCF shall submit to the Council a quarterly report on:

(1) The progress of Early and Periodic Screening, Diagnostic, and Treatment ("EPSDT") coding changes and provider compliance with EPSDT screens and reporting;

(2) The eligibility and enrollment in the Elderly and Persons with Disabilities ("EPD") waiver including the:

(A) Number of people currently enrolled in the EPD waiver;

(B) Number of people currently on the waitlist;

(C) Number of people who lost the benefit because they did not timely recertify;

(D) Community engagement activities that are planned for that quarter; and

(E) Status of implementation of EPD waiver state plan amendments;

(3) Emergency and acute care utilization in the managed care and fee-for-service populations;

(4) Assessing the performance of the long term care contractor, including data on its reduction of fraud and abuse of the Personal Care Aid ("PCA") benefit;

(5) Reflecting PCA benefit utilization and enrollment; and

(6) The performance of each Managed Care Organization ("MCO"), which shall include, at a minimum, the following information:

(A) A listing of the provider network for each MCO identifying each provider by name;

(B) The number of newly eligible beneficiaries auto-assigned to each MCO that quarter, along with the total number of members enrolled in each MCO;

(C) An assessment of each MCO's compliance with each contractual network adequacy requirement and performance objective, including a description of any threatened or assessed corrective action plans or penalties; and

(D) EPSDT data for each MCO, including the following:

(i) Number of EPSDT providers in each MCO network;

(ii) Number of screens and percentage of children screened per quarter;

(iii) Number of mental health screens and percentage of children receiving mental health screens per quarter; and

(iv) Plans to address unsatisfactory screening rates in the next quarter.

Sec. 10011. Not-For-Profit Hospital Corporation reporting requirements.

By October 1, 2014, the Not-For-Profit Hospital Corporation ("NFPHC") shall submit to the Council a bi-monthly report on the progress made by Huron Healthcare at the NFPHC, including the:

(1) Milestones completed;

(2) Scheduled work and the expected completion date of such work;

(3) Unexpected issues that have arose and plans to address those issues;

(4) Issues that were scheduled to be completed before the due date of the next report, but were not, and the plan to complete them; and

(5) Answers to any documented questions sent over by the Council to the NFPHC.

Sec. 10012. Health Benefit Exchange Authority reporting requirements.

(a) By October 1, 2014, the Health Benefit Exchange Authority ("Authority") shall submit to the Council a report on the effectiveness of the In-Person Assistor program, including:

(1) The number of individuals enrolled by each grantee organization; and

(2) Recommendations for continuing the program, including potential costs and sources of funding, in Fiscal Year 2015.

(b) By December 31, 2014, the Authority shall submit to the Council a report on the reduction of the uninsured population in the District through enrollment in plans offered through the Authority, including:

(1) The estimated number of uninsured individuals in the District as of October 1, 2014;

(2) The number of uninsured individuals who purchased plans between October 1, 2013 and April 30, 2014;

(3) A comprehensive plan to conduct outreach and enroll the uninsured population in the District in Fiscal Year 2015 and Fiscal Year 2016; and

(4) A comprehensive plan to monitor fluctuations in uninsured populations in the District in Fiscal Year 2015 and Fiscal Year 2016.

TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

Sec. 10013. Department of Parks and Recreation reporting requirements.

By October 1, 2014, the Department of Parks and Recreation ("DPR") shall submit to the Council a detailed report on:

(1) The agency's workforce strategic plan to address the number of critical vacancies within DPR, including a timeline for implementation, recruitment actions, benchmark goals, and strategies for retention;

(2) The development of a comprehensive complaint in-take database system, which shall include, at a minimum:

(A) A detailed description of the compliant in-take database system;

(B) A timeline for development and the estimated launch date;

(C) A recommendation for a data governance policy; and

(D) A detailed explanation on how the complaint in-take database system will interact with existing systems; and

(3) The development of a comprehensive system for performance metrics that tracks quantitative performance measures, including, at a minimum a timeline for development and the estimated launch date.

FINANCE AND REVENUE

Sec. 10014. Office of the Chief Financial Officer reporting requirements.

By October 1, 2014, the Office of the Chief Financial Officer ("OFCO") shall submit to the Council a report on recommendations for improving transparency of the OCFO agency budget, including a plan for implementing improvements by the submission of the Fiscal Year 2016 budget to the Council.

TITLE XI. APPLICABILITY, FISCAL IMPACT STATEMENT, AND EFFECTIVE DATE

Sec. 11001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2014.

Sec. 11002. Fiscal impact statement.

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

Sec. 11003. Effective date.

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

AN ACT

Bill 20-671
Act 20-426 effective September 19, 2014

To amend An Act To provide for the payment and collection of wages in the District of Columbia, the Minimum Wage Act Revision Act of 1992, the Accrued Sick and Safe Leave Act of 2008, section 47-2862 of the District of Columbia Official Code, and Chapter 9 of Title 7 of the District of Columbia Municipal Regulations to enhance applicable remedies, fines, and administrative penalties when an employer fails to pay earned wages, to provide for suspension of business licenses of employers that are delinquent in paying wage judgments or agreements, to clarify administrative procedures and legal standards for adjudicating wage disputes, to require the employer to provide written notice to each employee of the terms of their employment and to maintain appropriate employment records.

Codification District of Columbia Official Code 2001 Edition

Wage Theft Prevention Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Amendment Act of 2014".

Sec. 2. An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is amended as follows:

Amend § 32-1301

(a) Section 1 (D.C. Official Code § 32-1301) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "firm, association, corporation, the legal representative of a deceased individual, or the receiver, trustee, or successor of an individual, firm, partnership" and inserting the phrase "firm, general contractor, subcontractor, association, corporation, the legal representative of a deceased individual, or the receiver, trustee, or successor of an individual, firm, partnership, general contractor, subcontractor," in its place.

(2) Paragraph (2) is amended by striking the phrase "except any person employed in a bona fide executive, administrative, or professional capacity (as such terms are defined and delimited by regulations promulgated by the Council of the District of Columbia)".

(3) New paragraphs (2A), (2B), and (2C) are added to read as follows:

"(2A) "Living Wage Act" means the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *et seq.*).

"(2B) "Minimum Wage Revision Act" means the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*).

"(2C) "Sick and Safe Leave Act" means the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq.*).

Amend § 32-1303

(b) Section 3 (D.C. Official Code § 32-1303) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase "; provided, however, that for the purpose of such liquidated damages such failure shall not be deemed to continue after the

date of the filing of a petition in bankruptcy with respect to the employer if he thereafter shall have been adjudicated bankrupt upon such petition".

(2) New paragraphs (5) and (6) are added to read as follows:

"(5) When the employer is a subcontractor alleged to have failed to pay an employee any wages earned, the subcontractor and the general contractor shall be jointly and severally liable to the subcontractor's employees for violations of this act, the Living Wage Act, and the Sick and Safe Leave Act. The subcontractor shall indemnify the general contractor for any wages, damages, interest, penalties, or attorneys' fees owed by the general contractor as a result of the subcontractor's violations of this act, the Living Wage Act, and the Sick and Safe Leave Act, unless those violations were due to the general contractor's lack of prompt payment in accordance with the terms of the contract between the general contractor and subcontractor.

"(6) When a temporary staffing firm employs an employee who performs work on behalf of or to the benefit of another employer pursuant to a temporary staffing arrangement or contract for services, both the temporary staffing firm and the employer shall be jointly and severally liable for violations of this act, the Living Wage Act, and the Sick and Safe Leave Act to the employee and to the District. The District, the employee, or the employee's representative shall notify the temporary staffing firm and employer of the alleged violations at least 30 days before filing a claim for these violations. Unless otherwise agreed to by the parties, the temporary staffing firm shall indemnify the employer as a result of the temporary staffing firm's violations of this act, the Living Wage Act, and the Sick and Safe Leave Act.".

Amend § 32-1304

(c) Section 4 (D.C. Official Code § 32-1304) is amended by striking the sentence "Payment in accordance with this section shall constitute payment for the purposes of complying with sections 2 and 4, only if there exists a bona fide dispute concerning the amount of wages due." and inserting the sentence "The employee or Mayor shall be able to pursue any such balance of unpaid wages and related damages, interest, costs, and penalties." in its place.

Amend § 32-1306

(d) Section 6 (D.C. Official Code § 32-1306) is amended as follows:

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

"(a)(1) The Mayor shall enforce and administer the provisions of this act, the Living Wage Act, the Sick and Safe Leave Act, and the Minimum Wage Revision Act, including conducting investigations of any violations and holding hearings and instituting actions for penalties. Any and all prosecutions of violations of this act, the Living Wage Act, the Minimum Wage Revision Act, or the Sick and Safe Leave Act undertaken in court shall be conducted in the name of the District of Columbia by the Office of the Attorney General.

"(2) This subsection shall not be construed to affect investigations of the Minimum Wage Revision Act.".

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

"(a-1) The Mayor shall encourage reporting pursuant to this section by keeping confidential, to the maximum extent permitted by applicable laws, the name and other identifying information of the employee or other person reporting a violation during the course of any investigation; provided, that with the authorization of such person, the Mayor may disclose the employee or person's name and identifying information as necessary to conduct a

hearing and enforce this act or other employee protection laws, including the Living Wage Act, the Minimum Wage Revision Act, or the Sick and Safe Leave Act.".

Amend § 32-1307

(e) Section 7 (D.C. Official Code § 32-1307) is amended as follows:

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

"(a)(1) Any employer who negligently fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:

"(A) For the first offense, an amount per affected employee of not less than the amount of wages owed, but not less than $1,000; or

"(B) For any subsequent offense, an amount per affected employee of not less than double the amount of wages owed, but not less than $2,500.

"(2) Any employer who willfully fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall:

"(A) For the first offense, be fined $2,500 plus an amount per affected employee of not less than double the amount of wages owed, or imprisoned for up to 30 days, or both; or

"(B) For any subsequent offense, $5,000 plus an amount per affected employee of not less than treble the amount of wages owed, or imprisoned for up to 90 days, or both.

"(3) The fines set forth in paragraphs (2) and (3) of this section shall not be limited by section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).".

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

"(b)(1) In addition to and apart from any other penalties or remedies provided for in this act or the Living Wage Act, the Mayor shall assess and collect administrative penalties as follows:

"(A) For the first offense, $50 for each employee or person whose rights under this act or the Living Wage Act are violated for each day that the violation occurred or continued; or

"(B) For any subsequent offense, $100 for each employee or person whose rights under this act or the Living Wage Act are violated for each day that the violation occurred or continued.

"(2) In addition to the administrative penalties set forth in paragraph (1) of this subsection, the Mayor shall collect administrative penalties in the amounts set forth below for the following violations:

"(A) Five hundred dollars for failure to provide notice of investigation to employees as required by section 8a(c)(2); and

"(B) Five hundred dollars for failure to post notice of violations to the public, as required by section 8a(h)(2).

"(3) This subsection shall not be construed to affect the Sick and Safe Leave Act or the Minimum Wage Revision Act.".

(3) Subsection (c) is amended to read as follows:

"(c) No administrative penalty may be collected unless the Mayor has provided any person alleged to have violated any of the provisions of this section notification of the violation,

notification of the amount of the administrative penalty to be imposed, and an opportunity to request a formal hearing held pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 *et seq.*) ("Administrative Procedure Act") and section 8a. If a formal hearing is requested pursuant to section 8a(e), the Mayor shall issue a final order following the hearing, containing a finding that a violation has or has not occurred. If a hearing is not requested, the person to whom notification of violation was provided shall transmit to the Mayor the amount of the penalty within 15 days following notification.".

New § 32-1307.01

(f) A new section 7a is added to read as follows:

"Sec. 7a. Wage Theft Prevention Fund.

"(a) There is established as a special fund the Wage Theft Prevention Fund ("Fund"), which shall be administered by the Department of Employment Services in accordance with subsection (c) of this section.

"(b) The Fund shall consist of the revenue from the following sources recovered under section 7:

"(1) Civil fines; and

"(2) Administrative penalties.

"(c) The Fund shall be used to enforce the provisions of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, and the Living Wage Act.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

Amend § 32-1308

(g) Section 8 (D.C. Official Code § 32-1308) is amended to read as follows:

"Sec. 8. Civil actions.

"(a)(1) Any employee or person aggrieved by a violation of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act, or any entity a member of which is aggrieved by a violation of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act may bring a civil action in a court of competent jurisdiction against the employer or other person violating this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act and, upon prevailing, shall be awarded reasonable attorneys' fees and costs and shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation, including, without limitation, the payment of any back wages unlawfully withheld, reinstatement in employment, and injunctive relief. Actions may be maintained by one or more employees who may designate an agent or representative to maintain such action for and on behalf of themselves or on behalf of all employees similarly situated.

"(2) For the purposes of this subsection, 2 or more employees are similarly situated if they:

"(A) Are or were employed by the same employer or employers, whether concurrently or otherwise, at some point during the applicable statute of limitations period;

"(B) Allege one or more violations that raise similar questions as to liability; and

"(C) Seek similar forms of relief.

"(3) Employees shall not be considered dissimilar under this subsection solely because their:

"(A) Claims seek damages that differ in amount; or

"(B) Job titles or other means of classifying employees differ in ways that are unrelated to their claims.

"(b)(1) The court, in any action brought under this section shall, in addition to any judgment awarded to the prevailing plaintiff or plaintiffs, allow costs of the action, including costs or fees of any nature, and reasonable attorney's fees, to be paid by the defendant. In any judgment in favor of any employee under this section, and in any proceeding to enforce such a judgment, the court shall award to each attorney for the employee an additional judgment for costs, including attorney's fees computed pursuant to the matrix approved in *Salazar v. District of Columbia*, 123 F.Supp.2d 8 (D.D.C. 2000), and updated to account for the current market hourly rates for attorney's services. The court shall use the rates in effect at the time the determination is made.

"(2) If the fees remain unpaid to the attorney at the time of any subsequent review, supplementation, or reconsideration of the fee award, the court shall update the award to reflect the hours actually expended and the market rates in effect at that time. No reduction shall be made from this rate, or from the hours actually expended, except upon clear and convincing evidence that the reduction will serve the remedial purposes of this law. Any court reviewing such a reduction shall review it *de novo*.

"(3) Costs shall also include expert witness fees, depositions fees, witness fees, juror fees, filing fees, certification fees, the costs of collecting and presenting evidence, and any other costs incurred in connection with obtaining, preserving, or enforcing the judgment or administrative order.

"(4) The Mayor shall not be required to pay the filing fee or other costs or fees of any nature or to file bond or other security of any nature in connection with any action or proceeding under this section.

"(c)(1) Any action commenced in a court of competent jurisdiction on or after the effective date of the Wage Theft Prevention Amendment Act of 2014, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-671), to enforce any cause of action for unpaid wages or liquidated damages under this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act, or any regulation issued pursuant to this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act, must be commenced within 3 years after the cause of action accrued, or of the last occurrence if the violation is continuous, or the cause of action shall be forever barred.

"(2) This period is tolled:

"(A) From the date the employee files an administrative complaint with the Mayor until the Mayor notifies the employee in writing that the administrative complaint has been resolved or until the administrative complaint is withdrawn by the employee, whichever is sooner; or

"(B) During any period that the employer fails to provide the complainant with actual or constructive notice of the employee's rights.".

New § 32-1308.01

(h) A new section 8a is added to read as follows:

"Sec. 8a. Administrative actions on employee complaints.

"(a) When an employee requests administrative enforcement of this act, the Minimum Wage Revision Act, the Living Wage Act, and the Sick and Safe Leave Act, the Mayor shall investigate and make an initial determination regarding alleged violations. A signed complaint for non-payment of earned wages shall be filed with the Mayor, no later than 3 years after the last date upon which the violation of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act is alleged to have occurred or the date on which the employer provided the complainant with actual or constructive notice of the employee's rights, whichever is later.

"(b) If the alleged non-payment of earned wages violation is ongoing at the time of the filing of the complaint, the complaint may also seek recovery of amounts that accrue after the filing of the complaint. With regard to amounts that were due at the time the complaint was filed, an aggrieved employee may recover only those amounts that became lawfully due and payable within the 3-year period before the date the complaint was filed. This period is tolled during any period that the employer fails to provide the complainant with actual or constructive notice of the employee's rights or on other equitable grounds.

"(1) The complaint shall set forth the facts upon which it is based with sufficient specificity to determine both that an allegation of non-payment of earned wages has been made and that the other criteria stated in this section have been met.

"(2) In addition to the other requirements of the complaint set forth in this section, the complaint shall be sworn and shall include or attach the following information:

"(A) The complainant's name, address, and telephone number (or alternate address or telephone number if the complainant desires);

"(B) Sufficient information to enable the Mayor to identify the employer through District records, such as the employer's name, business address, license plate number, or telephone number; and

"(C) An explanation of the alleged violations, which may include the approximate or actual dates the violations occurred, the estimated total dollar amount of unpaid wages, and an explanation of how the total estimated amount of unpaid wages was calculated.

"(3) The Mayor shall request additional information from the complainant to:

"(A) Amend a charge deemed insufficient;

"(B) Cure technical defects or omissions;

"(C) Clarify or amplify allegations; or

"(D) Ensure that any violations related to or arising out of the subject matter set forth or attempted to be set forth in the original charge are adequately alleged in the complaint

"(c)(1) The Mayor shall deliver the complaint and a written notice to each respondent upon completion. The written notice shall set forth the damages, penalties and other costs for which the respondent may be liable, the rights and obligations of the parties, and the process for contesting the complaint.

"(2) The Mayor shall also include an additional notice to employees stating that an investigation is being conducted and providing information to employees on how they may participate in the investigation. Upon receipt, the respondent shall post this additional notice for a period of at least 30 days.

"(3) Within 20 days of the date the complaint and written notice are mailed, the respondent shall:

"(A) Admit that the allegations in the complaint are true and pay to complainant any unpaid wages or compensation and liquidated damages owed and pay to the Mayor any fine or penalty assessed; or

"(B) Deny the allegations in the complaint and request that the agency make an initial determination regarding the allegations in the complaint.

"(4) If a respondent admits the allegations, the Mayor shall issue an administrative order requiring the respondent to pay any unpaid wages, compensation, liquidated damages, and fine or penalty owed and requiring the respondent to cure any violations. The Mayor may also proceed with any audit or subpoena to determine if the rights of employees other than the complainant have also been violated.

"(5) If a respondent denies the allegations, the respondent must notify the Mayor of that decision and may provide any written supporting evidence within 20 days of the date the complaint is mailed.

"(6) If a respondent fails to respond to the allegations within 20 days of the date the complaint is delivered, the allegations in the complaint shall be deemed admitted and the Mayor shall issue an initial determination requiring the respondent to pay any unpaid wages, compensation, liquidated damages, and fine or penalty owed and requiring the respondent to cure any violations.

"(7) The Mayor shall issue an initial determination within 60 days of the date the complaint is delivered. The initial determination shall set forth a brief summary of the evidence considered, the findings of fact, the conclusions of law, and an order detailing the amount owed by the respondent or other relief deemed appropriate, if any. The initial determination shall be provided to both parties and set forth the losing party's right to appeal under this section or to seek other relief available under this act.

"(8) In addition to determining whether the complainant has demonstrated that the employer has violated one or more provisions of this act, or the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act, by applying the presumption required by section 5(b), the Mayor shall make an initial determination of whether the complainant is entitled

to additional unpaid earned wages due to other District laws such as the Living Wage Act, the Sick and Safe Leave Act, or the Minimum Wage Revision Act.

"(9) If the Mayor fails to issue an initial determination within 60 days of the filing of a complaint, the complainant shall have a right to request a formal hearing before an administrative law judge.

"(d)(1) The Mayor shall work with the parties in an attempt to conciliate. Any conciliation agreement shall be between the respondent and the complainant and shall be reduced to an administrative order requiring the respondent to pay any unpaid wages, compensation, liquidated damages, and fine or penalty owed and requiring the respondent to cure any violations.

"(2) When an administrative order issued as a result of a conciliation agreement is subsequently breached, the Mayor or the complainant may enforce the administrative order pursuant to this section.

"(e)(1) Within 30 days of the issuance of the initial determination or administrative order, not issued as a result of conciliation, either party may file for a formal hearing before an administrative law judge. If the initial determination was not issued within the 60-day period specified in subsection (c)(7) of this section, a complainant may file for a formal hearing before an administrative law judge. An administrative law judge shall conduct a hearing to determine whether a violation of this act or the Minimum Wage Revision Act, the Living Wage Act, or the Sick and Safe Leave Act has occurred. The hearing shall be scheduled within 30 days of a request, except that the administrative law judge shall issue an order based on the findings from the hearing. The administrative law judge may grant each party one discretionary continuance due to hardship or scheduling of up to 15 days. The administrative law judge may grant any other request for continuance only for good cause.

"(2) The administrative law judge shall have the authority to administer oaths, issue subpoenas, compel the production of evidence, receive evidence, and consolidate 2 or more complaints into a single hearing where such complaints involve sufficiently similar allegations of fact to justify consolidation.

"(3) All parties shall appear at the hearing, with or without counsel, and may submit evidence, cross-examine witnesses, obtain issuance of subpoenas, and otherwise be heard. Testimony taken at the hearing shall be under oath, and a transcript shall be made available at cost to any individual unless the case is sealed. Testimony may also be given and received by telephone.

"(4) The burden of proof by a preponderance of the evidence shall rest upon the complainant, but shall shift to the respondent when the following conditions are met:

"(A) A respondent failed to keep records of an employee's hours worked, or records of compensation provided to an employee are imprecise, inadequate, missing, fraudulently prepared or presented, or are substantially incomplete; and

"(B) A complainant presents evidence to show, as a matter of just and reasonable inference, the amount of work done or the extent of work done or what compensation is due for the work done.

"(5) Where the conditions in paragraph 4(A) and (B) of this subsection are met, the respondent must present compelling evidence of the precise amount of work performed and exact compensation promised or present compelling evidence to negate the reasonableness of the inferences drawn from the complainant's evidence. If the respondent fails to meet this burden, the administrative law judge shall award damages based on the complainant's evidence and may award approximate damages where necessary.

"(6) If a respondent does not appear after receiving notice of a hearing pursuant to this section, the administrative law judge shall proceed to hear proof of the complaint and render judgment accordingly. If, after receiving notice of a hearing pursuant to this section, the complainant does not appear, the administrative law judge shall dismiss the complaint without prejudice.

"(f)(1) At the conclusion of the hearing, the administrative law judge shall issue a decision setting forth a brief summary of the evidence considered, findings of fact and conclusions of law, and an order detailing the relief determined appropriate to the parties and their representatives within 30 days of the hearing.

"(2) Appropriate relief may include any and all unpaid wages, reasonable attorneys' fees and costs, pursuant to subsection (b) of this section, and any liquidated damages.

"(3) The decision and order shall be considered a final administrative ruling, enforceable in a court of competent jurisdiction, and reviewable as provided by applicable law.

"(g)(1) Respondents shall comply with the provisions of any order or conciliation agreement affording relief and shall furnish proof of compliance to the Mayor as specified in the order. If the respondent refuses or fails to comply with the administrative order or conciliation agreement, the Mayor or the complainant may record a lien and may sue in the Superior Court of the District of Columbia for a remedy, enforcement, or assessment or collection of a civil penalty.

"(2) The Superior Court of the District of Columbia shall have no jurisdiction to adjudicate the merits of the underlying claim, but is limited to enforcement of the administrative order or conciliation agreement.

"(3) The Mayor may, at the request of an employee, take an assignment in trust for the assigning employee of such wages and join in a proceeding or action such claims against the same employer as the Mayor considers appropriate, and the Mayor shall have power to settle and adjust any such claim or claims on such terms the Mayor may consider just; provided, that no settlement for an amount less than the amount awarded by the administrative law judge shall be agreed to without the complainant's consent. The Mayor shall maintain regular contact with the complainant concerning the procedural status of any legal actions brought under the assignment and the complainant shall have the right to inquire about and receive information regarding the status of the enforcement action.

"(h) If a respondent fails to timely comply with an administrative order or conciliation agreement that has not been stayed, the Mayor shall:

"(1) Assess an additional late fee equal to 10% of the total amount owed for each month any portion of the award and any already accrued late penalty remains unpaid;

"(2) Require the respondent to post public notice of their failure to comply in a form determined by the Mayor; and

"(3) Consider any unpaid amount to be owed the District as past due restitution on behalf of an employee and suspend any licenses issued to do business in the District as set forth in subsection (i) of this section. Penalty amounts, including civil and criminal penalties and late fees, and any wages, damages, interest, costs, or fees awarded to an employee or representative shall be a lien upon the real estate and personal property of the person who owes them. The lien shall take effect by operation of law on the day immediately following the due date for payment, and, unless dissolved by payment, shall as of that date be considered a tax due and owing to the District, which may be enforced through any and all procedures available for tax collection.

"(i)The Mayor shall:

"(1) Deny an application for any license to do business issued by the District if, during the 3-year period before the date of the application, the applicant admitted guilt or liability or has been found guilty or liable in any judicial or administrative proceeding of committing or attempting to commit a willful violation of this act, the Minimum Wage Revision Act, the Living Wage Act, or the Sick and Safe Leave Act, or any other District, federal, or state law regulating the payment of wages. This subparagraph shall not apply to any person whose final administrative adjudication or judicial judgment or conviction was entered before the effective date of the Wage Theft Prevention Amendment Act of 2014, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-671); and

"(2) Suspend any license to do business issued by the District if the licensee has failed to comply with an administrative order or conciliation agreement issued under this section. Once alerted to an alleged lack of compliance, the Mayor shall notify the business that its license will be suspended in 30 days until the business provides proof that it is in full compliance with the administrative order or conciliation agreement, including any requirements for accelerated payment, interest, or additional damages in the event of a breach. Before the license suspension, the business will have an opportunity to request a hearing to be held pursuant to the Administrative Procedure Act.

"(j) The administrative remedies established in this act shall be in addition to any other criminal, civil, or other remedies established by law that may be pursued to address violations of this act and shall not prejudice or adversely affect any other action, civil or criminal, that may be brought to abate a violation or to seek compensation for damages suffered.

"(k) Any person may be represented by counsel in any proceeding under this act. Any party, including corporate entities, as an alternative to counsel, may be assisted by a non-lawyer authorized by that party in accordance with 1 DCMR § 2835, except where such representation is prohibited by law or disallowed by the administrative law judge for good cause.

"(l)(1) Any party may request that a subpoena be issued by the administrative law judge. Witnesses summoned by subpoena shall be entitled to the same witness and mileage fees as are witnesses in proceedings in the Superior Court of the District of Columbia. Fees payable to a witness summoned by subpoena issued at the request of a party shall be paid by that party.

"(2) Within 10 days after service of a subpoena upon any person, the person may petition the administrative law judge to quash or modify the subpoena. The administrative law judge shall grant the petition if he or she finds that the subpoena:

"(A) Requires appearance or attendance at an unreasonable time or place;

"(B) Requires production of evidence that does not relate to the matter; or

"(C) Does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous, or for other good reason.

"(3) In the case of refusal to obey a subpoena, the administrative law judge or any party may seek enforcement of a subpoena issued under the authority of this act by filing a petition for enforcement in a court of competent jurisdiction. In the enforcement proceeding, the court may award to the party prevailing in the enforcement proceeding all or part of the costs and attorney's fees incurred in obtaining the enforcement order.

"(4) Any person who fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents, or other evidence, without good cause, may be fined by a court of competent jurisdiction not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01) or imprisoned not more than 60 days, or both.

"(5) Any person who makes or causes to be made any false entry or false statement of fact in any report, account, record, or other document submitted to the administrative law judge pursuant to its subpoena or other order, or who willfully mutilates, alters, or by any other means falsifies any documentary evidence, may be fined by a court of competent jurisdiction not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or imprisoned not more than 60 days, or both.

"(m)(1) The administrative law judge, in any action brought under this section shall, in addition to any administrative order awarded to the prevailing plaintiff, allow costs of the action, including costs or fees of any nature, and reasonable attorney's fees, to be paid by the defendant. In any administrative order in favor of any employee under this section, and in any proceeding to enforce an administrative order, the court shall award to each attorney for the employee an additional judgment for costs, including attorney's fees computed pursuant to the matrix approved in *Salazar v. District of Columbia*, 123 F.Supp.2d 8 (D.D.C. 2000), and updated to account for the current market hourly rates for attorney's services. The administrative law judge shall use the rates in effect at the time the determination is made.

"(2) If the fees remain unpaid to the attorney at the time of any subsequent review, supplementation, or reconsideration of the fee award, the administrative law judge shall update the award to reflect the hours actually expended and the market rates in effect at that time. No reduction shall be made from this rate, or from the hours actually expended, except upon clear and convincing evidence that the reduction will serve the remedial purposes of this law.

"(3) Costs shall also include expert witness fees, depositions fees, witness fees, juror fees, filing fees, certification fees, the costs of collecting and presenting evidence, and any

other costs incurred in connection with obtaining, preserving, or enforcing the administrative order.

"(4) The Mayor shall not be required to pay the filing fee or other costs or fees of any nature or to file bond or other security of any nature in connection with any action or proceeding under this section.".

New § 32-1311

(i) A new section 10a is added to read as follows:

"Sec. 10a. Retaliation.

"(a) It shall be unlawful for any employer to discharge, threaten, penalize, or in any other manner discriminate or retaliate against any employee or person because that employee or person has:

"(1) Made or is believed to have made a complaint to his or her employer, the Mayor, the Attorney General for the District of Columbia, any federal or District employee, or to any other person that the employer has engaged in conduct that the employee, reasonably and in good faith, believes violates any provision of this act or the Living Wage Act, or any regulation promulgated pursuant to this act or the Living Wage Act;

"(2) Initiated or is about to initiate a proceeding under or related to this act;

"(3) Provided information to the Mayor, the Attorney General for the District of Columbia, or any other person regarding a violation, investigation, or proceeding under this act;

"(4) Testified or is about to testify in an investigation or proceeding under this act; or

"(5) Otherwise exercised rights protected under this act.

"(b) An employee complaint or other communication need not make explicit reference to any section or provision of this act or the Living Wage Act to trigger the protections of this section. The employer, or any person acting on behalf of the employer, taking adverse action against an employee within 90 days of an employee or other person's engagement in the activities set forth in subsection (a) of this section shall raise a presumption that such action is retaliation, which may be rebutted by clear and convincing evidence that such action was taken for other permissible reasons.

"(c) An employee may bring a civil action in a court of competent jurisdiction against any employer or other person alleged to have violated the provisions of this section. The court shall have jurisdiction to restrain violations of this section regardless of an employee's dates of employment and to order all appropriate relief, including:

"(1) Assessing a civil penalty against the employer or other person of not less $1,000 nor more than $10,000;

"(2) Enjoining the conduct;

"(3) Awarding liquidated damages of an amount equal to the civil penalty to the employee;

"(4) Awarding front pay, lost compensation, costs, and reasonable attorneys' fees to the employee;

"(5) Reinstatement of an employee to his or her former position or an equivalent position with restoration of seniority; and

"(6) Other forms of equitable relief.

"(d) An employee may file an administrative complaint against any employer or other person alleged to have violated the provisions of this section and receive a hearing by an administrative law judge by following the same procedure as for any other violation of this act. If an administrative law judge finds that an employer or other person has engaged in retaliation, the administrative law judge shall, by an order which shall describe with particularity the nature of the violation, assess a civil penalty against the employer or other person of not less than $1,000 nor more than $10,000. The administrative law judge shall also order all appropriate relief including:

"(1) Enjoining the conduct;

"(2) Awarding liquidated damages of an amount equal to the civil penalty to the employee;

"(3) Awarding front pay, lost compensation, costs, and reasonable attorneys' fees to the employee;

"(4) Reinstatement of an employee to his or her former position or an equivalent position with restoration of seniority; and

"(5) Other forms of equitable relief.

"(e) No administrative penalty may be collected unless the Mayor has provided the person alleged to have violated any of the provisions of this section with notification of the violation, notification of the amount of the penalty to be imposed, and notification of the opportunity to request a formal hearing held pursuant to the Administrative Procedure Act and section 8a. If a formal hearing is requested, it shall be held within 30 days of the date of the request and the Mayor shall issue a final order within 30 days after the hearing. The order shall contain a finding that a violation has or has not occurred and the amount of damages, costs, interest, or penalties owed. If the person receiving the violation does not request a hearing, the person shall transmit to the Mayor the amount of the penalty within 15 days of receipt of notification of the violation.

"(f) The court or administrative law judge in any action brought under this section shall, in addition to any judgment or administrative order awarded to the prevailing plaintiff or plaintiffs, allow costs of the action, including costs or fees of any nature, and reasonable attorney's fees as calculated under section 8(b) or section 8a(m), as applicable, to be paid by the defendant.".

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

Amend § 32-1002

(a) Section 3(3) (D.C. Official Code § 32-1002(3)) is amended by striking the phrase "partnership, association" and inserting the phrase "partnership, general contractor, subcontractor, association" in its place.

Amend § 32-1005

(b) Section 6 (D.C. Official Code § 32-1005) is amended as follows:

(1) Designate the existing language as subsection (a).

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

"(b) "The Mayor shall encourage reporting pursuant to this act by keeping confidential, to the maximum extent permitted by applicable laws, the name and other identifying information of the employee or other person reporting a violation during the course of any investigation; provided, that with the authorization of such person, the Mayor may disclose his or her name and identifying information as necessary to conduct a hearing and enforce this act or other employee protection laws.".

(c) Section 9 (D.C. Official Code § 32-1008) is amended as follows: **Amend § 32-1008**

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

(A) The lead-in language is amended by striking the phrase "3 years" and inserting the phrase "3 years or whatever the prevailing federal standard is, whichever is greater," in its place.

(B) Subparagraph (D) is amended by striking the phrase "hours worked" and inserting the phrase "precise time worked" in its place.

(2) New subsections (c), (d), and (e) are added to read as follows:

"(c) Every employer, except as specified in section 9a, shall furnish to each employee at the time of hiring a written notice, both in English and in the employee's primary language, containing the following information:

"(1) The name of the employer and any "doing business as" names used by the employer;

"(2) The physical address of the employer's main office or principal place of business, and a mailing address, if different;

"(3) The telephone number of the employer;

"(4) The employee's rate of pay and the basis of that rate, including: by the hour, shift, day, week, salary, piece, commission, any allowances claimed as part of the minimum wage, including tip, meal, or lodging allowances, or overtime rate of pay, exemptions from overtime pay, living wage, exemptions from the living wage, and the applicable prevailing wages;

"(5) The employee's regular payday designated by the employer in accordance with section 2 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1302); and

"(6) Any such other information as the Mayor considers material and necessary.

"(d)(1) Within 90 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-671), or whenever any of the information required in subsection (c) of this section changes, every employer, except as specified in section 9a, shall furnish each employee with an updated written notice containing the information required under subsection (c) of this section. As proof of compliance, every employer shall retain copies of the written notice furnished to employees that are signed and dated by the employer and by the employee acknowledging receipt of the notice.

"(2) If an employer fails to comply with this subsection or subsection (c) of this section, the failure shall constitute evidence weighing against the credibility of the employer's testimony regarding the rate of pay promised.

"(3) The period prescribed in section 8(c) of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 978; D.C. Official Code § 32-1308(c)), shall not begin until the employee is provided all itemized statements and written notice required by subsections (b) and (c) of this section.

"(e) The Mayor shall make available for employers a sample template of the notice within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-671).".

(d) A new section 9a is added to read as follows: **New § 32-1008.01**

"Sec. 9a. Notice requirements for temporary staffing firms.

"(a)(1) A temporary staffing firm shall furnish to each employee at the time of the initial interview or hire a notice that is signed and dated by the temporary staffing firm and the employee containing the information required by section 9(c).

"(2) For the purposes of the notice:

"(A) If a specific rate of pay has not been determined at the time of the initial interview or hire, a temporary staffing firm shall provide the employee with a range of potential wages the employee will likely earn based upon the qualifications of the employee and the suitability of the assignment;

"(B) The range of potential hourly wages may not be excessively broad and must be based on a good-faith estimate of the typical wage earned by similarly qualified employees working at assignments similar to those for which the employee is eligible and likely to be assigned; and

"(C) If a fixed, designated payday has not been established at the time of the initial interview or hire, a temporary staffing firm shall inform the employee that the payday may vary depending upon the usual practice at the assignment.

"(b) When a temporary staffing firm assigns an employee to perform work at, or provide services for other another organization, the temporary staffing firm must notify the employee in writing of:

"(1) The specific designated payday for the particular assignment;

"(2) The actual rate of pay for the assignment and the benefits, if any, to be provided;

"(3) The overtime rate of pay the employee will receive, or, if applicable, inform the employee that the position is exempt from additional overtime compensation and the basis for the overtime exemption;

"(4) The location and name of the client employer and the temporary staffing firm;

"(5) The anticipated length of the assignment;

"(6) Whether training or safety equipment is required and who is obligated to provide and pay for the equipment;

"(7) The legal entity responsible for workers' compensation, should the employee be injured on the job; and

"(8) Information about how to contact the designated enforcement agency for concerns about safety, wage and hour, or discrimination.

"(c) Notice provided under this section must be provided in English and in the employee's primary language if other than English.

"(d) For the purposes of this section:

"(1) The term "temporary staffing firm" means a business that recruits and hires its own employees and assigns those employees to perform work at or services for another organization, to support or supplement the other organization's workforce, or to provide assistance in special work situations such as employee absences, skill shortages, seasonal workloads, or to perform special assignments or projects.

"(2) Electronic mail, text messaging, facsimile, and regular mail shall each constitute written notice.".

Amend § 32-1009

(e) Section 10 (D.C. Official Code § 32-1009) is amended as follows:

(1) Subsection (a) is amended by adding a sentence at the end to read as follows: "If an employer fails to comply with this requirement, the period prescribed in section 8(c) of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 978; D.C. Official Code § 32-1308(c)), shall not begin until the employer posts or provides the required notice.".

(2) Subsection (b) is amended by striking the phrase "without charge" and inserting the phrase "without charge, in accordance with the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*)" in its place.

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

"(c) Employers shall be furnished with copies or summaries of this act within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-671). An employer shall not be liable for failure to post notice if the Mayor has failed to provide to the employer the notice required by this section."

Amend § 32-1010

(f) Section 11 (D.C. Official Code § 32-1010) is amended as follows:

(1) Designate the existing language as subsection (a)

(2) The newly designated subsection (a)(3) is amended to read as follows:

"(3) Discharge, threaten, penalize, or in any other manner discriminate or retaliate against any employee or person because that employee or person has:

"(A) Made or is believed to have made a complaint to his or her employer, the Mayor, the Attorney General for the District of Columbia, any federal or District employee, or to any other person that the employer has engaged in conduct that the employee, reasonably and in good faith, believes violates any provision of this act, or any regulation promulgated pursuant to this act;

"(B) Caused to be instituted or is about to institute a proceeding under or related to this act;

"(C) Provided information to the Mayor, or the Attorney General for the District of Columbia, or any federal or District of Columbia employee;

"(D) Testified or is about to testify in an investigation or any proceeding filed under this act; or

"(E) Exercised rights protected under this act.".

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

"(b) An employee complaint or other communication need not make explicit reference to any section or provision of this act to trigger the protections of this section. The employer, or any person acting on behalf of the employer, taking adverse action against an employee within 90 days of an employee or other person's engagement in the activities set forth in subsection (a) of this section shall raise a presumption that the action is retaliation. The presumption may be rebutted by clear and convincing evidence that the action was taken for other permissible reasons.".

Amend § 32-1011

(g) Section 12 (D.C. Official Code § 32-1011) is amended as follows:

(1) Subsection (a) is amended by striking the word "willfully" and inserting the phrase "willfully or negligently" in its place.

(2) Subsection (b) is amended by striking the word "committed" and inserting the phrase "committed willfully or" in its place.

(3) Subsection (c) is amended by striking the phrase "Corporation Counsel" and inserting the phrase "Attorney General" in its place.

(4) Subsection (d) is amended to read as follows:

"(d) (1) In addition to and apart from the penalties or remedies provided for in this section or section 13, the Mayor shall assess and collect administrative penalties as follows:

"(A) For the first violation of section 4, $50 for each employee or person whose rights under this act are violated for each day that the violation occurred or continued;

"(B) For any subsequent violation of section 4, $100 for each employee or person whose rights under this act are violated for each day that the violation occurred or continued;

"(C) $500 for each failure to maintain payroll records or to retain payroll records for 3 years or whatever the prevailing federal standard is, whichever is greater for each violation as required by section 9(a)(1);

"(D) $500 for each failure to allow the Mayor to inspect payroll records or perform any other investigation pursuant to section 9(a)(2) or section 11(a)(4);

"(E) $500 for each failure to provide each employee an itemized wage statement or the written notice as required by section 9(b) and (c); and

"(F) $100 for each day that the employer fails to post notice as required under section 10(a).

"(2) The Mayor may assess more than one administrative penalty against an employer for the same adversely affected employee if the employer has violated more than one statutory provision of this act, the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *et seq.*), the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), or the

Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq*.).".

(5) Subsection (e) is repealed.

(6) A new subsection (g) is added to read as follows:

"(g) The administrative fines and penalties collected under this section shall be deposited into the Wage Theft Prevention Fund, established by section 7a of An Act To provide for the payment and collection of wages in the District of Columbia, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-671)("Wage Payment Act").".

New § 32-1011.01

(h) A new section 12a is added to read as follows:

"Sec. 12a. Remedies.

"If an employer or other person is found to have violated section 11(a)(3), the court or administrative law judge shall, by an order which shall describe with particularity the nature of the violation, award to the employee liquidated damages of not less than $1,000 and not more than $10,000.".

Amend § 32-1012

(i) Section 13 (D.C. Official Code § 32-1012) is amended to read as follows:

"Sec. 13. Civil actions.

"(a) A civil action may be commenced according to section 8 of the Wage Payment Act.

"(b)(1) Except as provided in paragraph (2) of this subsection, any employer who pays any employee less than the wage to which that employee is entitled under this act shall be liable to that employee in the amount of the unpaid wages, statutory penalties, and an additional amount as liquidated damages equal to treble the amount of unpaid wages.

"(2) The court may award an amount of liquidated damages less than treble the amount of unpaid wages, but not less than the amount of unpaid wages. In any action commenced to recover unpaid wages or liquidated damages, the employer shall demonstrate to the satisfaction of the court that:

"(A) The act or omission that gave rise to the action was in good faith;

"(B) That the employer had reasonable grounds for the belief that the act or omission was not in violation of this act; and

"(C) That the employer promptly paid the full amount of wages claimed to be owed to the employee.

"(c) When the employer is a subcontractor alleged to have failed to pay an employee any wages earned, the subcontractor and the general contractor shall be jointly and severally liable to the subcontractor's employees for violations of this act. The subcontractor shall indemnify the general contractor for any wages, damages, interest, penalties, or attorneys' fees owed by the general contractor as a result of the subcontractor's violations of this act, unless those violations were due to the general contractor's lack of prompt payment in accordance with the terms of the contract between the general contractor and subcontractor.

"(d) Any agreement between an employer and employee in which the employee agrees to work for less than the wages to which the employee is entitled under this act or any regulation issued under this act shall be no defense to any action to recover unpaid wages or liquidated damages.

"(e) The Mayor is authorized to supervise the payment of unpaid wages and liquidated damages owed to any employee under this act or any regulation issued under this act, and the agreement of any employee to accept this payment, shall upon full payment, constitute a waiver by the employee of any right the employee may have under subsection (a) of this section to any unpaid wages, and an additional amount as liquidated damages.

"(f) When a temporary staffing firm employs an employee who performs work on behalf of or to the benefit of another employer pursuant to a temporary staffing arrangement or contract for services, both the temporary staffing firm and the employer shall be jointly and severally liable for violations of this act to the employee and to the District. The District, the employee, or the employer's representative shall notify the temporary staffing firm and employer of the violations at least 30 days before filing a claim for these violations. Unless otherwise agreed to by the parties, the temporary staffing firm shall indemnify the employer for any wages, damages, interest, penalties, or attorneys' fees owed by the employer as a result of the temporary staffing firm's violations of this act.".

(j) A new section 13a is added to read as follows: **New § 32-1012.01**

"Sec. 13a. Administrative actions.

"When an administrative complaint is filed against any employer or other person alleged to have violated this act, a hearing by an administrative law judge shall be scheduled following the same procedure and available for a violation of the Wage Payment Act.".

(k) Section 14 (D.C. Official Code § 32-1013) is repealed. **Repeal § 32-1013**

Sec. 4. The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq*.), is amended as follows:

(a) Section 7(b) (D.C. Official Code § 32-131.06(b)) is amended by striking the phrase "that expressly waives the requirements in clear and unambiguous terms". **Amend § 32-131.06**

(b) Section 9(b)(2) (D.C. Official Code § 32-131.08(b)(2)) is amended as follows: **Amend § 32-131.08**

(1) Subparagraph (C) is amended by striking the phrase "civil complaint" and inserting the phrase "civil or administrative complaint" in its place.

(2) Subparagraph (F) is amended by striking the phrase "unlawful under this act" and inserting the phrase "a violation of this act" in its place.

(c) Section 11a (D.C. Official Code § 32-131.10a) is amended to read as follows: **Amend § 32-131.10a**

"All civil or administrative complaints brought under this act shall be filed within 3 years of the event or final instance of a series of events on which the complaint is based, except the 3-year period shall be tolled for the duration of any period during which the employer does not post the notice required under section 10, or, for civil complaints, when an administrative complaint is filed.".

(d) Section 13 (D.C. Official Code § 32-131.12) is amended as follows: **Amend § 32-131.12**

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

(A) Designate the existing language as paragraph (1).

(B) A new paragraph (2) is added to read as follows:

"(2) When an administrative complaint is filed against any employer or other person alleged to have violated this act, a hearing by an administrative law judge shall be scheduled following the same procedure available in section 8a of An Act To provide for the payment and collection of wages in the District of Columbia, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-671), for a violation of that act.".

(2) Subsection (c) is amended by striking the phrase "civil penalty" and inserting the phrase "civil penalty for each affected employee" in its place.

(3) Subsection (d)(3) is amended to read as follows:

"(3) Compensatory damages, punitive damages, and additional damages as provided in subsection (b) of this section; and".

(4) Subsection (e)(3) is amended to read as follows:

"(3) Compensatory damages, punitive damages, and additional damages as provided in subsection 13(b); and".

(5) A new subsection (i) is added to read as follows:

"(i) The administrative fines and penalties collected under this section shall be deposited into the Wage Theft Prevention Fund, established by section 7a of An Act To provide for the payment and collection of wages in the District of Columbia, passed on 2nd reading on July 14, 2014 (Enrolled version of Bill 20-671).".

Amend § 47-2862

Sec. 5. Section 47-2862(a) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (7) is amended by striking the word "or" at the end.

(b) Paragraph (8) is amended by striking the period and inserting the phrase "; or" in its place.

(c) A new paragraph (9) is added to read as follows:

"(9) Owes the District any past due fines, penalties, or past due restitution on behalf of an employee due to a violation of Chapter 13 of Title 32, Chapter 1A of Title 32, Chapter 10 of Title 32, or Subchapter X-A of Chapter 2 of Title 2.".

DCMR

Sec. 6. Repealer.

Section 902.4(e) of Title 7 of the District of Columbia Municipal Regulations (7 DCMR § 902.4(e)) is repealed.

Note, all sections

Sec. 7. Applicability.

(a) This act shall apply as of October 1, 2014.

(b) This act shall apply to violations occurring after October 1, 2014.

Sec. 8. Fiscal impact statement.

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

Sec. 9. Effective date.

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

D.C. Law 20-158, effective February 26, 2015
[Delayed Applicability]

AN ACT

Bill 20-264
Act 20-437 effective October 7, 2014

To amend the District of Columbia Election Code of 1955 to require a digital voter service system that may be executed by electronic signatures, to require the Department of Motor Vehicles to transmit to the District of Columbia Board of Elections the electronic signatures of those individuals who possess current Department of Motor Vehicles-issued identification and who submit registration applications through the digital voter service system to the board, and to make conforming amendments.

Codification District of Columbia Official Code 2001 Edition

Voter Registration Access and Modernization Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Voter Registration Access and Modernization Amendment Act of 2014".

Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

Amend § 1-1001.02

(a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding new paragraphs (27) and (28) to read as follows:

"(27) The term "digital voter service system" means a website or mobile application that allows an individual to do the following:

"(A) Apply to become a registered voter;

"(B) Change the individual's name, address, or party affiliation in the individual's existing voter registration record; and

"(C) Request an absentee ballot.

"(28) The term "DMV" means the Department of Motor Vehicles.".

Amend § 1-1001.07

(b) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

(1) Subsection (a-1) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase "driver's license" and inserting the phrase "DMV-issued identification" in its place.

(ii) Subparagraph (B) is amended by striking the phrase "driver's license" and inserting the phrase "DMV-issued identification" in its place.

(B) Paragraph (2) is amended by striking the phrase "driver's license" and inserting the phrase "DMV-issued identification" in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended by striking the word "mailed" and inserting the word "mailable" in its place.

(B) A new paragraph (2A) is added to read as follows:

"(2A) No later than 180 days following the effective date of the Voter Registration Access and Modernization Amendment Act of 2014, passed on 2nd reading on September 23, 2014 (Enrolled version of Bill 20-264), the Board shall implement a digital voter service system that includes a voter registration application form that may be executed by either:

"(A) An electronic signature provided by the applicant directly to the Board; or

"(B) An electronic signature provided to the Board by the DMV in accordance with paragraph (5) of this subsection.".

(C) A new paragraph (5) is added to read as follows:

"(5) For each individual who submits a voter registration application using the Board's digital voter service system required by paragraph (2A) of this subsection, the Board shall request, and the DMV shall furnish, an electronic copy of the applicant's signature for the purpose of executing the application submitted for acceptance and approval; provided, that the applicant provides the applicant's DMV-issued identification number and affirmatively consents to the use of that signature as the signature for the application submitted.".

(3) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(ii) Subparagraph (B) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(iii) Subparagraph (D) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(iv) Subparagraph (H) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(v) Subparagraph (I) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(vi) Subparagraph (K) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(B) Paragraph (2) is repealed.

(4) Subsection (g) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "in person at the Board's office" and inserting the phrase "in person at the Board's office, using the digital voter service system required by subsection (b)(2A) of this section," in its place.

(B) Paragraph (2) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(ii) Subparagraph (B) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(C) Voter registration applications and registration update notifications submitted through the digital voter service system required by subsection (b)(2A) of this section not later than the 30th day preceding any election.".

(5) Subsection (i)(6)(A) is amended by striking the phrase "driver's license" and inserting the phrase "DMV-issued identification" in its place.

(6) Subsection (j)(1)(D) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

Delayed Applicability

Sec. 3. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-345
Act 20-438 effective October 7, 2014

To amend the District of Columbia Workers' Compensation Act of 1979 to match the federal statute of limitations for private-sector employees who are injured at work.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Workers' Compensation Statute of Limitations Amendment Act of 2014".

Workers' Compensation Statute of Limitations Amendment Act of 2014

Sec. 2. Section 36(b) of the District of Columbia Workers' Compensation Act of 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1535(b)), is amended by adding a new sentence at the end to read as follows: "If the employer fails to commence an action against such third person within 90 days after the cause of action is assigned under this section, the right to bring the action shall revert to the person entitled to compensation.".

Amend § 32-1535

Sec. 3. Applicability.

This act applies to causes of action for negligence for which the 3-year statute of limitations has not expired.

Note, § 32-1535

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-505
Act 20-439 effective October 6, 2014

To amend the District of Columbia Administrative Procedure Act to exempt from disclosure certain critical infrastructure information.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Critical Infrastructure Freedom of Information Amendment Act of 2014".

Critical Infrastructure Freedom of Information Amendment Act of 2014

Sec. 2. Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D. C. Official Code § 2-531 *et seq.*), is amended as follows:

(a) Section 204(a) (D.C. Official Code § 2-534(a)) is amended as follows:

Amend § 2-534

(1) Paragraph (13) is amended by striking the word "and".

(2) Paragraph (14) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (15) is added to read as follows:

"(15) Any critical infrastructure information or plans that contain critical infrastructure information for the critical infrastructures of companies that are regulated by the Public Service Commission of the District of Columbia.".

(b) The text of section 209 (D.C. Official Code § 2-539) is amended to read as follows:

Amend § 2-539

"(a) For the purposes of this title, the following terms shall have the same meanings as provided in section 102:

"(1) "Adjudication";
"(2) "Agency";
"(3) "Council";
"(4) "District";
"(5) "Mayor";
"(6) "Order";
"(7) "Party";
"(8) "Person";
"(9) "Proceedings";
"(10) "Public record";
"(11) "Relief";
"(12) "Rule"; and
"(13) "Rulemaking".

"(b) For the purposes of this title, the term:

"(1) "Critical infrastructure" means existing and proposed infrastructure systems and assets, whether physical or virtual, so vital to the District of Columbia or the United States that the incapacity or destruction of the infrastructure system or asset could jeopardize the physical security, economic security, health, safety, or welfare of the public.

"(2) "Critical infrastructure information" means information not customarily in the public domain that is related to the security of critical infrastructure of companies that are regulated by the Public Service Commission of the District of Columbia, including information regarding:

"(A) Actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates federal or District of Columbia laws, harms interstate commerce of the United States or the economy of the District of Columbia, or threatens public health or safety;

"(B) The ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation, risk-management planning, or risk audit; or

"(C) Any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.".

Amend § 34-902

Sec. 3. Paragraph 32 of section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 982; Official Code § 34-902), is amended as follows:

(a) The existing text is designated as subsection (a).

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

"(b) The Commission shall publish rules and regulations for the administration of the provisions of section 204(a)(15) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)(15)).".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-203
Act 20-441 effective October 8, 2014

To amend the Business Improvement Districts Act of 1996 to update the laws concerning business improvement districts.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Business Improvement Districts Amendment Act of 2014".

Business Improvement Districts Amendment Act of 2014

Sec. 2. The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

(a) Section 2(a)(4) (D.C. Official Code § 2-1215.01(a)(4)) is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

Amend § 2-1215.01

(b) Section 3 (D.C. Official Code § 2-1215.02) is amended as follows:

Amend § 2-1215.02

(1) Paragraph (8) is amended to read as follows:

"(8) "BID tax" means an additional real property tax or possessory interest tax assessed and levied by the District on, and payable by, the owners of taxable properties or holders of a possessory interest in a Business Improvement District subject to the BID certification processes of this act. ".

(2) Paragraph (10) is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

(3) Paragraph (16) is amended to read as follows:

"(16) "Member" means a member of the BID Corporation, the membership of which shall be comprised of each owner of taxable property and each commercial tenant in the BID area, and each owner who becomes a member pursuant to section 22.".

(4) Paragraph (18) is repealed.

(5) Paragraph (19) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(6) Paragraph (20) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(7) Paragraph (23) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(8) A new paragraph (24) is added to read as follows:

"(24) "Taxable property" means real property subject to real property taxation or real property for which a holder of a possessory interest is subject to possessory interest taxation, including:

"(A) Class 2, Class 3, and Class 4 Property, as defined in D.C. Official Code § 47-813, located within any BID, excluding the properties exempt from real property taxes pursuant to Chapters 10 or 46 of Title 47;

"(B) Class 1 Property, as defined in D.C. Official Code § 47-813, for the Mount Vernon Triangle, NoMa, and Capitol Riverfront BIDs, excluding:

"(i) Real property improved by a residential building where 90% or more of the leased units are households with at least one member who is 62 years of age or older and all members are 55 years of age or older;

"(ii) Real property improved by a residential building where 20% or more of the units are subject to a contract for project-based assistance under section 8 of the United States Housing Act of 1937, approved August 22, 1974 (88 Stat. 662; 42 U.S.C. § 1437f);

"(iii) Real property improved by a residential building with fewer than 10 dwelling units, as defined in D.C. Official Code § 47-813(d)(3); and

"(iv) Real property exempt from paying real property taxes pursuant to Chapters 10 or 46 of Title 47 of the District of Columbia Official Code; or

"(C) Real property belonging to government and international organizations, including a leasehold interest, possessory interest, beneficial interest, or beneficial use of real property, as provided in D.C. Official Code § 47-1005.01(b), for periods beginning after September 30, 2014, where the real property would be taxable under subparagraphs (A) or (B) of this paragraph if not exempt or immune from real property taxation resulting in the possessory interest being taxable under D.C. Official Code § 47-1005.01, except where a payment in lieu of tax agreement has been negotiated and payments related to the agreement are current.".

Amend § 2-1215.03

(c) Section 4 (D.C. Official Code § 2-1215.03) is amended by striking the phrase "Each owner and" and inserting the phrase "Each owner of a taxable property and" in its place.

Amend § 2-1215.04

(d) Section 5 (D.C. Official Code § 2-1215.04) is amended as follows:

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

(A) The lead-in text is amended by striking the phrase "Deputy City Administrator for Business Services and Economic Development" and inserting the phrase "Department of Small and Local Business Development, or a successor thereto," in its place.

(B) Paragraph (1) is amended as follows:

(i) Strike the phrase "nonexempt real property" and insert the phrase "taxable property" in its place.

(ii) Strike the phrase "nonexempt real properties" and insert the phrase "taxable properties" in its place.

(iii) Strike the phrase "nonexempt properties" wherever it appears and insert the phrase "taxable properties" in its place.

(iv) Strike the phrase "assessing and levying any BID" and insert the phrase "assessing BID" in its place.

(C) Paragraph (6) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(2) Subsection (b) is repealed.

(e) Section 6(a) (D.C. Official Code § 2-1215.05(a)) is amended by striking the phrase "Deputy City Administrator for Business Services and Economic Development" and inserting the phrase "Department of Small and Local Business Development, or a successor thereto," in its place. **Amend § 2-1215.05**

(f) Section 7 (D.C. Official Code § 2-1215.06) is amended as follows: **Amend § 2-1215.06**

(1) Subsection (a) is amended by striking the phrase "Deputy City Administrator for Business Services and Economic Development" and inserting the phrase "Department of Small and Local Business Development, or a successor thereto," in its place.

(2) Subsection (c) is amended to read as follows:

"(c) The Mayor shall advertise the notice of the public hearing along with the notice of preliminary finding in the District of Columbia Register.".

(3) Subsection (d) is amended to read as follows:

"(d) No fewer than 21 days before the public hearing, the applicant shall send, by first class mail or electronically, notice of the Mayor's preliminary determination, notice of the public hearing, including the date, time, and place and availability of the BID application for review, and a summary of the application stating the borders of the proposed BID, the BID plan, and the BID taxes to the following, to the extent reasonably ascertainable:

"(1) The Secretary to the Council;

"(2) Each owner of taxable property within the proposed BID area at the address shown in the most recent real property tax assessment records or, at the election of the applicant, another address if it is reasonably determined that the information in the District's records is dated;

"(3) Each commercial tenant within the proposed BID area;

"(4) Each advisory neighborhood commission in which the proposed BID is located; and

"(5) Each major citizens association covering the area in which the proposed BID is located.".

(4) Subsection (e) is amended by striking the phrase "by the applicant, and" and inserting the phrase "by the applicant on a publicly accessible web site and" in its place.

(g) Section 9(b) (D.C. Official Code § 2-1215.08(b)) is amended as follows: **Amend § 2-1215.08**

(1) Designate the undesignated text as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the phrase "present and voting" and inserting the phrase "present or voting or voting by proxy, to the extent not otherwise provided for in BID bylaws," in its place.

(3) Designate existing paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively.

(4) The newly designated paragraph (3) is amended by striking the phrase "Deputy City Administrator for Business Services and Economic Development" and inserting the phrase "Department of Small and Local Business Development, or a successor thereto," in its place.

(h) Section 10 (D.C. Official Code § 2-1215.09) is amended as follows: **Amend § 2-1215.09**

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

(A) The lead-in language is amended by striking the phrase "An established BID" and inserting the phrase "Except as provided in section 10a, an established BID" in its place.

(B) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended as follows:

(I) Strike the phrase "nonexempt real properties" and insert the phrase "taxable properties" in its place.

(II) Strike the word "or" at the end.

(ii) Subparagraph (B) is repealed.

(C) Paragraph (3A)(C) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(2) Subsection (c) is amended by striking the phrase "nonexempt properties" wherever it appears and inserting the phrase "taxable BID properties" in its place.

(i) New sections 10a, 10b, and 10c are added to read as follows: **New § 2-1215.09a**

"Sec. 10a. Adjacent or abutting properties.

"(a) An owner of an adjacent or abutting property may petition to join an existing BID if the owner sends a letter requesting to be added to a BID to the BID Board and to the Mayor, listing the address, square and lot number, owner, and owner's contact information. The BID board must vote to approve the addition. If the BID Board votes to approve adding the additional property, the BID Board shall send a letter to the Mayor with the results of the vote ("results letter").

"(b)(1) The Mayor shall have 30 days after receiving the results letter from the BID Board to review the proposed addition and determine if the addition is an adjacent or abutting property not currently located in another BID. If the Mayor finds that the proposed addition is not an adjacent or abutting property or that the proposed addition is currently located in another BID, the Mayor may issue an order rejecting the addition.

"(2) If the Mayor does not issue an order approving or rejecting the addition within the 30-day review period, the addition shall be deemed approved.

"(3) If the addition is approved or deemed approved, the property shall be added to the BID at the next regularly scheduled billing pursuant to section 16.

"(c) The proposed addition shall be subject to section 10(c).

"Sec. 10b. Expanding the taxable real property within a BID. **New § 2-1215.09b**

"(a) An established BID may only expand categories of taxable real property if:

"(1) Owners of at least 51% interest in the assessed value of the taxable real properties and at least 25% in number of individual real properties, consisting of a new type of taxable real property of record within the BID's geographic area, petition the existing BID to join the BID;

"(2) The petition is accepted by a majority vote of the existing BID Board;

"(3) The petition is submitted to the Mayor with:

"(A) The name and address of the BID Corporation and a copy of the resolution adopted by the Board of Directors of the BID Corporation accepting the petition;

"(B) A description by lot, square, and street address of the property of each owner of the proposed new taxable real property type, to the extent reasonably ascertainable; provided, that a property subdivided into separate condominium units shall constitute a single property for purposes of this subparagraph;

"(C) The most recent assessed value of each taxable real property of the proposed new taxable real property type, to the extent reasonably ascertainable from District property tax records or a final determination of the Real Property Tax Appeals Commission for the District of Columbia; provided, that a property subdivided into separate condominium units shall constitute a single real property for purposes of this subparagraph;

"(D) A business plan for including the petition area in the operations of the BID; which business plan shall contain, at a minimum:

"(i) The specific goals and objectives for the inclusion of the petitioning real property class in the BID consistent with the BID activity, as defined in section 3(6); and

"(ii) The applicable BID taxes;

"(E) A list of the current members of the Board of Directors of the BID; and

"(F) The current articles of incorporation and the bylaws of the BID; and

"(4) The petition is approved by the Mayor in accordance with the procedures set forth in sections 6 and 7; provided, that wherever the word "application" or the phrase "BID application" appears in sections 6 or 7, the word or phrase shall be considered to refer to the expansion petition, and wherever reference is made to the registration of the BID and the nonprofit corporation in section 7, the reference shall be considered to refer to registration of the expanded BID.

"(b) The Mayor shall approve a petition if the Mayor determines that the petition was properly filed and adoption of the petition is consistent with the purposes of this act and the BID activity, as defined in section 3(6). An expansion of a BID's taxable real property pursuant to this section shall become effective on the effective date of an act of Council approving the BID's taxable real property expansion. Initial BID taxes for the area shall be collected at the next practicable regularly scheduled billing pursuant to section 16.

"(c)(1) For the purposes of this section, individual taxable properties shall mean properties identified by separate lot and square numbers to the extent reasonably ascertainable from the records of the Office of Tax and Revenue or Office of Recorder of Deeds; provided, that any property subdivided into separate condominium units shall constitute a single property for the purpose of determining the number of taxable properties referred to in subsection (a) of this section; provided further, that the condominium units shall constitute separate properties for purposes of assessing and levying any BID charges.

"(2) Changes in the assessed values occurring after submission of a BID application, whether through regular reassessment, appeals, or otherwise, shall not affect the

validity of the BID application to be taken into account in the Mayor's review of the BID application.

"(d) The Mayor may designate the Department of Small and Local Business Development, or a successor thereto, to perform the review functions described by this section.

"Sec. 10c. Expanding the taxable real property within a BID for newly enacted BIDs. **New § 2-1215.09c**

"(a) A BID established after the effective date of the Business Improvement Districts Amendment Act of 2014, passed on 2nd reading on September 23, 2014 (Enrolled version of Bill 20-203), may only expand categories of taxable real property to include Class I residential property if:

"(1) Owners of at least 51% interest in the assessed value of the taxable real properties and at least 25% in number of individual real properties, consisting of a new type of taxable real property of record within the BID's geographic area, petition the existing BID to join the BID;

"(2) The petition is accepted by a majority vote of the existing BID Board; and

"(3) The petition is submitted to the Mayor with:

"(A) The name and address of the BID Corporation and a copy of the resolution adopted by the Board of Directors of the BID Corporation accepting the petition;

"(B) A description by lot, square, and street address of the property of each owner of the proposed new taxable real property type, to the extent reasonably ascertainable; provided, that a property subdivided into separate condominium units shall constitute a single property for purposes of this subparagraph;

"(C) The most recent assessed value of each taxable real property of the proposed new taxable real property type, to the extent reasonably ascertainable from District property tax records or a final determination of the Real Property Tax Appeals Commission for the District of Columbia;

"(D) A business plan for including the petition area in the operations of the BID; which business plan shall contain, at a minimum:

"(i) The specific goals and objectives for the inclusion of the petitioning real property class in the BID consistent with the BID activity as defined in section 3(6); and

"(ii) The applicable BID taxes;

"(E) A list of the current members of the Board of Directors of the BID; and

"(F) The current articles of incorporation and the bylaws of the BID; and

"(4) The petition is approved by the Mayor in accordance with the procedures set forth in sections 6 and 7; provided, that wherever the word "application" or phrase "BID application" appears in sections 6 and 7, the word or phrase shall be considered to refer to the expansion petition, and wherever reference is made to the registration of the BID and the nonprofit corporation in section 7, the reference shall be considered to refer to registration of the expanded BID.

"(b) The Mayor shall approve a petition if the Mayor determines that the petition was properly filed and adoption of the petition is consistent with the purposes of this act and the definition of BID activity in section 3(6)(b). An expansion of a BID's taxable real property pursuant to this section shall become effective on the effective date of an act of Council that approves such BID's taxable real property expansion. Initial BID taxes for such area shall be collected at the next practicable regularly scheduled billing pursuant to section 16.

"(c)(1) For the purposes of this section, individual taxable properties shall mean properties identified by separate lot and square numbers to the extent reasonably ascertainable from the records of the Office of Tax and Revenue or Office of Recorder of Deeds.

"(2) Changes in the assessed values occurring after submission of a BID application, whether through regular reassessment, appeals, or otherwise, shall not affect the validity of the BID application to be taken into account in the Mayor's review of the BID application.

"(d) The Mayor may designate the Department of Small and Local Business Development, or a successor thereto, to perform the review functions described by this section.".

Amend § 2-1215.10

(j) Section 11 (D.C. Official Code § 2-1215.10) is amended as follows:

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

"(a) Except as otherwise provided by this act, meetings of the members shall be held in accordance with the provisions of the bylaws but shall occur at least once each year after the formation of the BID. The bylaws shall specify an officer who shall send each member notice of the time, place, and purposes of the meeting. Notice shall be given at least 21 days in advance of any annual or regularly scheduled meeting and at least 7 days in advance of any other meeting, in one of the following ways:

"(1) First class mail to all members of record at the address of their respective properties and to such other address as may have been designated to the officer;

"(2) Hand delivered by the officer, or the officer's agent; provided, that the officer certifies in writing that notice was actually delivered to the member; or

"(3) Electronically to the member's email address of record as may have been designated to the officer.".

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

"(c) Meetings may be held by telephone, electronically, or by other means of communication; provided, that all participants can hear or read the proceeding, vote on the matters discussed, and make comments.".

Amend § 2-1215.12

(k) Section 13 (D.C. Official Code § 2-1215.12) is amended by adding a new subsection (f) to read as follows:

"(f) BIDs are exempt from the records requirement of D.C. Official Code § 29-413.01.".

Amend § 2-1215.13

(l) Section 14(d) (D.C. Official Code § 2-1215.13(d)) is amended by striking the phrase "mail or by personal delivery." and inserting the phrase "mail, personal delivery, or electronically. Annual reports shall also be posted on BID websites." in its place.

Amend § 2-1215.15

(m) Section 16 (D.C. Official Code § 2-1215.15) is amended as follows:

(1) Subsection (d) is amended by striking the last sentence and inserting the following sentence in its place:

"BID taxes related to real properties affected by a geographic or taxable real property tax base expansion of the BID shall be effective as of the date the expansion becomes effective." .

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

"(g-1)(1) Notwithstanding subsection (g) of this section, a BID tax resulting from a possessory interest shall be collected in accordance with Chapter 44 of Title 47 and the holder of the possessory interest shall be liable.

"(2) The BID tax resulting from the possessory interest shall be in proportion to the pro rata share of the real property, as determined by the Chief Financial Officer, occupied by holder of the possessory interest where the BID tax is based on assessed value, net rentable area, gross building area, square footage, or number of hotel rooms. BID taxes based on a per unit basis shall not be apportioned.

"(3) This subsection shall apply as of March 31, 2015.".

Amend § 2-1215.18

(n) Section 19 (D.C. Official Code § 2-1215.18) is amended as follows:

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

"(a)(1) Each BID shall have an initial term that shall end on the last day of the 5th full fiscal year of the District during which the BID has been registered pursuant to section 7(h). A BID may be extended for successive 5-year terms if:

"(A) The BID notifies the Mayor at least 180 days before the end of the BID's term that it desires to extend its status as a registered BID for a subsequent 5-year term;

"(B) The Board and membership approve a BID plan for the next 5 years of BID operations and submit that plan to the Mayor; and

"(C) The Mayor holds a public hearing in accordance with this subsection and subsequently issues a notice of BID re-registration.

"(2) Notice to the public shall be made no fewer than 21 days before the hearing.

"(3) The Mayor shall:

"(A) Publish the notice of the public hearing along with the notice of preliminary finding in the District of Columbia Register;

"(B) Ensure that the notices are published in at least 2 sources of local general interest print or electronic media; and

"(C) Hold the public hearing no earlier than 120 days before the end of the fiscal year, and no later than 30 days before the end of the fiscal year.".

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

"(a-1) If, at the end of the fiscal year, the BID has requested an extension and the Mayor has not issued an order revoking the registration or denying an extension, the BID shall be deemed to be re-registered for a subsequent 5-year term.".

(3) Subsection (b)(2) is amended by striking the phrase "nonexempt real" wherever it appears and inserting the word "taxable" in its place.

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

"(d) The Mayor may designate the Department of Small and Local Business Development to perform the functions described by this section.".

Amend § 2-1215.21

(o) Section 22 (D.C. Official Code § 2-1215.21) is amended by striking the phrase "located in the BID, may" and inserting the phrase "located in the BID, or adjacent to or abutting BID boundaries, may" in its place.

Amend § 2-1215.51

(p) Section 201 (D.C. Official Code § 2-1215.51) is amended by striking the phrase "nonexempt real" wherever it appears and inserting the word "taxable" in its place.

Amend § 2-1215.52

(q) Section 202 (D.C. Official Code § 2-1215.52) is amended by striking the phrase "nonexempt real" both times it appears and inserting the word "taxable "in its place.

Amend § 2-1215.53

(r) Section 203 (D.C. Official Code § 2-1215.53) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(2) Subsection (b) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(3) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) The lead-in language is amended by striking the phrase "nonexempt real properties" and inserting the phrase "taxable properties" in its place.

(ii)_ Subparagraph (A) is amended by sriking the word "nonexempt" wherever it appears and inserting the word "taxable" in its place.

(ii) Subparagraph (B) is amended as follows:

(I) The lead-in language is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

(II) Sub-subparagraph (i) is amended by striking the word "Nonexempt" and inserting the word "Taxable" in its place.

(III) Sub-subparagraph (ii) is amended as follows:

(aa) Strike the word "nonexempt" and insert the word "taxable" in its place.

(bb) Strike the word "Nonexempt" wherever it appears and insert the word "Taxable" in its place.

(IV) Sub-subparagraph (iii) is amended by striking the word "Nonexempt" and inserting the word "Taxable" in its place.

(B) Paragraph (2) is amended by striking the word "nonexempt" wherever it appears and inserting the word "taxable" in its place.

Amend § 2-1215.54

(s) Section 204 (D.C. Official Code § 2-1215.54) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(2) Subssection (c)(1) is amended by striking the word "nonexempt" both times it appears and inserting the word "taxable" in its place.

Amend § 2-1215.55

(t) Section 205 (D.C. Official Code § 2-1215.55) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(2) Subsection (c)(1) is amended as follows:

(A) The lead-in text is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(B) Subparagraph (D)(i) is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

(u) Section 206 (D.C. Official Code § 2-1215.56) is amended as follows: **Amend § 2-1215.56**

(1) Subsection (a) is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(2) Subsection (c) is amended as follows:

(A) Strike the phrase "nonexempt real" and insert the word "taxable" in its place.

(B) Strike the phrase "nonexempt properties" and insert the phrase "taxable properties" in its place.

(v) Section 207 (D.C. Official Code § 2-1215.57) is amended as follows: **Amend § 2-1215.57**

(1) Subsection (a) is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(2) Subsection (c)(1) is amended as follows:

(A) The lead-in text is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(B) Subparagraph (D) is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

(w) Section 208 (D.C. Official Code § 2-1215.58) is amended by striking the phrase "nonexempt real" wherever it appears and inserting the word "taxable" in its place. **Amend § 2-1215.58**

(x) Section 209 (D.C. Official Code § 2-1215.59) is amended by striking the phrase "nonexempt real" wherever it appears and inserting the word "taxable" in its place. **Amend § 2-1215.59**

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-611
Act 20-440
effective October 7, 2014

To amend the District of Columbia Election Code of 1955 to permit the District of Columbia Board of Elections to hold special elections to fill vacancies in the offices of the Delegate to the House of Representatives from the District of Columbia and an elected member of the State Board of Education on a Tuesday occurring at least 70 days but not more than 174 days after the date on which the vacancy occurs.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Special Election Reform Amendment Act of 2014".

Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 1-1001.01) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

Amend § 1-1001.01

(b) Section 2 (D.C. Official Code § 1-1001.02) is amended as follows:

Amend § 1-1001.02

(1) Paragraph (5) is amended to read as follows:

"(5) The term "State Board of Education" means the State Board of Education established by section 402 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2651).".

(2) Paragraph (13) is amended by striking the phrase "the President and members of the Board of Education" and inserting the phrase "members of the State Board of Education" in its place.

(c) Section 8 (D.C. Official Code § 1-1001.08) is amended as follows:

Amend § 1-1001.08

(1) The heading is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

(2) Subsection (m) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

(3) Subsection (n) is amended by striking the phrase "Board of Education" wherever it appears and inserting the phrase "State Board of Education" in its place.

(d) Section 10 (D.C. Official Code § 1-1001.10) is amended as follows:

Amend § 1-1001.10

(1) Subsection (a)(5) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

(2) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

(B) Paragraph (2)(A) is amended by striking the phrase "first Tuesday that occurs more than 114 days after the date on which the vacancy is certified by the Board unless the Board determines that the vacancy could be filled more practicably in a special election held on the same day as the next District-wide special, primary, or general election that is to occur within 60 days of the date on which the special election would otherwise have been held under the provisions of this subsection" and inserting the phrase "Tuesday occurring at least 70 days and not more than 174 days after the date on which the vacancy occurs which the Board determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation" in its place.

(3) Subsection (e) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Strike the phrase "Board of Education" both times it appears and insert the phrase "State Board of Education" in its place.

(ii) Strike the phrase "1st Tuesday that occurs more than 114 days after the date on which the vacancy is certified by the Board of Elections, unless the Board determines that the vacancy could be filled more practicably in a special election held on the same day as the next special, primary, or general election that is to occur within 60 days of the date on which a special election would otherwise have been held under the provisions of this subsection" and insert the phrase "Tuesday occurring at least 70 days and not more than 174 days after the date on which the vacancy occurs which the Board determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation" in its place.

(B) Paragraph (2) is repealed.

(4) Subsection (f) is amended by striking the phrase "Board of Education" both times it appears and inserting the phrase "State Board of Education" in its place.

Amend § 1-1001.11

(e) Section 11(a)(2) (D.C. Official Code § 1-1001.11(a)(2)) is amended by striking the phrase "President of the Board of Education, or member of the Board of Education" and inserting the phrase "or member of the State Board of Education" in its place.

Amend § 1-1001.15

(f) Section 15 (D.C. Official Code § 1-1001.15) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Board of Education" both times it appears and inserting the phrase "State Board of Education" in its place.

(2) Subsection (b) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

D.C. Law 20-168, effective March 3, 2015
[Delayed Applicability]

AN ACT

Bill 20-769
Act 20-458 effective October 23, 2014

To require that an employer provide reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, a related medical condition, or breastfeeding, and to provide for enforcement of a violation of this act through administrative and civil action.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Protecting Pregnant Workers Fairness Act of 2014".

Sec. 2. Definitions.

New § 32-1231.01 [New Chapter 12A, Reasonable Accommodations for Pregnant and Nursing Workers.]

For the purposes of this act, the term:

(1) "DOES" means the Department of Employment Services.

(2) "Reasonable accommodation" means an accommodation that does not cause undue hardship in the operation of the employer's business that an employer can make for an employee whose ability to perform the functions of the employee's job are affected by pregnancy, childbirth, a related medical condition, or breastfeeding, including:

(A) More frequent or longer breaks;

(B) Time off to recover from childbirth;

(C) The acquisition or modification of equipment or seating;

(D) The temporary transfer to a less strenuous or hazardous position or other job restructuring such as providing light duty or a modified work schedule;

(E) Having the employee refrain from heavy lifting;

(F) Relocating the employee's work area; or

(G) Providing private non-bathroom space for expressing breast milk.

(3) "Undue hardship" means any action that requires significant difficulty in the operation of the employer's business or significant expense on the behalf of the employer when considered in relation to factors such as the size of the business, its financial resources, and the nature and structure of its operation.

Sec. 3. Provision of reasonable accommodation.

New § 32-1231.02

(a) An employer shall engage in good faith in a timely and interactive process with an employee requesting or otherwise needing a reasonable accommodation to determine a reasonable accommodation for that employee.

(b)(1) An employer may require an employee to provide a certification from the employee's health care provider concerning the medical advisability of a reasonable accommodation to the same extent a certification is required for other temporary disabilities.

(2) A certification shall include:

(A) The date the reasonable accommodation became or will become medically advisable;

(B) An explanatory statement as to the medical condition and the advisability of providing the reasonable accommodation in light of the condition; and

(C) The probable duration that the reasonable accommodation will need to be provided.

(c) In any proceeding brought under this act, the employer shall have the burden of establishing that it would be an undue hardship to provide a reasonable accommodation.

Sec. 4. Prohibitions. **New § 32-1231.03**

An employer shall not:

(1) Refuse to make reasonable accommodations to the known limitations related to pregnancy, childbirth, related medical conditions, or breastfeeding for an employee, unless the employer can demonstrate that the accommodation would impose an undue hardship;

(2) Take an adverse action against an employee who requests or uses a reasonable accommodation in regard to the employee's conditions or privileges of employment, including failing to reinstate the employee when the need for reasonable accommodations ceases to the employee's original job or to an equivalent position with equivalent:

(A) Pay;

(B) Accumulated seniority and retirement:

(C) Benefits; and

(D) Other applicable service credits;

(3) Deny employment opportunities to an employee, or a job applicant, if the denial is based on the need of the employer to make reasonable accommodations to the known limitations related to pregnancy, childbirth, related medical conditions, or breastfeeding;

(4) Require an employee affected by pregnancy, childbirth, related medical conditions, or breastfeeding to accept an accommodation that the employee chooses not to accept if the employee does not have a known limitation related to pregnancy, childbirth, related medical conditions, or breastfeeding or the accommodation is not necessary for the employee to perform her duties; or

(5) Require an employee to take leave if a reasonable accommodation can be provided.

Sec. 5. Notice of rights to employees. **New § 32-1231.04**

(a) An employer shall post and maintain in a conspicuous place a notice of rights in both English and Spanish and provide written notice of an employee's right to a needed reasonable accommodation related to pregnancy, childbirth, related medical conditions, or breastfeeding pursuant to this act to:

(1) New employees at the commencement of employment;

(2) Existing employees within 120 days after the effective date of this act; and

(3) An employee who notifies the employer of her pregnancy, or other condition covered by this act, within 10 days of the notification.

(b) The employer shall provide an accurate written translation of the notice of rights to any non-English or non-Spanish speaking employee and as required by section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).

Sec. 6. Department of Employment Services; education efforts. **New § 32-1231.05**

The DOES shall develop courses of instruction and conduct ongoing public education efforts as necessary to inform employers, employees, employment agencies, and job applicants about their rights and responsibilities under this act.

Sec. 7. Employee right of action. **New § 32-1231.06**

An employee or employees injured by a violation of this act shall be entitled to maintain an administrative action or a civil action.

Sec. 8. Administrative enforcement by DOES. **New § 32-1231.07**

(a) An employee who claims that an employer has violated the employee's right under this act and seeks redress shall file a complaint with DOES.

(b) The DOES, which shall administer this act, shall establish administrative procedures for an aggrieved person to file a complaint against the employer alleged to have violated this act, which shall include:

(1) An investigation of the complaint and an attempt to resolve the complaint by conference or mediation;

(2) If the complaint is not resolved, a determination on the existence of probable cause to believe a violation of this act has occurred;

(3) If it is determined probable cause exists, the issuance and service of a written notice and a copy of the complaint to the employer alleged to have violated this act that requires the employer to answer the charges of the complaint at a hearing before DOES, the procedures of which shall be established by rule; and

(4) The right of the employee to have an attorney authorized to practice law in the District of Columbia and retained by the employee present at the hearing.

(c) If DOES determines, after its hearing, that the employer has violated any provision of this act, DOES shall order the employer to provide affirmative remedies including:

(1) Back pay for lost wages resulting from the employer's violation of this act;

(2) Reinstatement or other injunctive relief; and

(3) Reasonable attorney's fees and costs of enforcement.

(d)(1) To compensate the District for the costs of investigating and remedying a violation, DOES may also order the employer to pay to the District a penalty of not more than $500 for

each day or portion thereof that the violation continues for each employee against whom the violation occurred or continues.

(2) The funds recovered by the District under this subsection shall be deposited in the Pregnant Workers Protection Fund established by section 13.

(e)(1) Subject to paragraph (2) of this subsection, if an employer is determined to not be in compliance with this act, DOES shall take any appropriate enforcement action to secure compliance, including initiating a civil action following review by the Office of Administrative Hearings, and, except where prohibited by another law, revoking or suspending any registration certificates, permits, or licenses held or requested by the employer until the violation is remedied.

(2) Before DOES may take action regarding a suspension or revocation of a registration certificate, permit, or license, the employer shall have the opportunity to request a hearing pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*) ("APA").

Sec. 9. Hearing by Office of Administrative Hearings. **New § 32-1231.08**

(a) In accordance with section 6(b)(1) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b)(1)), a party contesting the determination made by DOES shall be entitled to a hearing before the Office of Administrative Hearings.

(b) Upon the exhaustion of administrative remedies, an employee aggrieved by the order of the Office of Administrative Hearings may bring an action in court.

Sec. 10. Enforcement by civil action. **New § 32-1231.09**

(a) A civil action may be maintained against any employer in a court of competent jurisdiction by one or more employees.

(b) An employer who violates the provisions of this act shall be liable to the affected employee or employees for the remedies set forth in section 8(c).

Sec. 11. Interest and collection on amounts due. **New § 32-1231.10**

(a) In any administrative or civil action brought under this act, the Mayor or court shall award interest on all amounts due and unpaid at the rate of interest specified in D.C. Official Code § 28-3302(b) or (c).

(b) The award of any money awarded to an employee under this act shall be enforceable by the employee to whom the debt is owed or may be collected by the District on behalf of the employee.

Sec. 12. Penalties. **New § 32-1231.11**

(a) An employer who willfully violates section 4 shall be subject to a civil penalty of $1,000 for the 1st offense, $1,500 for the 2nd offense, and $2,000 for the 3rd and each subsequent offense.

(b) An employer who fails to post the notice of rights as required by section 5(a) shall be assessed a civil penalty not to exceed $50 for each day that the employer fails to post the notice; provided, that the total penalty shall not exceed $250, unless the ongoing violation is willful.

Sec. 13. Pregnant Workers Protection Fund. **New § 32-1231.12**

(a) There is established as a special fund the Pregnant Workers Protection Fund ("Fund"), which shall be administered by DOES in accordance with subsection (c) of this subsection.

(b) The Fund shall consist of the revenue from the following sources recovered under this act:

(1) Civil fines; and

(2) Administrative penalties.

(c) The Fund shall be used to enforce this act.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 14. Rules. **New § 32-1231.13**

Within 60 days of the effective date of this act, the Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act, including establishing procedures for a business to prove undue hardship.

Sec. 15. Construction. **New § 32-1231.14**

This act shall not be construed to preempt, limit, diminish, or otherwise affect any other provision of law relating to sex discrimination or pregnancy or in any way to diminish the coverage for pregnancy, childbirth, or a related medical condition.

Sec. 16. Applicability. **New § 32-1231.15**

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 17. Fiscal impact statement.

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

Sec. 18. Effective date.

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

D.C. Law 20-172, effective March 7, 2015
[Partial Sunset]

AN ACT

Bill 20-802
Act 20-498 effective December 8, 2014

To standardize licensing and registration application requirements using the Nationwide Mortgage Licensing System and Registry for all non-depository financial institutions regulated through the administration of the Banking Code, to require each applicant to obtain a unique identifier form and apply through the Nationwide Mortgage Licensing System, to authorize the Commissioner to waive or modify by rule any of the requirements of this act or other application requirements in the Banking Code and to establish new requirements as needed to participate in the Nationwide Mortgage Licensing System, to authorize use of the Nationwide Mortgage Licensing System for criminal history background checks and credit checks as necessary, to allow the Commissioner to share confidential information with specified third parties including the Nationwide Mortgage Licensing System, to authorize the Commissioner to contract with third parties to collect fees and share information and maintain records, to authorize license renewal and reinstatement periods, to provide for the payments of non-refundable application fees, to provide that the Commissioner shall report Banking Code violations and enforcement actions to the Nationwide Mortgage Licensing System, to require the Commissioner to establish an information challenge process for data entered into the Nationwide Mortgage Licensing System, and to provide that the Commissioner may promulgate regulations to implement this act, and to provide that the authority to waive certain requirements shall expire 2 years after effective date of this act.

Codification District of Columbia Official Code 2001 Edition

Nationwide Mortgage Licensing System Conformity Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nationwide Mortgage Licensing System Conformity Act of 2014".

New § 26-1161.01

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Applicant" means a person filing an initial or renewal application for licensure or registration under the Banking Code.

(2) "Application" means an initial or renewal application for licensure or registration under the Banking Code processed through the Department or its designee, such as the NMLS or any other person or third party prescribed by the Commissioner.

(3) "Banking Code" means the statutory provisions concerning banking and financial institutions that are codified in Title 26 of the District of Columbia Official Code, laws administered by the Commissioner, and rules and regulations promulgated pursuant to those statutory provisions.

(4) "Commissioner" means the Commissioner of the Department of Insurance, Securities, and Banking.

(5) "Conference of State Bank Supervisors" or "CSBS" means the professional association of state officials responsible for chartering, regulating, and supervising state-

chartered commercial and savings banks and state-licensed branches and agencies of foreign banks.

(6) "Department" means the Department of Insurance, Securities, and Banking.

(7) "Nationwide Mortgage Licensing System and Registry" or "NMLS" means a mortgage licensing system developed and maintained by the Conference of State Bank Supervisors, the American Association of Residential Mortgage Regulators, or their successors, for the licensing and registration of persons engaged in state-regulated financial service industries.

(8) "State Regulatory Registry, LLC" or "SRR" means the entity that owns and operates the NMLS, or its successor.

(9) "Unique identifier" means a number or other identifier assigned through protocols established by the NMLS.

Sec. 3. Unique identifier required. **New § 26-1161.02**

Each licensee and registrant under the Banking Code shall register with and maintain a valid unique identifier issued by the NMLS.

Sec. 4. Form and contents of application. **New § 26-1161.03**

(a) An application shall be filed on a form prescribed by the Commissioner.

(b) Solely for purposes of and as needed for participating in the NMLS, the Commissioner is authorized to waive or modify by rule any requirements for applications, fees, or renewals in Chapter 1A, 3, 9, 10, or 11 of the Banking Code and to establish by rule new regulatory requirements as are reasonably necessary to participate in the NMLS.

Sec. 5. Background checks. **New § 26-1161.04**

The Commissioner may use the NMLS as an agent for requesting information from and distributing information to:

(1) The Federal Bureau of Investigation;

(2) The Department of Justice; or

(3) Other law enforcement agency, regulatory agency, or credit reporting agency.

Sec. 6. Confidential information. **New § 26-1161.05**

To assist in the performance of the Commissioner's duties under this act, the Commissioner may:

(1) Share documents, materials, or other information, including confidential and privileged documents, materials, or information subject to this act, with state, federal, and international regulatory agencies and law enforcement authorities, and with the CSBS, SRR, and NMLS, or their affiliates or subsidiaries; provided, that the recipient agrees to maintain the confidentiality and privileged status of the documents, materials, or other information;

(2) Receive documents, materials, or information, including confidential and privileged documents, materials, or other information, from state, federal, and international regulatory agencies or law enforcement authorities or from the CSBS, SRR, and NMLS or their affiliates or subsidiaries, and shall maintain as confidential or privileged any documents, materials, or other information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the documents, materials, or other information;

(3) Enter into agreements for sharing and using confidential information consistent with this act;

(4) Authorize a national criminal background check and submission of fingerprints and other identifying information submitted through the NMLS and receive criminal history record information from the NMLS, the Metropolitan Police Department, and the Federal Bureau of Investigation for the purposes of facilitating determinations regarding eligibility for licensure or registration under the Banking Code; and

(5) Contract with a third party, including the SRR, or the CSBS, or their affiliates or subsidiaries, to perform any functions, including the collection of licensing, registration, and processing fees, collection of contact information and other identifying information, fingerprints, written consent to a criminal background check, personal history and experience, and conduct of examinations-related activities covered under the Banking Code, that the Commissioner may consider appropriate.

Sec. 7. Renewal. **New § 26-1161.06**

(a) A license or registration issued under this act shall expire on a date to be determined by the Commissioner. A license or registration may thereafter be renewed for one-year term extensions as provided by this section.

(b) Before a license expires, the applicant may renew the license or registration for additional one-year terms, if the applicant:

(1) Demonstrates that the applicant continues to meet the standards for licensing or registration under this act and under all relevant provisions of the Banking Code;

(2) Pays all applicable fees as prescribed by the Commissioner and all third-party fees; and

(3) Submits to the Commissioner a renewal application on the form that the Commissioner requires.

Sec. 8. Application fees. **New § 26-1161.07**

(a) When filing an application, each applicant shall pay the applicable fees prescribed by the Commissioner and any third-party fees. Any fees paid in connection with the processing of an application shall be non-refundable.

(b) The Commissioner may increase or decrease the fees authorized by this section. The fees shall be fixed at such rates as may, in the judgment of the Commissioner, be necessary to

defray the approximate costs of carrying out the regulatory functions set forth in this act and the Banking Code. These fees shall not be abated or refunded upon surrender, suspension, cancellation, or revocation of a registration.

Sec. 9. NMLS reporting requirements. **New § 26-1161.08**

The Commissioner shall regularly report violations of the Banking Code, as well as enforcement actions and other relevant information, to the NMLS. The reports shall be subject to the provisions of section 6.

Sec. 10. NMLS information challenge process. **New § 26-1161.09**

The Commissioner shall establish by rule a process whereby applicants, licensees, and registrants may challenge information entered into the NMLS by the Commissioner.

Sec. 11. Authority of Commissioner to issue regulations. **New § 26-1161.10**

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

Sec. 12. Sunset. **New § 26-1161.11**

Section 4(b) shall expire 2 years after the effective date of this act.

Sec. 13. Fiscal impact statement.

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

Sec. 14. Effective date.

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

D.C. Law 20-173, effective March 7, 2015
[Partial Sunset]

AN ACT

Bill 20-810
Act 20-499 effective December 8, 2014

To amend the Omnibus Public Safety Agency Reform Amendment Act of 2004 to extend the period of time during which the Metropolitan Police Department may commence a disciplinary procedure against an employee, to clarify when the time period begins running, and to add additional tolling provisions for criminal investigations occurring in any jurisdiction within the United States and investigations by the Office of the Inspector General and the Office of the District of Columbia Auditor; and to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 and An Act Relating to the Metropolitan police of the District of Columbia to allow the Chief of Police to appoint to command ranks from among the Metropolitan Police Department's lieutenants.

Codification District of Columbia Official Code 2001 Edition

Metropolitan Police Department Commencement of Discipline and Command Staff Appointment Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Metropolitan Police Department Commencement of Discipline and Command Staff Appointment Amendment Act of 2014".

TITLE I – COMMENCEMENT OF DISCIPLINE

Amend § 5-1031

Sec. 101. Section 502 of the Omnibus Public Safety Agency Reform Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-1031), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "or the Metropolitan Police Department" wherever it appears.

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

"(a-1)(1) Except as provided in subsection (b) of this section, no corrective or adverse action against any sworn member or civilian employee of the Metropolitan Police Department shall be commenced more than 90 days, not including Saturdays, Sundays, or legal holidays, after the date that the Metropolitan Police Department had notice of the act or occurrence allegedly constituting cause.

"(2) For the purposes of paragraph (1) of this subsection, the Metropolitan Police Department has notice of the act or occurrence allegedly constituting cause on the date that the Metropolitan Police Department generates an internal investigation system tracking number for the act or occurrence.".

(c) Subsection (b) is amended to read as follows:

"(b) If the act or occurrence allegedly constituting cause is the subject of a criminal investigation by the Metropolitan Police Department or any law enforcement agency with jurisdiction within the United States, the Office of the United States Attorney for the District of Columbia, or the Office of the Attorney General, or is the subject of an investigation by the Office of the Inspector General, the Office of the District of Columbia Auditor, or the Office of

Police Complaints, the 90-day period for commencing a corrective or adverse action under subsection (a) or (a-1) of this section shall be tolled until the conclusion of the investigation.".

Title II – COMMAND STAFF APPOINTMENT

Sec. 201. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

Amend § 1-608.01

(a) Section 801(d-1) (D.C. Official Code § 1-608.01(d-1)) is amended by striking the phrase "the Assistant and Deputy Chiefs of Police and inspectors shall be selected from among the captains of the force and shall be returned to the rank of captain when the Mayor so determines" and inserting the phrase "the Assistant Chiefs of Police, Deputy Chiefs of Police, and inspectors shall be selected from among the lieutenants and captains of the force and shall be returned to the same civil service rank when the Mayor so determines" in its place.

Amend § 1-632.03

(b) Section 3203(c) (D.C. Official Code § 1-632.03(c)) is amended by striking the phrase "the Assistant and Deputy Chiefs of Police and inspectors shall be selected from among the captains of the force and shall be returned to the rank of captain when the Mayor so determines" and inserting the phrase "the Assistant Chiefs of Police, Deputy Chiefs of Police, and inspectors shall be selected from among the lieutenants and captains of the force and shall be returned to the same civil service rank when the Mayor so determines" in its place.

Amend § 5-105.01

Sec. 202. Section 1(a) of An Act Relating to the Metropolitan police of the District of Columbia, approved February 28, 1901 (31 Stat. 819; D.C. Official Code § 5-105.01(a)), is amended by striking the phrase "provided further, that the Assistant and Deputy Chiefs of Police and inspectors shall be selected from among the captains of the force and shall be returned to the rank of captain when the Mayor so determines" and inserting the phrase "provided further, that the Assistant Chiefs of Police, Deputy Chiefs of Police, and inspectors shall be selected from among the lieutenants and captains of the force and shall be returned to the same civil service rank when the Mayor so determines" in its place.

Note, §§ 1-608.01, 1-632.03, 5-105.01

Sec. 203. Sunset.

This title shall expire 2 years after the effective date of the Metropolitan Police Department Commencement of Discipline and Command Staff Appointment Amendment Act of 2014, passed on 2nd reading on November 18, 2014(Enrolled version of Bill 20-810).

TITLE III – FISCAL IMPACT; EFFECTIVE DATE

Sec. 301. Fiscal impact statement.

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

Sec. 302. Effective date.

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

AN ACT

Bill 20-683
Act 20-463 effective November 6, 2014

To symbolically designate the public alley in Square 2655, bounded by Colorado Avenue, N.W., and Blagden Avenue, N.W., in Ward 4, as Zion Baptist Church Way.

Codification District of Columbia Official Code 2001 Edition

Zion Baptist Church Way Designation Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Zion Baptist Church Way Designation Act of 2014".

Note, § 9-204.01

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a), the Council symbolically designates the public alley in Square 2655, bounded by Colorado Avenue, N.W., and Blagden Avenue, N.W., in Ward 4, as "Zion Baptist Church Way".

Sec. 3. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-242
Act 20-466 effective November 6, 2014

To symbolically designate Kenilworth Avenue, N.E., from Hayes Street, N.E., to Jay Street, N.E., in Ward 7, as Bishop Iola B. Cunningham Way.

Codification District of Columbia Official Code 2001 Edition

Bishop Iola B. Cunningham Way Designation Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Bishop Iola B. Cunningham Way Designation Act of 2014".

Note, § 9-204.01

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a), the Council symbolically designates Kenilworth Avenue, N.E., from Hayes Street, N.E., to Jay Street, N.E., in Ward 7, as "Bishop Iola B. Cunningham Way".

Sec. 3. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 20-793
Act 20-467 effective November 6, 2014

To amend Chapter 9 of Title 16 of the District of Columbia Official Code to clarify that the mechanism for the dissolution of marriage by persons of the same gender includes divorce and legal separation, and to make conforming amendments.

Codification District of Columbia Official Code 2001 Edition

Civil Marriage Dissolution Equality Clarification Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Civil Marriage Dissolution Equality Clarification Amendment Act of 2014".

Sec. 2. Chapter 9 of Title 16 of the District of Columbia Official Code is amended as follows:

Amend § 16-902

(a) Section 16-902(b) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) The lead-in language is amended by striking the word "divorce" and inserting the phrase "divorce or legal separation" in its place.

(B) Subparagraph (B) is amended by striking the word "divorce" and inserting the phrase "divorce or legal separation" in its place.

(2) Paragraph (2) is amended by striking the word "divorce" and inserting the phrase "divorce or legal separation" in its place.

(3) Paragraph (3) is amended by striking the phrase "Any action for divorce as provided by this subsection" and inserting the phrase "Any action for divorce or legal separation as provided by this subsection, including any accompanying petition for alimony, assignment and equitable distribution of property, pendente lite relief, or child custody determination if the District has jurisdiction under § 16-4602.01 or § 16.4602.03," in its place.

Amend § 16-911

(b) Section 16-911(a) is amended by striking the phrase "During the pendency of an action for divorce" and inserting the phrase "During the pendency of an action for legal separation, divorce" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 20-794
Act 20-468 effective November 6, 2014

To symbolically designate the portion of the public alley in Square 237 running from Wallach Place, N.W., to U Street, N.W., in Ward 1, as Nap Turner Way.

Codification District of Columbia Official Code 2001 Edition

Nap Turner Way Designation Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nap Turner Way Designation Act of 2014".

Note, § 9-204.01

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a), the Council symbolically designates the portion of the public alley in Square 237 running from Wallach Place, N.W., to U Street, N.W., in Ward 1, as "Nap Turner Way".

Sec. 3. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 20-185, effective March 10, 2015
[Delayed Applicability]

AN ACT

Bill 20-327
Act 20-469
effective
November 12, 2014

To establish a comprehensive system of stroke care, to authorize the Department of Health to designate a qualifying hospital as an acute stroke ready hospital, a primary stroke center, or a comprehensive stroke center, to require the Department of Health, in consultation with the Fire and Emergency Medical Services Department, to establish response and treatment protocols and a plan for the continuous improvement in the quality of care provided to a person experiencing a stroke, to require stroke care centers and other emergency medical services providers to report data to the Department of Health, and to require the establishment of a database of information related to stroke treatment.

Codification
District of Columbia
Official Code
2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Stroke System of Care Act of 2014".

Stroke System of Care Act of 2014

Sec. 2. Definitions.

New Chapter 11A, Title 44 New § 44-1151

For the purposes of this act, the term:

(1) "Acute stroke ready hospital" or "ASRH" means a hospital that has been certified as an acute stroke ready hospital by a certifying entity and has been designated as an acute stroke ready hospital by DOH.

(2) "Applicant hospital" means a hospital that has applied to DOH for designation as an ASRH, PSC, or a CSC.

(3) "Certifying entity" means The Joint Commission or another entity acceptable to the DOH that is nationally recognized and provides certification or accreditation of acute stroke ready hospitals, primary stroke centers, and comprehensive stroke centers in the United States.

(4) "Comprehensive stroke center" or "CSC" means a hospital that has been certified as a comprehensive stroke center by a certifying entity and has been designated as a comprehensive stroke center by DOH.

(5) "DOH" means the Department of Health.

(6) "Evidence-based treatment guidelines" means a recommended criteria based on scientific study and current best evidence that has been shown to provide the optimum care for a patient.

(7) "OUC" means the Office of Unified Communications.

(8) "FEMS" means the Fire and Emergency Medical Services Department.

(9) "Primary stroke center" or "PSC" means a hospital that has been certified as a primary stroke center by a certifying entity and has been designated as a primary stroke center by the DOH.

(10) "Stroke" means a medical emergency that occurs when there is a rapid loss of brain function due to a blockage or rupture of blood vessels to the brain.

(11) "Stroke triage assessment tool" means a method of identifying:

(A) A stroke emergency;

(B) The severity of the stroke; and

(C) The best immediate treatment.

(12) "The Joint Commission" means the independent, nonprofit standards-setting and accrediting organization, founded in 1951, that evaluates and accredits more than 20,000 health-care organizations and programs in the United States.

Sec. 3. ASRH, PSC, and CSC; designation. **New § 44-1152**

(a) A hospital seeking designation as an ASRH, a PSC, or a CSC shall apply to DOH for that designation in accordance with procedures established by DOH pursuant to subsection (d) of this section.

(b) The DOH shall designate an applicant hospital as an ASRH, a PSC, or a CSC if:

(1) The applicant hospital has been certified as an acute stroke ready hospital, a primary stroke center, or a comprehensive stroke center by a certifying entity; and

(2) The applicant hospital meets any other requirements established by DOH pursuant to subsection (d) of this section.

(c) If DOH denies an applicant hospital designation as an ASRH, a PSC, or a CSC, the applicant hospital may reapply in accordance with procedures established by DOH pursuant to subsection (d) of this section .

(d) Within 30 days after the effective date of this act, and updated on an annual basis thereafter, DOH must publish on its website:

(1) The application process for a hospital seeking designation as an ASRH, a PSC, or a CSC;

(2) The requirements that a hospital seeking designation as an ASRH, a PSC, or a CSC must meet; and

(3) If an applicant hospital is denied designation as an ASRH, a PSC, or a CSC, the process for reapplying for that designation.

Sec. 4. ASRH, PSC, and CSC; suspension and revocation. **New § 44-1153**

(a) The DOH is authorized, after providing notice and holding a hearing in accordance with the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), to suspend or revoke a hospital's designation as an ASRH, a PSC, or a CSC.

(b) The DOH shall suspend or revoke a hospital's designation as an ASRH, a PSC, or a CSC if:

(1) The ASRH, PSC, or CSC is placed on probation or loses certification with the certifying entity; or

(2) The ASRH, PSC, or CSC fails to comply with any other requirements

established by DOH pursuant to section 3(d).

(c) Pursuant to section 6(a)(1) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(a)(1)), the Office of Administrative Hearings shall adjudicate appeals from suspensions or revocations by DOH made pursuant to this section.

Sec. 5. Information about the ASRH, PSC, or CSC. **New § 44-1154**

Within 180 days after the effective date of this act, and updated on an annual basis thereafter, the DOH shall create a list containing the name and address of each ASRH, PSC, and CSC. The DOH shall provide the list to FEMS. The DOH and FEMS shall each publish the list on their agency websites.

Sec. 6. Pre-hospital care protocol and training. **New § 44-1155**

(a)(1) The DOH, in collaboration with the FEMS, shall establish pre-hospital care protocols for the assessment, treatment, and transport of stroke patients by licensed emergency medical service providers. The protocols shall include the adoption of a standardized stroke triage assessment tool and procedure for transport of a stroke patient to the closest ASRH, PSC, or CSC.

(2) Within 180 days after the effective date of this act, and updated on an annual basis thereafter, the standardized stroke triage assessment tool and procedure for transport of a stroke patient shall be made available on the FEMS website. In addition, the FEMS shall provide copies of the tool and procedure to each licensed emergency medical services provider.

(3) Within one year after the effective date of this act, and updated on an annual basis thereafter, the FEMS and OUC shall include the protocols established pursuant to this subsection in its training requirements and require all licensed emergency medical services providers and 911 dispatch personnel to receive this stroke-specific training.

(b) The DOH shall encourage ASRH's, PSC's, and CSC's to coordinate through written agreements. To ensure that stroke patients are offered appropriate access to the correct level of care, a written agreement should include, at a minimum, an open-communication protocol between each ASRH, PSC, and CSC and a transfer agreement for the transport to, and acceptance of, stroke patients from another ASRH, PSC, or CSC.

Sec. 7. Continuous improvement in quality of care. **New § 44-1156**

(a) Within one year after the effective date of this act, the DOH, in collaboration with the FEMS, shall establish a plan for achieving continuous improvement in the quality of care provided to a person experiencing a stroke. The plan shall:

(1) Provide for the creation and maintenance of a database of information and statistics on stroke care that aligns with the stroke consensus metrics approved by the American Heart Association, American Stroke Association, Centers for Disease Control and Prevention, and The Joint Commission;

(2)Provide for the utilization of the "Get With The Guidelines," the data-set

platform published by the American Heart Association, or other nationally recognized data-set platform with like confidentiality standards;

(3) Provide for the coordination, to the extent possible, with national voluntary health organizations involved in stroke-care quality improvement to avoid redundancies;

(4) Establish a requirement that each ASRH, PSC, and CSC, and other emergency medical service providers report data on the treatment of stroke patients to DOH that is consistent with nationally recognized guidelines;

(5) Encourage the sharing of information and data among health-care providers on ways to improve the quality of care for stroke patients;

(6) Provide for the facilitation of communication and analysis of health information and data among the health-care professionals providing care for stroke patients; and

(7) Establish a recommendation for the application of evidenced-based treatment guidelines regarding the transitioning of a patient to community-based follow-up care after hospital discharge for treatment for a stroke.

(b)(1) The plan established pursuant to subsection (a) of this section shall be published on the DOH and FEMS websites and updated annually, with all updates to the plan published on the DOH and FEMS websites.

(c) The DOH shall establish a data oversight process that will:

(1) Provide for the review of the data compiled pursuant to subsection (a)(4) of this section;

(2) Identify changes to the response protocol or the treatment of stroke patients that are necessary to improve the system of care for stroke patients; and

(3) Lead to recommendations to the Mayor and the Council for legislative changes to improve the system of care for stroke patients.

(d) The information in the database described in subsection (a)(1) of this section shall be made available to government agencies, or contractors of government agencies, that are responsible for the management and administration of emergency medical services.

Sec. 8. Confidentiality; public information. **New § 44-1157**

(a) Except as provided in subsection (b) of this section, information submitted to the DOH, FEMS, or to the District pursuant to this act is confidential and is not a public record.

(b) Data compiled in aggregate form by the DOH, FEMS, or the District for purposes of establishing a plan required by section 7 is a public record as long as it does not reveal confidential information that is protected by District, state, or federal law.

Sec. 9. Rules. **New § 44-1158**

Within 180 days of the effective date of this act, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act.

D.C. Law 20-185, effective March 10, 2015
[Delayed Applicability]

New § 44-1159 Delayed Applicability

Sec. 10. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 11. Fiscal impact statement.

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

Sec. 12. Effective date.

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

AN ACT

Bill 20-467
Act 20-470
effective November 12, 2014

To amend Chapter 8 of Title 16 of the District of Columbia Official Code to allow individuals to file a motion to seal the records of offenses that are decriminalized or legalized after the date of the arrest, charge, or conviction and to place the burden of proof on the prosecutor to show that the movant's record is not eligible for sealing because the conduct was not decriminalized or legalized; and to amend the Human Rights Act of 1977 to establish criminal penalties for persons who require an individual to produce any arrest record pursuant to that act other than for the purpose of filing a sealing or expungement motion.

Codification District of Columbia Official Code 2001 Edition

Record Sealing for Decriminalized and Legalized Offenses Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Record Sealing for Decriminalized and Legalized Offenses Amendment Act of 2014".

Sec. 2. Chapter 8 of Title 16 of the District of Columbia Official Code is amended as follows:

Amend § 16-803

(a) Section 16-803 is amended as follows:

(1) Subsection (c-1) is repealed.

(2) Subsection (i) is amended by striking the phrase "(a), (c-1), or (c-2)" and inserting the phrase "(a) or (c-2)" in its place.

New § 16-803.02

(b) A new section 16-803.02 is added to read as follows:

"§ 16-803.02. Sealing of public records for decriminalized or legalized offenses.

"(a) A person arrested for, charged with, or convicted of a criminal offense pursuant to the District of Columbia Official Code or the District of Columbia Municipal Regulations that was decriminalized or legalized after the date of the arrest, charge, or conviction may file a motion to seal the record of the arrest, charge, conviction, and related Superior Court proceedings at any time.

"(1)(A) The Superior Court shall grant a motion to seal if:

"(i) The arrest was not made in connection with or did not result in any other District of Columbia Official Code or District of Columbia Municipal Regulations charges or convictions against the person; and

"(ii) The arrest was not made in connection with or did not result in any other federal charges or convictions in the United States District Court for the District of Columbia against the person.

"(B) In a motion filed under subparagraph (A) of this section, the

burden shall be on the prosecutor to establish by a preponderance of the evidence that the record is not eligible for sealing pursuant to this section because the conduct was not decriminalized or legalized.

"(2)(A) In cases that do not meet the requirements of paragraph (1) of this subsection, the Superior Court may grant a motion to seal if it is in the interest of justice to do so. In making this determination, the Court shall weigh:

"(i) The interests of the movant in sealing the publicly available records of his or her arrest, charge, conviction, and related Superior Court proceedings;

"(ii) The community's interest in retaining access to those records;

"(iii) The community's interest in furthering the movant's rehabilitation and enhancing the movant's employability; and

"(iv) Any other information it considers relevant.

"(B) In a motion filed under this paragraph, the burden shall be on the movant to establish by a preponderance of the evidence that it is in the interest of justice to grant relief.

"(b) If the Court grants a motion to seal under this section:

"(1)(A) The Court shall order the prosecutor, any law enforcement agency, and any pretrial, corrections, or community supervision agency to remove from their publicly available records all references that identify the movant as having been arrested, prosecuted, or convicted.

"(B) The prosecutor's office, any law enforcement agency, and any pretrial, corrections, or community supervision agency shall be entitled to retain records relating to the movant's arrest, prosecution, conviction, or related Superior Court proceedings in a nonpublic file.

"(C) The prosecutor, any law enforcement agency, and any pretrial, corrections, or community supervision agency shall file a certification with the Court within 90 days after the Court issues an order under subparagraph (A) of this paragraph that, to the best of its knowledge and belief, all references that identify the movant as having been arrested, prosecuted, or convicted have been removed from its publicly available records.

"(2)(A) The Court shall order the clerk to remove or eliminate all publicly available court records that identify the movant as having been arrested, prosecuted, or convicted.

"(B) The Clerk shall be entitled to retain any records relating to the movant's arrest, prosecution, conviction, or related Superior Court proceedings in a nonpublic file.

"(3)(A) In a case involving co-defendants in which the Court orders the movant's records sealed, the Court may order that only those records, or portions thereof, relating solely to the movant be redacted.

"(B) The Court need not order the redaction of references to the movant that appear in a transcript of court proceedings involving co-defendants.

"(4) The Court shall not order the redaction of the movant's name from any published opinion of the trial or appellate courts that refer to the movant.

"(5) Unless otherwise ordered by the Court, the clerk and any other agency shall reply in response to inquiries from the public concerning the existence of records which have been sealed pursuant to this section that no records are available.

"(6) No person as to whom relief pursuant to this section has been granted shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge his or her arrest, charge, trial, or conviction in response to any inquiry made of him or her for any purpose.

"(7) For purposes of this section, the entities listed in § 16-801(11)(D)-(F) shall be considered public.".

Amend § 16-805

(c) Section 16-805(d) is amended to read as follows:

"(d) If the Court determines that a hearing is required, the hearing shall be scheduled within 30 days of the prosecutor's response. If the Court determines that a hearing is not required, the Court shall dismiss, grant, or deny the motion within 30 days of the prosecutor's response.".

Amend § 16-806

(d) Section 16-806 is amended as follows:

(1) Subsection (b) is amended as follows:

(A) The lead-in language is amended by striking the phrase "§§ 16-803 or 16-1803.01" and inserting the phrase "§ 16-803, § 16-803.01, or § 16-803.02" in its place.

(B) Paragraph (4) is amended by striking the phrase "§ 16-803.01" and inserting the phrase "§§ 16-803.01 and 16-803.02" in its place.

(C) Paragraph (5) is amended by striking the phrase "§ 16-803 or 16-803.01" and inserting the phrase "§ 16-803, § 16-803.01, or § 16-803.02" in its place.

(2) Subsection (c) is amended by striking the phrase "§ 16-802(h)(7) or § 16-803(l)5)" and inserting the phrase "§ 16-802(h)(7), § 16-803(l)5), or § 16-803.02(b)(5)" in its place.

Amend § 2-1402.66

Sec. 3. Section 266(a) of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1402.66(a)), is amended as follows:

(a) Designate the text of paragraph (1) as subparagraph (A).

(b) Paragraph (2) is redesignated as subparagraph (B).

(c) Paragraph (3) is redesignated as subparagraph (C).

(d) A new paragraph (2) is added to read as follows:

"(2) A person who requires an individual to produce any arrest record or any copy, extract, or statement thereof pursuant to this subsection other than for the purpose of filing a sealing or expungement motion shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or imprisoned for not more than 10 days.".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-521
Act 20-471 effective November 10, 2014

To symbolically designate the 1300 block of N Street, N.W., in Ward 2, as N Street Village Way.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "N Street Village Way Designation Act of 2014".

N Street Village Way Designation Act of 2014

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a), the Council symbolically designates the 1300 block of N Street, N.W., between 14th Street, N.W., and Vermont Avenue, N.W., in Ward 2, as "N Street Village Way".

Note, § 9-204.01

Sec. 3. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-638
Act 20-472 effective November 10, 2014

To amend the Solid Waste Facility Permit Act of 1995 to require quarterly inspections of solid waste facilities currently operating in the District; and to amend Chapter 7 of Title 21 of the District of Columbia Municipal Regulations to allow for greater input during the solid waste facility permit application and renewal process.

Codification District of Columbia Official Code 2001 Edition

Solid Waste Facility Permit Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Solid Waste Facility Permit Amendment Act of 2014".

Amend § 8-1056

Sec. 2. Section 7 of the Solid Waste Facility Permit Act of 1995, effective June 11, 1999 (D.C. Law 11-94; D.C. Official Code § 8-1056), is amended as follows:

(a) The lead-in language is redesignated as subsection (a).

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

"(b) Pursuant to subsection (a) of this section, the Mayor shall conduct, at a minimum, quarterly inspections of all solid waste facilities in the District to ensure compliance with section 903 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR § 903), section 733.1(a), (c), (e), (f), (g), (h), (i), (m), and (s) of Title 21 of the District of Columbia Municipal Regulations (21 DCMR § 733.1(a), (c), (e), (f), (g), (h), (i), (m), and (s)), and any regulations issued pursuant to this act.".

DCMR

Sec. 3. Chapter 7 of Title 21 of the District of Columbia Municipal Regulations (21 DCMR § 700 *et seq.*) is amended as follows:

(a) Section 731 (21 DCMR § 731) is amended as follows:

(1) Subsection 731.6 is amended by striking the phrase "thirty (30)" and inserting the phrase "sixty (60)" in its place.

(2) Subsection 731.7 is amended by striking the word "Following" and inserting the word "Before" in its place.

(3) Subsection 731.9 is amended by striking the word "Advisory" and inserting the phrase "Councilmember in whose ward the facility is or would be located and to the Advisory" in its place.

(4) Subsection 731.10 is amended to read as follows:

"731.10 To be considered, the comments of the Councilmember in whose ward the facility is or would be located and the comments of the affected Advisory Neighborhood Commission shall be received by the Director sixty (60) days from the date the notice was sent. The Director shall accord great weight to timely comments submitted by the affected Advisory Neighborhood Commission.".

(5) Subsection 731.11 is amended as follows:

(A) Strike the word "may" and insert the word "shall" in its place.

(B) Strike the phrase "If requested by the Director, a representative" and insert the phrase "A representative" in its place.

(6) Subsection 731.12 is amended by striking the phrase "or the affected Advisory Neighborhood Commission" and inserting the phrase "the Councilmember in whose ward the facility is or would be located, or the affected Advisory Neighborhood Commission" in its place.

(b) Section 732.1(d)(2) (21 DCMR § 732.1(d)(2)) is amended by striking the phrase "10:00 p.m." and inserting the phrase "7:00 p.m." in its place.

(c) Section 733.1 (21 DCMR § 733.1) is amended as follows:

(1) Paragraph (f) is amended to read as follows:

"(f) Storage containers used for the temporary storage of solid waste shall be securely covered, nonabsorbent, and leak-proof;"

(2) Paragraph (u) is amended by striking the word "and" at the end.

(3) Paragraph (v) is amended by striking the period and inserting a semicolon in its place.

(4) New paragraphs (w), (x), and (y) are added to read as follows:

"(w) A solid waste facility shall, on a quarterly basis, submit a form prescribed by the Director certifying compliance with paragraph (g) of this subsection.

"(x) A solid waste facility shall, on a quarterly basis, submit a form prescribed by the Director certifying compliance with paragraph (h) of this subsection.

"(y) A solid waste facility shall, on a quarterly basis, have a third party approved by the Director conduct testing of the ventilation system to ensure compliance with paragraph (s) of this subsection and shall submit those results to the Department.".

(d) Section 734.1 (21 DCMR § 734.1) is amended by striking the phrase "impact," and inserting the phrase "impact, to comply with changes to existing law," in its place.

(e) Section 735.1 (21 DCMR § 735.1) is amended by striking the phrase "sixty (60)" and inserting the phrase "one-hundred twenty (120)" in its place.

(f) Section 736.1 (21 DCMR § 736.1) is amended by striking the number "731.5" and inserting the number "731.6" in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 20-766
Act 20-474 effective November 12, 2014

To amend the Legalization of Marijuana for Medical Treatment Initiative of 1998 to expand the definition of a qualifying medical condition to allow physicians to determine whether a patient would benefit from medical marijuana treatment and to increase the number of living plants a medical marijuana cultivation center can possess at any time.

Codification District of Columbia Official Code 2001 Edition

Medical Marijuana Expansion Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Expansion Amendment Act of 2014".

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

Amend § 7-1671.01

(a) Section 2(17) (D.C. Official Code § 7-1671.01(17)) is amended to read as follows:

"(17) "Qualifying medical condition" means any condition for which treatment with medical marijuana would be beneficial, as determined by the patient's physician.".

Amend § 7-1671.06

(b) Section 7(e)(2) (D.C. Official Code § 7-1671.06(e)(2)) is amended by striking the number "95" and inserting the number "500" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-604
Act 20-482 effective November 19, 2014

To amend the Housing Production Trust Fund Act of 1988 to revise the resale restrictions associated with affordable for-sale units developed or preserved in distressed neighborhoods with funding from the Housing Production Trust Fund; and to amend section 47-820.02 of the District of Columbia Official Code to make a conforming amendment.

Codification District of Columbia Official Code 2001 Edition

Affordable Homeownership Preservation and Equity Accumulation Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Affordable Homeownership Preservation and Equity Accumulation Amendment Act of 2014".

Sec. 2. The Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801 *et seq.*), is amended as follows:

Amend § 42-2801

(a) Section 2 (D.C. Official Code § 42-2801) is amended as follows:

(1) Paragraph (1C) is repealed.

(2) A new paragraph (1E) is added to read as follows:

"(1E) "Distressed neighborhood" means a United States Census Tract that the Mayor has determined to be distressed pursuant to section 3b(e), after considering the median sales price, median home appreciation rate, poverty rate, homeownership rate, and other factors the Mayor deems reasonable.".

(3) A new paragraph (4A) is added to read as follows:

"(4A) "Future sales price" means the greater of any contract sales price or a value equal to 90% of the fair market appraised value determined within 6 months of the date of resale by a licensed appraiser of an affordable for-sale unit produced pursuant to this act.".

(4) New paragraphs (8A) and (8B) are added to read as follows:

"(8A) "Preexisting equity" means the greater of the discounted price determined as the difference between an initial contract sales price and the fair market appraised value at the time of the initial sale or the amount of public subsidy provided pursuant to this act that was invested in the creation of the affordable housing unit.

"(8B) "Resale restrictions" means the parameters that govern the allowable sale of an affordable for-sale unit produced pursuant to this act.".

Amend § 42-2802

(b) Section 3(d)(8) (D.C. Official Code § 42-2802(d)(8)) is amended to read as follows:

"(8) Notwithstanding any other applicable law, ensure that the provisions of section 3b are enforced.".

New § 42-2802.02

(c) A new section 3b is added to read as follows:

"Sec. 3b. Maintaining affordability.

"(a) A rental unit constructed pursuant to this act shall remain affordable for a period of

40 years or a longer period selected by the developer.

"(b)(1) Except as provided in subsection (c) of this section, a for-sale unit constructed pursuant to this act shall remain affordable for 180 months or a longer period selected by the developer, in accordance with section 2218 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2218). If a for-sale unit is sold before the affordability period expires, the new affordability term shall begin on the date of the sale.

"(2) After the affordability period expires, there shall be no resale restrictions unless otherwise agreed to by the developer or a subsequent purchaser in an additional covenant negotiated pursuant to subsection (d) of this section. If no additional covenant exists after the affordability period expires, the purchaser shall repay all preexisting equity to the Housing Production Trust Fund established in section 3; provided, that:

"(A) Title to the property transferred from the purchaser to another party by a means other than inheritance; or

"(B) Refinancing of indebtedness secured by the property results in any withdrawals of cash or equity value from the property by the purchaser/borrower.

"(3) If the future sales price is not sufficient to pay off all deeds of trust, the customary seller's closing costs, and the preexisting equity, the amount due to the Housing Production Trust Fund for the repayment of the preexisting equity shall be the amount available from the sale of the property after payment of all deeds of trust and customary seller's closing costs.

"(4) Repayment of the preexisting equity shall not be required upon the refinancing of indebtedness resulting in withdrawal of cash or equity value if the new loan, all other indebtedness, and the preexisting equity result in an amount that is less than 80% of the appraised value of the property.

"(c)(1) A for-sale unit constructed pursuant to this act and located in a distressed neighborhood shall remain affordable for 60 months or a longer period selected by the developer, in accordance with section 2218 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2218). If a for-sale unit is sold before the affordability period expires, the new affordability term shall begin on the date of the sale.

"(2) After the affordability period expires, there shall be no resale restrictions unless otherwise agreed to by the developer or a subsequent purchaser in an additional covenant negotiated pursuant to subsection (d) of this section. If no additional covenant exists after the affordability period expires, the purchaser shall repay all preexisting equity to the Housing Production Trust Fund; provided, that:

"(A) Title to the property transferred to another party by a means other than inheritance; or

"(B) Refinancing of indebtedness secured by the property results in any withdrawals of cash or equity value from the property by the purchaser/borrower.

"(3) If the future sales price is not sufficient to pay off all deeds of trust, the customary seller's closing costs, and the preexisting equity, the amount due to the Housing Production Trust Fund for the repayment of the preexisting equity shall be the amount available

from the sale of the property after payment of all deeds of trust and customary seller's closing costs.

"(4) Repayment of the preexisting equity shall not be required upon the refinancing of indebtedness resulting in withdrawal of cash or equity value if the new loan, all other indebtedness, and the preexisting equity results in an amount that is less than 80% of the appraised value of the property.

"(5) When a resident or developer submits an application for development of a property with affordable for-sale units that is located in a distressed neighborhood, this subsection shall apply for a period of 3 years regardless of any subsequent changes to the determination of whether a neighborhood is distressed under subsection (e) of this section.

"(d) Nothing in this act shall prohibit a developer from making the developer's properties subject to affordability periods that are longer than those minimum affordability periods required under subsections (b) and (c) of this section, including for developments such as limited equity cooperatives, land trusts, and shared equity models. These covenants may require the developer or purchaser to repay additional amounts if terms of the covenant are not satisfied.

"(e)(1) The Mayor shall make the determination of distressed neighborhoods on an annual basis by rulemaking pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), and a map identifying all distressed neighborhoods shall be included in the annual Consolidated Action Plan submitted to the Department of Housing and Urban Development, which is the annual plan associated with the 5-Year Consolidated Plan.

"(2) For the first determination of distressed neighborhoods under this subsection, the proposed rules shall be promulgated as part of the next Consolidated Action Plan developed after the effective date of the Affordable Homeownership Preservation and Equity Accumulation Amendment Act of 2014, passed on 2nd reading on October 28, 2014 (Enrolled version of Bill 20-604), and submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved.

"(3) The Mayor shall use as a baseline for the determination of distressed neighborhoods those United States Census Tracts with a poverty rate of 20% and may add or remove United States Census Tracts designated as distressed considering the median sales price, median home appreciation rate, homeownership rate, and other factors deemed reasonable by the Mayor.".

Amend § 47-820.02

Sec. 3. Section 47-820.02(a)(1)(B) of the District of Columbia Official Code is amended to read as follows:

"(B) The base assessment amount shall be the amount paid by the current property owner in exchange for the property, not including:

"(i) Any grants or other amounts received by the property owner from government agencies, housing organizations, and other entities that are not likely to be

repaid (absent a violation of the terms of the limitations, encumbrances, or other restrictions attached to the sale); and

"(ii) Any preexisting equity as defined in section 2(8A) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801(8A)) ("Act"), in the case of resale restricted properties subject to the Act.".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

D.C. Law 20-191, effective March 10, 2015
[Partial Delayed Applicability]

AN ACT

Bill 20-821
Act 20-483 effective November 19, 2014

To establish a Food Policy Council to identify regulatory burdens on the local food economy, collect and analyze data on the food economy and food equity, promote positive food policies, and guide organizations and individuals involved in the food economy and to establish a Food Policy Director in the Office of Planning who would promote food policy in the District, attract new participants to the local food economy, assist an individual already participating in the local food economy, and achieve the food goals identified in the Sustainable DC Plan.

Codification District of Columbia Official Code 2001 Edition

Food Policy Council and Director Establishment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Food Policy Council and Director Establishment Act of 2014".

New Chapter 3A, Title 48

New § 48-311

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Food access" means the ability of an individual or a family to consistently obtain affordable, nutritious food equitably across geography and income level.

(2) "Food assets" means any resource or capacity, whether physical or skill-based, in the growth, production, processing, distribution, disposal, or repurposing of food.

(3) "Food desert" means an area where more than 50% of the population is at or below 185% of the average median income level and where an individual cannot obtain a wide selection of fresh produce and other nutritious foods within ½ of a mile of the individual's residence.

(4) "Food procurement" means the purchasing of or contracting for large volumes of locally grown food either directly from farms or from vendors by large entities either public or private, including schools, hospitals, and prisons.

(5) "Local food economy" means an individual, organization, or business that maintains a presence in the District and is involved in the growth, production, processing, distribution, disposal, or repurposing of food within the District.

(6) "Locally grown" means from a grower in Delaware, the District, Maryland, New Jersey, North Carolina, Pennsylvania, Virginia, or West Virginia.

(7) "Urban agriculture" means the practice of growing, cultivating, processing, and distributing vegetables, fruits, grains, mushrooms, honey, herbs, nuts, seeds, and rootstock within the District.

Sec. 3. Establishment and duties of the Food Policy Council. **New § 48-312**

(a) The Mayor shall establish a Food Policy Council, whose purpose shall be to:

(1) Promote food access, food sustainability, and a local food economy, including non-mainstream producers, in the District;

(2) Monitor regulatory barriers to the development of a local food economy, including barriers to the operations of farmers markets, existing food assets in the local food economy, and job creation potential in the local food economy, which shall be included in the annual report submitted to the Council of the District of Columbia in accordance with subsection (c) of this section and may be reported to the Council and relevant agencies more frequently if needed;

(3) Collect and analyze data on the local food economy and food access in the District, including an assessment of food deserts; and

(4) Monitor and research national best practices in food policy, including public health policy for dietary-related illness, and determine how they could be implemented in the District.

(b) The Food Policy Council shall advise the Food Policy Director appointed pursuant to section 5(a) on how to promote food access, food sustainability, and a local food economy in the District, how to reduce regulatory barriers to the development of a local food economy, and how to implement national best practices in food policy in the District.

(c) The Food Policy Council shall provide an annual report to the Council of the District of Columbia on the state of the local food economy and food access across the District. The first report shall be due within 240 days of the effective date of this act. Thereafter, the Food Policy Council shall submit a report on December 31 of each year. The report shall identify national best practices in food policy, assess District food access, including an identification of food deserts, assess District food assets, recommend revisions to regulations and policies that affect the local food economy and food access, and identify funding priorities.

(d) The Food Policy Council may apply for any federal, public, or private grant or funding that would enhance its ability to improve food policy and equity in the District.

Sec. 4. Composition and term of the Food Policy Council. **New § 48-313**

(a) The Food Policy Council shall consist of 13 voting members appointed by the Mayor with the advice and consent of the Council of the District of Columbia, one of whom shall be the Food Policy Director appointed pursuant to section 5(a). The members shall be equally representative of established public, nonprofit, and for-profit entities and organizations involved in the local food economy or food access in the District.

(b) Voting members shall serve terms of 3 years; provided that of the initial members appointed, 4 shall serve for a term of 3 years, 4 shall serve for a term of 2 years, and 4 shall serve for a term of one year.. Members may be reappointed but may serve no more than 2 consecutive full terms. The Food Policy Director shall serve on the Food Policy Council as long as he or she remains the Food Policy Director.

(c) When a vacancy develops on the Food Policy Council, the Mayor shall, with the advice and consent of the Council of the District of Columbia, appoint a successor to fill the unexpired portion of the term within 90 days of the vacancy.

(d) Excluding the Food Policy Director, voting members shall be evenly divided into 4 working groups to address prominent food policy issues. Each working group shall include a balance among members of public, nonprofit, and for-profit entities and organizations involved in the local food economy or food access. Each working group may include between 4 to 8 additional members of the public named by the voting members with recognized expertise in the working group's policy area. The working groups shall make recommendations for food policy to the Food Policy Council to be included in the annual report. The working groups shall focus on the following policy groups:

(1) Local food business and labor development;

(2) Food equity, access, and health and nutrition education;

(3) Sustainable food procurement of locally grown food; and

(4) Urban agriculture and food system education.

(e) The voting members shall elect a chairperson of the Food Policy Council. The chairperson shall name voting members to working groups. All voting members shall serve without compensation.

(f) The Food Policy Council shall develop its own rules of procedure.

(g) The Food Policy Council shall meet at least once every other month. The meetings shall be held in the District and be open to the public, and members of the public shall be allowed to voice questions or concerns about food policy at the meetings. A quorum to transact business shall consist of a majority of the voting members.

(h) There shall be 10 ex officio nonvoting members, including Directors of the following departments or their designees:

(1) Department of Human Services;

(2) Department of Health;

(3) Department of Consumer and Regulatory Affairs;

(4) Department of Parks and Recreation;

(5) Office of the State Superintendent of Education;

(6) Office of Planning;

(7) District Department of Transportation;

(8) District Department of the Environment;

(9) Department of General Services; and

(10) Office of the Deputy Mayor for Planning and Economic Development.

(i) Ex officio members shall develop and implement policies and programs in their agencies that are consistent with the Food Policy Council's purposes. They shall meet with the Food Policy Director and the Food Policy Council at least quarterly each year to assist in coordinating plans and policies that are beneficial to the local food economy and improving food access in the District. In addition, ex officio members shall work with the Food Policy Director

and the Food Policy Council to examine existing regulations and policies that may be overly burdensome as applied to the local food economy.

Sec. 5. Appointment and duties of Food Policy Director.

New § 48-314 Delayed Applicability

(a) The Mayor shall appoint a Food Policy Director ("Director") within the Office of Planning with the advice and consent of the Council of the District of Columbia to promote equitable and sustainable food policies across the District that increase food access and build a local food economy.

(b) The Director shall:

(1) Collaborate with other jurisdictions to promote locally-grown and sustainable food production practices;

(2) Seek outside grants, recognition, and partnerships to facilitate positive food policy in the District;

(3) Provide assistance to participants in the local food economy in securing necessary permits and approvals and in navigating the regulatory process;

(4) Advocate for new local food economy ventures to locate in the District;

(5) Devise strategies for the District to meet the food goals identified in the Sustainable DC Plan issued by the Mayor in 2013; and

(6) Work with relevant agencies to reduce regulatory burdens on the local food economy.

Sec. 6. Applicability.

New § 48-315

(a) Sections 1, 2, 3 and 4 shall apply as of the effective date of this act.

Delayed Applicability

(b) Section 5 shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 7. Fiscal impact statement.

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

Sec. 8. Effective date.

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

AN ACT

Bill 20-572
Act 20-484 effective November 21, 2014

To establish a Commission on Health Disparities to examine health disparities in the District, produce reports on its findings, and advise the Department of Health, the Council, and the Mayor on the best ways to address existing health disparities.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Commission on Health Disparities Establishment Act of 2014".

Commission on Health Disparities Establishment Act of 2014

Sec. 2. Establishment of the Commission on Health Disparities.

New Chapter 7B-i, Title 7

New § 7-755.01

(a) There is established a Commission on Health Disparities ("Commission") to prepare comprehensive recommendations to the Department of Health, the Council, and the Mayor that examine health disparities in each election ward of the District.

(b) The Commission shall have 9 voting members, who shall be appointed as follows:

(1)(A) Six voting members shall be appointed by the Mayor with the advice and consent of the Council, in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

(B) The Mayor's initial 6 appointments shall include 3 members appointed to 3-year terms and 3 members appointed to 2-year terms. All subsequent appointments by the Mayor shall be for 3-year terms.

(2)(A) Three voting members shall be appointed by the Council.

(B) The Council's initial 3 appointments shall be for 1-year terms. All subsequent appointments by the Council shall be for 3- year terms.

(3) The voting members shall have expertise in at least one of the following areas:

(A) Health disparities;

(B) Social and human services;

(C) Early learning and education;

(D) Minority communities;

(E) Economic development; and

(F) Ecology and the environment.

(4) The Mayor shall appoint the Chairperson of the Commission from among its voting members.

(c)(1) The Commission shall have 8 nonvoting advisory members, including the following:

(A) The Chairperson of the Committee on Health, who shall serve as an

ex-officio member;

(B) Three community advisory members, one each from Wards 5, 7, and 8, appointed by the Council;

(C) One patient organization representative, appointed by the voting members of the Commission; and

(D) The presidents or chief executive officers of 2 District hospitals and a representative from an insurance company who has access to a health disparities database, or their designees.

(2) For the purposes of this subsection, the term "patient organization representative" means an individual who works for a nationally or locally recognized organization committed to improving the diagnosis, treatment, and quality of life for individuals suffering from a particular disease or condition.

(d) All vacancies on the Commission shall be filled in the same manner in which the initial appointment is made.

(e) All members of the Commission shall be appointed within one year after the effective date of this act.

Sec. 3. Commission duties and functions. **New § 7-755.02**

(a) The Commission shall:

(1) Analyze each election ward in the city for health disparities related to the following diseases, conditions, and health indicators:

(A) Diabetes;

(B) Asthma;

(C) Infant mortality, including sudden infant death syndrome;

(D) HIV/AIDS;

(E) Heart disease;

(F) Stroke;

(G) Breast cancer, cervical cancer, and prostate cancer;

(H) Chronic kidney disease;

(I) Mental health;

(J) Women's health issues;

(K) Smoking cessation;

(L) Oral disease;

(M) Immunization rates of children and senior citizens; and

(N) Any other disease, condition, or health indicator that the Commission considers appropriate;

(2) Gather information from public hearings, inquires, and studies to understand how the District government may work to eliminate health disparities;

(3) Seek federal grants, if available; and

(4) Submit a formal city action plan by March 1st of each year to the Department of Health, the Mayor, and the Council.

(b)The formal city action plan required by subsection (a)(4) of this section hall be a public document and shall include, at a minimum:

(1) A report of the Commission's findings regarding the prevalence and severity of the diseases, conditions, or health indicators studied that highlight the election ward and demographic most affected; possible steps that can be taken by the District government to remedy these issues; and, expected outcomes that will result from taking the recommended steps; and

(2) Draft legislation, regulations, amendments to statutes or regulations, or any other specific steps for implementing the recommendations described in paragraph (1) of this subsection.

Sec. 4. Commission procedure and powers. **New § 7-755.03**

(a) The Commission shall meet at least once a quarter to share findings regarding the prevalence and severity of health disparities that exist in each election ward.

(b) The Chairperson of the Commission, or his or her designee, who must be a member of the Commission, shall convene all Commission meetings.

(c) A majority of the voting members appointed to the Commission at any given time shall constitute a quorum for the transaction of official business. Official actions of the Commission shall be taken by a majority vote of the voting members present at the meeting.

(d) The Commission may use space and supplies owned or rented by the District government and use staff loaned from the Council or detailed by the Mayor for purposes consistent with this act as the Commission may determine.

Sec. 5. Commission on Health Disparities Fund. **New § 7-755.04**

(a) There is established as a special fund the Commission on Health Disparities Fund ("Fund"), which shall be administered by the Commission in accordance with subsections (b) and (c) of this section.

(b) Revenue from the following sources shall be deposited into the Fund:

(1) Appropriations;

(2) Private gifts or donations; and

(3) Federal grants, when awarded.

(c) Money in the Fund shall be used to fulfill the functions and duties of the Commission, as set forth in section 3.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 6. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows: **Amend § 1-523.01**

(a) Paragraph (49) is amended by striking the word "and".

(b) The first paragraph (50) is amended by striking the period and inserting a semicolon in its place.

(c) The second paragraph (50) is redesignated as paragraph (51).

(d) The newly designated paragraph (51) is amended by striking the period and inserting the phrase "; and" in its place.

(e) A new paragraph (52) is added to read as follows:

"(52) "The Commission on Health Disparities.".

Sec. 7. Fiscal impact statement.

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

Sec. 8. Effective date.

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

D.C. Law 20-193, effective March 10, 2015

AN ACT

Bill 20-594
Act 20-485 effective November 27, 2014

To amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to establish affordable housing requirements and to require that specific documents accompany a proposed resolution for a land disposition transmitted to the Council.

Codification District of Columbia Official Code 2001 Edition

Disposition of District Land for Affordable Housing Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Disposition of District Land for Affordable Housing Amendment Act of 2014".

Amend § 10-801

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended as follows:

(a) A new subsection (a-3) is added to read as follows:

"(a-3)(1) If a proposed disposition of real property will result in the development of multifamily residential property consisting of 10 or more units ("multifamily units"), the following affordable housing requirements shall apply:

"(A) If the multifamily units are located in the following areas, at least 30% of the units shall be dedicated as affordable housing:

"(i) Within 1/2 mile of a Metrorail station that is in operation or for which a construction contract has been awarded on or before the date of the disposition;

"(ii) Within 1/4 mile of a streetcar line that is in operation or for which a construction contract has been awarded on or before the date of the disposition; or

"(iii) Within 1/4 mile of a Priority Corridor Network Metrobus Route, as designated by the Washington Area Metropolitan Transit Authority, located entirely or partially within the District of Columbia;

"(B) If the multifamily units are located outside of the areas described in subparagraph (A) of this paragraph, at least 20% of the units shall be dedicated as affordable housing;

"(C) The units dedicated as affordable housing pursuant to subparagraphs (A) and (B) of this paragraph shall remain affordable housing units for the life of the building; and

"(D) The purchase price for the second and subsequent sales of the units dedicated as affordable housing described in subparagraphs (A) and (B) of this paragraph shall be determined by a formula established by the Mayor.

"(2) The units dedicated as affordable housing pursuant to subparagraphs (A) and (B) of this paragraph shall be made available according to the following affordability levels:

"(A) In the case of rental units, 25% of the units shall be housing for which a very low-income household will pay no more than 30% of its income toward housing costs, and 75% of such units shall be housing for which a low-income household will pay no more than 30% of its income toward housing costs; and

"(B) In the case of ownership units, 50% of the units shall be housing for which a low-income household will pay no more than 30% of its income toward housing costs, and 50% of the units shall be housing for which a moderate-income household will pay no more than 30% of its income toward housing costs.

"(3) The Mayor shall take into account the affordable housing requirements of this subsection when establishing the terms and conditions under which real property is to be disposed. The Mayor may transfer real property at less than its appraised value or provide additional subsidies to a developer, as necessary, to ensure that the affordable housing requirements imposed by this subsection are met.

"(4) The Mayor may waive the affordable housing requirements of this subsection; provided, that the Mayor certifies that:

"(A) The appraised value of the property to be disposed is insufficient to support the affordable housing requirements, taking into account all other available sources of public funding for affordable housing, whether provided by the District of Columbia or the federal government;

"(B) The terms and conditions under which the real property is to be disposed satisfy the housing requirements to the maximum extent possible; and

"(C) The Chief Financial Officer has provided to the Mayor and the Council a financial analysis, which shall consist of:

"(i) A review and analysis of the financial condition of disposed land; and

"(ii) An advisory opinion stating whether or not it is likely that the developer could be reasonably expected to meet the affordable housing requirements outlined in paragraph (1) of this subsection.

"(5) Paragraph (4) of this subsection shall not apply to the disposition of the building and property owned by the District located at 425 2nd Street, N.W., unless the District commits to using all of the proceeds from the disposition of the property for the construction of a new homeless shelter and affordable housing to serve homeless populations.

"(6) The Mayor may reduce the affordable housing requirements of this section if the proposed disposition of real property finances the development of a significant public facility. For the purposes of this paragraph, the term "public facility" means a building, structure, or system that is an asset of the District government eligible for capital spending and subject to depreciation. A public facility may include a fire station, public library, public school, stadium, or homeless shelter. Notwithstanding the priority to finance a significant public facility,

the Mayor shall nevertheless endeavor to provide affordable housing, consistent with this section, to the extent economically feasible.".

(b) Subsection (b)(5) is amended to read as follows:

"(5) If applicable, a finding that the Developer will achieve the affordable housing requirements established by subsection (a-3) of this section or, if those requirements will not be achieved, a written certification by the Chief Financial Officer pursuant to subsection (a-3)(4) of this section;".

(c) A new subsection (n) is added to read as follows:

"(n) For the purposes of this section, the term:

"(1) "Area median income" means:

"(A) For a household of 4 persons, the area median income in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development;

"(B) For a household of 3 persons, 90% of the area median income for a household of 4 persons;

"(C) For a household of 2 persons, 80% of the area median income for a household of 4 persons;

"(D) For a household of one person, 70% of the area median income for a household of 4 persons; and

"(E) For a household of more than 4 persons, the area median income for a household of 4 persons, increased by 10% of the area median income for a household of 4 persons for each household member exceeding 4 persons.

"(2) "Housing costs" means:

"(A) In the case of rental units, rent and utilities.

"(B) In the case of ownership units, mortgage payments, including principal, interest, and property insurance, taxes, homeowner association, condominium, or cooperative fees, and utilities.

"(3) "Low-income household" means a household consisting of one or more persons with a total household income that is more than 30% and less than or equal to 50% of the area median income.

"(4) "Moderate-income household" means a household consisting of one or more persons with total household income more than 50% and less than or equal to 80% of the area median income.

"(5) "Very low-income household" means a household consisting of one or more persons with total household income less than or equal to 30% of the area median income.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1974 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

AN ACT

Bill 20-723
Act 20-486 effective November 20, 2014

To provide for additional procedural safeguards for students with disabilities and their families, to provide for the neutral administration of due process hearings for students with disabilities as required under the Individuals with Disabilities Education Act, and to require the State Superintendent of Education to issue rules to implement this act.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Special Education Student Rights Act of 2014".

Special Education Student Rights Act of 2014

TITLE I. PROCEDURAL PROTECTIONS

New Chapter 25C, Title 38

Sec. 101. Short title.

This title may be cited as the "Special Education Procedural Protections Expansion Act of 2014".

New § 38-2571.01

Sec. 102. Definitions.

New § 38-2571.02

For the purposes of this act, the term:

(1) "Child with a disability" shall have the same meaning as provided in section 602(3) of IDEA (20 U.S.C. § 1401(3)).

(2) "IDEA" means the Individuals with Disabilities Education Act, approved April 13, 1970 (84 Stat. 175; 20 U.S.C. § 1400 *et seq.*), and its implementing regulations.

(3) "Individualized education program" or **"**IEP" means a written plan that specifies the special education programs and services to be provided to meet the unique educational needs of a child with a disability, as required under section 614(d) of IDEA (20 U.S.C. § 1414(d)).

(4) "Individualized family service plan" or "IFSP" means a written plan for providing early intervention services to an infant or toddler with a disability and the infant's or toddler's family that:

(A) Is based on the evaluation and assessment of the child and family, consistent with the requirements of 34 C.F.R. § 303.321;

(B) Consistent with the requirements of 34 C.F.R. § 303.344, includes:

(i) Information about the child's present levels of development;

(ii) Information about the family;

(iii) The results or outcomes to be achieved;

(iv) The early intervention services necessary to meet the needs of the child and family, and

(v) To the extent appropriate, the identification of other services that the child or family needs or is receiving through other sources;

(C) Is implemented as soon as possible once parental consent for the early intervention services in the IFSP is obtained, consistent with 34 C.F.R. § 303.420; and

(D) Is developed in accordance with the IFSP procedures in 34 C.F.R. §§ 303.342, 303.343, and 303.345.

(5) "Infant or toddler with a disability" shall have the same meaning as provided in section 632(5) of the IDEA (20 U.S.C. § 1432(5)).

(6) "Local education agency" or "LEA" means the District of Columbia Public Schools system or any individual or group of public charter schools operating under a single charter.

(7) "OSSE" means the Office of the State Superintendent of Education, as established by the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601, *et seq.*).

(8) "Parent" means a natural or adoptive parent of a child, a legal guardian, a person acting in the place of a parent, such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare, or a surrogate parent who has been appointed in accordance with 34 C.F.R. §300.519. The term "parent" may also include a foster parent when the natural parent's authority to make educational decisions on the child's behalf has been extinguished under applicable law and the foster parent has an ongoing, long-term parental relationship with the child, is willing to make educational decisions for the child as required under IDEA, and has no interest that conflicts with the interest of the child.

(9) "Public agency" means either OSSE or a local education agency.

(10) "Service location" means the physical address at which instruction occurs or at which a student with disabilities receives special education and related services. The term "service location" does not refer to a specific classroom within a building or a specific building on a campus.

Sec. 103. Procedural safeguards; due process requirements. **New § 38-2571.03**

In addition to any procedural safeguards and due process requirements required by IDEA:

(1) Before any change in service location for a child with a disability is made, the LEA shall provide the parent with written notice of the proposed change, which shall at minimum include:

(A) A description of the action proposed by the LEA;

(B) An explanation of why the LEA proposes to take the action;

(C) A description of each evaluation procedure, assessment, record, and report the agency used as a basis for the proposed action;

(D) A statement that the parents of a child with a disability have protection under the procedural safeguards of IDEA and that describes the means by which a copy of the procedural safeguards can be obtained;

(E) Sources for parents to contact to obtain assistance in understanding the provisions of IDEA;

(F) A description of other options that the LEA considered and the reasons why those options were rejected; and

(G) A description of any other factors relevant to the LEA's proposal.

(2) Any notice provided to the parent of a child with a disability or the parent of an infant or toddler with a disability pursuant to section 625(c)(1) or 639(a)(6) of IDEA (respectively, 20 U.S.C. § 1439(a)(6) and 20 U.S. C. § 1415(c)(1)) or this act shall include a list of sources the parent may contact for assistance, including contact information for the:

(A) Parent Training and Information Center established pursuant to section 671 of IDEA (20 U.S.C. § 1471);

(B) Office of the Ombudsman for Public Education; and

(C) Office of the Student Advocate.

(3) No fewer than 5 business days before a scheduled meeting where an IEP, IFSP, or eligibility for special education services will be discussed, the public agency scheduling the meeting shall provide parents with an accessible copy of any evaluation, assessment, report, data chart, or other document that will be discussed at the meeting; provided, that if a meeting is scheduled fewer than 5 business days before it is to occur, then these documents shall be provided no fewer than 24 hours before the meeting.

(4)(A) No later than 5 business days after a meeting at which a new or amended IEP has been agreed upon, the public agency shall provide the parents with a copy of the IEP. If an IEP has not yet been completed by the 5th business day after the meeting or additional time is required to comply with the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*) ("Language Access Act"), the public agency shall provide the parent with the latest available draft IEP and a final copy upon its completion; provided, that the final copy of the IEP shall be provided to the parents no later than 15 business days after the meeting at which the IEP was agreed upon.

(B) No later than 5 business days after a meeting at which a new or amended IFSP has been agreed upon, the public agency shall provide the parents with a copy of the IFSP for their review and signature. If additional time is required to comply with the Language Access Act, the public agency shall provide the parent with a copy for parental review upon completion; provided, that the IFSP shall be provided to the parents for review no later than 15 business days after the meeting at which the IFSP was agreed upon.

(5)(A) Upon request, an LEA shall provide timely access, either together or separately, to the following for observing a child's current or proposed special educational program:

(i) The parent of a child with a disability; or

(ii) A designee appointed by the parent of a child with a disability who has professional expertise in the area of special education being observed or is necessary to facilitate an observation for a parent with a disability or to provide language translation assistance to a parent; provided, that the designee is neither representing the parent's child in

litigation related to the provision of free and appropriate public education for that child nor has a financial interest in the outcome of such litigation.

(B) The time allowed for a parent, or the parent's designee, to observe the child's program shall be of sufficient duration to enable the parent or designee to evaluate a child's performance in a current program or the ability of a proposed program to support the child.

(C) A parent, or the parent's designee, shall be allowed to view the child's instruction in the setting where it ordinarily occurs or the setting where the child's instruction will occur if the child attends the proposed program.

(D) The LEA shall not impose any conditions or restrictions on such observations except those necessary to:

(i) Ensure the safety of the children in a program;

(ii) Protect other children in the program from disclosure by an observer of confidential and personally identifiable information in the event such information is obtained in the course of an observation by a parent or a designee; or

(iii) Avoid any potential disruption arising from multiple observations occurring in a classroom simultaneously.

(E) An observer shall not disclose nor use any information obtained during the course of an observation for the purpose of seeking or engaging clients in litigation against the District or the LEA.

(F) The LEA may require advance notice and may require the designation of a parent's observer to be in writing.

(G) Each LEA shall make its observation policy publicly available.

(H) Nothing in this paragraph shall be construed to limit or restrict any observational rights established by IDEA or other applicable law.

(6)(A) In special education due process hearings occurring pursuant to IDEA (20 U.S.C. § 1415(f) and 20 U.S.C. § 1439(a)(1)), the party who filed for the due process hearing shall bear the burden of production and the burden of persuasion; except, that:

(i) Where there is a dispute about the appropriateness of the child's individual educational program or placement, or of the program or placement proposed by the public agency, the public agency shall hold the burden of persuasion on the appropriateness of the existing or proposed program or placement; provided, that the party requesting the due process hearing shall retain the burden of production and shall establish a prima facie case before the burden of persuasion falls on the public agency. The burden of persuasion shall be met by a preponderance of the evidence.

(ii) Where a party seeks tuition reimbursement for unilateral placement, the party seeking reimbursement shall bear the burden of production and the burden of persuasion on the appropriateness of the unilateral placement; provided, that the hearing officer shall have the authority to bifurcate a hearing regarding a unilateral placement; provided further, that if the hearing officer determines that the program offered by the public agency is appropriate, it is not necessary to inquire into the appropriateness of the unilateral placement.

(B) This paragraph shall apply to special education due process hearings resulting from complaints filed after July 1, 2016.

(7)(A) In any action or proceeding brought under Part B or Part C of IDEA, a court, in its discretion, may award reasonable expert witness fees as part of the costs to a prevailing party:

(i) Who is the parent of a child with a disability;

(ii) That is a local educational agency or OSSE, when the attorney of a parent files a complaint or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of a parent who continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation; or

(iii) That is a local educational agency or OSSE against the attorney of a parent, or against the parent, if the parent's complaint or subsequent cause of action was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.

(B) Any fees awarded under this paragraph shall be based on rates prevailing in the community in which the action or proceeding arose for the kind and quality of services furnished; provided, that the maximum award shall be $6,000 per action or proceeding. No bonus or multiplier may be used in calculating the fees awarded under this paragraph.

(C) Expert witness fees otherwise available under this paragraph shall not be awarded if reimbursement of attorneys' fees and related costs would be prohibited in the proceeding under 20 U.S.C. § 1415(i)(3)(D).

(D) Any expert witness fees available under this paragraph, shall be subject to reduction if the court makes a finding listed under 20 U.S.C. 1415(i)(3)(F).

(E) Expert witness fees otherwise available under this paragraph shall not be awarded to compensate the moving party for an independent educational evaluation unless that party would be entitled to compensation for the evaluation under IDEA.

(F) This paragraph shall apply to actions and proceedings initiated after July 1, 2016.

Sec. 104. Transfer of rights. **New § 38-2571.04**

(a) A child with a disability who has reached 18 years of age shall be presumed to be competent, and all rights under IDEA shall transfer to the student, unless:

(1) The student has been adjudged incompetent under law;

(2) Pursuant to a procedure established by OSSE pursuant to 20 U.S.C. § 1415(m)(2), the student has been determined to not have the ability to provide informed consent and another competent adult has been appointed to represent the educational interests of that student; provided, that the adult student shall have the opportunity to challenge any determination made under this paragraph; or

(3)(A) The student has designated, in writing, by power of attorney or similar legal document, another competent adult to be the student's agent to:

(i) Make educational decisions;

(ii) Receive notices; and

(iii) Participate in meetings and all other procedures related to the student's educational program on behalf of the student.

(B)The student may terminate the power of attorney at any time and assume the right to make decisions regarding his or her education.

(b)(1) A student who has reached 18 years of age may receive support from another competent and willing adult to aid them in their decision-making.

(2) The student's decisional choice shall prevail any time that a disagreement exists between the student and the other adult providing support.

(c) No less than one year before a child with a disability reaches 18 years of age, the LEA shall notify the parents, in writing, that adult students with disabilities are presumed competent, and that all rights under IDEA will transfer to the student when the student reaches 18 years of age, unless the student or the family exercises one of the options described in subsection (a) of this section. The notice shall also describe the necessary procedure to exercise any of the options provided for in subsections (a) and (b) of this section.

TITLE II. DUE PROCESS HEARINGS **New Subchapter II**

Sec. 201. Short title. **New § 38-2572.01**

This title may be cited as the "Special Education Due Process Hearing Independence and Transparency Act of 2014".

Sec. 202. Hearing officer selection. **New § 38-2572.02**

(a) OSSE shall administer impartial due process hearings as required by IDEA (20 U.S.C. § 1415(f) and 20 U.S.C. § 1439(a)(1)) and may issue regulations necessary for this purpose.

(b) In selecting hearing officers for administering special education due process hearings, OSSE shall submit potential candidates for review to a 7-member community review panel.

(c)(1) The members of the community review panel shall be appointed by OSSE and consist of the following:

(A) One attorney knowledgeable in the field of special education who has experience representing parents and who is admitted to practice and in good standing in the District of Columbia;

(B) One attorney knowledgeable in the field of special education who has experience representing schools and who is admitted to practice and is in good standing in the District of Columbia;

(C) One educator knowledgeable in the field of special education and special education programming;

(D) One representative from a charter school LEA who is knowledgeable in the field of special education and special education programming;

(E) One representative from DCPS who is knowledgeable in the field of special education and special education programming; and

(F) Two parents of individuals who are or at one time were eligible to receive special education and related services in the District of Columbia.

(2) No member of the community review panel may be an employee of OSSE.

(d) Following its review of candidates for hearing officers, the community review panel shall forward its recommendations to the State Superintendent of Education.

Sec. 203. Evaluation and termination of hearing officers. **New § 38-2572.03**

(a) The State Superintendent of Education may establish a process for submitting the records of individual hearing officers to the community review panel for evaluation before exercising a contract option year.

(b) The contract of a hearing officer may only be terminated for good cause and after the hearing officer has been given notice and an opportunity to be heard.

Sec. 204. Attorney abuses. **New § 38-2572.04**

(a) Subject to IDEA and other applicable law, the chief hearing officer in the office for administering special education due process hearings ("office") may enter an order restricting the practice of any attorney before the office after a showing that the attorney has engaged in a pattern of filing frivolous pleadings.

(b) A pattern of filing frivolous pleadings shall be established when an attorney has:

(1) Three or more federal court judgments against him or her due to the filing of frivolous pleadings;

(2) Three or more pleadings that are deemed by the chief hearing officer for the office as frivolous, unreasonable, or without foundation, including pleadings that were filed for an improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation; or

(3) Filed a due process complaint without the knowledge and consent of the represented party.

(c) The restrictions that may be imposed by the chief hearing officer of the office include:

(1) Disqualification from a particular case;

(2) Suspension or disqualification from practice in special education due process hearings in the District of Columbia;

(3) A requirement that an attorney obtain ethics or other professional training; or

(4) A requirement that an attorney appear only when accompanied by another attorney.

(d) An attorney subject to a restriction under subsection (c) of this this section shall be given notice and an opportunity to be heard before the imposition of the restriction or as soon after imposition of the restriction as is practicable.

(e) Any person suffering a legal wrong or adversely affected or aggrieved by any order under this section may obtain judicial review of that order in the United States District Court for the District of Columbia.

New Subchapter III

TITLE III: RULES

New § 38-2573.01

Sec. 301. Rules.

Pursuant to the authority granted in section 3(b)(11) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(11), the State Superintendent of Education may issue rules to implement the provisions of this act; provided, that the State Superintendent of Education shall issue rules to implement section 104(a) by July 1, 2016.

TITLE IV. GENERAL PROVISIONS

Sec. 401. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer, dated October 6, 2014, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 402. Effective date.

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

AN ACT

Bill 20-724
Act 20-487 effective November 18, 2014

To amend the State Education Office Establishment Act of 2000 to provide for special education service enhancements; and to amend the Placement of Students with Disabilities in Nonpublic Schools Amendment Act of 2006 to decrease the number of days within which an evaluation of a student who may have a disability must occur, and to clarify that the requirements of the act apply to all public school students.

Codification District of Columbia Official Code 2001 Edition

Enhanced Special Education Services Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Enhanced Special Education Services Amendment Act of 2014".

TITLE I. OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

Sec. 101. Short title.

This title may be cited as the "State Education Office Establishment Amendment Act of 2014".

Sec. 102. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), is amended as follows:

Amend § 38-2601.02

(a) Section 2b (D.C. Official Code § 38-2601.02) is amended as follows:

(1) Redesignate paragraph (1) as paragraph (1A).

(2) Redesignate paragraph (1A) as paragraph (1B).

(3) Redesignate Paragraph (1B) as paragraph (1C).

(4) A new paragraph (1) is added to read as follows:

"(1) "Child with a disability" shall have the same meaning as provided in section 602(3) of the Individuals with Disabilities Education Act, approved April 13, 1970, (84 Stat. 175; 20 U.S.C. § 1401(3)).".

(5) New paragraphs (2C) and (2D) are added to read as follows:

"(2C) "IDEA" means the Individuals with Disabilities Education Act, approved April 13, 1970 (84 Stat. 175; 20 U.S.C. § 1400 *et seq.*), and its implementing regulations.

"(2D) "Individualized education program" or "IEP" means a written plan that specifies the special education programs and services to be provided to meet the unique educational needs of a child with a disability, as required under section 614(d) of IDEA (20 U.S.C. § 1414(d)).".

New § 38-2614

(b) A new section 7h is added to read as follows:

"Sec. 7h. Special education.

"(a)(1) Beginning July 1, 2016, or upon funding, whichever occurs later, the first IEP in effect after a child with a disability reaches 14 years of age shall include transition assessments and services, including:

"(A) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills and the transition services needed to assist the child in reaching those goals;

"(B) A statement of inter-agency responsibilities or any needed linkages before the child leaves the school setting; and

"(C) If the IEP team determines that transition services are not needed, a statement to that effect and the basis upon which the determination was made.

"(2) Not later than one year before a child with a disability's anticipated high school graduation or attainment of a certificate of IEP completion, the IEP team shall identify which adult services might be appropriate for the child and what evaluations should occur to determine the child's eligibility for those services; provided, that nothing in this section shall be construed to impose any obligation on an LEA to conduct evaluations to determine eligibility for adult services.

"(3) Beginning July 1, 2017, or upon funding, whichever occurs later, a child shall be eligible for Part C of IDEA if the child is otherwise an eligible infant or toddler with a disability and the child demonstrates a delay of at least 25%, using appropriate diagnostic instruments and procedures, in one of the following developmental areas:

"(A) Physical development, including vision or hearing;

"(B) Cognitive development;

"(C) Communication development;

"(D) Social or emotional development; or

"(E) Adaptive development.

"(b) By October 1, 2015, OSSE shall issue:

"(1) Rules to implement the provisions of this section; and

"(2) A report that includes recommendations on the advisability, timing, and expected cost to:

"(A) Further expand eligibility for early intervention or early childhood services to include any subset of infants or toddlers who are at risk of experiencing developmental delays because of the additional biological or environmental factors as described in 34 C.F.R. § 303.5; and

"(B) Expand eligibility for special education services by matching the definition of developmental delay of Part B of IDEA, defined in section 5-E3001 of Title 5 of the District of Columbia Municipal Regulations, and the definition of developmental delay under Part C of IDEA, defined in section 5-A3108.3 of Title 5 of the District of Columbia Municipal Regulations .

"(c) Subsection (a)(1) and (3) shall apply upon the inclusion of their fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget

Director of the Council in a certification published by the Council in the District of Columbia Register.".

TITLE II. NON-PUBLIC PLACEMENTS

Sec. 201. Short title.

This title may be cited as the "Placement of Students with Disabilities in Nonpublic Schools Amendment Act of 2014".

Sec. 202. The Placement of Students with Disabilities in Nonpublic Schools Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-269; D.C. Official Code § 38-2561.01 *et seq.*), is amended as follows:

Amend § 38-2561.01

(a) Section 101 (D.C. Official Code § 38-2561.01) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

"(2) "DCPS" means the District of Columbia Public Schools, established by section 102 of the District of Columbia Public Schools Agency Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D. C. Official Code § 38-171).".

(2) Paragraph (3)(D) is amended by striking the word "plan" and inserting the word "program" in its place.

(3) Paragraph (5) is amended by striking the phrase "Individualized education plan" and inserting the phrase "Individualized education program" in its place.

(4) A new paragraph (6A) is added to read as follows:

"(6A) "Local education agency" or "LEA" means an educational institution at the local level that exists primarily to operate a publicly funded school or schools in the District of Columbia, including the District of Columbia Public Schools and a District of Columbia public charter school.".

(5) A new paragraph (8A) is added to read as follows:

"(8A) "Public charter school" means a publicly funded public school established pursuant to the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800 *et seq.*), and is not part of DCPS.".

Amend § 38-2561.02

(b) Section 102(a) and (b) (D.C. Official Code § 38-2561.02(a) and (b)) is amended to read as follows:

"(a)(1) Before paragraph (2)(A) of this subsection taking effect, an LEA shall assess or evaluate a student who may have a disability and who may require special education services within 120 days from the date that the student was referred for an evaluation or assessment.

"(2)(A) Beginning July 1, 2017, or upon funding, whichever occurs later, an LEA shall assess or evaluate a student who may have a disability and who may require special education services within 60 days from the date that the student's parent or guardian provides consent for the evaluation or assessment. The LEA shall make reasonable efforts to obtain parental consent within 30 days from the date the student is referred for an assessment or evaluation.

"(B) This paragraph shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

"(3) For the purposes of this subsection, a referral for an evaluation or assessment for special education services may be oral or written. An LEA shall document any oral referral within 3 business days of receipt.

"(b) An LEA shall provide a student with a disability a free and appropriate public education in an appropriate special education placement in accordance with this act and IDEA; provided, that an LEA shall not remove a student with a disability from an age-appropriate classroom solely because of needed modifications in the general education curriculum.".

Amend § 38-2561.03

(c) Section 103 (D.C. Official Code § 38-2561.03) is amended as follows:

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

"(a) If an LEA anticipates that it may be unable to implement a student's IEP or provide a student with an appropriate special education placement in accordance with the IDEA and other applicable laws or regulations, the LEA shall notify the SEA. The SEA shall cooperate with the LEA to provide a placement in a more restrictive setting in conformity with the IDEA, and any other applicable laws or regulations.".

(2) Subsection (c) is amended to read as follows

"(c) The SEA shall be responsible for paying the costs of education, including special education and related services, of a student with a disability when the student is placed at a nonpublic special education school or program pursuant to this section; provided, that, in conformity with IDEA, the SEA shall not be responsible for paying the cost of education, including special education and related services, of a student with a disability who attends a nonpublic special education school or program if:

"(1) An LEA made a free and appropriate public education available to the student; and

"(2) The student's parent or guardian elected to place the student in a nonpublic special education school or program.".

(3) Subsection (d) is amended by striking the phrase "and with parental or guardian consent,".

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

"(e) The Office of the State Superintendent of Education shall issue updated rules to implement the provisions of this section by October 1, 2015.".

Amend § 38-2561.04

(d) Section 104 (D.C. Official Code § 38-2561.04) is amended by striking the acronym "DCPS" wherever it appears and inserting the acronym "the SEA" in its place.

Amend § 38-2561.05

(e) Section 105 (D.C. Official Code § 38-2561.05) is amended as follows:

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

"(a) The due process procedures set forth in the Special Education Student Rights Act of 2014, passed on 2nd reading on October 28, 2014 (Enrolled version of Bill 20-723), Chapter 30 of Title 5 of the District of Columbia Municipal Regulations, and IDEA shall govern any

disputes between a student's parent or guardian and the LEA or SEA regarding the assessment, evaluation, placement, and funding of a student with a disability in a nonpublic special education school or program.".

(2) Subsection (b) is amended by striking the acronym "DCPS" and inserting the phrase "the SEA" in its place.

Amend § 38-2561.06

(f) Section 106 (D.C. Official Code § 38-2561.06) is amended as follows:

(1) The heading is amended by striking the acronym "DCPS" and inserting the acronym "LEA" in its place.

(2) The text is amended as follows:

(A) Strike the phrase "DCPS shall participate" and insert the phrase "the LEA shall participate" in its place.

(B) Strike the phrase "a DCPS representative" and insert the phrase "the LEA representative" in its place.

(C) Strike the phrase "as planned." and insert the phrase "as planned and does not negate or diminish the LEA's obligation to provide a free and appropriate public education." in its place.

Amend § 38-2561.07

(g) Section 107(d) (D.C. Official Code § 38-2561.07(d)) is amended by striking the phrase "the Internet site of the District of Columbia Public Schools" and inserting the phrase "its website" in its place.

Amend § 38-2561.09

(h) Section 109(b) (D.C. Official Code § 38-2561.09(b)) is amended as follows:

(1)Paragraph (3) is amended to read as follows:

"(3) To investigate allegations or complaints related to this act, violations of the IDEA, or an applicable local or federal law regarding child safety and welfare; during which the nonpublic school's Certificate of Approval shall be placed on probation throughout the pendency of any investigation of an allegation or complaint of child safety and welfare; and".

(2) Paragraph (4) is amended by striking the acronym "DCPS" and inserting the phrase "applicable local" in its place.

Amend § 38-2561.10

(i) Section 110(b) (D.C. Official Code § 38-2561.10(b)) is amended as follows:

(1) Strike the phrase "DCPS Superintendent of Schools" and insert the acronym "LEA" in its place.

(2) Strike the phrase "to any DCPS-funded" and insert the phrase "for any District of Columbia funded" in its place.

Amend § 38-2561.11

(j) Section 111 (D.C. Official Code § 38-2561.11) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase "or DCPS".

(B) Paragraph (2) is amended by striking the phrase "or DCPS" and inserting the phrase "or an LEA" in its place.

(C) Paragraph (6) is amended as follows:

(i) Strike the acronym "DCPS" and insert the phrase "an LEA" in its place.

(ii) Strike the phrase "initial application" and insert the word "application" in its place.

(2) Subsection (b)(4) is amended by striking the period at the end and inserting the phrase "; provided, that if the issues under review relate to student safety or welfare, the SEA shall change the status of the Certificate of Approval to probationary, the SEA may refuse to issue a location assignment to the nonpublic special education school or program, and the SEA may recommend to the LEA to remove some or all of its students from the nonpublic school pending resolution of the matter." in its place.

Amend § 38-2561.14

(k) Section 114(a) (D.C. Official Code § 38-2561.14(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "Superintendent of Schools" and inserting the phrase "State Superintendent of Education" in its place.

(2) Paragraph (2) is repealed.

Amend § 38-2561.16

(l) Section 116 (D.C. Official Code § 38-2561.16) is amended as follows:

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

(A) Paragraph (5) is amended by striking the phrase "the SEA" and inserting the phrase "an LEA" in its place.

(B) Paragraph (6)(B) is amended to read as follows:

"(B) Whether the parents or guardian of the student, the LEA, and the SEA have been informed of the report; and".

(2) Subsection (b) is amended by striking the phrase "SEA and DCPS Internet sites" and inserting the phrase "SEA's website" in its place.

TITLE III. GENERAL PROVISIONS

Sec. 301. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer, dated October 6, 2014, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 302. Effective date.

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

AN ACT

Bill 20-725
Act 20-488 effective November 18, 2014

To amend the District of Columbia School Reform Act of 1995 to authorize charter schools to establish an admission preference for students with disabilities, and to require by a date certain that each public charter school be its local educational agency; to amend the State Education Office Establishment Act of 2000 to establish the Special Education Enhancement Fund; and to amend the Ombudsman for Public Education Establishment Act of 2007 to clarify the ability of the ombudsman to examine patterns of complaints, and to authorize the Ombudsman to observe instruction at any public school or public charter school.

Codification District of Columbia Official Code 2001 Edition

Special Education Quality Improvement Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Special Education Quality Improvement Amendment Act of 2014".

TITLE I. SPECIAL EDUCATION CAPACITY

Sec. 101. Short title.

This title may be cited as the "District of Columbia School Reform Amendment Act of 2014".

Sec. 102. The District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code § 38-1800.01 *et. seq.*), is amended as follows:

Amend § 38-1800.02

(a) Section 2002 (D.C. Official Code § 38-1800.02) is amended as follows:

(1) A new paragraph (18A) is added to read as follows:

"(18A) *IDEA.* – The term "IDEA" means the Individuals with Disabilities Education Act, approved April 13, 1970 (84 Stat. 175; 20 U.S.C. § 1400*et seq.*), and its implementing regulations.".

(2) A new paragraph (19A) is added to read as follows:

"(19A) *Individualized education program or IEP.* – The term "individualized educaton plan" or "IEP" means a written plan that specifies the special education programs and services to be provided to meet the unique educational needs of a child with a disability, as required under section 614(d) of IDEA (20 U.S.C. § 1414(d)).".

(3) A new paragraph (30A) is added to read as follows:

"(30A) *Rehabilitation Act.* – The term "Rehabilitation Act" means the Rehabilitation Act of 1973, approved September 26, 1973 (87 Stat. 355; 29 U.S. C. § 701 *et seq.*).".

Amend § 38-1802.02

(b) Section 2202 (D.C. Official Code § 38-1802.02) is amended as follows:

(1) Paragraph (16)(H) is amended by adding the word "and" at the end.

(2) Paragraph (18) is amended by striking the phrase "; and" and inserting a period in its place.

(3) Paragraph (19) is repealed.

Amend § 38-1802.06

(c) Section 2206 (D.C. Official Code § 38-1802.06) is amended by adding a new subsection (c-1) to read as follows:

"(c-1)(1) *Random selection special education.* -- If there are more applications to enroll in a public charter school from students who are residents of the District of Columbia than there are spaces available, students shall be admitted in accordance with subsection (c) of this section; provided, that with the prior approval of the Public Charter School Board, a preference in admission may also be given to an applicant with an IEP or an applicant in a disability category pursuant to IDEA, in order to facilitate the planning, development, and maintenance of high quality special education programs in the District of Columbia.

"(2) A public charter school seeking to establish a preference for admission under this subsection shall apply to the Public Charter School Board no later than July 1 of the year before the proposed effective date of the lottery preference.

"(3) In reviewing an application by a public charter school to establish a preference for admission under this subsection, the Public Charter School Board shall ensure that the proposed preference will increase educational opportunities for, and not adversely impact, students with disabilities.

"(4) In approving an application by a public charter school to establish a preference for admission under this subsection, the Public Charter School Board shall make publicly available a written document that specifies the preference established and the reasons for granting the preference.".

Amend § 38-1802.10

(d) Section 2210 (D.C. Official Code § 38-1802.10) is amended as follows:

(1) Subsection (c) is amended to read as follows

"(c) *Education of children with disabilities.* – By August 1, 2017, each public charter school shall be its own local educational agency for the purpose of Part B of IDEA and section 504 of the Rehabilitation Act (29 U.S.C. § 794); provided, that the Public Charter School Board may, in its discretion, waive application of this subsection to allow a currently existing public charter school with more than 90% of its students entitled to receive services pursuant to an individualized educational program to continue to be a District of Columbia public school for the purposes of Part B of IDEA and section 504 of the Rehabilitation Act (29 U.S.C. § 794).".

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

"(c-1) No newly approved public charter school shall elect to be treated as a District of Columbia public school for the purpose of Part B of IDEA and section 504 of the Rehabilitation Act of 1973(29 U.S.C. § 794).".

TITLE II. SPECIAL EDUCATION ENHANCEMENT FUND

Sec. 201. Short title.

This title may be cited as the "State Education Office Special Education Enhancement Fund Amendment Act of 2014".

Sec. 202. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), is amended by adding a new section 7g to read as follows:

New § 38-2613

"Sec. 7g. Special Education Enhancement Fund.

"(a)(1) There is established as a special fund the Special Education Enhancement Fund ("Enhancement Fund"), which shall be administered by OSSE in accordance with subsections (c) and (d) of this section.

"(b) Revenue from the following sources shall be deposited into the Enhancement Fund:

"(1) Any excess appropriated funds remaining at the end of each fiscal year in the operating budget for the non-public tuition paper agency within OSSE;

"(2) Any other annual appropriation, if any; and

"(3) Grants, gifts, or subsidies from public or private sources.

"(c) The Enhancement Fund shall be used solely to:

"(1) Provide additional funds to those public schools that demonstrate they have incurred costs associated with providing special education services above that for which the school was funded pursuant to the Uniform Per Student Funding Formula allocation;

"(2) Support special education capacity expansions, including:

"(A) Partnerships developed among nonpublic schools and public schools or public charter schools to provide special education services and training; and

"(B) Collaborative ventures among public charter schools to develop special education capacity through joint special education training, administration, or instruction;

"(3) Support:

"(A) Programs providing joint professional development and training opportunities:

"(B) Joint agreements to procure or provide special education services; or

"(C) Joint evaluations or assessments developed by groups of public schools or public charter schools; and

"(4) Support the development of educational programs specifically targeted at overage, under-credited youth with intensive special educational needs.

"(d) Notwithstanding any other provision of law, no funds provided under this section shall be counted for the purposes of calculating the maintenance of effort under IDEA.

"(e) OSSE may issue rules to implement the provisions of this section.

TITLE III. OMBUDSMAN.

Sec. 301. Short title.

This title may be cited as the "Ombudsman for Public Education Establishment Amendment Act of 2014".

Sec. 302. The Ombudsman for Public Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-351 *et seq.*), is amended as follows:

(a) Section 604 (D.C. Official Code § 38-353) is amended as follows: **Amend § 38-353**

(1) Paragraph (13) is amended by striking the word "and" at the end.

(2) Paragraph (15) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (16) is added to read as follows:

"(16) Identify school-level concerns based upon a pattern of complaints or concerns and recommend changes to improve the delivery of public education services.".

(b) Section 605 (D.C. Official Code § 38-354) is amended by adding a new paragraph (3A) to read as follows: **Amend § 38-354**

"(3A)Have the authority to observe instruction at any District of Columbia public school ("DCPS") or public charter school; provided, that DCPS or the public charter school may require advance notice before an observation may take place, but shall impose no other conditions or restrictions on such observations except those necessary to:

"(A) Ensure the safety of children in a program; or

"(B) To protect children in the program from disclosure by an observer of confidential and personally identifiable information if such information is obtained in the course of an observation;".

TITLE IV. GENERAL PROVISIONS.

Sec. 401. Fiscal impact statement.

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

Sec. 402. Effective date.

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

D.C. Law 20-197, effective March 10, 2015
[Partial Delayed Applicability]

AN ACT

Bill 20-753
Act 20-489 effective November 18, 2014

To amend the District of Columbia Taxicab Commission Establishment Act of 1985 to define a private vehicle-for-hire company and operator, to clarify the authority of vehicle inspection officers to make stops, to clarify the complaint authority of the District of Columbia Taxicab Commission, to create registration provisions for operators, to require background checks for operators, to prohibit street hails by operators, to require a private vehicle-for-hire company to conduct background checks, inspect vehicles, establish zero tolerance policies against discrimination and drug and alcohol use by operators, to require transmission of 1% of all gross receipts to the Office of the Chief Financial Officer, to require insurance for operators, to create provisions for charging for services, to provide for enforcement against private vehicles-for-hire, to deregulate fares for taxicabs arranged through digital dispatch, to clarify data and surcharge transmission requirements, and to require that a notice be posted in all taxicabs regarding acceptance of credit cards; to amend section 47-2829 of the District of Columbia Official Code to exempt private vehicles-for-hire from the license requirement and to clarify eligibility for a for-hire license; and to amend Title 18 of the District of Columbia Municipal Regulations to reduce the inspection requirement for taxicabs from semiannually to annually.

Codification District of Columbia Official Code 2001 Edition

Vehicle-for-Hire Innovation Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vehicle-for-Hire Innovation Amendment Act of 2014".

Sec. 2. The District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*), is amended as follows:

Amend § 50-303 Recodified as § 50-301.03

(a) Section 4 (D.C. Official Code § 50-303) is amended as follows:

(1) New paragraphs (8A) and (8B) are added to read as follows:

"(8A) "Digital dispatch" means the hardware and software applications and networks, including mobile phone applications, which passengers and operators use to provide public and private vehicle-for-hire service.

"(8B) "Dispatch" means the traditional methods of pre-arranging vehicle-for-hire service, including through telephone or radio.".

(2) New paragraphs (16A), (16B), and (16C) are added to read as follows:

"(16A) "Private vehicle-for-hire" means a class of transportation service by which a network of private vehicle-for-hire operators in the District provides transportation to passengers to whom the private vehicle-for-hire operators are connected by digital dispatch.

"(16B) "Private vehicle-for-hire company" means an organization, including a corporation, partnership, or sole proprietorship, operating in the District that uses digital dispatch to connect passengers to a network of private vehicle-for-hire operators.

"(16C) "Private vehicle-for-hire operator" means an individual who operates a personal motor vehicle to provide private vehicle-for-hire service in contract with a private vehicle-for-hire company.".

(3) Paragraph (17) is amended to read as follows:

"(17) "Public vehicle-for-hire" means a class of transportation service by motor vehicle for hire in the District, including a taxicab, limousine, or sedan-class vehicle, that provides for-hire service exclusively using drivers and vehicles licensed pursuant to this act and D.C. Official Code § 47-2829.".

(4) Paragraphs (18) and (19) are repealed.

(5) Paragraph (21) is amended to read as follows:

"(21) "Taxicab" means a class of public vehicle-for-hire that may be hired by dispatch, digital dispatch, or hailed on the street, and for which the fare charged is calculated by a Commission-approved meter with uniform rates determined by the Commission; provided, that a taxicab hired by a passenger through digital dispatch may use rates set by the company that operates the digital dispatch pursuant to the requirements of this act.

(6) Paragraph (28) is amended by striking the phrase "taxicab service" and inserting the phrase "taxicab street-hail service" in its place.

(7) Paragraph (29) is amended by striking the phrase "and the fare" and inserting the phrase "and, when hailed on the street, the fare" in its place.

(8) New paragraphs (30A) and (30B) are added to read as follows:

"(30A) "Vehicle-for-hire industry" means all public and private vehicles-for-hire, including companies, associations, owners, operators, or any person who, by virtue of employment or office, is directly involved in providing public or private vehicle-for-hire services within the District.

"(30B) "Vehicle inspection officer" means a District employee trained in the laws, rules, and regulations governing public and private vehicle-for-hire service to ensure the proper provision of service and to support safety through street enforcement efforts, including traffic stops of public and private vehicles-for-hire, pursuant to protocol prescribed under this act and by regulation.".

Amend § 50-307 Recodified as § 50-301.07

(b) Section 8(c) (D.C. Official Code § 50-307(c)) is amended as follows:

(1) Paragraph (4)(B) is amended by striking the phrase "public vehicle inspection officers" and inserting the phrase "vehicle inspection officers" in its place.

(2) Paragraph (11) is amended as follows:

(A) Strike the phrase "public vehicle inspection officers" and insert the phrase "vehicle inspection officers" in its place.

(B) Strike the phrase "public vehicles-for-hire" and inserting the phrase "public and private vehicles-for-hire" in its place.

(3) Paragraph (14) is amended by striking the phrase "against taxicab operators, companies, associations, fleets, and taxi dispatch services" and inserting the phrase "against the

vehicle-for-hire industry, including taxicab operators, companies, associations, fleets, and taxi dispatch services," in its place.

(c) Section 8b (D.C. Official Code § 50-307.02) is amended to read as follows:

Amend § 50-307.02 Recodified as § 50-301.07b

"Sec. 8b. Reciprocal agreements.

"The Mayor shall work with surrounding jurisdictions to update reciprocal agreements and shall submit a report to the Council on or before June 30, 2015, on his or her progress.".

(d) Section 10b(a) (D.C. Official Code § 50-309.02(a)) is amended as follows:

Amend § 50-309.02 Recodified as § 50-301.09b

(1) Strike the word "against" and insert the phrase "against public and private vehicles-for-hire, including" in its place.

(2) Strike the phrase "public vehicle inspection officers" and insert the phrase "vehicle inspection officers" in its place.

(e) Section 12 (D.C. Official Code § 50-311) is amended as follows:

Amend § 50-311 Recodified as § 50-301.11

(1) Subsection (b) is amended by striking the phrase "taxicab industry" and inserting the phrase "vehicle-for-hire industry" in its place.

(2) Subsection (b-1) is repealed.

(f) Section 13 (D.C. Official Code § 50-312) is amended as follows:

Amend § 50-312 Recodified as § 50-301.12

(1) Subsection (e) is amended as follows:

(A) Paragraph (5) is amended as follows:

(i) Strike the phrase "owners and operators of taxicabs, taxicab companies, associations, fleets, and dispatch services" and insert the phrase "owners and operators of public and private vehicles-for-hire, including taxicabs, taxicab companies, associations, fleets, and dispatch services," in its place.

(ii) Strike the phrase "taxicab industry" and insert the phrase "vehicle for-hire industry" in its place.

(B) Paragraph (11) is amended by striking the phrase "public vehicle inspection officers" and inserting the phrase "vehicle inspection officers" in its place.

(2) Subsection (f) is amended as follows:

(A) Strike the phrase "public vehicles-for-hire" wherever it appears and insert the phrase "public and private vehicles-for-hire" in its place.

(B) Strike the phrase "public vehicle inspection officers" wherever it appears and insert the phrase "vehicle inspection officers" in its place.

(g) Section 20a (D.C. Official Code § 50-320) is amended as follows:

Amend § 50-320 Recodified as § 50-301.20

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

(A) Paragraph (4) is amended by striking the word "and" at the end.

(B) Paragraph (5) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new paragraph (6) is added to read as follows:

"(6) All funds collected pursuant to section 20l(b)(11).".

(2) Subsection (b)(1)(A) is amended by striking the word "public vehicles-for-hire" and inserting the phrase "vehicle-for-hire" in its place.

(h) New sections 20f-1 and 20f-2 are added to read as follows:

New § 50-301.25a

"Sec. 20f-1. Accessibility of digital dispatch for individuals with disabilities.

"(a) By January 1, 2016, a company that provides digital dispatch shall:

"(1) Ensure that the company's websites and mobile applications are accessible to the blind and visually impaired and the deaf and hard of hearing; and

"(2) Provide a report to the Council's Committee on Transportation and the Environment, or its successor committee with oversight of for-hire vehicles, on how the company intends to increase access to wheelchair-accessible public or private vehicle-for-hire service to individuals with disabilities.

"(b) A company that provides digital dispatch shall not:

"(1) Impose additional or special charges on an individual with a disability for providing services to accommodate the individual; or

"(2) Require an individual with a disability to be accompanied by an attendant.

"(c) If an operator accepts a ride request through digital dispatch from a passenger with a disability who uses a mobility device, upon picking up the passenger, the operator shall stow the passenger's mobility equipment in the vehicle if the vehicle is capable of stowing the equipment. If a passenger or operator determines that the vehicle is not capable of stowing the equipment, the company that provides digital dispatch shall not charge a trip cancellation fee or, if such fee is charged, shall provide the passenger with a refund in a timely manner.

New § 50-301.25b

"Sec. 20f-2. Training of employees and operators.

"(a)(1) A company that uses digital dispatch shall train associated operators in how to properly and safely handle mobility devices and equipment and to treat an individual with disabilities in a respectful and courteous manner.

"(2) Completion of a public vehicle-for-hire driver's training course approved by the Commission shall satisfy the operator training requirement of this subsection.".

Amend § 50-326
Recodified as § 50-301.26

(i) Section 20g (D.C. Official Code § 50-326) is amended by adding a new subsection (c) to read as follows:

"(c)(1) The Commission shall create a notice to be posted in a conspicuous location in all taxicabs in clear view of passengers. The notice shall be at least 5 inches by 7 inches in size, and shall include the following:

"(A) A statement that a taxicab must accept credit cards through the approved taximeter system;

"(B) A statement that a taxicab shall not operate without a functioning taximeter system;

"(C) A statement that failure to accept a credit card is a violation of the law and is punishable by fine; and

"(D) The information required for passengers to submit an alleged violation, including a telephone number and website address to the agency responsible for handling the complaint.

"(2) To obtain a copy of the notice required to be posted under this subsection, the owner or operator of a taxicab required to post the notice shall:

"(A) Print the notice from the Commission website; or

"(B) Request that the notice be mailed and submit payment to the Commission for the cost of printing and first-class postage.

"(3) The Commission shall post a notice on its website indicating that compliance with this subsection is mandatory as well as the penalties for failure to comply.

"(4) A violation of this subsection shall be punishable by a civil fine or other penalty provided by regulation.".

(j) Section 20j (D.C. Official Code § 50-329) is amended as follows: **Amend § 50-329 Recodified as § 50-301.29**

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

"(a-1) The Commission shall not require a company that provides digital dispatch to sedan-class vehicles to produce to the Commission a list or inventory of vehicles or operators affiliated with the service.".

(2) Subsection (b) is amended by striking the phrase "a digital dispatch service" and inserting the phrase "digital dispatch" in its place.

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

"(b-1) A vehicle shall be permitted to operate as a sedan-class vehicle if:

"(1) It has a manufacturer's rated seating capacity of fewer than 10 persons;

"(2) It is not a salvaged vehicle or a vehicle rented from an entity whose predominant business is that of renting motor vehicles on a time basis; and

"(3) It is no more than 10 model years of age at entry into service and no more than 12 model years of age while in service.".

(k) New sections 20j-1, 20j-2, 20j-3, 20j-4, 20j-5, 20j-6, and 20j-7 are added to read as follows:

"Sec. 20j-1. General requirements for private vehicles-for-hire. **New § 50-301.29a**

"A private vehicle-for-hire company shall:

"(1) Create an application process for a person to apply to register as a private vehicle-for-hire operator;

"(2) Maintain an up-to-date registry of the operators and vehicles associated with the private vehicle-for-hire company;

"(3) Provide the following information on its website:

"(A) The private vehicle-for-hire company's customer service telephone number or electronic mail address;

"(B) The private vehicle-for-hire company's zero tolerance policy established pursuant to paragraphs (9) and (10) of this section;

"(C) The procedure for reporting a complaint about an operator who a passenger reasonably suspects violated the zero tolerance policy under paragraphs (9) and (10) of this section; and

"(D) A telephone number or electronic mail address for the Commission;

"(4) Verify that an initial safety inspection of a motor vehicle used as a private vehicle-for-hire was conducted within 90 days of beginning service and that the vehicle passed the inspection and was determined safe by a licensed mechanic in the District pursuant to D.C. Official Code § 47-2851.03(a)(9) or an inspection station authorized by the State of Maryland or the Commonwealth of Virginia to perform vehicle safety inspections; provided, that an initial safety inspection need not be conducted if the motor vehicle used for service is compliant with an annual state-required safety inspection. A safety inspection conducted pursuant to this paragraph shall check the following motor vehicle equipment to ensure that such equipment is safe and in proper operating condition:

"(A) Brakes and parking brake;

"(B) All exterior lights, including headlights, parking lights, brake lights, and license plate illumination lights;

"(C) Turn signal devices;

"(D) Steering and suspension;

"(E) Tires, wheels, and rims;

"(F) Mirrors;

"(G) Horn;

"(H) Windshield and other glass, including wipers and windshield defroster;

"(I) Exhaust system;

"(J) Hood and area under the hood, including engine fluid levels and belts;

"(K) Interior of vehicle, including driver's seat, seat belts, and air bags;

"(L) Doors;

"(M) Fuel system; and

"(N) Floor pan.

"(5) Verify the safety inspection status of a vehicle as described in paragraph (4) of this section on an annual basis after the initial verification is conducted;

"(6) Perform the background checks required by section 20j-2(b) on each applicant before private vehicle-for-hire service is provided and update those checks every 3 years thereafter;

"(7) Establish a trade dress as required by section 20j-4;

"(8) Transmit the required amount pursuant to section 20l(b)(11);

"(9)(A) Establish a policy of zero tolerance for the use of alcohol or illegal drugs or being impaired by the use of alcohol or drugs while a private vehicle-for-hire operator is logged into a private vehicle-for-hire company's digital dispatch;

"(B) Immediately suspend, for the duration of the investigation conducted pursuant to subparagraph (C) of this paragraph, a private vehicle-for-hire operator upon receiving a written complaint from a passenger submitted through regular mail or electronic means containing a reasonable allegation that the operator violated the zero tolerance policy established by subparagraph (A) of this paragraph; and

"(C) Conduct an investigation when a passenger alleges that a private vehicle-for-hire operator violated the zero tolerance policy established by paragraph (A) of this subparagraph;

"(10)(A) Establish a policy of zero tolerance for discrimination or discriminatory conduct on the basis of a protected characteristic under section 231 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1402.31), while a private vehicle-for-hire operator is logged into a private vehicle-for-hire company's digital dispatch. Discriminatory conduct may include:

"(i) Refusal of service on the basis of a protected characteristic, including refusal of service to an individual with a service animal unless the operator has a documented serious medical allergy to animals on file with the private vehicle-for-hire company;

"(ii) Using derogatory or harassing language on the basis of a protected characteristic;

"(iii) Refusal of service based on the pickup or drop-off location of the passenger; or

"(iv) Rating a passenger on the basis of a protected characteristic;

"(B) It shall not constitute discrimination under this paragraph for a private vehicle-for-hire operator to refuse to provide service to an individual with disabilities due to violent, seriously disruptive, or illegal conduct by the individual. A private vehicle-for-hire operator shall not, however, refuse to provide service to an individual with a disability solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience the operator or another person;

"(C) Immediately suspend, for the duration of the investigation conducted pursuant to subparagraph (D) of this paragraph, a private vehicle-for-hire operator upon receiving a written complaint from a passenger submitted through regular mail or electronic means containing a reasonable allegation that the operator violated the zero tolerance policy established by subparagraph (A) of this paragraph; and

"(D) Conduct an investigation when a passenger makes a reasonable allegation that an operator violated the zero tolerance policy established by subparagraph (A) of this paragraph;

"(11) Maintain records relevant to the requirements of this section for the purposes of enforcement; and

"(12) Submit to the Commission for the purposes of registration:

"(A) Proof that the private vehicle-for-hire company is licensed to do business in the District;

"(B) Proof that the private vehicle-for-hire company maintains a registered agent in the District;

"(C) Proof that the private vehicle-for-hire company maintains a website that includes the information required by paragraph (3) of this section;

"(D) Proof that the private vehicle-for-hire company has established a trade dress required by section 20j-4, including an illustration or photograph of the trade dress;

"(E) A written description of how the private vehicle-for-hire company's digital dispatch operates;

"(F) Proof that the private vehicle-for-hire company has secured the insurance policies required by section 20j-3; and

"(G) The certification required by section 20j-7; provided, that the Commission shall not impose a registration, licensure, certification, or other similar requirement for a private vehicle-for-hire company to operate in the District that exceeds the requirements set forth in this act.

"Sec. 20j-2. Registration of private vehicle-for-hire operators. **New § 50-301.29b**

"(a) To become a private vehicle-for-hire operator, an individual shall submit an application to register with a private vehicle-for-hire company.

"(b) Before approving a registration application submitted under subsection (a) of this section, a private vehicle-for-hire company shall have a third party that is accredited by the National Association of Professional Background Screeners or a successor accreditation entity conduct the following examinations:

"(1) A local and national criminal background check;

"(2) The national sex offender database background check; and

"(3) A full driving record check.

"(c) A private vehicle-for-hire company shall reject an application submitted under subsection (a) of this section and shall permanently disqualify an applicant who:

"(1) As shown in the local or national criminal background check conducted in accordance with subsection (b)(1) of this section, has been convicted within the past 7 years of:

"(A) An offense defined as a crime of violence under D.C. Official Code § 23-1331(4);

"(B) An offense under Title II of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3002 *et seq.*);

"(C) An offense under section 3 of the District of Columbia Protection Against Minors Act of 1982, effective March 9, 1983 (D.C. Law 4-173; D.C. Official Code § 22-3102);

"(D) Burglary, robbery, or an attempt to commit robbery under An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1323; D.C. Official Code §§ 22-801, 22-2801 and 22-2802);

"(E) Theft in the first degree under section 112 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-3212);

"(F) Felony fraud or identity theft under sections 121 or 127b of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code §§ 22-3221, 22-3227.02); or

"(G) An offense under any state or federal law or under the law of any other jurisdiction in the United States involving conduct that would constitute an offense described in subparagraphs (A), (B), (C), (D), (E), and (F) of this paragraph if committed in the District;

"(2) Is a match in the national sex offender registry database;

"(3) As shown in the national background check or driving record check conducted in accordance with subsections (b)(1) and (b)(3) of this section, has been convicted within the past 7 years of:

"(A) Aggravated reckless driving under section 9(b-1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Official Code § 50-2201.04(b-1));

"(B) Fleeing from a law enforcement officer in a motor vehicle under section 10b of the District of Columbia Traffic Act, 1925, effective March 16, 2005 (D.C. Law 15-239; D.C. Official Code § 50-2201.05b);

"(C) Leaving after colliding under section 10c of the District of Columbia Traffic Act, 1925, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2201.05c);

"(D) Negligent homicide under section 802(a) of An Act To amend an Act of Congress entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, by adding three new sections to be numbered 802(a), 802(b), and 802(c), respectively, approved June 17, 1935 (49 Stat. 385; D.C. Official Code § 50-2203.01);

"(E) Driving under the influence of alcohol or a drug, driving a commercial vehicle under the influence of alcohol or a drug, or operating a vehicle while impaired under sections 3b, 3c, or 3e of the Anti-Drunk Driving Act of 1982, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code §§ 50-2206.11, 50-2206.12, and 50-2206.14);

"(F) Unauthorized use of a motor vehicle under section 115 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-3215); and

"(G) An offense under any state or federal law or under the law of any other jurisdiction in the United States involving conduct that would constitute an offense described in subparagraphs (A), (B), (C), (D), (E), and (F) of this paragraph if committed in the District; or

"(4) Has been convicted within the past 3 years of driving with a suspended or revoked license under section 13(e) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Official Code § 50-1403.01(e)), according to the driving record check conducted in accordance with subsection (b)(3) of this section.

"(d) A motor vehicle used as a private vehicle-for-hire shall:

"(1) Have a manufacturer's rated seating capacity of 8 persons or fewer, including the private vehicle-for-hire operator;

"(2) Have at least 4 doors and meet applicable federal motor vehicle safety standards for vehicles of its size, type, and proposed use; and

"(3) Be no more than 10 model years of age at entry into service and no more than 12 model years of age while in service.

"(e) A person registered with a private vehicle-for-hire company as a private vehicle-for-hire operator under this section shall be deemed by the District to hold the necessary authorization to operate in the District as may be required by another jurisdiction or interstate authority.

"Sec. 20j-3. Insurance requirements for private vehicles-for-hire. **New § 50-301.29c**

"(a) A private vehicle-for-hire company or operator shall maintain a primary automobile liability insurance policy that provides coverage of at least $1 million per occurrence for accidents involving a private vehicle-for-hire operator at all times when the operator is engaged in a prearranged ride.

"(b) A private vehicle-for-hire operator or a private vehicle-for-hire company on the operator's behalf shall maintain a primary automobile liability insurance policy that, for the time period when a private vehicle-for-hire operator is logged onto a private vehicle-for-hire company's digital dispatch showing that the operator is available to pick up passengers but is not engaged in a prearranged ride:

"(1) Recognizes that the operator is a private vehicle-for-hire operator and covers the operator's provision of private vehicle-for-hire service while the operator is logged into the private vehicle-for-hire company's digital dispatch showing that the operator is available to pick up passengers;

"(2) Provides minimum coverage of at least $50,000 per person per accident, with up to $100,000 available to all persons per accident, and $25,000 for property damage per accident; and

"(3) Either:

"(A) Offers full-time coverage similar to the coverage required by section 15 of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-314);

"(B) Contains an insurance rider to, or endorsement of, the operator's personal automobile liability insurance policy required by section 7 of the Compulsory/No Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2406); or

"(C) Offers a liability insurance policy purchased by the private vehicle-for-hire company that provides primary coverage for the time period in which an operator is logged into the private vehicle-for-hire company's digital dispatch showing that the operator is available to pick up passengers.

"(c) If a private vehicle-for-hire company purchases an insurance policy under this section, it shall provide proof to the Commission that the private vehicle-for-hire company has secured the policy.

"(d) A private vehicle-for-hire company shall not allow a private vehicle-for-hire operator who has purchased his or her own policy to fulfill the requirements of this section to accept a trip request through the digital dispatch service used by the private vehicle-for-company until the private vehicle-for-hire company verifies that the operator maintains insurance as required under this section. If the insurance maintained by a private vehicle-for-hire operator to fulfill the insurance requirements of this section has lapsed or ceased to exist, the private vehicle-for-hire company shall provide the coverage required by this section beginning with the first dollar of a claim.

"(e) Nothing in this section shall require an operator to obtain a personal automobile insurance policy that provides coverage for the time period in which an operator is logged into a private vehicle-for-hire company's digital dispatch.

"(f) If more than one insurance policy purchased by a private vehicle-for-hire company provides valid and collectable coverage for a loss arising out of an occurrence involving a motor vehicle operated by a private vehicle-for-hire operator, the responsibility for the claim shall be divided on an equal basis among all of the applicable polices; provided, that a claim may be divided in a different manner by written agreement of all of the insurers of the applicable policies and the policy owners.

"(g) In a claims coverage investigation, a private vehicle-for-hire company shall cooperate with any insurer that insures the private vehicle-for-hire operator's motor vehicle, including providing relevant dates and times during which an accident occurred that involved the operator to determine whether the operator was logged into a private vehicle-for-hire company's digital dispatch showing that the operator is available to pick up passengers.

"(h) The insurance requirements set forth in this section shall be disclosed on a private vehicle-for-hire company's website, and the company's terms of service shall not contradict or be used to evade the insurance requirements of this section.

"(i) Within 90 days of the effective date of the Vehicle-for-Hire Innovation Amendment Act of 2014, passed on 2nd reading on October 28, 2014 (Enrolled version of Bill 20-753)("2014 Act"), a private vehicle-for-hire company that purchases insurance on an operator's behalf under this section shall disclose in writing to the operator, as part of its agreement with the operator:

"(1) The insurance coverage and limits of liability that the private vehicle-for-hire company provides while the operator is logged into the company's digital dispatch showing that the operator is available to pick up passengers; and

"(2) That the operator's personal automobile insurance policy may not provide coverage, including collision physical damage coverage, comprehensive physical damage coverage, uninsured and underinsured motorist coverage, or medical payments coverage because the operator uses a vehicle in connection with a private vehicle-for-hire company.

"(j) An insurance policy required by this section may be obtained from an insurance company authorized to do business in the District or with a surplus lines insurance company with an AM Best rating of at least A-.

"(k) A private vehicle-for-hire company or operator shall have 120 days from the effective date of the 2014 Act to procure primary insurance coverage that complies with the requirements of subsection (b) of this section; provided, that until such time, a company shall maintain a contingent liability policy meeting at least the minimum limits of subsection (b) of this section that will cover a claim in the event that the operator's personal insurance policy denies a claim.

"(l) Within one year of the effective date of the 2014 Act, the Mayor shall assess whether the insurance requirements of this section are appropriate to the risk of private vehicle-for-hire services and shall report its findings to the Council.

"(m) For the purposes of this section, the term "pre-arranged ride" shall mean a period of time that begins when a private vehicle-for-hire operator accepts a requested ride through digital dispatch, continues while the operator transports the passenger in the operator's vehicle, and ends when the passenger departs from the vehicle.

"Sec. 20j-4. Trade dress requirements for private vehicles-for-hire. **New § 50-301.29d**

"A private vehicle-for-hire shall display a consistent and distinctive trade dress consisting of a logo, insignia, or emblem at all times while the operator is logged into the private vehicle-for-hire company's digital dispatch. The trade dress shall be:

"(1) Sufficiently large and color contrasted so as to be readable during daylight hours at a distance of at least 50 feet; and

"(2) Reflective, illuminated, or otherwise patently visible in darkness.

"Sec. 20j-5. Requirements for private vehicle-for-hire operators. **New § 50-301.29e**

"(a) A private vehicle-for-hire operator shall:

"(1) Accept only rides booked through a private vehicle-for-hire company's digital dispatch and shall not solicit or accept street hails;

"(2) Use the trade dress required by section 20j-4 at any time that the operator is logged into a private vehicle-for-hire company's digital dispatch;

"(3) Possess a valid driver's license issued by the District of Columbia, the State of Maryland, or the Commonwealth of Virginia;

"(4) Possess proof of personal motor vehicle insurance for the motor vehicle used as a private vehicle-for-hire; and

"(5) Be at least 21 years of age.

"(b) If an accident occurs involving a motor vehicle that is logged into the private vehicle-for-hire's digital dispatch, the private vehicle-for-hire operator or company shall provide law enforcement officials and insurance representatives with proof of the insurance required by section 20j-3.".

"Sec. 20j-6. Charges for private vehicle-for-hire service. **New § 50-301.29f**

"A private vehicle-for-hire company may offer service at no charge, suggest a donation, or charge a fare; provided, that if a fare is charged the company shall comply with the fare transparency provisions pursuant to section 20l(b)(2).

"Sec. 20j-7. Certification, enforcement, and regulation of private vehicles-for-hire. **New § 50-301.29g**

"(a) Every 24 months, a private vehicle-for-hire company shall certify on a form provided by the Commission that the private vehicle-for-hire company has complied with the requirements of this act.

"(b) The Commission is authorized to inspect and copy the relevant safety and consumer protection-related records of a private vehicle-for-hire company to ensure compliance with this act when it has a reasonable basis to suspect non-compliance; provided, that any records disclosed to the Commission under this act shall not be subject to disclosure to a third party by the Commission, including through a request submitted pursuant to the District of Columbia Freedom of Information Act of 1976, effective March 25, 1976 (D.C. Law 1-96; D.C. Official Code § 2-501 *et seq.*).

"(c) If the Mayor determines that a private vehicle-for-hire company knowingly certified an intentionally false or misleading statement on a form required by this act, the Mayor may impose a civil fine as determined by rulemaking. A civil fine prescribed by this section shall be applicable only after the private vehicle-for-hire company is afforded an opportunity for a hearing. These penalties shall be in addition to any other penalties available by law.

"(d) Failure by a private vehicle-for-hire company or operator to adhere to the requirements of this act may result in sanction by the Commission, including fines and other penalties, pursuant to the Commission's authority in section 8(c)(7).

"(e) Notwithstanding any other provision of law, the Commission shall not require a private vehicle-for-hire company to provide the Commission with a list or inventory of private vehicle-for-hire operators or vehicles associated with a private vehicle-for-hire company.".

Amend § 50-329.01 Recodified as § 50-301.30

(l) Section 20k (D.C. Official Code § 50-329.01) is amended to read as follows:

"Sec. 20k. Vehicle inspection officers.

"(a) Vehicle inspection officers shall undergo training on the rules and regulations governing private and public vehicles-for-hire and undergo yearly performance evaluations. Vehicle inspection officers shall be prohibited from making traffic stops of on-duty private or public vehicles-for-hire in the act of transporting a fare, unless there is reasonable suspicion of a violation, and shall act in accordance with all rules governing their duties, as established through rulemaking.

"(b) Upon reasonable suspicion of an illegal street hail, a public or private vehicle-for-hire operator shall provide a law enforcement official or vehicle inspection officer with access to a device containing an electronic record of trips sufficient to establish that the ride in question was prearranged through digital dispatch. Failure to have or provide access to a device containing such a record shall constitute a civil infraction punishable by fine or other penalty as established by the Mayor; provided, that an operator shall not be required to relinquish custody of a device containing evidence of a trip arranged through digital dispatch.".

Amend § 50-329.02 Recodified as § 50-301.31

(m) Section 20l (D.C. Official Code § 50-329.02) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) The lead-in language is amended to read as follows:

"(b) A company that provides digital dispatch shall be exempt from regulation by the Commission, other than the rules issued pursuant to this subsection and subsection (c-1) of this section. The Commission may establish rules only to the extent necessary to ensure compliance with the following service requirements; provided that, the rules shall protect the personal privacy rights of customers and operators, and shall not result in the disclosure of confidential business information:".

(B) Paragraph (1) is amended as follows:

(i) Strike the phrase "the digital dispatch service" and insert the phrase "a company that uses digital dispatch" in its place.

(ii) Strike the word "system" and insert the phrase "system or through a time and distance charge set by the company" in its place.

(C) A new paragraph (1A) is added to read as follows:

"(1A) If a company that uses digital dispatch connects a customer to a private or public vehicle-for-hire other than a taxicab, the company shall calculate the fare in compliance with the method required for that class of service;".

(D) Paragraph (2) is amended to read as follows:

"(2) If a company that uses digital dispatch charges a fare other than the metered taxicab rate, before booking a vehicle the company shall disclose to the customer the fare calculation method, the applicable rates being charged, and the option for an estimated fare. The company shall review any customer complaint about fares that exceed estimated fares by 20% or $25, whichever is less;".

(E) Paragraph (3) is amended by striking the phrase "using a digital dispatch service" and inserting the phrase "affiliated with a company using digital dispatch" in its place.

(F) Paragraph (4) is amended by striking the phrase "The digital dispatch service and the operators" and inserting the phrase "A company that uses digital dispatch and the public vehicle-for-hire operators" in its place.

(G) Paragraph (6) is amended by striking the phrase "The digital dispatch service" and inserting the phrase "A company that uses digital dispatch" in its place.

(H) Paragraph (7) is amended by striking the phrase "The digital dispatch service" and inserting the phrase "A company that uses digital dispatch" in its place.

(I) Paragraph (8) is amended as follows:

(i) Strike the word "public" wherever it appears and insert the phrase "private or public" in its place

(ii) Strike the phrase "The digital dispatch service" and insert the phrase "A company that uses digital dispatch" in its place.

(iii) Strike the phrase "a digital dispatch service" and insert the phrase "a company that uses digital dispatch" in its place

(iv) Strike the phrase "the digital dispatch service includes" and insert the phrase "the company that uses digital dispatch includes" in its place.

(v) Strike the phrase "the digital dispatch service provides" and insert the phrase "the company that uses digital dispatch provides" in its place.

(J) Paragraph (9) is amended to read as follows:

"(9) A company that uses digital dispatch shall provide service throughout the entire District;".

(K) Paragraph (10) is amended to read as follows:

"(10) A company that uses digital dispatch for public vehicles-for-hire service shall register with the Commission by submitting proof to the Commission that it is licensed to do business in the District, maintains a registered agent in the District, and maintains a website containing information on its method of fare calculation, the rates and fees charged, and a customer service telephone number or email address. A company that uses digital dispatch for private vehicles-for-hire shall comply with the registration requirements of section 20j-1(12);".

(L) New paragraphs (11), (12), (13), (14), and (15) are added to read as follows:

"(11) Every 3 months, a company that uses digital dispatch for private or public vehicles-for-hire other than taxicabs shall transmit to the Office of the Chief Financial Officer 1% of all gross receipts for trips that physically originate in the District. The money collected shall be deposited in the Public Vehicles-for-Hire Consumer Service Fund established by section 20a. The company shall certify that the amount transmitted is consistent with the amount collected for such trips arranged through digital dispatch. The Office of the Chief Financial Officer may inspect records of the company to ensure compliance with the requirements of this paragraph; provided, that any records disclosed to the Office of the Chief Financial Officer shall not be subject to disclosure to a third party, including through a request submitted pursuant to the District of Columbia Freedom of Information Act of 1976, effective March 25, 1976 (D.C. Law 1-96; D.C. Official Code § 2-501 *et seq.*);

"(12) A company that uses digital dispatch for taxicabs or an approved payment service provider pursuant to the Commission's regulations shall transmit the per trip passenger surcharge to the Office of the Chief Financial Officer to be deposited in the Public Vehicles-for-Hire Consumer Service Fund established by section 20a in a manner prescribed by the Commission pursuant to its authority in section 20a(g). The Office of the Chief Financial Officer may inspect records of the company to ensure compliance with the requirements of this paragraph; provided, that any records disclosed to the Office of the Chief Financial Officer shall not be subject to disclosure to a third party, including through a request submitted pursuant to the District of Columbia Freedom of Information Act of 1976, effective March 25, 1976 (D.C. Law 1-96; D.C. Official Code § 2-501 *et seq.*);

"(13) During a state of emergency as declared by the Mayor, a company that provides digital dispatch that engages in surge pricing shall limit the multiplier by which its base fare is multiplied to the next highest multiple below the 3 highest multiples set on different days in the 60 days preceding the declaration of a state of emergency for the same type of service in the Washington Metropolitan Area;

"(14) A private or public vehicle-for-hire operator may affiliate with more than one company for the purpose of using digital dispatch unless otherwise provided for by an agreement between the company and the operator; and

"(15) A trip manifest maintained in an electronic format by a private or public vehicle-for-hire operator who connects with a passenger through a digital dispatch service may include the phrase "as directed" or a similar phrase in lieu of including a passenger's trip destination; provided, that the destination is included upon completion of the trip.".

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

"(c-1) The Commission shall not require a company that provides or uses digital dispatch for private or public vehicles-for-hire to collect or transmit data or information about a customer or a customer's trip; provided, that anonymous trip data collected by a taxicab meter system shall be collected and transmitted to the Commission for all trips.".

(3) Subsection (d) is repealed.

(n) Section 20m (D.C. Official Code § 50-329.03) is amended as follows:

Amend § 50-329.03 Recodified as § 50-301.32

(1) Paragraph (3) is amended by striking the word "taxicab" and inserting the phrase "private or public vehicle-for-hire" in its place.

(2) Paragraph (4) is amended by striking the word "taxicab" and inserting the phrase "private or public vehicle-for-hire" in its place.

(3) Paragraph (6) is amended by striking the word "taxicab" and inserting the phrase "private or public vehicle-for-hire" in its place.

(o) Section 20o (D.C. Official Code § 50-329.05) is amended as follows:

Amend § 50-329.05 Recodified as § 50-301.34

(1) The heading is amended to read as follows:

"Sec. 20o. Fleeing from a vehicle inspection officer in a public or private vehicle-for-hire.".

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

(A) Paragraph (1) is amended as follows:

(i) Strike the phrase "public vehicle-for-hire" wherever it appears and insert the phrase "public or private vehicle-for-hire" in its place.

(ii) Strike the phrase "public vehicle inspection officer" wherever it appears and insert the phrase "vehicle inspection officer" in its place.

(B) Paragraph (2) is amended by striking the phrase "public vehicle-for-hire" wherever it appears and inserting the phrase "public or private vehicle-for-hire" in its place.

(3) Subsection (b) is amended as follows:

(A) The lead-in text is amended by striking the phrase "public vehicle-for-hire" and inserting the phrase "public or private vehicle-for-hire" in its place.

(B) Paragraph (2) is amended by striking the phrase "public vehicle inspection officer" wherever it appears and inserting the phrase "vehicle inspection officer" in its place.

(C) Paragraph (3) is amended as follows:

(i) Strike the phrase "public vehicle-for-hire" and insert the phrase "public or private vehicle-for-hire" in its place.

(ii) Strike the phrase "public vehicle inspection officer" and insert the phrase "vehicle inspection officer" in its place.

(4) Subsection (c) is amended by striking the phrase "public vehicle-for-hire" wherever it appears and insert the phrase "public or private vehicle-for-hire" in its place.

Amend § 50-381

Sec. 3. Section 105(a) of the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (120 Stat. 2023; D.C. Official Code § 50-381(a)), is amended by striking the phrase "system." and inserting the phrase "system; provided that a company that uses digital dispatch for taxicabs may charge fares pursuant to section 20l(b)(1) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-329.02(b)(1)).".

Amend § 47-2829

Sec. 4. Section 47-2829 of the District of Columbia Official Code is amended by adding new subsections (k) and (l) to read as follows:

"(k) A person who resides in the District of Columbia, the State of Maryland, or the Commonwealth of Virginia shall be eligible to apply for an operator and vehicle license to operate a public vehicle-for-hire.

"(l) This section shall not apply to a private vehicle-for-hire operator affiliated with a private vehicle-for-hire company pursuant to the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*).".

DCMR

Sec. 5. Subsection 601.4(e) of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 601.4(e)) is amended by striking the phrase "semi-annually" and inserting the word "annually" in its place.

DCMR

Sec. 6. Title 31 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 1001.9 (31 DCMR § 1001.9) is amended by striking the phrase "Metropolitan Area" wherever it appears and inserting the phrase "District of Columbia, the State of Maryland, or the Commonwealth of Virginia" in its place.

(b) Section 1209.4 (31 DCMR § 1209.4) is amended by striking the phrase "Washington Metropolitan Area" wherever it appears and inserting the phrase "District of Columbia, the State of Maryland, or the Commonwealth of Virginia" in its place.

Partial Delayed Applicability

Sec. 7. Applicability.

Section 1, section 2, section 3, and section 4 of this act shall apply as of the effective of date of this act. Section 5 shall apply upon the inclusion of its fiscal effect in an approved budget

and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 8. Fiscal impact statement.

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

Sec. 9. Effective date.

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

AN ACT

Bill 20-440
Act 20-491 effective November 26, 2014

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to specify that a salary of a re-employed District of Columbia employee annuitant shall not be reduced below the federal minimum wage and to make a confirming amendment; to amend An Act to increase compensation for District of Columbia policemen, firemen, and teachers; to increase annuities payable to retired teachers in the District of Columbia; to establish an equitable tax on real property in the District of Columbia; to provide for additional revenue for the District of Columbia; and for other purposes to update the name of the Police and Firemen's Retirement and Relief Board to the Police and Firefighters Retirement and Relief Board, to specify that the public members of the board have alternates, and to make technical amendments; to amend the Policemen and Firemen's Retirement and Disability Act to specify that the salary of a re-employed District police officer or firefighter annuitant shall not be reduced below the federal minimum wage and to make conforming amendments; to amend An Act For the retirement of public-school teachers in the District of Columbia to provide that the salary of a re-employed District teacher annuitant shall not be reduced below the federal minimum wage; and to amend the District of Columbia Retirement Reform Act and Omnibus Police Reform Amendment Act of 2000 to make conforming amendments.

Codification District of Columbia Official Code 2001 Edition

Retirement Technical Amendments Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Retirement Technical Amendments Act of 2014".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

Amend § 1-611.03

(a) Section 1103(b) (D.C. Official Code § 1-611.03(b)) is amended by striking the phrase "reemployed annuitant." and inserting the phrase "reemployed annuitant. No salary subject to this reduction shall be reduced to less than any applicable minimum wage set forth in the Fair Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), or any other applicable federal minimum wage statute or regulation." in its place.

Amend § 1-611.08

(b) Section 1108(c)(2)(C) (D.C. Official Code § 1-611.08(c)(2)(C) is amended by striking the phrase "Police and Firemen's Retirement and Relief Board" and inserting the phrase "Police and Firefighters Retirement and Relief Board" in its place.

Amend § 5-722

Sec. 3. Section 122 of An Act To increase compensation for District of Columbia policemen, firemen, and teachers; to increase annuities payable to retired teachers in the District of Columbia; to establish an equitable tax on real property in the District of Columbia; to provide for additional revenue for the District of Columbia; and for other purposes, approved September 3, 1974 (88 Stat. 1041; D.C. Official Code § 5-722), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) The lead-in language is amended by striking the phrase "Firemen's Retirement" and inserting the phrase "Firefighters Retirement" in its place.

(2) Paragraph (1)(A) and (B) is amended to read as follows:

"(A) Members and alternates appointed from among persons who are employees of the District of Columbia, one member and one or more alternates from each of the following:

"(i) The District of Columbia Department of Human Resources;

"(ii) The Office of the Attorney General;

"(iii) The Department of Health;

"(iv) The Metropolitan Police Department; and

"(v) The Fire and Emergency Medical Services Department; and

"(B)(i) One member, and one or more alternates, each of whom shall be a physician, and shall be appointed from among persons who are not officers or employees of the District of Columbia; and

"(ii) One member, and one or more alternates, who shall be appointed from among persons who are not officers or employees of the District of Columbia.".

(3) Paragraph (2) is amended to read as follows:

"(2) The member, and one or more alternates, appointed from among employees of the Department of Health shall be physicians.".

(4) A new paragraph (3) is added to read as follows:

"(3) All appointments shall be made by the Mayor.".

(b) Subsection (d) is amended as follows:

(1) Strike the phrase "who contributes to the Policemen and Firemen's Relief Fund of the District of Columbia" and insert the phrase "who is covered by the Policemen and Firemen's Retirement and Disability Act, approved September 1, 1916 (39 Stat. 718; D.C. Official Code § 5-701 *et seq.*)" in its place.

(2) Strike the phrase "Firemen's Retirement" and insert the phrase "Firefighters Retirement" in its place.

Sec. 4. The Policemen and Firemen's Retirement and Disability Act, approved September 1, 1916 (39 Stat. 718; D.C. Official Code § 5-701 *et seq.*), is amended as follows:

Amend § 5-710

(a) Section 12(g)(7) (D.C. Official Code § 5-710(g)) is amended by striking the phrase "Police and Firemen's Retirement and Relief Board" wherever it appears and inserting the phrase "Police and Firefighters Retirement and Relief Board" in its place.

Amend § 5-713

(b) Section 12(i) (D.C. Official Code § 5-713) is amended by striking the phrase "Police and Firemen's Retirement and Relief Board" and inserting the phrase "Police and Firefighters Retirement and Relief Board" in its place.

Amend § 5-723

(c) Section 12(n)(5) (D.C. Official Code § 5-723(e)), is amended by striking the phrase "held by such annuitant." and inserting the phrase "held by such annuitant. No salary subject to this reduction shall be reduced to less than any applicable minimum wage set forth in the Fair

Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), or any other applicable federal minimum wage statute or regulation." in its place.

Amend § 38-2061.01

Sec. 5. Section 25 of An Act For the retirement of public-school teachers in the District of Columbia, approved November 17, 1979 (93 Stat. 922; D.C. Official Code § 38-2061.01), is amended by adding the following sentence at the end:

"No salary subject to this reduction shall be reduced to less than any applicable minimum wage set forth in the Fair Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), or any other applicable federal minimum wage statute or regulation.".

Sec. 6. Conforming amendments.

Amend § 1-732

(a) Section 162(a)(2) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 885; D.C. Official Code § 1-732(a)(2)), is amended by striking the phrase "Police and Firemen's Retirement and Relief Board" and inserting the phrase "Police and Firefighters Retirement and Relief Board" in its place.

Amend § 5-107.04

(b) Section 205(r) of the Omnibus Police Reform Amendment Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.04(r)), is amended by striking the word "Firefighter's" and inserting the word "Firefighters" in its place.

Sec. 7. Fiscal impact statement.

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

Sec. 8. Effective date.

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

AN ACT

Bill 20-369
Act 20-493 effective December 8, 2014

To require the Office of the Chief Financial Officer of the District of Columbia to calculate and report on the District of Columbia median family income, to require affordable housing units to be marketed utilizing affordability data expressed both in terms of area median income and actual income, to require the District of Columbia to express data about affordable housing in terms of area median income and actual income, to require the District's affordable housing database to track affordable housing data both by area median income and District of Columbia median family income, and to require the tax abatement financial analyses provided to the Council to include the calculation of levels of housing affordability in terms of area median income, actual income, and District of Columbia median family income.

Codification District of Columbia Official Code 2001 Edition

Truth in Affordability Reporting Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Truth in Affordability Reporting Act of 2014".

New Subchapter III, Chapter 21A, Title 42 New § 42-2151.01

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Actual income" means the cash equivalent of any affordable housing level expressed as a percentage of area median income.

(2) "Affordable housing development" means any structure or building in the District that is publically subsidized utilizing federal or local funds for the purpose of providing affordable housing.

(3) "Area median income" means the area median income of the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S. Department of Housing and Urban Development.

(4) "District of Columbia median family income" means the median family income solely for the District of Columbia, as calculated by the Office of the Chief Financial Officer of the District of Columbia.

New § 42-2151.02

Sec. 3. Calculation and reporting of affordability.

(a) No less frequently than annually, the Office of the Chief Financial Officer of the District of Columbia shall calculate and publish the District of Columbia median family income on the basis of household size.

(b) Affordable housing development projects that are publicly financed or subsidized by the District of Columbia shall be marketed utilizing affordability data expressed both in terms of area median income and actual income.

(c) When expressing data about affordable housing, the District of Columbia shall reference levels of affordability both in terms of area median income and actual income.

(d) The District's affordable housing database shall track affordable housing both by area median income and District of Columbia median family income.

(e) A tax abatement financial analysis required by Chapter 47 of Title 47 of the District of Columbia Official Code for the subsidy of affordable housing shall include the calculation of levels of housing affordability in terms of area median income, actual income, and District of Columbia median family income.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-539
Act 20-494 effective December 8, 2014

Not Codified

To provide equitable real property tax relief to St. Matthews Evangelical Lutheran Church, a tax-exempt religious organization, for the real property located at Lot 301, Square 546 so long as the real property is used as a community garden.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "St. Matthews Evangelical Lutheran Church Community Garden Equitable Real Property Tax Relief Act of 2014".

St. Matthews Evangelical Lutheran Church Community Garden Equitable Real Property Tax Relief Act of 2014

Sec. 2. Equitable tax relief.

The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against real property located at Lot 301, Square 546 be forgiven for the period of tax years 2009 through 2015, and that any payments made for this period be refunded, so long as the property is used as a community garden.

Sec. 3. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-673
Act 20-495 effective December 8, 2014

To authorize insurers to transmit electronic notices of documents related to insurance and insurance policies under certain circumstances with consent of the recipient and to electronically post property and casualty insurance policies and endorsements where certain conditions are met.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Transaction Modernization Electronic Delivery or Posting Act of 2014".

Transaction Modernization Electronic Delivery or Posting Act of 2014

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Delivered by electronic means" means delivery to an electronic mail address at which a party has consented to receive notices or documents or the posting on an electronic network or site accessible via the Internet, mobile application, computer, mobile device, tablet, or any other electronic device, together with separate notice of the posting, which shall be provided by electronic mail to the address at which the party has consented to receive notice or by any other delivery method that has been consented to by the party.

(2) "Insurance document" means any notice or document required in an insurance transaction or that is evidence of insurance coverage.

(3) "Party" means a recipient of an insurance document, including an applicant, an insured, a policyholder, or an annuity contract holder.

New Chapter 6B, Title 31 New § 31-651.01

Sec. 3. Electronic notices and documents.

(a) An insurance document may be delivered, stored, and presented by electronic means; provided, that it meets the requirements of Chapter 49 of Title 28 of the D.C. Official Code.

(b) Delivery of an insurance document in accordance with this section shall be considered the equivalent to any delivery method required under applicable law, including delivery by first class mail; first class mail, postage prepaid; certified mail; certificate of mail; or certificate of mailing.

(c) An insurance document may be delivered by electronic means to a party under this section if:

(1) The party has affirmatively consented to that method of delivery and has not withdrawn consent to such delivery;

(2) The party, before giving consent, is provided with a clear and conspicuous statement informing the party:

New § 31-651.02

(A) Of the right or option of the party to have an insurance document provided or made available in paper or another non-electronic form;

(B) The right of the party to withdraw consent to have an insurance document delivered by electronic means and of any conditions or consequences that may be imposed on the party if consent is withdrawn;

(C) That no fees may be imposed as a condition or consequence of withdrawal of consent;

(D) As to whether the party's consent applies only to the particular transaction or to identified categories of insurance documents that may be delivered by electronic means during the course of the relationship between the sender of the insurance documents and the party;

(E) Of the means, after consent for delivery by electronic means is given, by which a party may also obtain a paper copy of an insurance document and a statement that no fee shall be imposed for providing the requested paper copy; and

(F) Of the procedure a party must follow to withdraw consent to have any or all insurance documents delivered by electronic means and of how to update information needed to contact the party electronically;

(3) The party:

(A) Before giving consent, is provided with a statement of the hardware and software requirements for access to and retention of an insurance document delivered by electronic means; and

(B) Consents electronically, or confirms consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for insurance documents delivered by electronic means; and

(4) After consent of the party is given, in the event a change in the hardware or software requirements needed to access or retain an insurance document delivered by electronic means creates a material risk that the party will not be able to access or retain a subsequent insurance document to which the party's consent applies, the insurer:

(A) Provides the party with a statement regarding the revised hardware and software requirements that will be necessary for access to and retention of an insurance document delivered by electronic means and of the right of the party to withdraw consent without the imposition of any fee, condition, or consequence that was not disclosed under paragraph (2)(B) of this subsection; and

(B) Complies with paragraph (2) of this subsection.

(d) This section shall not affect requirements related to content or timing of any insurance document required under applicable law.

(e) If a provision of this act or applicable law requiring an insurance document to be provided to a party expressly requires verification or acknowledgement of receipt of the insurance document, the insurance document may be delivered by electronic means only if the method used provides for verification or acknowledgement of receipt.

(f) The legal effectiveness, validity, or enforceability of any contract or policy of insurance executed by a party shall not be denied solely because of the failure to obtain electronic consent or confirmation of consent of the party in accordance with subsection (c)(3)(B) of this section.

(g)(1) A withdrawal of consent by a party does not affect the legal effectiveness, validity, or enforceability of an insurance document delivered by electronic means to the party before the withdrawal of consent is effective.

(2) A withdrawal of consent by a party is effective within a reasonable period of time after receipt by the insurer of a party's withdrawal of consent that insurance documents may be delivered by electronic means.

(3) Failure by an insurer to comply with subsection (c)(4) of this section may be treated, at the election of the party, as a withdrawal of consent pursuant to this section.

(h) This section does not apply to an insurance document delivered by an insurer in an electronic form to a party who before the effective date of this act had consented to receive notices or documents pertaining to an insurance transaction in an electronic form allowed by a law other than this act.

(i) If the consent of a party to receive certain notices or documents in an electronic form is on file with the insurer before the effective date of this act, and, pursuant to this section, an insurer intends to deliver additional notices or documents electronically, the insurer shall notify the party of:

(1) The insurance documents that may be delivered by electronic means pursuant to this section that were not previously delivered electronically; and

(2) The party's right to withdraw consent to have insurance documents delivered by electronic means.

(j)(1) Except as otherwise provided by law, if an oral communication has been recorded and can be reliably stored and reproduced by an insurer, the oral communication or recording may qualify as an insurance document delivered by electronic means pursuant to this section.

(2) If a provision of this act or other applicable law requires a signature or for an insurance document to be notarized, acknowledged, verified, or executed under oath, the requirement shall be satisfied if the electronic signature of the person authorized to perform the action, together with all other information required to be included, is attached to or logically associated with the signature and the insurance document.

(k) This section shall not be construed to modify, limit, or supersede the provisions of the Electronic Signatures in Global and National Commerce Act, approved June 30, 2000 (114 Stat. 464; 15 U.S.C. § 7001).

Sec. 4. Posting of policies on the Internet. **New § 31-651.03**

Notwithstanding any provision of section 3, standard property and casualty insurance policies and endorsements that do not contain personally identifiable information may be mailed, delivered, or posted on the insurer's website. If the insurer elects to post insurance policies and endorsements on its website in lieu of mailing or delivering them to the insured, the insurer shall:

(1) Ensure that the policy and endorsements are accessible and remain that way for as long as the policy is in force;

(2) After the expiration of the policy, archive its expired policies and endorsements for a period of 5 years and make them available upon request;

(3) Post the policies and endorsements in a manner that enables an insured to print and save the policy and endorsements using programs or application that are widely available on the Internet and free to use;

(4) Provide the following information in, or simultaneous with, each declaration page provided at the time of issuance of the initial policy and any renewals of that policy:

(A) A description of the exact policy and endorsement forms purchased by the insured;

(B) A method by which the insured may obtain, upon request and without charge, a paper copy of their policy; and

(C) The Internet address where the policy and endorsements are posted; and

(5) Provide notice, in the format preferred by the insured, of any changes to the forms or endorsements, the insured's right to obtain, upon request and without charge, a paper copy of the forms or endorsements, and the Internet address where the forms or endorsements are posted.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-202.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 20-684
Act 20-496 effective December 8, 2014

Not Codified

To order the closing of a portion of the public alley system in Square 368, bounded by N Street, N.W., 9th Street, N.W., M Street, N.W., and 10th Street, N.W., in Ward 2.

Closing of a Portion of the Public Alley System in Square 368, S.O. 13-09586, Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of the Public Alley System in Square 368, S.O. 13-09586, Act of 2014".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council finds that the portion of the public alley system in Square 368, as shown on the Surveyor's plat filed under S.O. 13-09586, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The Council approves this closing on the condition that the applicant and any future owner of an establishment on the site are sensitive to concerns of the surrounding neighborhood regarding noise, both during construction and in the operation of any final establishment.

Sec. 3. Transmittal.

The Chairman of the Council of the District of Columbia shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-774
Act 20-497
effective December 8, 2014

To amend the Captive Insurance Company Act of 2004 to strike references to segregated accounts, to clarify certain statutory requirements for protected cell captive insurers and protected cells, including with respect to capital and surplus levels and annual reports, to confirm the confidentiality of captive insurers' license application materials and clarify when they may be shared with other regulators and officials, to permit the Commissioner of the Department of Insurance, Securities and Banking to extend or waive the requirement to conduct a financial examination of captive insurers every 5 years upon the satisfaction of specified criteria, and to make the Insurance Trade and Economic Development Amendment Act of 2000 applicable to District-domiciled risk retention groups; and to amend the Risk Retention Act of 1993 to require the filing of quarterly statements by risk retention groups licensed as captive insurers.

Codification District of Columbia Official Code 2001 Edition

Captive Insurance Company Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Captive Insurance Company Amendment Act of 2014".

Sec. 2. The Captive Insurance Company Act of 2004, effective March 17, 2005 (D.C. Law 15-262; D.C. Official Code § 31-3931.01 *et seq.*), is amended as follows:

Amend § 31-3931.01

(a) Section 2 (D.C. Official Code § 31-3931.01) is amended as follows:

(1) Paragraph (5) is amended to read as follows:

"(5) "Association captive insurer" means a captive insurer that only insures risks of the member organizations of an association and the affiliated companies of those members, including:

"(A) Groups formed pursuant to the Product Liability Risk Retention Act of 1981, approved September 25, 1981 (95 Stat. 949; 15 U.S.C. § 3901 *et seq.*), and the employee benefit plans or trusts of such organizations or companies; and

"(B) Risk retention groups chartered pursuant to the Risk Retention Act of 1993, effective October 21, 1993 (D.C. Law 10-46; D.C. Official Code § 31-4101 *et seq.*).".

(2) Paragraph (6) is amended by striking the phrase "insurance company" and inserting the word "insurer" in its place.

(3) Paragraph (9) is amended by striking the phrase "segregated account" and inserting the phrase "branch captive insurer, protected cell" in its place.

(4) A new paragraph (13A) is added to read as follows:

"(13A) "Incorporated protected cell" means a protected cell that is established as a corporation or other legal entity separate from the protected cell captive insurer of which it is a part.".

(5) Paragraphs (18) and (19) are amended by striking the phrase "segregated account" wherever it appears and inserting the phrase "protected cell" in its place.

(6) New paragraphs (20A) and (20B) are added to read as follows:

"(20A) "Protected cell" means a separate account established and maintained by a protected cell captive insurer and includes an incorporated protected cell.

"(20B) "Protected cell captive insurer" means a captive insurer that:

"(A) Is formed and licensed under the provisions of this act;

"(B) Insures the risks of separate participants through a contract; and

"(C) Segregates each participant's liability through one or more protected cells.".

(7) Paragraph (26) is repealed.

(b) Section 5 (D.C. Official Code § 31-3931.04) is amended as follows: **Amend § 31-3931.04**

(1) Subsection (a) is amended by striking the word "section" and inserting the word "act" in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraphs (2) and (3) are repealed.

(B) Paragraph (8) is amended by striking the word "The" and inserting the phrase "In addition to the requirements in section 4(b), the" in its place.

(C) Paragraph (13) is amended by striking the phrase "(6), (8), or (9)" and inserting the phrase "(9), (10), (11), or (12)" in its place.

(c) Section 7 (D.C. Official Code § 31-3931.06) is amended as follows: **Amend § 31-3931.06**

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

"(a)(1) In addition to any other capital required to be maintained pursuant to subsection (c) of this section, a captive insurer (except a protected cell captive insurer) authorized to do business in the District shall at all times maintain a minimum unimpaired capital of $100,000.

"(2) The Commissioner shall, in the Commissioner's discretion, establish the required minimum capital for a protected cell captive insurer, and for each protected cell, based on the type, volume, and nature of insurance that is transacted by the insurer and by the cell; provided, that the required minimum capital for a protected cell captive insurer may be zero so long as each of its protected cells maintains the minimum capital required for that cell.".

(2) Subsection (c) is amended by striking the phrase "segregated account" and inserting the phrase "protected cell" in its place.

(3) Subsection (d) is amended by striking the phrase "segregated account" and inserting the phrase "protected cell" in its place.

(4) Subsection (e) is amended by striking the phrase "segregated account" wherever it appears and inserting the phrase "protected cell" in its place.

(5) Subsection (f)(6) is amended to read as follows:

"(6) For each protected cell captive insurer, and for each protected cell, not less than an amount to be established by the Commissioner in the Commissioner's discretion; provided, that a protected cell captive insurer that does not write any insurance business in the District shall not be required to maintain any surplus so long as each of its protected cells maintains the required surplus for that cell.".

(6) Subsection (h) is amended by striking the phrase "segregated account" and inserting the phrase "protected cell" in its place.

(7) Subsection (i) is amended by striking the phrase "segregated account" and inserting the phrase "protected cell" in its place.

(8) Subsection (k) is amended by striking the phrase "segregated account" wherever it appears and inserting the phrase "protected cell" in its place.

Amend § 31-3931.07

(d) Section 8(b) (D.C. Official Code § 31-3931.07(b)) is amended by striking the phrase "segregated account" and inserting the phrase "protected cell" in its place.

Amend § 31-3931.08

(e) Section 9 (D.C. Official Code § 31-3931.08) is amended by striking the phrase "segregated account" wherever it appears and inserting the phrase "protected cell" in its place.

Amend § 31-3931.09

(f) Section 10 (D.C. Official Code § 31-3931.09) is amended as follows:

(1) Strike the phrase "segregated account" wherever it appears and insert the phrase "protected cell" in its place.

(2) Subsection (e) is amended by striking the phrase "segregated accounts" and inserting the phrase "protected cells" in its place.

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

"(g)(1) Documents, materials, and other information submitted pursuant to this section shall be confidential and shall be exempt from any otherwise applicable freedom of information law, including the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), public records law, public records disclosure law, or other similar statute and shall not be subject to subpoena or discovery or admissible in evidence in a private civil action, and shall not be divulged to any person except either as provided for in this subsection or with the written consent of the captive insurer or protected cell.

"(2) The Commissioner may use documents, materials, and other information submitted pursuant to this section in the furtherance of any regulatory or legal action brought as a part of the Commissioner's official duties.

"(3) To assist in the performance of the Commissioner's duties, the Commissioner may share documents, materials, or other information submitted pursuant to this section with state, federal, and international regulatory agencies, the National Association of Insurance Commissioners, including its affiliates and subsidiaries, and with state, federal, and international law enforcement authorities; provided, that the recipient agrees in writing, and has the legal authority to so agree, to maintain the confidentiality of the documents, materials, and other information.".

Amend § 31-3931.11

(g) Section 12 (D.C. Official Code § 31-3931.11) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "segregated account" and inserting the phrase "protected cell" in its place.

(2) Subsection (e) is repealed.

Amend § 31-3931.13

(h) Section 14(a) (D.C. Official Code § 31-3931.13(a)) is amended to read as follows:

"(a)(1) On or before March 2 of each year, a captive insurer, including, if applicable, each protected cell, shall submit to the Commissioner, on a form prescribed by the

Commissioner, a report of its financial condition, as prepared by a certified public accountant. A captive insurer shall file a consolidated report on behalf of each of its protected cells.

"(2) A captive insurer, including, if applicable, each protected cell, shall use generally accepted accounting principles and include any useful or necessary modifications or adaptations of these principles that have been approved or accepted by the Commissioner for the type of insurance and kinds of insurers to be reported upon, as supplemented by additional information required by the Commissioner.".

(i) Section 15 (D.C. Official Code § 31-3931.14) is amended as follows: **Amend § 31-3931.14**

(1) Subsection (a) is amended by striking the phrase "segregated account" and inserting the phrase "protected cell" in its place.

(2) Subsection (c) is amended to read as follows:

"(c) The provisions of the Law on Examinations Act of 1993, effective October 21, 1993 (D.C. Law 10-49; D.C. Official Code § 31-1401 *et seq.*) ("Examinations Act"), shall apply to examinations conducted pursuant to this section. The Commissioner may waive the requirement in section 3(a) of the Examinations Act that a captive insurer must be examined at least once every 5 years, if the:

"(1) Captive insurer has filed unqualified audited financial statements each year since the captive insurer's last financial examination or the date of licensure;

"(2) Commissioner determines that the audited financial statements demonstrate that the captive insurer maintains sufficient surplus to satisfy all of its obligations to its policyholders and creditors;

"(3) Captive insurer is in compliance with all applicable District laws and regulations; and

"(4) Captive insurer is not a risk retention group licensed as a captive insurer.".

(3) Subsection (d) is amended by striking the phrase "segregated accounts" and inserting the phrase "protected cells" in its place.

(j) Section 16 (D.C. Official Code § 31-3931.15) is amended as follows: **Amend § 31-3931.15**

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

(A) Strike the phrase "captive insurer" and insert the phrase "captive insurer, including, if applicable, a protected cell," in its place.

(B) A new paragraph (6A) is added to read as follows:

"(6A) Has violated the Insurance Trade and Economic Development Amendment Act of 2000, effective April 3, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.01 *et seq.*); provided, that this paragraph shall apply only to District-domiciled risk retention groups licensed as captive insurers;".

(2) Subsection (b) is amended by striking the phrase "captive insurer" and inserting the phrase "captive insurer, including, if applicable, a protected cell," in its place.

(k) Section 17(b) (D.C. Official Code § 31-3931.16(b)) is amended to read as follows: **Amend § 31-3931.16**

"(b) The terms and conditions set forth in the Insurers Rehabilitation and Liquidation Act of 1993, effective October 15, 1993 (D.C. Law 10-35; D.C. Official Code § 31-1301 *et seq.*) ("1993 Act"), pertaining to insurer rehabilitation, insolvency, and receiverships shall apply in

full to captive insurers licensed under this act and shall apply to the protected cells of a captive insurer on a cell basis. If there is a conflict between the provisions of this act and the 1993 Act, the provisions of this act shall prevail, including the provisions of section 6 for liquidation and rehabilitation of protected cells.".

Amend § 31-3931.18

(l) Section 19 (D.C. Official Code § 31-3931.18) is amended by striking the phrase "shall not" and inserting the phrase "shall not be" in its place.

Amend § 31-3931.23

(m) Section 24(b) (D.C. Official Code § 31-3931.23(b)) is amended by striking the phrase "segregated accounts" and inserting the phrase "protected cells" in its place.

Amend § 31-4102

Sec. 3. Section 3(a) of the Risk Retention Act of 1993, effective October 21, 1993 (D.C. Law 10-46; D.C. Official Code § 31-4102(a)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "insurance companies" and inserting the word "insurers" in its place.

(b) Paragraph (2) is amended by striking the phrase "an annual statement" and inserting the phrase "annual and quarterly statements" in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-832
Act 20-500 effective December 8, 2014

To amend section 47-1065 of the District of Columbia Official Code to extend the exemption period for certain property owned by Golden Rule Plaza, Inc., Douglas Knoll Cooperative Limited Partnership, 1728 W Street Limited Partnership and Wagner Gainesville Limited Partnership.

Codification District of Columbia Official Code 2001 Edition

Douglas Knoll, Golden Rule, 1728 W Street, and Wagner Gainesville Real Property Tax Exemption Amendment Act of 2014

Amend § 47-1065

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Douglas Knoll, Golden Rule, 1728 W Street, and Wagner Gainesville Real Property Tax Exemption Amendment Act of 2014".

Sec. 2. Section 47-1065 of the District of Columbia Official Code is amended as follows:

(a) Strike the phrase "a period of 15 years" wherever it appears.

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

"(e) The real property described in this section shall be exempt from real property taxation as provided by this section so long as the real property meets the requirements of this section, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009 as if the exemptions were granted administratively.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-886
Act 20-501 effective December 8, 2014

To require a producer of paint sold in the District to establish and implement a paint stewardship program in the District.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Paint Stewardship Act of 2014".

Paint Stewardship Act of 2014

Sec. 2. Definitions.

New Subchapter II, Chapter 2A, Title 8, New § 8-233.01

For the purposes of this act, the term:

(1) "Distributor" means a company that has a contractual relationship with one or more producers to market and sell paint to retailers in the District.

(2) "Environmentally sound management practices" means procedures for the collection, storage, transportation, reuse, recycling, and disposal of paint, to be implemented by the producer, representative organization, or their contracted partners to ensure compliance with applicable federal and District laws and regulations and to protect human health and the environment. These procedures shall address adequate record keeping, tracking, and documenting the fate of materials, and adequate environmental liability coverage for professional services and for the contractors working on behalf of the producer or representative organization.

(3) "Paint" means interior and exterior architectural coatings sold in containers of 5 gallons or less and does not mean industrial, original equipment, or specialty coatings.

(4) "Paint stewardship assessment" means the amount added to the purchase price of paint sold in the District necessary to cover the paint stewardship program's cost of collecting, transporting, and processing the postconsumer paint District-wide.

(5) "Postconsumer paint" means paint not used and no longer wanted by a purchaser.

(6) "Producer" means a manufacturer of paint who sells, offers for sale, or distributes that paint in the District under the producer's own name or brand. The term "producer" does not include a retailer that adds tint, colorant, or other additives to paint at the retail location.

(7) "Recycling" means a process by which discarded products, components, and by-products are transformed into new usable or marketable materials in a manner in which the original products may lose their identity but does not include energy recovery or energy generation by means of incineration or combustion of discarded products, components, and by-products with or without other waste products.

(8) "Representative organization" means a nonprofit organization created by producers to implement a paint stewardship plan required by section 3.

(9) "Retailer" means a person or entity that offers paint for sale at retail in the District.

(10) "Reuse" means the return of a product into the economic stream for use in the same kind of application as originally intended, without a change in the product's identity.

(11) "Sell" or "sale" means any transfer of title for consideration including remote sales conducted through sales outlets, catalogs, or electronic means.

Sec. 3. Producer paint stewardship plan required. **New § 8-233.02**

(a) By April 1, 2016, a producer of paint sold at retail in the District, or a representative organization in which the producer is a member, shall submit a plan for the establishment of a paint stewardship program to the Mayor for approval. The plan shall:

(1) Minimize District involvement in the management of postconsumer paint by reducing its generation, promoting its reuse and recycling, and implementing agreements to collect, transport, reuse, recycle, and dispose of postconsumer paint using environmentally sound management practices;

(2) Provide for convenient and available collection of postconsumer paint that, at a minimum, provides for collection rates and convenience equal to or greater than the collection programs available to consumers before the paint stewardship program and addresses coordination of the paint stewardship program with existing household hazardous waste collection infrastructure;

(3) Ensure the program addresses coordination with local nonprofit building material reuse organizations without charge to the organizations;

(4) Identify each producer participating in the program and the brands of paint sold in the District by each producer;

(5) Describe sufficient funding for the paint stewardship program, including a funding mechanism for securing and disbursing funds to cover administrative, operational, and capital costs, including the assessment of charges on paint sold by producers in the District. The funding mechanism shall provide for a paint stewardship assessment for each container of paint sold in the District by producers and the assessment shall be remitted to the representative organization, if applicable; and

(6) Describe how postconsumer paint will be managed in the most environmentally and economically sound manner, including following the sustainable solid waste management hierarchy established in section 102 of the Sustainable Solid Waste Management Amendment Act of 2014, enacted on September 23, 2014 (D.C. Act 20-423; 61 DCR 9971).

(b)(1) A paint stewardship assessment established in accordance with paragraph (2) of this subsection shall be added to the cost of all paint sold to retailers and distributors in the District. Retailers and distributors shall add the assessment to the purchase price of all paint sold in the District.

(2) The paint stewardship assessment shall be approved by the Mayor as part of the plan, and shall be sufficient to recover, but not exceed, the cost of the paint stewardship program. The plan shall require that any surplus funds be put back into the program to reduce the costs of the program, including the assessment amount.

(c) A producer or its representative organization shall implement its paint stewardship program plan within 3 months of the plan's approval by the Mayor.

(d) Beginning September 1, 2016, a producer shall not sell or offer for sale paint to any person in the District unless the producer of the paint or a representative organization of which the producer is a member submitted a paint stewardship plan to the Mayor on or before April 1, 2016, that has not been disapproved, or is implementing an approved paint stewardship program plan as required by this section.

(e) A producer or representative organization shall provide consumers in the District with educational materials regarding the paint stewardship assessment and paint stewardship program, including information regarding available end-of-life management options for paint offered through the paint stewardship program and information notifying consumers that a charge for the operation of the program is included in the purchase price of all paint sold in the District.

(f) On or before October 1, 2017, and annually thereafter, a producer or representative organization shall submit a paint stewardship program report to the Mayor that includes:

(1) A description of the methods used to collect, transport, and reuse or process postconsumer paint in the District;

(2) The total volume and type of postconsumer paint collected in the District and the volume by method of disposition;

(3) The total cost of implementing the program, as determined by an independent financial audit funded from the paint stewardship assessment;

(4) Samples of educational information provided to consumers of paint and a description of how the information is distributed; and

(5) Other information as required by the Mayor through rulemaking.

Sec. 4. Retailer obligations. **New § 8-233.03**

(a) Beginning September 1, 2016, or within 2 months of the Mayor's first website publication of the list required under section 5(d), whichever is later, a retailer shall not sell or offer for sale paint to a person in the District unless the producer or the paint brand was listed on the website maintained by the Mayor under section 5(d) on the date the paint was ordered from the paint producer or the producer's agent.

(b) A paint retailer may participate on a voluntary basis as paint collection points pursuant to a paint stewardship program.

Sec. 5. Mayor's responsibilities. **New § 8-233.04**

(a) The Mayor shall review and determine whether to approve a paint stewardship program plan submitted under section 3 within 120 days of its receipt. The Mayor shall make the plan available for public review for at least 30 days before determining whether to approve the

plan.

(b) The Mayor may approve or deny the plan and may make approval of the plan contingent upon the removal, change, or inclusion of specific actions and practices, or the addition of paints covered under section 2(3).

(c) Within 60 days of submission of a report under section 3(f), upon a determination by the Mayor that the implementation of the approved plan fails to meet the requirements of this act or regulations promulgated pursuant to this act, the Mayor may request modifications to the producer of representative organization's paint stewardship program plan. The Mayor may approve or deny the proposed modifications to the plan as set forth in section 5(b). The Mayor may impose civil penalties under section 7 upon a determination that the paint stewardship organization or producer is not complying with the modified plan.

(d) Within 7 days of approving a paint stewardship program plan, the Mayor shall list the producers and brands implementing or participating in the plan on the Mayor's website.

(e) The Mayor shall impose an initial fee to be submitted with a proposed paint stewardship program plan under section 3(a) and an annual fee to be submitted thereafter in an amount sufficient to cover the costs of an agency reviewing a paint stewardship program plan, conducting inspections, and enforcing the provisions of this act. Permit fees collected pursuant to this section shall not exceed the cost of implementing and enforcing this act.

Sec. 6. Immunity from liability; confidential information. **New § 8-233.05**

(a) Notwithstanding the provisions of Chapter 45 of Title 28 of the D.C. Official Code, a producer or producers and a representative organization may negotiate, enter into agreements with, share the burdens of their operation with, and conduct business with each other in accordance with this act in ways that may affect competition. No producer or representative organization shall be prosecuted, held liable, or subject to penalties or damages under Chapter 45 of Title 28 of the D.C. Official Code for actions conducted in accordance with this act.

(b) Financial, production, and sales data reported to the Mayor by a producer or representative organization shall not be subject to disclosure under the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any other law or regulation; provided, that the Mayor may release a summary form of the data that does not disclose individual producer information.

Sec. 7. Rules; enforcement. **New § 8-233.06**

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

(b) The Mayor may impose civil fines and penalties as sanctions for violations of the provisions of this act or any rules issued under the authority of this act, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6- 42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Enforcement and adjudication of an infraction shall be pursuant to the Civil Infractions Act.

(c) In addition to the enforcement authority provided in subsection (b) of this section, the Mayor may seek injunctive relief or other appropriate remedy in any court of competent jurisdiction to enforce compliance with the provisions of this act.

Sec. 8. Fiscal impact statement.

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

Sec. 9. Effective date.

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

AN ACT

Bill 20-897
Act 20-502 effective December 8, 2014

To require the Mayor to develop a plan that provides a range of comprehensive services that address the assessed needs of homeless individuals at 425 2nd Street, N.W., and that complies with the Statement of Principles developed by the Center for Creative Non-Violence Task Force.

Codification District of Columbia Official Code 2001 Edition

Plan for Comprehensive Services for Homeless Individuals at 425 2nd Street, N.W., Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Plan for Comprehensive Services for Homeless Individuals at 425 2nd Street, N.W., Act of 2014".

Note, § 4-756.03

Sec. 2. Plan for comprehensive services for homeless individuals at 425 2nd Street, N.W., required.

(a) The Mayor shall develop a plan to provide continued homeless services for individuals residing at the property located at 425 2nd Street, N.W.

(b) The plan shall comply with the following Statement of Principles, developed by the task force established pursuant to the CCNV Task Force Emergency Act of 2013, effective August 2, 2013 (D.C. Act 20-147; 60 DCR 11809), and corresponding temporary legislation:

(1) The District of Columbia has an obligation to provide for the needs of homeless District of Columbia residents in the development of its parcel at 425 2nd Street, N.W. This obligation went into effect when the property was first transferred from the federal government to the District of Columbia.

(2) Any new development of the parcel should be "build first," that is, the existing shelter should not be razed until replacement capacity is fully available.

(3) Replacement capacity should be located at the current site to respond effectively to the needs of residents, to the maximum extent possible.

(4) Any replacement capacity located off-site should be close to public transportation, and for ease of access to jobs and services, ideally located in the downtown area of the District of Columbia.

(5) Replacement capacity should:

(A) Primarily be deeply affordable housing;

(B) Include single room occupancy ("SRO"), efficiency, and studio design;

(C) Reflect the Housing First model of permanent supportive housing;

(D) Specifically target the needs of youth under 25 years of age; and

(E) Provide 24-hour low barrier shelter and hypothermia shelter; provided, that some scattered site capacity, through vouchers or otherwise, might be appropriate or desirable for some residents.

(6) Any SRO, efficiency, or studio design unit should have sufficient square footage to meet current recommended standards for living space.

(7) Private bathing and cooking space should be prioritized to the maximum extent possible.

(8) Any site re-design should be responsive to security needs of residents, both within the building and in the surrounding environments.

(9) Any new development should follow sustainable and green principles.

(10) In any new construction, developers should follow "First Source" requirements. All efforts should be made to employ as many residents of 425 2nd Street, N.W., as possible.

(11) Priority for new units should be given to current residents, people with disabilities, and people who are elderly.

(12) All efforts should be taken in the redevelopment design to allow families, including families with no minor children, to be housed or sheltered together, regardless of gender.

(13) It is important to have services available on-site.

(14) Assessment of service needs, for example, whether a resident needs permanent supportive housing, should be made using the "state of the art" tools and standards available at the time of assessment.

(15) There should be office space for management of programs included in the site re-design.

(16) All non-shelter services presently at 425 2nd Street, N.W., should be included in the site re-design to the maximum extent feasible.

(17) All providers and relevant programs should meet the highest standards and have appropriate qualifications for the service provided.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

D.C. Law 20-207, effective March 11, 2015
[Partial Delayed Applicability]

AN ACT

Bill 20-905
Act 20-503
effective December 8, 2014

To amend the Department of Transportation Establishment Act of 2002 to authorize the Director of the District Department of Transportation ("DDOT") to establish and enforce infractions relating to the unauthorized use of public space in the District through the issuance of fines, compliance orders, and abatement; to amend the Office of Administrative Hearings Establishment Act of 2001 to add infractions imposed under DDOT's jurisdiction to the cases adjudicated by the Office of Administrative Hearings; to amend An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District to enforce and adjudicate infractions under this act pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985; and for other purposes.

Codification District of Columbia Official Code 2001 Edition

Public Space Enforcement Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public Space Enforcement Amendment Act of 2014".

Sec. 2. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq*.), is amended as follows:

New § 50-921.01a

(a) A new section 2a is added to read as follows:

"Sec. 2a. Definitions.

"For the purposes of this title, the term:

"(1) "Person" means an individual, corporation, firm, agency, company, association, organization, partnership, society, or joint stock company.

"(2) "Property line" means the line of demarcation separating privately owned property fronting or abutting a street or alley from publicly owned property on the other side of the line of demarcation.

"(3) "Public right-of-way" means the surface, air space above the surface, and area below the surface of any public street, highway, bridge, tunnel, alley, or sidewalk.

"(4) "Public space" means all the publicly owned property between property lines shown on the records of the District, and includes any roadway, tree space, sidewalk, or parking between such property lines.

"(5) "Respondent" means a person subject to a civil fine, compliance order, or abatement procedure as defined in section 9k.".

Amend § 50-921.04

(b) Section 5 (D.C. Official Code § 50-921.04) is amended as follows:

(1) Paragraph (3) is amended as follows:

(A) Subparagraph (D)(iii) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(B) A new subparagraph (D-i) is added to read as follows:

"(D-i) Install and maintain parking meters and other parking control devices and systems on public rights-of-way and other public spaces in the District; and".

(2) Paragraph (4) is amended as follows:

(A) Subparagraph (A) is amended to read as follows:

"(A) Review, approve, and issue public space permit requests for occupancy, work within, or other use of the public space, including private use and utility work public space requests, and ensure that transportation services are maintained and that the infrastructure is restored after the occupancy, work within, or other use is complete;"

(B) Subparagraph (F) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(C) Subparagraph (G)(iv) is amended by striking the period and inserting the phrase "; and" in its place.

(D) A new subparagraph (H) is added to read as follows: **Delayed Applicability**

"(H) Develop, implement, and enforce a comprehensive plan that covers the care, maintenance, and upkeep of public space and federal reservations under the control of DDOT.".

(c) New sections 9j and 9k are added to read as follows:

"Sec. 9j. Rules. **New § 50-921.18**

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

"(b) The rules may establish fees as may be necessary or useful for implementation of the title, including permit application fees, fees for the use of public space, and fees for services provided by DDOT or rights or privileges granted by DDOT.

"Sec. 9k. Enforcement. **New § 50-921.19**

"(a) The Director may inspect private property located on public space and private work performed within public space and may perform such other inspections necessary to protect the public space or public safety or ensure compliance with this title, the regulations promulgated pursuant to this title, or permits, notices, or orders issued pursuant to this title.

"(b) Civil fines and penalties may be imposed as sanctions for any violation of the provisions of this title or any rules promulgated under the authority of this title, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Fines and penalties may be imposed for each day that a violation continues. Enforcement and adjudication of a violation shall be pursuant to the Civil Infractions Act.

"(c)(1) For violations of this title or any rules promulgated under the authority of this title, the Director may issue a notice of infraction, pursuant to the Civil Infractions Act. The notice of infraction may impose a fine or penalty, may require the respondent to take action to correct a violation of a law or regulation or cease conduct that violates a law or regulation, or may both impose a fine or penalty and require the respondent to take action to correct a violation of a law or regulation or cease conduct that violates a law or regulation.

"(2) If the notice of infraction requires the respondent to take action to correct a violation of a law or regulation or cease conduct that violates a law or regulation, the notice of infraction shall include the following information, in addition to the information required by section 201(b) of the Civil Infractions Act:

"(A) A description of the violation;

"(B) A statement that the respondent's conduct violating the applicable law or regulation must cease, or a statement the respondent must take action to correct the violation;

"(C) The date and time by which the respondent must cease the violating conduct or take the corrective action; and

"(D) A statement that if the respondent fails to comply with the notice or request a hearing within the stated time, the Director may:

"(i) Remove and dispose of property unlawfully occupying public space and repair any damage to the public space caused by the violation;

"(ii)Take action to protect the public from the effects and potential effects of the violation; and

"(iii) Recover 3 times the cost and expense of removing and disposing of property unlawfully occupying public space, repairing any damage to the public space caused by the violation, and taking action to protect the public from the effects and potential effects of the violation.

"(3) If a respondent does not comply with the notice or request a hearing pursuant to section 201 of the Civil Infractions Act by the date and time stated on the notice of infraction, the notice shall be deemed final. If a respondent does not comply with a notice that has been deemed final, the Director may:

"(A) Remove private property unlawfully occupying public space;

"(B) Repair any damage to the public space caused by the respondent's violation;

"(C) Take action to protect the public from the effects and potential effects of the violation;

"(D) Recover the costs of the removal and repairs pursuant to subsection (f) of this section and section 203 of the Civil Infractions Act;

"(E) Through the Office of the Attorney General, petition the Superior Court of the District of Columbia to issue an order compelling compliance; or

"(F) Take any other action authorized by law or regulation.

"(4)(A) Whenever the Director takes action under paragraph (3)(A), (B), or (C) of this subsection, the Director shall serve a notice on the respondent describing the action that was taken. If property was removed from the public space, the notice shall describe the method by which the respondent may recover the property and the deadline by which the respondent must recover the property. The notice shall also state the amount, if any, to be assessed against the respondent pursuant to section 203 of the Civil Infractions Act.

"(B) A respondent may contest the amount assessed pursuant to subparagraph (A) of this paragraph by requesting a hearing pursuant to section 201 of the Civil Infractions Act.

"(d)(1) Where a violation of this title or a rule promulgated under the authority of this title presents an actual or potential hazard to the public, the Director may summarily remove private property unlawfully occupying public space, repair damage to the public space caused by the violation, and take action to protect the public from the effects and potential effects of the violation. If such action is taken by the Director, the Director shall issue a notice of infraction pursuant to the Civil Infractions Act

"(2) In addition to the information required under section 201(b) of the Civil Infractions Act, the notice of infraction shall include the following information:

"(A) A description of the action taken by the Director;

"(B) The amount the respondent must pay pursuant to subsection (f) of this section; provided, that the Director may recover the costs and expenses authorized by subsection (f) of this section, or any portion of those costs and expenses, through a separate notice of infraction;

"(C) A statement that the respondent has a right to request an expedited hearing by making this request in writing within 5 days after service of the notice;

"(D) The method by which the respondent may recover property removed from the public space, if any; and

"(E) The deadline by which the respondent must recover the property.

"(3) If a respondent has requested an expedited hearing, the Office of Administrative Hearings shall conduct the hearing within 72 hours after receipt of the request.

"(e)(1) The Director shall store private property removed from the public space pursuant to subsection (c) or (d) of this section for at least 15 days after the service of the notice.

"(2) If the respondent does not recover the property by the date set forth in the notice, the Director may, in accordance with reasonable business practices, sell or otherwise dispose of the property.

"(3)(A) A respondent who fails to reclaim the property within the time prescribed shall nevertheless be entitled to recover the fair market value of any property disposed of pursuant to this subsection if:

"(i) The respondent timely requests a hearing;

"(ii) The administrative law judge dismisses the notice or order or finds no violation; and

"(iii) The respondent establishes the property's fair market value by a preponderance of the evidence.

"(B) For the purposes of this subparagraph, if the District has sold the property, the price paid by a good faith purchaser, other than the respondent, shall establish a rebuttable presumption of the fair market value of the property. In no event, however, shall the respondent be entitled to recover an amount greater than the price paid by the purchaser.

"(f) The Director may recover 3 times the cost and expense of removing and disposing of property unlawfully occupying public space, repairing any damage to the public space caused by the violation, and taking action to protect the public from the effects and potential effects of the violation pursuant to subsections (c) and (d) of this section.".

Amend § 2-1831.03

Sec. 3. Section 6 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraph (8) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(2) Paragraph (9) is repealed.

(3) Paragraph (10) is amended by striking the phrase "; and" and inserting a period in its place.

(4) Paragraph (11) is repealed.

(b) A new subsection (b-8) is added to read as follows:

"(b-8) In addition to those cases described in subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-6), and (b-7), this act shall apply to adjudicated cases under the jurisdiction of the District Department of Transportation.".

Sec. 4. An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.21 *et seq.*), is amended as follows:

Amend § 1-303.21

(a) Section 1(b) (D.C. Official Code § 1-303.21(b)) is amended as follows:

(1) Paragraph (8) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(2) Paragraph (9) is amended by striking the phrase "; and" and inserting a period in its place.

(3) Paragraph (10) is repealed.

Amend § 1-303.23

(b) Section 4(a) (D.C. Official Code § 1-303.23(a)) is amended to read as follows:

"(a) Enforcement and adjudication of infractions of these rules shall be pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"), the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*) ("DDOT Establishment Act"), and Chapter 1A of Title 12A of the Construction Codes. The Mayor shall enforce the rules applicable to signs on public space, public rights-of-way, public buildings and structures, and other property owned or controlled by the District under the Civil Infractions Act and the DDOT Establishment Act. The rules applicable to signs on private property shall be enforced under the Civil Infractions Act and Chapter 1A of Title 12A of the Construction Codes. The Mayor shall also establish, by

rulemaking, a schedule of fines and penalties for infractions of these rules, which shall be subject to Council review and approval as described in section 1.".

Amend § 8-802 Delayed Applicability

Sec. 5. Section 3(a)(1) of the Litter Control Administration Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-802(a)(1)), is amended by striking the phrase "§§ 101, 102, 103, 104 ,108, 900.7, 900.8, 900.10, 1000, 1001, 1002, 1005, 1008, 1009, 2000, 2001, 2002, and 2010 of 24 DCMR" and inserting the phrase "§§ 108, 900.7, 900.8, 900.9, 900.10, 1000, 1002, 1008, 1009, 2001.3, 2010 of 24 DCMR" in its place.

Sec. 6. The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), is amended as follows:

Amend § 10-1102.01

(a) Section 201 (D.C. Official Code § 10-1102.01) is amended as follows:

(1) Strike the phrase "subject to the provisions of sections 1 and 2 of An Act To regulate, the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital, approved May 16, 1930 (46 Stat. 366; D.C. Official Code §§ 6-611.01 and 6-611.02)," and insert the phrase "subject to the provisions of sections 1 and 2 of An Act To regulate, the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital, approved May 16, 1930 (46 Stat. 366; D.C. Official Code §§ 6-611.01 and 6-611.02), if the proposed rental of public space entails the erection or alteration of the exterior of a building," in its place.

(2) Strike the word "him" and insert the phrase "the Mayor" in its place.

(3) Strike the phrase "owner of the real property abutting such space" and insert the phrase "person using such space" in its place.

Amend § 10-1104.04

(b) Section 404 (D.C. Official Code § 10-1104.04) is amended to read as follows:

"Sec. 404. Enforcement; penalties.

"(a) A violation of this act or a rule issued in accordance with this act shall be enforced and adjudicated pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). The Mayor may also enforce a violation of this act or a rule issued in accordance with this act pursuant to section 9k(a), (c), (d), (e), and (f) of the Department of Transportation Establishment Act of 2002, passed on 2nd reading on November 18, 2014 (Enrolled version of Bill 20-905).

"(b) A person who violates a provision of this act may be punished by a fine not exceeding $100 or imprisonment for not more than 10 days.".

Repeal §§ 10-1104.05, 10-1104.06, 10-1104.07, 10-1104.09

(c) Sections 405, 406, 407, and 409 (D.C. Official Code §§ 10-1104.05, 10-1104.06, 10-1104.07 and 10-1104.09) are repealed.

Amend § 10-1121.10

Sec. 7. Section 11 of the District of Columbia Public Space Utilization Act, approved October 17, 1968 (82 Stat. 1166; D.C. Official Code § 10-1121.10), is amended to read as follows:

"Sec. 11. Rules; enforcement.

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

"(b) A violation of this act or a rule issued in accordance with this act may be punished by imprisonment of not more than 90 days.

"(c) The Mayor may maintain an action in the Superior Court of the District of Columbia to enjoin any continuing violation of this act or a rule issued in accordance with this act.

"(d) Civil fines and penalties may be imposed as alternative sanctions for any infraction of the provisions of this act or any rules promulgated under the authority of this act, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Enforcement and adjudication of an infraction shall be pursuant to the Civil Infractions Act.

"(e) The Mayor may also enforce this act or a rule issued in accordance with this act pursuant to section 9k(a), (c), (d), (e), and (f) of the Department of Transportation Establishment Act of 2002, passed on 2nd reading on November 18, 2014 (Enrolled version of Bill 20-905).".

Sec. 8. Title VI of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01 *et seq.*), is amended by adding a new section 607 to read as follows:

"Sec. 607. Enforcement. **New § 10-1141.07**

"(a) Civil fines and penalties may be imposed as sanctions for any infraction of the provisions of this title or any rules issued in accordance with this title, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Enforcement and adjudication of an infraction shall be pursuant to the Civil Infractions Act.

"(b) The Mayor may also enforce this title or any rules issued in accordance with this title pursuant to section 9k(a), (c), (d), (e), and (f) of the Department of Transportation Establishment Act of 2002, passed on 2nd reading on November 18, 2014 (Enrolled version of Bill 20-905).".

Sec. 9. The Abatement of Dangerous Conditions on Public Space Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 10-1181.01 *et seq.*), is amended by adding new sections 6026a and 6026b to read as follows:

"Sec. 6026a. Rules. **New § 10-1181.06**

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

"Sec. 6026b. Enforcement. **New § 10-1181.07**

"(a) Violations of this subtitle or a rule issued in accordance with this subtitle may be punished by imprisonment of not more than 90 days.

"(b) The Mayor may maintain an action in the Superior Court of the District of Columbia to enjoin any continuing violation of this subtitle or a regulation issued pursuant to this subtitle.

"(c) Civil fines and penalties may be imposed as alternative sanctions for any infraction of the provisions of this subtitle or any rules issued in accordance with this subtitle, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Enforcement and adjudication of an infraction shall be pursuant to the Civil Infractions Act.

"(d) The Mayor may also enforce this subtitle or any rules issued in accordance with this subtitle pursuant to section 9k(a), (c), (d), (e), and (f) of the Department of Transportation Establishment Act of 2002, passed on 2nd reading on November 18, 2014 (Enrolled version of Bill 20-905)("DDOT Establishment Act"); provided, that references to the Director in section 9k(a), (c), (d), (e), and (f) of the DDOT Establishment Act shall be deemed to be references to the Mayor for the purposes of this subsection.".

Amend § 2-1802.05

Sec. 10. Section 205 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1802.05), is amended as follows:

(a) The existing text is designated as subsection (a).

(b) A new subsection (b) is added to read as flows:

"(b) Where property unlawfully occupies public space, including a public right-of-way, in violation of An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.21 *et seq.*), the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), the District of Columbia Public Space Utilization Act, approved October 17, 1968 (82 Stat. 1166; D.C. Official Code § 10-1121.01 *et seq.*), the Public Space Permitting Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01 *et seq.*), the Abatement of Dangerous Conditions on Public Space Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1181.01 *et seq.*), or the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), or another law regulating the occupancy or use of public space, including the public right-of-way, and the identity or location of the property owner is unknown, service may also be made by:

"(1) Conspicuously posting the notice or order on the property alleged to be in violation; and

"(2) Posting the information regarding the notice or order on the website of the agency issuing the notice or order.".

Repeal § 50-2632

Sec. 11. An Act to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center, approved June 6, 1940 (54 Stat. 241; D.C. Official Code § 50-2632), is repealed.

Sec. 12. Applicability.

(a) Section 2(a), 2(b)(1), 2(b)(2)(A), 2(b)(2)(B), 2(b)(2)(C), 2(c), 3, 4, 6, 7, 8, 9, 10, and 11 shall apply as of the effective date of this act.

Partial Delayed Applicability

(b) Section 2(b)(2)(D) shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Partial Delayed Applicability

(c) Section 5 shall apply upon the effective date of rules promulgated pursuant to section 9j of the Department of Transportation Establishment Act of 2002, passed on 2nd reading on November 19, 2014 (Enrolled version of Bill 20-905).

Sec. 13. Fiscal impact statement.

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

Sec. 14. Effective date.

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

D.C. Law 20-208, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-708
Act 20-511 effective December 8, 2014

To amend the Housing Production Trust Fund Act of 1988 to authorize the Housing Production Trust Fund to be funded at a level of at least $100 million annually.

Codification District of Columbia Official Code 2001 Edition

Housing Production Trust Fund Baseline Funding Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Housing Production Trust Fund Baseline Funding Amendment Act of 2014".

Amend § 42-2802

Sec. 2. Section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), is amended by adding a new subsection (c-1) to read as follows:

"(c-1) There is authorized to be appropriated at least $100 million annually, from all sources, to be deposited into, and expended from, the Fund.".

Delayed Applicability

Sec. 3. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

D.C. Law 20-209, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-589
Act 20-512 effective December 10, 2014

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property owned by SeVerna, LLC, and to provide equitable real property tax relief to SeVerna, LLC.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "SeVerna, LLC, Real Property Tax Exemption and Real Property Tax Relief Act of 2014".

SeVerna, LLC, Real Property Tax Exemption and Real Property Tax Relief Act of 2014

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1095. SeVerna, LLC, Lot 861, Square 621.

(b) A new section 47-1095 is added to read as follows:

New § 47-1095

"§ 47-1095. SeVerna, LLC, Lot 861, Square 621.

"The real property described as Lot 861, Square 621 owned by SeVerna, LLC, a nonprofit corporation, shall be exempt from all taxation for a period of 15 years, beginning with tax year 2013, so long as the real property continues to be owned by SeVerna, LLC, and is not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009.".

Sec. 3. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against SeVerna, LLC, on real property located at Lot 861, Square 621 for a period of 15 years beginning in tax year 2013 be forgiven and any payment made for this period be refunded.

Sec. 4. Applicability.

Delayed Applicability

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

D.C. Law 20-210, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-945
Act 20-514 effective December 22, 2014

To amend Chapter 18 of Title 47 of the District of Columbia Official Code to establish the tax rate for a capital gain from a sale or exchange of an investment in a Qualified High Technology Company that meets the specified requirements.

Codification District of Columbia Official Code 2001 Edition

Promoting Economic Growth and Job Creation through Technology Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Promoting Economic Growth and Job Creation through Technology Act of 2014".

Sec. 2. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1817.07a. Tax on capital gain from the sale or exchange of a Qualified High Technology Company investment.".

(b) A new section 47-1817.07a is added to read as follows:

Amend § 47-1817.07a

"§ 47-1817.07a. Tax on capital gain from the sale or exchange of a Qualified High Technology Company investment.

"For tax years beginning after December 31, 2018, notwithstanding any other provision of this chapter and in lieu of the tax imposed by §§ 47-1806.03(a)(7)(A), 47-1807.02(a)(4), and 47-1808.03(a)(4), the tax on a capital gain from the sale or exchange of an investment in a Qualified High Technology Company, as defined in § 47-1817.01(5)(A), shall be at the rate of 3% if:

"(1) The investment was made after the effective date of the Promoting Economic Growth and Job Creation through Technology Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-945);

"(2) The investment was held by the investor for at least 24 continuous months;

"(3) At the time of the investment, the stock of the Qualified High Technology Company was not publicly traded; and

"(4) The investment is in common or preferred stock of the Qualified High Technology Company.".

Sec. 3. Applicability.

Delayed Applicability

This act, to the extent it reduces revenues below the financial plan, shall apply as of January 1, 2019, or upon the implementation of the provisions in D.C. Official Code § 47-

181(c)(17) in effect on the effective date of this act, whichever is later; provided, that the priority list in D.C. Official Code § 47-181(c) is maintained.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-715
Act 20-515 effective December 12, 2014

To amend An Act Providing for the removal of snow and ice from the paved sidewalks of the District of Columbia to establish fines to enforce snow removal requirements; to exempt seniors and persons with disabilities from receiving a fine, to require the Mayor to inform property owners in writing of the obligations and potential fines, and to require the Mayor to issue rules to implement the provisions of this act.

Codification District of Columbia Official Code 2001 Edition

Winter Sidewalk Safety Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Winter Sidewalk Safety Amendment Act of 2014".

Sec. 2. An Act Providing for the removal of snow and ice from the paved sidewalks of the District of Columbia, approved September 16, 1922 (42 Stat. 845; D.C. Official Code § 9-601 *et seq*.), is amended as follows:

Amend § 9-601

(a) Section 1 (D.C. Official Code § 9-601) is amended to read as follows:

"Sec. 1. Removal from sidewalks by owner of abutting property.

"(a) The owner of a residential or commercial property that fronts or abuts a paved sidewalk shall, within the first 8 hours of daylight after the ceasing to fall of any snow or sleet, remove and clear away, or cause to be removed and cleared away, snow or sleet that is in front of or abuts a building or lot of land to provide a path that is the entire width of the sidewalk, up to 36 inches wide; provided, that a residential or commercial property owner may delegate this responsibility to a tenant, occupant, lessee, or other individual by written agreement.

"(b) If snow or sleet cannot be removed without causing injury to the paved sidewalk, then the owner of the residential or commercial property shall, within the first 8 hours of daylight after the ceasing to fall of any snow or sleet, make the sidewalk reasonably safe for travel by covering the unremoved snow or sleet with a coating of sand, sawdust, or other proper substance as necessary to render the sidewalk safe for pedestrian travel.".

Repeal §§ 9-604, 9-605

(b) Section 4 (D.C. Official Code § 9-604) is repealed.

(c) Section 5 (D.C. Official Code § 9-605) is repealed.

Amend § 9-606

(d) Section 6 (D.C. Official Code § 9-606) is amended to read as follows:

"Sec. 6. Failure of owner to remove – Fines.

"(a)(1) Upon finding of a violation of section 1, the Mayor may issue a notice of infraction to a residential or commercial property.

"(2) A person authorized to issue a notice of infraction for a violation of section 1 shall not issue the notice to a residential property owner for a violation unless the violation continues to exist 24 hours after the snow or sleet has ceased to fall.

"(3) For a residential property, the fine for a violation of section 1 shall be no more than $25.

"(4) For a commercial property, the fine for a violation of section 1 shall be $150.

"(b) Notwithstanding a residential or commercial property owner's delegation of the owner's responsibility to comply with section 1, the owner shall remain liable for payment of a fine issued in accordance with this section; provided, that a property owner may seek reimbursement in the amount of the fine from a tenant, occupant, lessee, or other individual pursuant to the delegation of the owner's responsibility in a written agreement.

"(c) No property owner shall be fined more than once per day per property for a violation of this act.

"(d)(1) A residential property owner who is 65 years of age or older or who has a disability shall not be found in violation of this act, and shall qualify for an exemption.

"(2) For the purposes of this subsection, a residential property owner shall qualify as having a disability if the owner has been determined to have a disability pursuant to a government assistance program or has evidence from a medical doctor that he or she is unable to, or should not, undertake the physical activity required to remove sleet or snow.

"(e) On or before December 1st of each year, the Mayor shall publicize through public media the obligation to remove sleet or snow pursuant to section 1 and the penalties that might be enforced for failure to comply.

"(f) Infractions of this act shall be adjudicated pursuant to the Litter Control Administrative Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-801 *et seq.*).".

New § 9-607 Recodify existing § 9-607

(d) A new section 8 is added to read as follows:

"Sec. 8. Rules.

"On or before July 1, 2015, the Mayor, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act. The rules shall include a process whereby a senior or resident with a disability may self-certify his or her exemption from an infraction. Through rulemaking, the Mayor may also modify the schedule of fines listed in section 6. The Mayor shall submit a proposed modification to the schedule of fines to the Council for a 30-day period of review, excluding Saturdays, Sundays, holidays, and days of Council recess. If the Council does not disapprove the modification by resolution within the 30-day period, the modification shall be deemed approved.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report and the fiscal impact statement of the Budget Director dated November 18, 2014, as the fiscal impact statements required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

D.C. Law 20-212, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-767
Act 20-516
effective December 13, 2014

To amend the Homeless Services Reform Act of 2005 to define the term "private room" and to clarify the rights of homeless families to access shelter services.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Dignity for Homeless Families Amendment Act of 2014".

Dignity for Homeless Families Amendment Act of 2014

Sec. 2. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq*.), is amended as follows:

(a) Section 2 (D.C. Official Code § 4-751.01) is amended by adding a new paragraph (28A) to read as follows:

Amend § 4-751.01

"(28A) "Private room" means a part or division of a building that has:

"(A) Four non-portable walls that meet the ceiling and floor at the edges so as to be continuous and uninterrupted; provided, that the room may contain a window if the window is capable of shutting and comes with an opaque covering such as blinds or shades;

"(B) A door that locks from both the inside and outside as its main point of access;

"(C) Sufficient insulation from sound so that family members sheltered in the room may have a conversation at a normal conversational volume and not be heard from the exterior;

"(D) Lighting within the room that the occupants can turn on or off as desired; and

"(E) Access to on-site hot shower facilities.".

(b) Subsection 7(d) (D.C. Official Code § 4-753.01(d)) is amended by adding a new paragraph (3) to read as follows:

Amend § 4-753.01

"(3) This subsection shall be applicable to all forms of shelter provided to families.".

(c) Section 9 (D.C. Official Code § 4-754.11) is amended as follows:

Amend § 4-754.11

(1) The existing text is designated as subsection (a).

(2) The newly designated subsection (a) is amended by striking the phrase "Clients served within the Continuum of Care" and inserting the phrase "All clients served within the Continuum of Care" in its place.

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

"(b) Families placed in shelter shall have the right to:

"(1) Be placed in apartment-style shelters or in shelters that are private rooms pursuant to section 7(d)(2);

"(2) Access to the assigned shelter unit 24 hours a day, 7 days a week;

"(3) Maintain their belongings in the assigned shelter unit; and

"(4) Continuous shelter each night without any requirement to reapply unless terminated, suspended, or transferred pursuant to sections 20 through 24.".

Amend § 4-755.01

(d) Section 28(a) (D.C. Official Code § 4-755.01(a) is amended by striking the phrase "as authorized by section 9(5)" and inserting the phrase ", which shall meet the requirements of this act" in its place.

Delayed Applicability

Sec. 3. Applicability.

This act shall take apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-261
Act 20-517
effective December 18, 2014

To symbolically designate U Street, N.W., between 5th Street, N.W., and 6th Street, N.W., in Ward 1, as Lawrence Guyot Way.

Codification District of Columbia Official Code 2001 Edition

Lawrence Guyot Way Designation Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lawrence Guyot Way Designation Act of 2014".

Note, § 9-204.01

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding the requirements of sections 407 and 408 (D.C. Official Code §§ 9-204.07 and 9-204. 08) of the Act, the Council symbolically designates U Street, N.W., between 5th Street, N.W., and 6th Street, N.W., in Ward 1, as "Lawrence Guyot Way".

Sec. 3. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-722
Act 20-518 effective December 18, 2014

To symbolically designate the 1100 block of Chicago Street, S.E., between Martin Luther King, Jr., Avenue, S.E., and Railroad Avenue, S.E., in Ward 8, as Percy Battle Way.

Codification District of Columbia Official Code 2001 Edition

Percy Battle Way Designation Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Percy Battle Way Designation Act of 2014".

Note, § 9-204.01

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding the requirements of sections 407 and 408 (D.C. Official Code §§ 9-204.07 and 9-204. 08), of the Act, the Council symbolically designates the 1100 block of Chicago Street, S.E., between Martin Luther King, Jr. Avenue , S.E., and Railroad Avenue, S.E., in Ward 8, as "Percy Battle Way".

Sec. 3. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

D.C. Law 20-215, effective March 11, 2015
[Delayed Applicability – January 1, 2016]

AN ACT

Bill 20-791
Act 20-519 effective December 18, 2014

To enact the Uniform Certificate of Title for Vessels Act, to modernize and standardize the law concerning the titling of vessels, to provide clear procedures for security interests in vessels, to facilitate interstate transfers of vessels, and to protect consumers from buying unsafe boats; and to repeal the Uniform Commercial Code Bulk Sales provisions.

Codification District of Columbia Official Code 2001 Edition

Uniform Certificate of Title for Vessels Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Uniform Certificate of Title for Vessels Act of 2014".

New Chapter 15B, Title 50 New § 50-1541.01

Sec. 2. Definitions.

(a) For the purposes of this act, the term:

(1) "Agreement" shall have the same meaning as provided in D.C. Official Code § 28:1-201(b)(3).

(2) "Barge" means a vessel that is not self-propelled or fitted for propulsion by sail, paddle, oar, or similar device.

(3) "Builder's certificate" means a certificate of the facts of build of a vessel described in 46 C.F.R. § 67.99.

(4) "Buyer" means a person that buys or contracts to buy a vessel.

(5) "Buyer in ordinary course of business" shall have the same meaning as provided in D.C. Official Code § 28:1-201(b)(9).

(6) "Cancel", with respect to a certificate of title, means to make the certificate of title ineffective.

(7) "Certificate of origin" means a record created by a manufacturer or importer as the manufacturer's or importer's proof of identity of a vessel. The term includes a manufacturer's certificate or statement of origin and an importer's certificate or statement of origin. The term does not include a builder's certificate.

(8) "Certificate of title" means a record, created by the Harbor Master pursuant to this act or by a governmental agency of another jurisdiction under the laws of that jurisdiction, that is designated as a certificate of title by the office or agency and is evidence of ownership of a vessel.

(9) "Conspicuous" shall have the same meaning as provided in D.C. Official Code § 28:1-201(b)(10).

(10) "Consumer goods" shall have the same meaning as provided in D.C. Official Code § 28:9-102(a)(23).

(11) "Dealer" means a person, including a manufacturer, in the business of selling vessels.

(12) "Debtor" shall have the same meaning as provided in D.C. Official Code § 28:9-102(a)(28).

(13) "Documented vessel" means a vessel covered by a certificate of documentation issued pursuant to 46 U.S.C. § 12105. The term does not include a foreign-documented vessel.

(14) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(15) "Electronic certificate of title" means a certificate of title consisting of information that is stored solely in an electronic medium and is retrievable in perceivable form.

(16) "Foreign-documented vessel" means a vessel the ownership of which is recorded in a registry maintained by a country other than the United States which identifies each person that has an ownership interest in a vessel and includes a unique alphanumeric designation for the vessel.

(17) "Good faith" means honesty in fact and the observance of reasonable commercial standards of fair dealing.

(18) "Harbor Master" means the official of the Metropolitan Police Department who commands the Harbor Unit or its successor, and his or her authorized representatives, including any police officer acting for the Harbor Master.

(19) "Hull damaged" means compromised with respect to the integrity of a vessel's hull by a collision, allision, lightning strike, fire, explosion, running aground, or similar occurrence, or the sinking of a vessel in a manner that creates a significant risk to the integrity of the vessel's hull.

(20) "Hull identification number" means the alphanumeric designation assigned to a vessel pursuant to 33 C.F.R. Part 181.

(21) "Knowledge" shall have the same meaning as provided in D.C. Official Code § 28:1-202.

(22) "Lease" shall have the same meaning as provided in D.C. Official Code § 28:2A-103(a)(10).

(23) "Lessor" shall have the same meaning as provided in D.C. Official Code § 28:2A-103(a)(16).

(24) "Lien creditor", with respect to a vessel, means:

(A) A creditor that has acquired a lien on the vessel by attachment, levy, or the like;

(B) An assignee for benefit of creditors from the time of assignment;

(C) A trustee in bankruptcy from the date of the filing of the petition; or

(D) A receiver in equity from the time of appointment.

(25) "Notice" shall have the same meaning as provided in D.C. Official Code § 28:1-202.

(26) "Owner" means a person that has legal title to a vessel.

(27) "Owner of record" means the owner indicated in the files of the Harbor Master or, if the files indicate more than one owner, the one first indicated.

(28) "Person" means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal entity.

(29) "Purchase" means to take by sale, lease, mortgage, pledge, consensual lien, security interest, gift, or any other voluntary transaction that creates an interest in a vessel.

(30) "Purchaser" means a person that takes by purchase.

(31) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(32) "Representative" shall have the same meaning as provided in D.C. Official Code § 28:1-201(b)(33).

(33) "Sale" shall have the same meaning as provided in D.C. Official Code § 28:2-106(1).

(34) "Secured party", with respect to a vessel, means a person:

(A) In whose favor a security interest is created or provided for under a security agreement whether or not any obligation to be secured is outstanding;

(B) That is a consignor under Article 9 of Subtitle I of Title 28 of the D.C. Official Code; or

(C) That holds a security interest arising under D.C. Official Code § 28:2-401, § 28:2-505, § 28:2-711(3), or § 28:2A-508(e).

(35) "Secured party of record" means the secured party whose name is indicated as the name of the secured party in the files of the Harbor Master or, if the files indicate more than one secured party, the one first indicated.

(36) "Security agreement" shall have the same meaning as provided in D.C. Official Code § 28:9-102(a)(74).

(37) "Security interest" means an interest in a vessel that secures payment or performance of an obligation if the interest is created by contract or arises under D.C. Official Code §§ 28:2-401, § 28:2-505, § 28:2-711(3), or § 28:2A-508(e). The term includes any interest of a consignor in a vessel in a transaction that is subject to Article 9 of Subtitle I of Title 28 of the D.C. Official Code. The term does not include the special property interest of a buyer of a vessel on identification of that vessel to a contract for sale under D.C. Official Code § 28:2-501, but a buyer also may acquire a security interest by complying with Article 9 of Subtitle I of Title 28 of the D.C. Official Code. Except as otherwise provided in D.C. Official Code § 28:2-505, the right of a seller or lessor of a vessel under Article 2 or 2A of Subtitle I of Title 28 of the D.C. Official Code to retain or acquire possession of the vessel is not a security interest, but a seller or lessor also may acquire a security interest by complying with Article 9 of Subtitle I of Title 28 of the D.C. Official Code. The retention or reservation of title by a seller of a vessel notwithstanding shipment or delivery to the buyer under D.C. Official Code § 28:2-401 is limited in effect to a reservation of a security interest. Whether a transaction in the form of a lease creates a security interest is determined by D.C. Official Code § 28:1-203.

(38) "Seller" shall have the same meaning as provided in D.C. Official Code § 28:2-103(1)(d).

(39) "Send" shall have the same meaning as provided in D.C. Official Code § 28:1-201(b)(36).

(40) "Sign" means, with present intent to authenticate or adopt a record, to:

(A) Make or adopt a tangible symbol; or

(B) Attach to or logically associate with the record an electronic symbol, sound, or process.

(41) "State" means a state of the United States, the District, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(42) "State of principal use" means the state on whose waters a vessel is or will be used, operated, navigated, or employed more than on the waters of any other state during a calendar year.

(43) "Title brand" means a designation of previous damage, use, or condition that must be indicated on a certificate of title.

(44) "Transfer of ownership" means a voluntary or involuntary conveyance of an interest in a vessel.

(45) "Value" shall have the same meaning as provided in D.C. Official Code § 28:1-204.

(46) "Vessel" means any watercraft used or capable of being used as a means of transportation on water, except:

(A) A seaplane;

(B) An amphibious vehicle for which a certificate of title is issued pursuant to Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501 *et seq.*), or a similar statute of another state;

(C) A stationary floating structure that:

(i) Does not have and is not designed to have a mode of propulsion of its own;

(ii) Is dependent for utilities upon a continuous utility hookup to a source originating on shore; and

(iii) Has a permanent, continuous hookup to a shoreside sewage system;

(D) Watercraft owned by the United States, a state, or a foreign government or a political subdivision of any of them; and

(E) Watercraft used solely as a lifeboat on another watercraft.

(47) "Vessel number" means the alphanumeric designation for a vessel issued pursuant to 46 U.S.C. § 12301.

(48) "Written certificate of title" means a certificate of title consisting of information inscribed on a tangible medium.

(b) The definitions in subsection (a) of this section do not apply to any state or federal law governing licensing, numbering, or registration if the same term is used in that law.

Sec. 3. Scope. **New § 50-1541.02**

Except as otherwise provided in section 29, this act shall apply to any transaction, certificate of title, or record relating to a vessel, even if the transaction, certificate of title, or record was entered into or created before January 1, 2016.

Sec. 4. Supplemental principles of law and equity. **New § 50-1541.03**

Unless displaced by a provision of this act, the principles of law and equity shall supplement the provisions of this act.

Sec. 5. Law governing vessel covered by certificate of title. **New § 50-1541.04**

(a) The local law of the jurisdiction under whose certificate of title a vessel is covered governs all issues relating to the certificate of title from the time the vessel becomes covered by the certificate of title until the vessel becomes covered by another certificate of title or becomes a documented vessel, even if no other relationship exists between the jurisdiction and the vessel or its owner.

(b) A vessel becomes covered by a certificate of title when an application for the certificate of title and the applicable fee are delivered to the Harbor Master in accordance with this act or to the governmental agency that creates a certificate of title in another jurisdiction in accordance with the law of that jurisdiction.

Sec. 6. Certificate of title required. **New § 50-1541.05**

(a) Except as otherwise provided in subsections (b) and (c) of this section, the owner of a vessel for which the District is the state of principal use shall deliver to the Harbor Master an application for a certificate of title for the vessel, with the applicable fee, not later than 20 days after the later of:

(1) The date of a transfer of ownership; or

(2) The date the District becomes the state of principal use.

(b) An application for a certificate of title is not required for:

(1) A documented vessel;

(2) A foreign-documented vessel;

(3) A barge;

(4) A vessel before delivery if the vessel is under construction or completed pursuant to contract; or

(5) A vessel held by a dealer for sale or lease.

(c) The Harbor Master may not issue, transfer, or renew a certificate of number for a vessel issued pursuant to the requirements of 46 U.S.C. § 12301 unless the Harbor Master has created a certificate of title for the vessel, or an application for a certificate of title for the vessel and the applicable fee have been delivered to the Harbor Master.

New § 50-1541.06

Sec. 7. Application for certificate of title.

(a) Except as otherwise provided in sections 10, 15, 19, 20, 21, and 22, only an owner may apply for a certificate of title.

(b) An application for a certificate of title must be signed by the applicant and contain:

(1) The applicant's name, the street address of the applicant's principal residence, and, if different, the applicant's mailing address;

(2) The name and mailing address of each other owner of the vessel;

(3) The social security number or taxpayer identification number of each owner;

(4) The hull identification number for the vessel or, if none, an application for the issuance of a hull identification number for the vessel;

(5) The vessel number for the vessel or, if none issued by the Harbor Master, an application for a vessel number;

(6) A description of the vessel as required by the Harbor Master, which must include:

(A) The official number for the vessel, if any, assigned by the United States Coast Guard;

(B) The name of the manufacturer, builder, or maker;

(C) The model year or the year in which the manufacture or build of the vessel was completed;

(D) The overall length of the vessel;

(E) The vessel type;

(F) The hull material;

(G) The propulsion type;

(H) The engine drive type, if any; and

(I) The fuel type, if any;

(7) An indication of all security interests in the vessel known to the applicant and the name and mailing address of each secured party;

(8) A statement that the vessel is not a documented vessel or a foreign-documented vessel;

(9) Any title brand known to the applicant and, if known, the jurisdiction under whose law the title brand was created;

(10) If the applicant knows that the vessel is hull damaged, a statement that the vessel is hull damaged;

(11) If the application is made in connection with a transfer of ownership, the transferor's name, street address, and, if different from the street address, the mailing address, the sales price, if any, and the date of the transfer; and

(12) If the vessel previously was registered or titled in another jurisdiction, a statement identifying each jurisdiction known to the applicant in which the vessel was registered or titled.

(c) In addition to the information required by subsection (b) of this section, an application for a certificate of title may contain an electronic communication address of the owner, transferor, or secured party.

(d) Except as otherwise provided in section 19, 20, 21, or 22, an application for a certificate of title must be accompanied by:

(1) A certificate of title signed by the owner shown on the certificate of title that:

(A) Identifies the applicant as the owner of the vessel; or

(B) Is accompanied by a record that identifies the applicant as the owner; or

(2) If there is no certificate of title:

(A) If the vessel was at one time a documented vessel, a record issued by the United States Coast Guard that shows the vessel is no longer a documented vessel and identifies the applicant as the owner;

(B) If the vessel was at one time a foreign-documented vessel, a record issued by the foreign country that shows the vessel is no longer a foreign-documented vessel and identifies the applicant as the owner; or

(C) In all other cases, a certificate of origin, bill of sale, or other record that, to the satisfaction of the Harbor Master, identifies the applicant as the owner.

(e) A record submitted in connection with an application is part of the application. The Harbor Master shall maintain the record in its files.

(f) The Harbor Master may require that an application for a certificate of title be accompanied by payment or evidence of payment of all fees and taxes payable by the applicant under law of the District other than this act in connection with the application or the acquisition or use of the vessel.

Sec. 8. Creation and cancellation of certificate of title.

New § 50-1541.07

. (a) Unless an application for a certificate of title is rejected under subsection (c) or (d) of this section, the Harbor Master shall create a certificate of title for the vessel in accordance with subsection (b) of this section not later than 20 days after delivery to it of an application that complies with section 7.

(b) If the Harbor Master creates electronic certificates of title, the Harbor Master shall create an electronic certificate of title unless the secured party of record or, if none, the owner of record, requests in the application that the Harbor Master create a written certificate of title.

(c) Except as otherwise provided in subsection (d) of this section, the Harbor Master may reject an application for a certificate of title only if:

(1) The application does not comply with section 7;

(2) The application does not contain documentation sufficient for the Harbor Master to determine whether the applicant is entitled to a certificate of title;

(3) There is a reasonable basis for concluding that the application is fraudulent or issuance of a certificate of title would facilitate a fraudulent or illegal act; or

(4) The application does not comply with the law of the District other than this act.

(d) The Harbor Master shall reject an application for a certificate of title for a vessel that is a documented vessel or a foreign-documented vessel.

(e) The Harbor Master may cancel a certificate of title created by it only if the Harbor Master:

(1) Could have rejected the application for the certificate of title under subsection (c) of this section;

(2) Is required to cancel the certificate of title under another provision of this act; or

(3) Receives satisfactory evidence that the vessel is a documented vessel or a foreign-documented vessel.

Sec. 9. Content of certificate of title. **New § 50-1541.08**

(a) A certificate of title must contain:

(1) The date the certificate of title was created;

(2) The name of the owner of record and, if not all owners are listed, an indication that there are additional owners indicated in the files of the Harbor Master;

(3) The mailing address of the owner of record;

(4) The hull identification number;

(5) The information listed in section 7(b)(6);

(6) Except as otherwise provided in section 15(b), the name and mailing address of the secured party of record, if any, and if not all secured parties are listed, an indication that there are other security interests indicated in the files of the Harbor Master; and

(7) All title brands indicated in the files of the Harbor Master covering the vessel, including brands indicated on a certificate of title created by a governmental agency of another jurisdiction and delivered to the Harbor Master.

(b) This act does not preclude the Harbor Master from noting on a certificate of title the name and mailing address of a secured party that is not a secured party of record.

(c) For each title brand indicated on a certificate of title, the certificate of title must identify the jurisdiction under whose law the title brand was created or the jurisdiction that created the certificate of title on which the title brand was indicated. If the meaning of a title brand is not easily ascertainable or cannot be accommodated on the certificate of title, the certificate of title may state: "Previously branded in (insert the jurisdiction under whose law the title brand was created or whose certificate of title previously indicated the title brand).".

(d) If the files of the Harbor Master indicate that a vessel previously was registered or titled in a foreign country, the Harbor Master shall indicate on the certificate of title that the vessel was registered or titled in that country.

(e) A written certificate of title must contain a form that all owners indicated on the certificate of title may sign to evidence consent to a transfer of an ownership interest to another person. The form must indicate that the making of a false statement is punishable by criminal

penalties. The form must include a statement that the statements made are true and correct to the best of each owner's knowledge, information, and belief.

(f) A written certificate of title must contain a form for the owner of record to indicate, in connection with a transfer of an ownership interest, that the vessel is hull damaged.

(g) A written certificate of title must contain a form for a secured party to indicate release of its security interest.

Sec. 10. Title brand. **New § 50-1541.09**

(a) Unless subsection (c) of this section applies, at or before the time the owner of record transfers an ownership interest in a hull-damaged vessel that is covered by a certificate of title created by the Harbor Master, if the damage occurred while that person was an owner of the vessel and the person has notice of the damage at the time of the transfer, the owner shall:

(1) Deliver to the Harbor Master an application for a new certificate of title that complies with section 7 and includes the title brand designation "Hull Damaged"; or

(2) Indicate on the certificate in the place designated for that purpose that the vessel is hull damaged and deliver the certificate to the transferee.

(b) Not later than 20 days after delivery to the Harbor Master of the application under subsection (a)(1) of this section or the certificate of title under subsection (a)(2) of this section, the Harbor Master shall create a new certificate that indicates that the vessel is branded "Hull Damaged".

(c) Before an insurer transfers an ownership interest in a hull-damaged vessel that is covered by a certificate of title created by the Harbor Master, the insurer shall deliver to the Harbor Master an application for a new certificate of title that complies with section 6 and includes the title brand designation "Hull Damaged". Not later than 20 days after delivery of the application to the Harbor Master, the Harbor Master shall create a new certificate of title that indicates that the vessel is branded "Hull Damaged".

(d) An owner of record that fails to comply with subsection (a) of this section, a person that solicits or colludes in a failure by an owner of record to comply with subsection (a) of this section, or an insurer that fails to comply with subsection (c) of this section shall be subject to a civil penalty of $1,000.

Sec. 11. Maintenance of and access to files. **New § 50-1541.10**

(a) For each record relating to a certificate of title submitted to the Harbor Master, the Harbor Master shall:

(1) Ascertain or assign the hull identification number for the vessel;

(2) Maintain the hull identification number and all the information submitted with the application pursuant to section 7(b) to which the record relates, including the date and time the record was delivered to the Harbor Master;

(3) Maintain the files for public inspection subject to subsection (e) of this section; and

(4) Index the files of the Harbor Master as required by subsection (b) of this section.

(b) The Harbor Master shall maintain in its files the information contained in all certificates of title created pursuant to this act. The information in the files of the Harbor Master must be searchable by the hull identification number of the vessel, the vessel number, the name of the owner of record, and any other method used by the Harbor Master.

(c) The Harbor Master shall maintain in its files, for each vessel for which it has created a certificate of title, all title brands known to the Harbor Master, the name of each secured party known to the Harbor Master, the name of each person known to the Harbor Master to be claiming an ownership interest, and all stolen-property reports the Harbor Master has received.

(d) Upon request, for safety, security, or law-enforcement purposes, the Harbor Master shall provide to federal, state, or local government the information in its files relating to any vessel for which the Harbor Master has issued a certificate of title.

(e) Except as otherwise provided by the law of the District other than this act, the information required under section 9 is a public record. The information provided under section 7(b)(3) is not a public record.

Sec. 12. Action required on creation of certificate of title. **New § 50-1541.11**

(a) On creation of a written certificate of title, the Harbor Master promptly shall send the certificate of title to the secured party of record or, if none, to the owner of record, at the address indicated for that person in the files of the Harbor Master. On creation of an electronic certificate of title, the Harbor Master promptly shall send a record evidencing the certificate of title to the owner of record and, if there is one, to the secured party of record, at the address indicated for that person in the files of the Harbor Master. The Harbor Master may send the record to the person's mailing address or, if indicated in the files of the Harbor Master, an electronic address.

(b) If the Harbor Master creates a written certificate of title, any electronic certificate of title for the vessel is canceled and replaced by the written certificate of title. The Harbor Master shall maintain in the files of the Harbor Master the date and time of cancellation.

(c) Before the Harbor Master creates an electronic certificate of title, any written certificate of title for the vessel must be surrendered to the Harbor Master. If the Harbor Master creates an electronic certificate of title, the Harbor Master shall destroy or otherwise cancel the written certificate of title for the vessel which has been surrendered to the Harbor Master and maintain in the files of the Harbor Master the date and time of destruction or other cancellation. If a written certificate of title being canceled is not destroyed, the Harbor Master shall indicate on the face of the certificate of title that it has been canceled.

Sec. 13. Effect of certificate of title. **New § 50-1541.12**

A certificate of title is prima facie evidence of the accuracy of the information in the record that constitutes the certificate of title.

Sec. 14. Effect of possession of certificate of title; judicial process. **New § 50-1541.13**

Possession of a certificate of title does not by itself provide a right to obtain possession of a vessel. Garnishment, attachment, levy, replevin, or other judicial process against the certificate of title is not effective to determine possessory rights to the vessel. This act does not prohibit enforcement under law of the District other than this act of a security interest in, levy on, or foreclosure of a statutory or common-law lien on a vessel. Absence of an indication of a statutory or common-law lien on a certificate of title does not invalidate the lien.

Sec. 15. Perfection of security interest. **New § 50-1541.14**

(a) Except as otherwise provided in this section or section 29, a security interest in a vessel may be perfected only by delivery to the Harbor Master of an application for a certificate of title that identifies the secured party and otherwise complies with section 7. The security interest is perfected on the later of delivery to the Harbor Master of the application and the applicable fee or attachment of the security interest under D.C. Official Code § 28:9-203.

(b) If the interest of a person named as owner, lessor, consignor, or bailor in an application for a certificate of title delivered to the Harbor Master is a security interest, the application sufficiently identifies the person as a secured party. Identification on the application for a certificate of title of a person as owner, lessor, consignor, or bailor is not by itself a factor in determining whether the person's interest is a security interest.

(c) If the Harbor Master has created a certificate of title for a vessel, a security interest in the vessel may be perfected by delivery to the Harbor Master of an application, on a form the Harbor Master may require, to have the security interest added to the certificate of title. The application must be signed by an owner of the vessel or by the secured party and must include:

(1) The name of the owner of record;

(2) The name and mailing address of the secured party;

(3) The hull identification number for the vessel; and

(4) If the Harbor Master has created a written certificate of title for the vessel, the certificate of title.

(d) A security interest perfected under subsection (c) of this section is perfected on the later of delivery to the Harbor Master of the application and all applicable fees or attachment of the security interest under D.C. Official Code § 28:9-203.

(e) On delivery of an application that complies with subsection (c) of this section and payment of all applicable fees, the Harbor Master shall create a new certificate of title pursuant to section 8 and deliver the new certificate of title or a record evidencing an electronic certificate of title pursuant to section 12(a). The Harbor Master shall maintain in the files of the Harbor Master the date and time of delivery of the application to the Harbor Master.

(f) If a secured party assigns a perfected security interest in a vessel, the receipt by the Harbor Master of a statement providing the name of the assignee as secured party shall not be required to continue the perfected status of the security interest against creditors of and transferees from the original debtor. A purchaser of a vessel subject to a security interest that obtains a release from the secured party indicated in the files of the Harbor Master or on the

certificate of title takes free of the security interest and of the rights of a transferee unless the transfer is indicated in the files of the Harbor Master or on the certificate of title.

(g) This section shall not apply to a security interest:

(1) Created in a vessel by a person during any period in which the vessel is inventory held for sale or lease by the person or is leased by the person as lessor if the person is in the business of selling vessels;

(2) In a barge for which no application for a certificate of title has been delivered to the Harbor Master; or

(3) In a vessel before delivery if the vessel is under construction, or completed, pursuant to contract and for which no application for a certificate of title has been delivered to the Harbor Master.

(h) This subsection applies if a certificate of documentation for a documented vessel is deleted or canceled. If a security interest in the vessel was valid immediately before deletion or cancellation against a third party as a result of compliance with 46 U.S.C. § 31321, the security interest is and remains perfected until the earlier of 4 months after cancellation of the certificate of documentation or the time the security interest becomes perfected under this act.

(i) A security interest in a vessel arising under D.C. Official Code § 28:2-401, § 28:2-505, § 28:2-711(3), or § 28:2A-508(e) is perfected when it attaches but becomes unperfected when the debtor obtains possession of the vessel, unless before the debtor obtains possession the security interest is perfected pursuant to subsection (a) or (c) of this section.

(j) A security interest in a vessel as proceeds of other collateral is perfected to the extent provided in D.C. Official Code § 28:9-315.

(k) A security interest in a vessel perfected under the law of another jurisdiction is perfected to the extent provided in D.C. Official Code § 28:9-316(d).

Sec. 16. Termination statement. **New § 50-1541.15**

(a) A secured party indicated in the files of the Harbor Master as having a security interest in a vessel shall deliver a termination statement to the Harbor Master and, on the debtor's request, to the debtor, by the earlier of:

(1) Twenty days after the secured party receives a signed demand from an owner for a termination statement and there is no obligation secured by the vessel subject to the security interest and no commitment to make an advance, incur an obligation, or otherwise give value secured by the vessel; or

(2) If the vessel is consumer goods, 30 days after there is no obligation secured by the vessel and no commitment to make an advance, incur an obligation, or otherwise give value secured by the vessel.

(b) If a written certificate of title has been created and delivered to a secured party and a termination statement is required under subsection (a) of this section, the secured party, not later than the date required by subsection (a) of this section, shall deliver the certificate of title to the debtor or to the Harbor Master with the statement. If the certificate of title is lost, stolen, mutilated, destroyed, or is otherwise unavailable or illegible, the secured party shall deliver with

the statement, not later than the date required by subsection (a) of this section, an application for a replacement certificate of title meeting the requirements of section 22.

(c) On delivery to the Harbor Master of a termination statement authorized by the secured party, the security interest to which the statement relates shall cease to be perfected. If the security interest to which the statement relates was indicated on the certificate of title, the Harbor Master shall create a new certificate of title and deliver the new certificate of title or a record evidencing an electronic certificate of title. The Harbor Master shall maintain in its files the date and time of delivery to the Harbor Master of the statement.

(d) A secured party that fails to comply with this section is liable for any loss that the secured party had reason to know might result from its failure to comply and that could not reasonably have been prevented and for the cost of an application for a certificate of title under section 7 or 22.

Sec. 17. Transfer of ownership.

New § 50-1541.16

(a) On voluntary transfer of an ownership interest in a vessel covered by a certificate of title, the following shall apply:

(1) If the certificate of title is a written certificate of title and the transferor's interest is noted on the certificate of title, the transferor promptly shall sign the certificate of title and deliver it to the transferee. If the transferor does not have possession of the certificate of title, the person in possession of the certificate of title shall have a duty to facilitate the transferor's compliance with this paragraph. A secured party shall not have a duty to facilitate the transferor's compliance with this paragraph if the proposed transfer is prohibited by the security agreement.

(2) If the certificate of title is an electronic certificate of title, the transferor promptly shall sign and deliver to the transferee a record evidencing the transfer of ownership to the transferee.

(3) The transferee has a right enforceable by specific performance to require the transferor comply with paragraph (1) or (2) of this subsection.

(b) The creation of a certificate of title identifying the transferee as owner of record satisfies the requirements of subsection (a) of this section.

(c) A failure to comply with subsection (a) of this section or to apply for a new certificate of title shall not render a transfer of ownership of a vessel ineffective between the parties. Except as otherwise provided in sections 18, 19, 23(a), or 24, a transfer of ownership without compliance with subsection (a) of this section is not effective against another person claiming an interest in the vessel.

(d) A transferor that complies with subsection (a) of this section is not liable as owner of the vessel for an event occurring after the transfer, regardless of whether the transferee applies for a new certificate of title.

Sec. 18. Effect of missing or incorrect information. **New § 50-1541.17**

Except as otherwise provided in D.C. Official Code § 28:9-337, a certificate of title or other record required or authorized by this act is effective even if it contains incorrect information or does not contain required information.

Sec. 19. Transfer of ownership by secured party's transfer statement. **New § 50-1541.18**

(a) In For the purposes of this section, "secured party's transfer statement" means a record signed by the secured party of record stating:

(1) That there has been a default on an obligation secured by the vessel;

(2) The secured party of record is exercising or has exercised post-default remedies with respect to the vessel;

(3) By reason of the exercise, the secured party of record has the right to transfer the ownership interest of an owner, and the name of the owner;

(4) The name and last-known mailing address of the owner of record and the secured party of record;

(5) The name of the transferee;

(6) Other information required by section 7(b); and

(7) One of the following:

(A) The certificate of title is an electronic certificate of title;

(B) The secured party does not have possession of the written certificate of title created in the name of the owner of record; or

(C) The secured party is delivering the written certificate of title to the Harbor Master with the secured party's transfer statement.

(b) Unless the Harbor Master rejects a secured party's transfer statement for a reason stated in section 8(c), not later than 20 days after delivery to the Harbor Master of the statement and payment of fees and taxes payable under the law of the District other than this act in connection with the statement or the acquisition or use of the vessel, the Harbor Master shall:

(1) Accept the statement;

(2) Amend the files of the Harbor Master to reflect the transfer; and

(3) If the name of the owner whose ownership interest is being transferred is indicated on the certificate of title:

(A) Cancel the certificate of title even if the certificate of title has not been delivered to the Harbor Master;

(B) Create a new certificate of title indicating the transferee as owner; and

(C) Deliver the new certificate of title or a record evidencing an electronic certificate of title.

(c) An application under subsection (a) of this section or the creation of a certificate of title under subsection (b) of this section is not by itself a disposition of the vessel and does not by itself relieve the secured party of its duties under Article 9 of Subtitle I of Title 28 of the D.C. Official Code.

New § 50-1541.19

Sec. 20. Transfer by operation of law.

(a) For the purpose of this section:

(1) "By operation of law" means pursuant to a law or judicial order affecting ownership of a vessel:

(A) Because of death, divorce or other family law proceeding, merger, consolidation, dissolution, or bankruptcy;

(B) Through the exercise of the rights of a lien creditor or a person having a lien created by statute or rule of law; or

(C) Through other legal process.

(2) "Transfer-by-law statement" means a record signed by a transferee stating that by operation of law the transferee has acquired or has the right to acquire an ownership interest in a vessel.

(b) A transfer-by-law statement must contain:

(1) The name and last known mailing address of the owner of record and the transferee and the other information required by section 7(b);

(2) Documentation sufficient to establish the transferee's ownership interest or right to acquire the ownership interest;

(3) A statement that:

(A) The certificate of title is an electronic certificate of title;

(B) The transferee does not have possession of the written certificate of title created in the name of the owner of record; or

(C) The transferee is delivering the written certificate of title to the Harbor Master with the transfer-by-law statement; and

(4) Except for a transfer described in subsection (a)(1)(A) of this section, evidence that notification of the transfer and the intent to file the transfer-by-law statement has been sent to all persons indicated in the files of the Harbor Master as having an interest, including a security interest, in the vessel.

(c) Unless the Harbor Master rejects a transfer-by-law statement for a reason stated in section 8(c) or because the statement does not include documentation satisfactory to the Harbor Master as to the transferee's ownership interest or right to acquire the ownership interest, not later than 20 days after delivery to the Harbor Master of the statement and payment of fees and taxes payable under the law of the District other than this act in connection with the statement or with the acquisition or use of the vessel, the Harbor Master shall:

(1) Accept the statement;

(2) Amend the files of the Harbor Master to reflect the transfer; and

(3) If the name of the owner whose ownership interest is being transferred is indicated on the certificate of title:

(A) Cancel the certificate of title even if the certificate of title has not been delivered to the Harbor Master;

(B) Create a new certificate of title indicating the transferee as owner;

(C) Indicate on the new certificate of title any security interest indicated on the canceled certificate of title, unless a court order provides otherwise; and

(D) Deliver the new certificate of title or a record evidencing an electronic certificate of title.

(d) This section shall not apply to a transfer of an interest in a vessel by a secured party under part 6 of Article 9 of Subtitle I of Title 28 of the D.C. Official Code.

New § 50-1541.20

Sec. 21. Application for transfer of ownership or termination of security interest without certificate of title.

(a) Except as otherwise provided in section 19 or 20, if the Harbor Master receives, unaccompanied by a signed certificate of title, an application for a new certificate of title that includes an indication of a transfer of ownership or a termination statement, the Harbor Master may create a new certificate of title under this section only if:

(1) All other requirements under sections 7 and 8 are met;

(2) The applicant provides an affidavit stating facts showing the applicant is entitled to a transfer of ownership or termination statement;

(3) The applicant provides the Harbor Master with satisfactory evidence that notification of the application has been sent to the owner of record and all persons indicated in the files of the Harbor Master as having an interest, including a security interest, in the vessel, at least 45 days have passed since the notification was sent, and the Harbor Master has not received an objection from any of those persons; and

(4) The applicant submits any other information required by the Harbor Master as evidence of the applicant's ownership or right to terminate the security interest, and the Harbor Master has no credible information indicating theft, fraud, or an undisclosed or unsatisfied security interest, lien, or other claim to an interest in the vessel.

(b) The Harbor Master may indicate in a certificate of title created under subsection (a) of this section that the certificate of title was created without submission of a signed certificate of title or termination statement. Unless credible information indicating theft, fraud, or an undisclosed or unsatisfied security interest, lien, or other claim to an interest in the vessel is delivered to the Harbor Master not later than one year after creation of the certificate of title, on request in a form and manner required by the Harbor Master, the Harbor Master shall remove the indication from the certificate of title.

(c) Unless the Harbor Master determines that the value of a vessel is less than $5,000, before the Harbor Master creates a certificate of title under subsection (a) of this section, the Harbor Master may require the applicant to post a bond or provide an equivalent source of indemnity or security. The bond, indemnity, or other security may not exceed twice the value of the vessel as determined by the Harbor Master. The bond, indemnity, or other security must be in a form required by the Harbor Master and provide for indemnification of any owner, purchaser, or other claimant for any expense, loss, delay, or damage, including reasonable attorney's fees and costs, but not including incidental or consequential damages, resulting from creation or amendment of the certificate of title.

(d) Unless the Harbor Master receives a claim for indemnity not later than one year after creation of a certificate of title under subsection (a) of this section, on request in a form and manner required by the Harbor Master, the Harbor Master shall release any bond, indemnity, or other security.

Sec. 22. Replacement certificate of title. **New § 50-1541.21**

(a) If a written certificate of title is lost, stolen, mutilated, destroyed, or otherwise becomes unavailable or illegible, the secured party of record or, if no secured party is indicated in the files of the Harbor Master, the owner of record may apply for and, by furnishing information satisfactory to the Harbor Master, obtain a replacement certificate of title in the name of the owner of record.

(b) An applicant for a replacement certificate of title must sign the application, and, except as otherwise permitted by the Harbor Master, the application must comply with section 7. The application must include the existing certificate of title unless the certificate of title is lost, stolen, mutilated, destroyed, or otherwise unavailable.

(c) A replacement certificate of title created by the Harbor Master must comply with section 9 and indicate on the face of the certificate of title that it is a replacement certificate of title.

(d) If a person receiving a replacement certificate of title subsequently obtains possession of the original written certificate of title, the person promptly shall destroy the original certificate of title.

Sec. 23. Rights of purchaser other than secured party. **New § 50-1541.22**

(a) A buyer in ordinary course of business has the protections afforded by D.C. Official Code §§ 28:2-403(2) and 28:9-320(a) even if an existing certificate of title was not signed and delivered to the buyer or a new certificate of title listing the buyer as owner of record was not created.

(b) Except as otherwise provided in sections 17 and 24, the rights of a purchaser of a vessel that is not a buyer in ordinary course of business or a lien creditor are governed by Subtitle I of Title 28 of the D.C. Official Code.

Sec. 24. Rights of secured party. **New § 50-1541.23**

(a) Subject to subsection (b) of this section, the effect of perfection and nonperfection of a security interest and the priority of a perfected or unperfected security interest with respect to the rights of a purchaser or creditor, including a lien creditor, is governed by Subtitle I of Title 28 of the D.C. Official Code.

(b) If, while a security interest in a vessel is perfected by any method under this act, the Harbor Master creates a certificate of title that does not indicate that the vessel is subject to the security interest or contain a statement that it may be subject to security interests not indicated on the certificate of title:

(1) A buyer of the vessel, other than a person in the business of selling or leasing vessels of that kind, takes free of the security interest if the buyer, acting in good faith and without knowledge of the security interest, gives value and receives possession of the vessel; and

(2) The security interest is subordinate to a conflicting security interest in the vessel that is perfected under section 15 after creation of the certificate of title and without the conflicting secured party's knowledge of the security interest.

Sec. 25. Duties of Harbor Master. **New § 50-1541.24**

(a) The Harbor Master shall retain the evidence used to establish the accuracy of the information in its files relating to the current ownership of a vessel and the information on the certificate of title.

(b) The Harbor Master shall retain in its files all information regarding a security interest in a vessel for at least 10 years after the Harbor Master receives a termination statement regarding the security interest. The information shall be accessible by the hull identification number for the vessel and any other methods provided by the Harbor Master.

(c) If a person submits a record to the Harbor Master, or submits information that is accepted by the Harbor Master, and requests an acknowledgment of the filing or submission, the Harbor Master shall send to the person an acknowledgment showing the hull identification number of the vessel to which the record or submission relates, the information in the filed record or submission, and the date and time the record was received or the submission accepted. A request under this section shall contain the hull identification number and be delivered by means authorized by the Harbor Master.

(d) The Harbor Master shall send or otherwise make available in a record the following information to any person that requests it and pays the applicable fee:

(1) Whether the files of the Harbor Master indicate, as of a date and time specified by the Harbor Master, but not a date earlier than 3 days before the Harbor Master received the request, any certificate of title, security interest, termination statement, or title brand that relates to a vessel:

(A) Identified by a hull identification number designated in the request;

(B) Identified by a vessel number designated in the request; or

(C) Owned by a person designated in the request;

(2) With respect to the vessel:

(A) The name and address of any owner as indicated in the files of the Harbor Master or on the certificate of title;

(B) The name and address of any secured party as indicated in the files of the Harbor Master or on the certificate of title, and the effective date of the information; and

(C) A copy of any termination statement indicated in the files of the Harbor Master and the effective date of the termination statement; and

(3) With respect to the vessel, a copy of any certificate of origin, secured party transfer statement, transfer-by-law statement under section 20, and other evidence of previous or current transfers of ownership.

(e) In responding to a request under this section, the Harbor Master may provide the requested information in any medium. On request, the Harbor Master shall send the requested information in a record that bears the seal of the Harbor Master and is attested to by an appropriate official.

Sec. 26. Rules. **New § 50-1541.25**

(a) The Mayor may promulgate rules to carry out the provisions of this act pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 *et seq*.), and to set fees, taxes, and other charges with respect to the titling, registration, and numbering of vessels, and otherwise to amend the Harbor Regulations (Article 29 of the Police Regulations of the District of Columbia, effective April 26, 1940, as amended; 19 DCMR Chapter 10).

(b) The Mayor may promulgate the rules to take effect on or after January 1, 2016.

Sec. 27. Uniformity of application and construction. **New § 50-1541.26**

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Sec. 28. Relation to Electronic Signatures in Global and National Commerce Act. **New § 50-1541.27**

This act modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, approved June 30, 2000 (114 Stat. 464; 15 U.S.C. § 7001, *et seq.*), but does not modify, limit, or supersede section 101(c) of that act, 15 U.S.C. § 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 U.S.C. § 7003(b).

Sec. 29. Savings clause. **New § 50-1541.28**

(a) The rights, duties, and interests flowing from a transaction, certificate of title, or record relating to a vessel that was validly entered into or created before January 1, 2016, and would be subject to this act if it had been entered into or created on or after January 1, 2016, remain valid on and after January 1, 2016.

(b) This act does not affect an action or proceeding commenced before January 1, 2016.

(c) Except as otherwise provided in subsection (d) of this section, a security interest that is enforceable immediately before January 1, 2016, and would have priority over the rights of a person that becomes a lien creditor at that time is a perfected security interest under this act.

(d) A security interest perfected immediately before January 1, 2016, remains perfected until the earlier of:

(1) The time perfection would have ceased under the law under which the security interest was perfected; or

(2) Three years after January 1, 2016.

(e) This act shall not affect the priority of a security interest in a vessel if immediately before January 1, 2016, the security interest is enforceable and perfected, and that priority is established.

Sec. 30. Conforming amendments.

Repeal § 22-4401

(a) Section 895 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1335; D.C. Official Code § 22-4401), is repealed.

DCMR

(b) Article 29 of the Police Regulations of the District of Columbia, effective April 26, 1940, as amended (19 DCMR Chapter 10) is amended as follows:

(1) Section 2 (19 DCMR § 1099) is amended by repealing subsections (g-1), (n-1), and (z).

(2) Sections 4-a to 4-m (19 DCMR §§ 1006-1018) are repealed.

(3) Section 4-p (19 DCMR § 1021) is amended to read as follows:

"Sec. 4-p. Penalty.

"(a) Any person willfully violating any of the provisions of sections 4-n or 4-o shall upon conviction be punished by a fine of not more than five hundred dollars ($500) or be imprisoned for not more than one (1) year, or both.

"(b) Prosecutions for violations of sections 4-n and 4-o shall be by the Attorney General for the District of Columbia in the name of the District of Columbia.".

Sec. 31. Repeal of the Bulk Sales provisions of the Uniform Commercial Code.

Repeal §§ 28:6-101 – 28:6-112

Article 6 of Subtitle I of Title 28 of the District of Columbia Official Code is repealed.

Sec. 32. Applicability.

Delayed Applicability

This act shall apply as of January 1, 2016.

Sec. 33. Fiscal impact statement.

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

Sec. 34. Effective date.

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

AN ACT

Bill 20-904
Act 20-520 effective December 18, 2014

To amend the Recreation Act of 1994 to clarify that the Department of Parks and Recreation's implementation of its nutritional requirements is not contingent upon the agency's promulgation of unrelated regulations concerning field and facility permitting.

Codification District of Columbia Official Code 2001 Edition

Department of Parks and Recreation Fee-based Use Permit Authority Clarification Amendment Act of 2014

Amend § 10-307

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Parks and Recreation Fee-based Use Permit Authority Clarification Amendment Act of 2014".

Sec. 2. Section 7a(b)(2) of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-307(b)(2)), is amended by striking the phrase "section 3(b-1) and (d), section 3a, and section 3b" and inserting the phrase "section 3(b-1) and (d) and section 3a" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-967
Act 20-521
effective December 18, 2014

To symbolically designate the T-shaped alley in Square 1272 exiting on to Volta Place, N.W., in Ward 2, as Cashell Alley.

Codification District of Columbia Official Code 2001 Edition

Cashell Alley Designation Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Cashell Alley Designation Act of 2014".

Note, § 9-204.01

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding the requirements of sections 403, 407, and 408 (D.C. Official Code §§ 9-204.03, 9-204.07, and 9-204. 08), of the Act, the Council symbolically designates the T-shaped alley in Square 1272 exiting onto Volta Place, N.W., in Ward 2, as "Cashell Alley".

Sec. 3. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-501
Act 20-530 effective December 22, 2014

To amend the Mental Health Service Delivery Reform Act of 2001 to prohibit the use of practices designed to change the sexual orientation of a minor by a licensed mental health provider.

Codification District of Columbia Official Code 2001 Edition

Conversion Therapy for Minors Prohibition Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Conversion Therapy for Minors Prohibition Amendment Act of 2014".

Sec. 2. Title II of the Mental Health Service Delivery Reform Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1231.01 *et seq.*), is amended as follows:

Amend § 7-1231.02

(a) Section 202 (D.C. Official Code § 7-1231.02) is amended by adding a new paragraph (25A) to read as follows:

"(25A) "Sexual orientation change efforts" means a practice by a provider that seeks to change a consumer's sexual orientation, including efforts to change behaviors, gender identity or expression, or to reduce or eliminate sexual or romantic attractions or feelings toward a person of the same sex or gender; provided, that the term "sexual orientation change efforts" shall not include counseling for a consumer seeking to transition from one gender to another, or counseling that provides acceptance, support, and understanding of a consumer or facilitates a consumer's coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices in a manner that does not seek to change a consumer's sexual orientation.".

New § 7-1231.14a

(b) A new section 214a is added to read as follows:

"Sec. 214a. Prohibition on sexual orientation change efforts for minors.

"(a) A provider shall not engage in sexual orientation change efforts with a consumer who is a minor.

"(b) A violation of subsection (a) of this section shall be considered a failure to conform to acceptable conduct within the mental health profession under section 514(a)(26) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1205.14(a)(26)), and shall subject a provider to discipline and penalties under section 514(c) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1205.14(c)).".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-757
Act 20-531
effective December 19, 2014

To prohibit employers from requiring that an employee refrain from inquiring, disclosing, comparing, or otherwise discussing with any other employee of the same employer the employee's wages or the wages of another employee, and to prohibit employers from retaliating against employees who do so.

Codification District of Columbia Official Code 2001 Edition

Wage Transparency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Transparency Act of 2014".

New Chapter 14A, Title 32 New § 32-1451

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Employee" means an individual employed by an employer.

(2) "Employer" means an individual, firm, association, or corporation who uses the services of another individual for pay in the District; provided, that the term "employer" does not include the District or the federal government.

(3) "Wages" shall have the same meaning as provided in section 1(3) of An Act to provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301(3)).

New § 32-1452

Sec. 3. Prohibited actions of employer.

An employer shall not:

(1) Require, as a condition of employment, that an employee refrain from inquiring about, disclosing, comparing, or otherwise discussing the employee's wages or the wages of another employee;

(2) Discharge, discipline, interfere with, or otherwise retaliate against an employee who inquires about, discloses, compares, or otherwise discusses the employee's wages or the wages of another employee or is believed by the employer to have done so; or

(3) Prohibit or attempt to prohibit an employee from lodging a complaint, or testifying, assisting, or participating in an investigation or proceeding, related to a violation of this act.

New § 32-1453

Sec. 4. Exceptions.

(a) An employer may prohibit an employee with regular access to information regarding the wages of other employees in the course of the employee's work, such as a human resources employee, from sharing such information, unless the disclosure is in furtherance of or response

to an investigation, action, or hearing, or there is a legal obligation for the employer to furnish the information.

(b) Nothing in this act shall require:

(1) An employer to disclose the wages of an employee in response to an inquiry by another employee; or

(2) An employee to disclose his or her wages in response to an inquiry by another employee.

Sec. 5. Provisions of law may not be waived. **New § 32-1454**

No provision of this act shall in any way be contravened or set aside by private agreement.

Sec. 6. Enforcement. **New § 32-1455**

(a) If an employer fails to comply with the provisions of this act, the Mayor shall assess a civil fine of $1,000 for the first violation, $5,000 for the second violation, and $20,000 for each subsequent violation.

(b) Adjudication for a violation of this act shall be pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq*.).

(c) Nothing in this act shall be construed to create a private right of action.

Sec. 7. Rules. **New § 32-1456**

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

Sec. 8. Applicability. **New § 32-1457**

This act shall not apply to an employment contract entered into before the effective date of this act; provided, that upon renewal of such a contract, this act shall apply.

Sec. 9. Fiscal impact statement.

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

Sec. 10. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 20-829
Act 20-532 effective December 19, 2014

To designate the Potomac Bluestone as the official rock of the District of Columbia.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "DC Rocks, So We Need One Act of 2014".

DC Rocks, So We Need One Act of 2014

Sec. 2. (a) Potomac Bluestone is a metamorphic rock that has a long and distinguished history in the District of Columbia.

(b) Before the founding of our nation, Potomac Bluestone was quarried by Native Americans and used by early colonists. Later, District residents, including Italian immigrants and African Americans, followed in the footsteps of the first Americans and also quarried this ancient and important rock.

(c) Potomac Bluestone has been used extensively in construction in the District of Columbia.

(d) Potomac Bluestone was used as the foundation for the White House, the Capitol, and the Washington Monument.

(e) Many houses in the northwest section of the District are also made of Potomac Bluestone, including the Old Stone House in Georgetown, which was built in 1765.

(f) Other notable area structures with Potomac Bluestone are Georgetown's Healey Building, St. Elizabeths Hospital, the Chain Bridge abutments, and the sea wall at Hains Point. The rock is also at the National Zoo, in the Panda House, the Elephant House, and the Mane Restaurant.

New Subchapter IV-A, Chapter 1, Title 1

New § 1-165.01

Sec. 3. The Potomac Bluestone is hereby designated the official rock of the District of Columbia.

New § 1-165.02

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 20-221, effective March 11, 2015

AN ACT

Bill 20-831
Act 20-533 effective December 19, 2014

To symbolically designate 1st Street, N.E., and 1st Street, S.E., between Constitution Avenue, N.E., and Independence Avenue, S.E., in Ward 6, as D.C. No Taxation Without Representation Way.

Codification District of Columbia Official Code 2001 Edition

D.C. No Taxation Without Representation Way Designation Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "D.C. No Taxation Without Representation Way Designation Act of 2014".

Note, § 9-204.01

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding sections 407 and 408 of the Act, the Council symbolically designates 1st Street, N.E., and 1st Street, S.E., between Constitution Avenue, N.E., and Independence Avenue, S.E., in Ward 6, as "D.C. No Taxation Without Representation Way".

Sec. 3. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-907
Act 20-535 effective December 19, 2014

Not Codified

To accept the dedication of land for public alley purposes in Square 752, bounded by H Street, N.E., 2nd Street, N.E., G Street, N.E., and 3rd Street, N.E., in Ward 6.

Dedication of a Public Alley in Square 752, S.O. 14-15491, Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Dedication of a Public Alley in Square 752, S.O. 14-15491, Act of 2014".

Sec. 2. (a) Pursuant to section 302(c) of the Street and Alley Closing and Acquisition Procedures Act of 1982 ("Act"), effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-203.02(3)), and notwithstanding the requirements set forth in section 301 (D.C. Official Code § 9-203.01) of the Act, the Council accepts the dedication of land for public alley purposes, in fee simple, as shown on the Surveyor's plat in S.O. 14-15491; provided, that the applicant for dedication of the public alley has the right to use the below-grade space of the public alley without any charge from the District and without the requirement of public space permits.

(b) The dedication of land as provided in subsection (a) of this section shall become effective only upon the filing of covenants in the land records for the District of Columbia and the filing of the dedication plat in the Office of the Surveyor.

(c) The covenants required pursuant to subsection (b) of this section shall include a maintenance covenant to run with the land including the specific provisions agreed upon by the District Department of Transportation and the applicant, as set forth in the official file of S.O. 14-15491.

Sec. 3. The Chief Financial Officer shall reduce the operating margin of Fiscal Year 2015 by $7,299, and by $21,897 in the Fiscal Year 2015 through Fiscal Year 2018 financial plan, to fund the fiscal effect of this act.

Sec. 4. Transmittal.

The Chairman of the Council of the District of Columbia shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

D.C. Law 20-223, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-81
Act 20-538
effective December 23, 2014

To amend section 47-2005 of the District of Columbia Official Code to provide an exemption from sales and use taxes imposed on the purchase or lease of a commercial trash compactor purchased or leased during a specified exemption period; and to establish a grant program to assist a business with the cost to purchase or lease a commercial trash compactor.

Codification District of Columbia Official Code 2001 Edition

Trash Compactor Tax Incentive Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Trash Compactor Tax Incentive Amendment Act of 2014".

TITLE I. SALES TAX HOLIDAY—TRASH COMPACTORS

Amend § 47-2005

Sec. 101. Section 47-2005 of the District of Columbia Official Code is amended as follows:

(a) Paragraph (35) is amended by striking the word "and" at the end.

(b) Paragraph (36) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (37) is added to read as follows:

"(37)(A) Sales of commercial trash compactors during the exemption period, including delivery or installation charges that are billed by the seller to the purchaser as part of the total sales price.

"(B) For the purposes of this paragraph, the term:

"(i) "Exemption period" means the 120-day period following the applicability of Title I of the Trash Compactor Tax Incentive Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-81).

"(ii) "Commercial trash compactor" means a structure used by businesses to collect and compact bulk trash and other waste that is energy efficient and reduces the likelihood of accidental pollution through spills or wind-blown debris.".

TITLE II. TRASH COMPACTOR GRANT PROGRAM

New Chapter 7B, Title 8 New § 8-751

Sec. 201. Definitions.

For the purposes of this title, the term:

(1) "Business" means a single enterprise or a consortium of enterprises set up for the common purpose of acquiring a commercial trash compactor for the use of each enterprise in the consortium.

(2) "Commercial trash compactor" means a structure used by businesses to collect and compact bulk trash and other waste that is energy efficient and reduces the likelihood of accidental pollution through spills or wind-blown debris.

(3) "CTC program" means the commercial trash compactor acquisition grant program established by section 202.

(4) "Grant Administration Act" means the Grant Administration Act of 2013, effective December 24, 2012 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

(5) "Grantee" means a business that meets the criteria and standards established for the CTC program, as required by section 1094 of the Grant Administration Act and receives a grant pursuant to this title.

(6) "Grantor" means the Mayor or the Mayor's delegate, including a District agency, board, commission, instrumentality, or other program, or an individual within such an entity.

New § 8-752

Sec. 202. Commercial trash compactor acquisition grant program.

(a)(1) There is established a commercial trash compactor acquisition grant program to financially assist a business in the acquisition through purchase or lease of a commercial trash compactor.

(2) The CTC program shall be administered by the Mayor pursuant to the Grant Administration Act; provided, that, notwithstanding section 1095(1) of the Grant Administration Act, the CTC program grant application process may be established with an open-ended closing, allowing a business to apply for a grant and for the grantor, subject to subsection (b)(1) of this section, to approve a grant at any time, in accordance with rules issued pursuant to this title or the notice established pursuant to section 1094(c) of the Grant Administration Act.

(b)(1)(A) A grant shall be awarded in priority order of receipt of the grant application to the extent that the funds allocated for this purpose in an approved annual budget and financial plan or available pursuant to subparagraph (B) of this paragraph are sufficient to allow the grant.

(B) Funds allocated for the CTC program shall not exceed $2 million per fiscal year.

(2) Notwithstanding the provisions of § 47-368.06, grants that may be awarded pursuant to this title may include grants that the Mayor or an agency receives through an intra-District transfer, a memorandum of understanding, or a reprogramming from an agency lacking grant-making authority.

(c) Subject to subsection (b)(1) of this section, the grantor shall award a grantee a grant in an amount:

(1) Not to exceed $9,000 toward the leasing of an commercial trash compactor; the amount to be based on terms and length of time of the lease; or

(2) Not to exceed $13,500 for the purchase of a commercial trash compactor.

(d) The Chief Financial Officer may audit the accounts of a business receiving a CTC program grant up to 3 years following the issuance of the grant.

Sec. 203. Rules.

New § 8-753

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

TITLE III. GENERAL PROVISIONS

Sec. 301. Applicability.

Note, § 47-2005

Delayed Applicability

(a)(1) Title I of this act shall apply for the tax year in which its fiscal effect has been included in an approved budget and financial plan.

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

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

(B) The date of publication of the notice of the certification shall not affect the applicability of this title.

Note, § 8-751

Delayed Applicability

(b)(1) Title II of this act shall apply for the tax year in which its fiscal effect has been included in an approved budget and financial plan.

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

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

(B) The date of publication of the notice of the certification shall not affect the applicability of this title.

Sec. 302. Fiscal impact statement.

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

Sec. 303. Effective date.

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

D.C. Law 20-224, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-676
Act 20-539 effective December 23, 2014

To amend the Fiscal Year 2014 Budget Support Act of 2013 to establish a Behavioral Health Access Project to improve the mental health of youth in the District by promoting the integration of mental health care and primary care through increasing pediatric primary care providers' understanding and ability to treat children and adolescents with mental health issues that can be appropriately managed in primary care.

Codification District of Columbia Official Code 2001 Edition

Behavioral Health System of Care Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Behavioral Health System of Care Amendment Act of 2014".

Sec. 2. Subtitle J of Title V of the Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 61 DCR 962), is amended as follows:

(a) The existing text is designated as Part A.

(b) A new Part B is added to read as follows:

"PART B.

New Subchapter II New § 7-1142.01

"Sec. 5120a. Definitions.

"(a) For the purposes of this part, the term:

"(1) "Behavioral health" means a person's overall social, emotional, and psychological well-being and development.

"(2) "Department" means the Department of Behavioral Health.

"(3) "Pediatric primary care provider" means a person licensed in the District to practice medicine or a person who practices medicine and conducts general well visits in the employment of the government of the United States.

"(4) "Project" means the Behavioral Health Access Project established under section 5120b.

"(5) "Youth" means an individual under 22 years of age receiving pediatric care in the District from a pediatric primary care provider.

New § 7-1142.02

"Sec. 5120b. Establishment of Behavioral Health Access Project.

"(a) The Department shall establish, and have oversight of, the Behavioral Health Access Project.

"(b) The Project shall be a collaborative program that:

"(1) Provides timely mental health consultation to pediatric primary care providers who need assistance managing patients' mental health needs, including diagnosis and ongoing treatment;

"(2) Encourages pediatric primary care providers to provide mental health screenings in general well visits;

"(3) Proactively engages and provides mentoring, training, and education to pediatric primary care providers and their clinical teams to properly diagnose and manage low-acuity mental health needs of patients;

"(4) Provides consultative and referral services to youths who exhibit a possible mental health or substance abuse disorder regardless of their insurance coverage;

"(5) Creates a multidisciplinary team consisting of professionals from various fields of mental health, including psychiatrists, psychologists, clinical social workers, nurses, and other licensed medical professionals, as deemed necessary by the Department;

"(6) Enables members of the multidisciplinary team to provide face-to-face consultations with the patient when telephonic consultation with the physician is not sufficient; and

"(7) Enables members of the multidisciplinary team to provide care coordinator and facilitated referral services for youth requiring behavioral health treatment.

"(c) The District may contract with nonprofit organizations with expertise in mental health to carry out the functions of the Project.

New § 7-1142.03

"Sec. 5120c. Reporting requirements.

"Within 6 months after the effective date of the Behavioral Health System of Care Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-676), and on an annual basis thereafter, the Department shall submit a report to the Council that includes the following information

"(1) The number of individual patients who participate in the Project;

"(2) The number and percentage of pediatric primary care providers who participate in the Project; and

"(3) The efforts used to engage physicians to participate in the Project, including:

"(A) The number of physicians approached by the Department to participate in the Project;

"(B) The events held by the Department or the Project that physicians attended; and

"(C) The fora or conferences held by the Department or the Project to engage physicians.".

Note, § 7-1142.01

Delayed Applicability

Sec. 4. Applicability.

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

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

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

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

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

D.C. Law 20-225, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-822
Act 20-540 effective December 23, 2014

To amend An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program and for other purposes to encourage the reduction of additional pregnancies amongst teenagers by increasing the availability of copper intrauterine devices immediately after child birth, through an enhancement of the current Medicaid reimbursement methodology.

Codification District of Columbia Official Code 2001 Edition

Copper Intrauterine Device Access Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Copper Intrauterine Device Access Amendment Act of 2014".

Amend § 1-307.02

Sec. 2. Section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), is amended by adding a new subsection (f) to read as follows:

"(f)(1) The District state plan required under Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq*.), may provide for supplemental add-on payment for reimbursement of copper intrauterine devices inserted immediately after child birth.

"(2) The Mayor may develop and implement a methodology used for supplemental add-on payment for reimbursement of copper intrauterine devices inserted immediately after child birth.

"(3) The Mayor shall review utilization and reimbursement rates for copper intrauterine devices and submit a report on and recommendation for coverage expansion to the Council by October 1, 2015.".

Note, § 1-307.02

Delayed Applicability

Sec. 3. Applicability.

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

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

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

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

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-540
Act 20-548 effective December 29, 2014

To amend the Community Development Act of 2000 to increase lending and services to underserved borrowers, including low-income and moderate-income borrowers, minority residents, and elderly residents, and to encourage increased community development and investment by deposit-receiving institutions.

Codification District of Columbia Official Code 2001 Edition

Community Development Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Community Development Amendment Act of 2014".

Sec. 2. The Community Development Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-431.01 *et seq.*), is amended as follows:

Amend § 26-431.02

(a) Section 402 (D.C. Official Code § 26-431.02) is amended as follows:

(1) Designate existing paragraph (1) as paragraph (1A).

(2) A new paragraph (1) is added to read as follows:

"(1) "CFO" means the Chief Financial Officer of the District of Columbia, established by section 424(a) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a).".

(3) A new paragraph (1B) is added to read as follows:

"(1B) "Community development loan" means a loan that:

"(A) Has as its primary purpose community development; and

"(B) Except in the case of a wholesale or limited purpose bank, and unless a multifamily dwelling loan, has not been reported or collected by the bank or an affiliate for consideration in the bank's assessment as a:

"(i) Home mortgage;

"(ii) Small business loan;

"(iii) Small farm loan; or

"(iv) Consumer loan; and

"(C) Benefits the bank's assessment area or a broader District-wide or regional area that includes the bank's assessment area.".

(4) A new paragraph (4A) is added to read as follows:

"(4A) "Deposit-receiving institution" means a federal, state, or District chartered bank, savings institution, or credit union that receives after the effective date of the Community Development Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-540), District contracts pursuant to D.C. Official Code §§ 47-351.02(c) and 47-351.03, including any chartered bank, savings institution, or credit union that has applied to be or is regulated, supervised, examined, or licensed by the Department or a District chartered

bank that is engaged in activity covered by D.C. Official Code §§ 47-351.02(c) and 47-351.03; except, that the provision of services provided for and deposits made with regard to District debt transactions does not create a deposit-receiving institution, notwithstanding that deposit receiving institutions may provide those services or receive those deposits.".

(5) A new paragraph (5A) is added to read as follows:

"(5A) "Elderly resident" means a District resident 55 years of age or older.".

(6) A new paragraph (14A) is added to read as follows:

"(14A) "Qualified investments" means a lawful investment, deposit, membership share, or grant that has as its primary purpose community development.".

(b) Section 404 (D.C. Official Code § 26-431.04) is amended as follows:

Amend § 26-431.04

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

"(3)(A) The Department shall provide a public comment period, the start of which shall be posted on its website, and receive public comments for a period of 30 days on a draft community development plan of a District chartered bank. The Department shall share these comments with the deposit-receiving institution for it to consider in revising its draft community development plan before submitting the plan to the Commissioner.

"(B) The Commissioner shall:

"(i) Consider the responsiveness of the deposit-receiving institution to these comments when preparing findings;

"(ii) Report the final findings, accompanied by the final community development plan, to the CFO; and

"(iii) Submit any subsequent changes to the findings or plan to the CFO.".

(2) Subsection (c) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase "District and in designated development areas;" and inserting the phrase "District, in designated development areas, and to minority residents, low-income and moderate-income residents, and elderly residents;" in its place.

(B) Paragraph (3) is amended by striking the phrase "District and in designated development areas;" and inserting the phrase "District, in designated development areas, and to minority residents, low-income and moderate-income residents, and elderly residents;" in its place.

(C) Paragraph (10) is amended by striking the word "and" at the end.

(D) Paragraph (11)(B) is amended by striking the period at the end and inserting a semicolon in its place.

(E) A new paragraph (12) is added to read as follows:

"(12) Plans of a District chartered deposit-receiving institution to:

"(A) Make community development loans and qualified investments;

"(B) Engage in foreclosure prevention and mitigation activities, including loan modifications and reclamation of real estate properties for affordable housing;

”(C) Make small business loans, including loans to minority-owned and women-owned small businesses; and

”(D) Locate retail loan officers and community development loan officers in the District and to facilitate contact with these officers by listing phone numbers on the Department’s website and making their contact information widely and easily accessible.”.

(3) New subsections (f) and (g) are added to read as follows:

“(f) An informational copy of the final deposit services contract between a deposit-receiving institution and the CFO under D.C. Official Code §§ 47-351.09(e), 47-351.10(b), and 47-351.11 shall be provided to the Commissioner and may serve as an amendment to a community development plan.

“(g)(1) As a part of the deposit-receiving institution’s response to a request for proposals by the CFO to provide deposit or other financial services to the District government issued after the date of the Community Development Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-540), a deposit-receiving institution shall submit its community development plan to the CFO. The CFO shall consider the community development plan, or the lack of approval by the applicable regulatory authority of the community development plan, in its evaluation of the deposit-receiving institution’s response to the request for proposals.

“(2) Any community development plan submitted in the request for proposals process shall contain, at a minimum, the deposit-receiving institution's plans for meeting the credit and financial services needs of District residents, particularly those of minority residents, low-income and moderate-income residents, elderly residents, and residents in designated development areas.

“(3) As long as a contract for deposit or other financial services with the District is in effect, a deposit-receiving institution that has been awarded a deposit services contract by the District government shall submit an updated community development plan every 2 years after contracting with the District government or when there is a revision to the community development plan.”.

Amend § 26-431.05

(c) Section 405 (D.C. Official Code § 26-431.05) is amended by adding a new subsection (c) to read as follows:

“(c) The CFO shall issue an annual report to the Mayor and the Council on which deposit-receiving institutions received contracts for deposits of District funds, excluding funds associated with District debt financings, with a summary of the terms of the contract and the amounts deposited.”.

Amend § 26-431.06

(d) Section 406 (D.C. Official Code § 26-431.06) is amended by adding new subsections (c) through (f) to read as follows:

“(c) The CFO, when evaluating the community development plan of a deposit-receiving institution shall review the rating category or score assigned to the deposit-receiving institution’s plan by the applicable financial supervisory agency and shall publish the final review on its website.

"(d) The CFO shall receive public comments during a 30-day public comment period when reviewing and evaluating the community development plan of a deposit-receiving institution.

"(e) The CFO shall consider in the evaluation done pursuant to subsection (c) of this section whether a deposit-receiving institution is engaged in discriminatory, unfair, or deceptive lending practices as determined by federal agencies under the Equal Credit Opportunity Act, approved October 28, 1974 (88 Stat. 1521; 15 U.S.C. § 1691 *et seq.*), and the Fair Housing Act, approved September 13, 1988 (82 Stat. 81; 42 U.S.C. §§ 3601 *et seq.*), and their implementing regulations, or under the District of Columbia Home Loan Protection Act of 2002, effective May 7, 2000 (D.C. Law 14-132; D.C. Official Code § 26-1151.01*et seq.*), or Chapter 39 of Title 28 of the D.C. Official Code, and their implementing regulations.

"(f) To apply for a deposit services contract with the District government, a financial institution must receive at least a "satisfactory" rating on its most recent CRA exam.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-579
Act 20-549 effective December 29, 2014

To amend Chapter 3 of Title 25-F of the District of Columbia Municipal Regulations to prohibit the use of ultraviolet tanning equipment by minors.

Not codified in the District of Columbia Official Code

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Youth Tanning Safety Regulation Amendment Act of 2014".

Youth Tanning Safety Regulation Amendment Act of 2014

Sec. 2. Chapter 3 of Title 25-F of the District of Columbia Municipal Regulations (25-F DCMR § 300 *et seq.*), is amended as follows:

DCMR

(a) Section 300 is amended as follows:

(1) Subsection 300.1 is amended as follows:

(A) The lead-in language is amended to read as follows:

"300.1 The licensee shall require every customer who uses the facility's tanning equipment and devices to sign an acknowledgement that he or she has:".

(B) Paragraph (c) is amended by striking the phrase "eyewear; and" and inserting the phrase "eyewear." in its place.

(C) Paragraph (d) is repealed.

(2) Subsection 300.2 is amended to read as follows:

"300.2 The licensee shall prohibit a customer under 18 years of age from using ultraviolet tanning equipment or devices. Proof of age shall be satisfied with a driver's license or other government or school-issued identification containing the customer's photograph and date of birth.".

(3) Subsections 300.3, 300.4, 300.5, 300.6, and 300.7 are repealed.

(b) Section 301.1 is amended to read as follows:

"301.1 A licensee shall conspicuously post an Age Restriction Sign at or near the reception area with the following text:
"INDIVIDUALS 17 YEARS OF AGE AND YOUNGER ARE PROHIBITED FROM USING ULTRAVIOLET TANNING EQUIPMENT OR DEVICES.".

(c) Section 303 is amended as follows:

(1) Subsection 303.1(b) is repealed.

(2) Subsection 303.2(b) is repealed.

(3) Subsection 303.3 is amended by striking the phrase "three (3) years before or three (3) years past the client's age of majority" and inserting the phrase "three (3) years past the client's age of majority" in its place.

(d) Section 305.1 is amended to read as follows:

" 305.1 The licensee shall maintain records for at least three (3) years related to customers 18 years of age and older who used tanning equipment or devices at the facility. With respect to customers under 18 years of age who used tanning equipment or devices at the facility, the licensee shall maintain their records until they reach 21 years of age.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

D.C. Law 20-228, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-595
Act 20-550 effective December 29, 2014

To establish the Office of Public-Private Partnerships ("Office") to facilitate the procurement and administration of public-private partnerships in the District of Columbia, to establish the authority to hire professional staff and consultants, to budget for operations of the Office, and to adopt rules and regulations with regard to public-private partnerships, to create the Public-Private Partnership Administration Fund, to create primary authority in the Office to facilitate public-private partnerships, to establish requirements for the procurement of public-private partnerships, the issuance of requests for information, a pre-qualification process, the issuance of solicitations for public-private partnerships, the consideration of unsolicited proposals for public-private partnerships, the Council review of solicitations for public-private partnerships, the entering into of public-private partnership agreements, the terms that shall, may, and cannot be included in public-private partnership agreements, the legal rights of parties to a public-private partnership agreement, the dispute resolution process for public-private partnership agreements, the requirement to consult relevant District government agencies, the requirement to comply with District laws regarding First Source agreements, fair wages, small, local and minority-owned business hiring, and other procurement rules, and requirements to ensure transparency, to make certain conforming amendments, and to provide transition provisions.

Codification District of Columbia Official Code 2001 Edition

Public-Private Partnership Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public-Private Partnership Act of 2014".

New Subchapter I, New Chapter 2A, Title 2

TITLE I. PUBLIC-PRIVATE PARTNERSHIP ACT.

New § 2-271.01

Sec. 101.Definitions.

For the purposes of this act, the term:

(1) "Administrative Procedure Act" means the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.).

(2) "Freedom of Information Act" means the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 et seq.).

(3) "Material default" means the failure of an operator to perform a duty under a public-private partnership agreement that jeopardizes the delivery of adequate service to the public and the duty remains unsatisfied after a reasonable period of time and after the operator has received a written notice from the Office of the failure.

(4) "Office" means the Office of Public-Private Partnerships established by section 102.

(5) "Open Meetings Act" means the Open Meetings Amendment Act of 2010, effective March 31, 2010 (D.C. Law 18-350; D.C. Official Code § 2-571 et seq.).

(6) "Operator" means a private entity that has entered into a public-private

partnership agreement under section 111.

(7) "Private entity" means a natural person, corporation, limited liability company, partnership, joint venture, or other private business entity.

(8) "Proposer" means a private entity submitting a proposal to a request for proposals issued by the Office or an unsolicited proposal for a public-private partnership.

(9) "Public entity" means a District government agency, department, board, commission, or instrumentality.

(10) "Public notice" means the distribution or dissemination of information to interested parties using methods that are reasonably available, which shall include publication in the District of Columbia Register, the website of the Office or a public entity, and by mail to all Advisory Neighborhood Commissions in which the public-private partnership project will be located.

(11) "Public-private partnership" means the method in the District for delivering a qualified project using a long-term, performance-based agreement between a public entity and a private entity or entities where appropriate risks and benefits can be allocated in a cost-effective manner between the public and private entities in which:

(A) A private entity performs functions normally undertaken by the government, but the public entity remains ultimately accountable for the qualified project and its public function; and

(B) The District may retain ownership or control in the project asset and the private entity may be given additional decision-making rights in determining how the asset is financed, developed, constructed, operated, and maintained over its life cycle.

(12) "Public sector comparator" means a risk-adjusted estimate of the total cost for the lifetime of a project, including all capital, operating, financing, and ancillary costs, if a public-private partnership project were to be financed, built, and operated through a traditional government procurement method.

(13) "Qualified project" means the planning, acquisition, financing, development, design, construction, reconstruction, rehabilitation, replacement, improvement, maintenance, management, operation, repair, leasing, or ownership of:

(A) Education facilities;

(B) Transportation facilities, including streets, roads, highways, bridges, tunnels, parking lots or garages, public transit systems, and airports;

(C) Cultural or recreational facilities, including parks, libraries, theaters, museums, convention centers, community centers, stadia, athletic facilities, golf courses, or similar facilities;

(D) A building or other facility that is beneficial to the public interest and is developed or operated by or for a public entity;

(E) Utility facilities, including sewer, water treatment, stormwater management, energy producing or transmission, telecommunications, information technology, recycling, and solid waste management facilities;

(F) Improvements necessary or desirable to any District-owned real estate;

(G) Any other facility, the construction of which shall be beneficial to the public interest as determined by the Office.

(14) "Request for information" means the document issued pursuant to section 106 to obtain information from potential proposers about how a public-private partnership project and its associated request for proposals should be structured before a request for proposal is issued

(15) "Request for proposal" means the document used in the competitive proposal process pursuant to section 108 in which proposals are evaluated on the basis of technical standards, price, and other criteria and in which negotiations with proposers before final selection and entering into a public-private partnership agreement is permissible.

(16) "Request for qualification" means the document issued pursuant to section 107 used to obtain proof of a private entity's skills, resources, capabilities, and experience before submitting a response to a request for proposals.

(17) "Value-for-money analysis" means a comparison of the risk-adjusted cost estimates over the lifetime of a proposed public-private partnership project, including all capital, operating, financing, and ancillary costs, with a public cost comparator.

SUBTITLE A. OFFICE OF PUBLIC-PRIVATE PARTNERSHIPS ESTABLISHMENT. **New Subchapter II**

Sec. 102.Establishment of the Office of Public-Private Partnerships.

(a) There is established in the Office of the City Administrator an Office of Public-Private Partnerships. **New § 2-272.01**

(b) The Office shall:

(1) Be the primary public entity responsible for facilitating the development, solicitation, evaluation, award, delivery, and oversight of public-private partnerships that involve a public entity in the District; and

(2) Consult and coordinate with all public entities that possess relevant knowledge, skills, and expertise in developing requests for proposals, evaluating responses, and negotiating and administering public-private partnership agreements under this act.

(c) The Office may retain consultants or enter into contracts to provide financial, legal, or other technical expertise necessary to assist in the development, solicitation, evaluation, award, delivery, and oversight of public-private partnership projects.

(d) The Office shall not have the power to pledge the full faith and credit of the District government, nor shall any obligation issued by the Office or any entity sponsored by the Office in connection with any public-private partnership agreement be a general obligation of the District government unless authorized by an act of the Council.

Sec. 103. Professional staff. **New § 2-272.02**

(a) The Office shall be headed by an Executive Director who shall have demonstrated knowledge, training, or experience in the following areas:

(1) Infrastructure development;

(2) Capital markets and finance, including municipal finance;

(3) Public-sector planning; and

(4) Procurement.

(b The Executive Director and Office staff shall be subject to the Code of Conduct, as defined in section 101 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01).

Sec. 104. Budget. **New § 2-272.03**

The Mayor shall provide in the annual budget request to the Council funding for the Office of Public-Private Partnership represented as a separate line or responsibility center.

Sec. 105. Public-Private Partnership Administration Fund. **New § 2-272.04**

(a) There is established as a special fund the Public-Private Partnership Administration Fund ("Fund"), which shall be administered by the Executive Director in accordance with subsection (c) of this section.

(b) All administrative fees collected under section 107(d) and section 109(d) shall be deposited into the Fund.

(c) Money in the Fund shall be used to pay for the costs associated with carrying out sections 107 and 109.

(d)(1) The money deposited into the Fund, and any interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of the fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE B. PROCUREMENT OF PUBLIC-PRIVATE PARTNERSHIPS. **New Subchapter III**

Sec. 106. Requests for information. **New § 2-273.01**

(a) Before beginning a competitively bid solicitation process in accordance with section 109, the Office may issue a request for information to obtain information regarding potential public-private partnership projects.

(b) A request for information shall be published in a manner that gives interested parties sufficient public notice, time, and opportunity to respond.

(c) Any response to a request for information shall be the property of the Office.

(d) A private entity's response to a request for information shall have no effect on the evaluation or selection of that private entity for a public-private partnership agreement.

Sec. 107. Pre-qualification. **New § 2-273.02**

(a) The Office may provide for a process of prequalification for private entities to submit a bid pursuant to section 108. The process shall include public notice of a request for qualifications, including the requirements and the criteria the Office will use in determining whether the private entity prequalifies.

(b) In order to be prequalified to submit a bid pursuant to section 108, a private entity shall, in addition to any requirements set forth in the request for proposals for a public-private partnership project:

(1) Have available sufficient sources of funding, capital, securities, or other financial resources necessary to carry out the public-private partnership project if selected;

(2) Possess, either through its staff, subcontractors, a consortium, or joint venture agreement, the managerial, organizational, technical capacity, and experience in the type of project for which the proposer is submitting a bid;

(3) Be qualified to lawfully conduct business in the District; and

(4) Certify that no director, officer, partner, owner, or other individual with direct and significant control over the policy or finances of the private entity has been convicted of corruption or fraud in any jurisdiction of the United States.

(c) If the Office determines that a prequalification process is appropriate for the public-private partnership project, only prequalified private entities may be a proposer.

(d) The Office may charge a reasonable application fee for prequalification that may not exceed the Office's actual direct cost of evaluating the application and which shall be deposited into the Fund established by section 105.

Sec. 108. Solicitation through requests for proposals. **New § 2-273.03**

(a) A public-private partnership shall be solicited by the Office only through a competitive bid process in which a request for proposals is issued.

(b) A request for proposals shall contain, at a minimum, the following:

(1) A detailed description of the scope of the proposed public-private partnership project;

(2) The material terms and conditions applicable to the procurement and any resulting contract; and

(3) The criteria for evaluation and selection of a proposal, which shall indicate the relative weight given to each criterion set forth in subsection (c) of this section.

(c) The evaluation and selection criteria in a request for proposals shall include the following, each of which shall be given a relative weight:

(1) Cost;

(2) Delivery time;

(3) Financial commitment required of public entities;

(4) Capabilities, related experience, facilities, or techniques of the proposer or unique combinations of these qualities that are integral factors for achieving the proposal objectives;

(5) Value-for-money and public sector comparator analysis of the proposal;

(6) Novel methods, approaches, or concepts demonstrated by the proposal;

(7) Scientific, technical, or socioeconomic merits of the proposal;

(8) Potential contribution of the proposal to the mission of the District;

(9) How the proposal benefits the public; and

(10) Other factors as the Office deems appropriate to obtain the best value for the District.

(d) The Office shall provide public notice of a request for proposals for no less than 30 days, unless the Office makes a reasonable written determination at the time of the initial notice that a lesser time period is appropriate and will preserve the competitive nature of the procurement.

(e) The Office shall evaluate each proposal that satisfies the minimum requirements of the request for proposals according to the evaluation and selection criteria contained in the request for proposals.

(f)The Office shall make available to the public the executive summary of each responsive proposal including the scoring for each proposal and the identity of the proposer upon the closing of the response period; provided, that the Office shall not disclose any information which has been designated as confidential or proprietary by a proposer, if the Office determines the designation is proper.

(g)(1) The Office may pay a stipend to an unsuccessful proposer, in an amount and on terms and conditions determined by the Office as reasonable, if:

(A) The Office cancels the procurement process fewer than 30 days before the date the bid or proposal is due; or

(B) The unsuccessful proposer submits a proposal that is responsive and meets all the requirements established by the Office for the public-private partnership project.

(2) All conditions for a stipend shall be clearly set forth in the request for information, bid solicitation, request for proposal, or request for qualifications.

(h) Any response to a request for proposals shall be the property of the Office.

Sec. 109. Unsolicited proposals. **New § 2-273.04**

(a) The Office may consider, evaluate, and accept an unsolicited proposal for a public-private partnership project from a private entity if the proposal:

(1) Addresses a need identified in a District or regional planning document;

(2) Is independently developed and drafted by the proposer without District supervision;

(3) Shows that the proposed project could benefit the District;

(4) Includes a financing plan to allow the project to move forward pursuant to all applicable District budget and finance requirements; and

(5) Includes sufficient detail and information for the Office to evaluate the proposal in an objective and timely manner and permit a determination that the project would be worthwhile.

(b) Within 90 days after receiving an unsolicited proposal, the Office shall complete a preliminary evaluation of the unsolicited proposal and shall either:

(1) If the preliminary evaluation is unfavorable, return the proposal without further action; or

(2) If the preliminary evaluation is favorable, notify the proposer that the Office

will comprehensively evaluate the proposal and publish the unsolicited proposal in the District of Columbia Register for a period of not less than 30 days during which time other potential proposers may submit an alternative proposal.

(c) After a comprehensive evaluation of an unsolicited proposal and any alternatives submitted, the Office may commence negotiations with an proposer if:

(1) The proposal has received a favorable comprehensive evaluation;

(2) The proposal is not duplicative of existing infrastructure project or services;

(3) The proposal does not closely resemble a pending competitive proposal for a public-private partnership or other procurement;

(4) The proposal demonstrates a unique method, approach, or concept;

(5) The Office can demonstrate facts and circumstances that preclude additional competition;

(6) The Chief Financial Officer certifies:

(A) The availability of any funds, debts, or assets that the District will contribute to the project;

(B) That no provision of the proposal would violate the District Anti-Deficiency Act of 2002, effective April 4, 2003 (D.C. Law 14-285; D.C. Official Code § 47-355.01 et seq.); and

(C) That the project is not likely to have a significant adverse impact on District bond ratings;

(7) The Attorney General certifies:

(A) That proper indemnifications are included in the proposal; and

(B) That there are no interstate compact issues if the project involves multiple jurisdictions; and

(8) The Office provides notification to the public of its intent to commence negotiations with a proposer.

(d) The Office may charge an administrative fee for the costs of processing, reviewing, or evaluating any unsolicited proposal or alternative proposal submitted by a private entity; provided, that the administrative fee is reasonable and shall not exceed the Office's actual direct cost of evaluating the proposal.

(e) Any unsolicited proposal or alternatives shall be the property of the Office.

Sec. 110. Review of requests for proposals. **New § 2-273.05**

(a) Before the issuance of a request for proposals pursuant to section 108, the Office shall transmit to the Council a proposed resolution to approve the proposed request for proposals in accordance with the criteria established in this section. Before submitting a proposed resolution to the Council pursuant to this subsection, the Office shall:

(1) Hold at least one public hearing on the proposed request for proposals, which shall be subject to the Open Meetings Act and held at an accessible evening or weekend time and in an accessible location near the proposed public-private partnership project;

(2) Provide at least 30 days' notice to affected Advisory Neighborhood

Commissions of the public hearing; and

(3) Publicize the hearing by placing a notice in the District of Columbia Register at least 15 days before the hearing.

(b)(1) A proposed request for proposals for a public-private partnership project that is anticipated to cost in total $50 million or more or extend for a term of 10 years or greater shall be deemed approved by the Council unless, during a 45-calendar day review period beginning on the 1st day (excluding Saturdays, Sundays, and holidays) following its receipt by the Office of the Secretary to the Council, the Council adopts a resolution to approve or disapprove the proposed request for proposals.

(2) A proposed request for proposals for a project that is anticipated to cost in total less than $50 million or extend for a term of less than 10 years shall be deemed approved by the Council if one of the following occurs:

(A) During a 10-day review period beginning on the 1st day (excluding Saturdays, Sundays, and holidays) following its receipt by the Office of the Secretary to the Council, no member of the Council introduces a resolution to approve or disapprove the proposed request for proposals; or

(B) If a resolution has been introduced in accordance with subparagraph (A) of this paragraph, and the Council does not approve or disapprove the proposed request for proposals during a 45-day review period beginning on the 1st day (excluding Saturdays, Sundays, and holidays) following its receipt by the Office of the Secretary to the Council.

(3) A disapproval resolution adopted by the Council pursuant to this subsection may include recommendations for revisions to the request for proposal.

(c)(1) The final request for proposals issued by the Office shall be substantially similar to the proposed request for proposals submitted to the Council for approval.

(2) If a substantive change is made to the proposed request for proposals after approval by the Council pursuant to subsection (b) of this section, a revised proposed request for proposals, including changes in redline format, shall be transmitted to the Council for review in accordance with subsection (b) of this section.

d)(1) Approval of a proposed request for proposals by the Council shall expire 2 years after the effective date of the approval.

(2) If the Office determines before the end of the 2-year period that a public-private partnership agreement cannot be entered into within the 2-year period, the Office may submit to the Council, no later than 60 days before the end of the 2-year period, a proposed resolution seeking additional time for the public-private partnership project and shall include within the proposed resolution a detailed status report on efforts made toward the public-private partnership project, as well as the reasons for the failure to enter into a public-private partnership agreement within the 2-year period.

(3) If the Council does not approve or disapprove the proposed resolution submitted pursuant to paragraph (2) of this subsection within 30 days after receipt of the proposed resolution (excluding Saturdays, Sundays, legal holidays, and days of Council recess), the proposed resolution shall be deemed disapproved.

New § 2-273.06

Sec. 111. Public-private partnership agreements.

(a) After selecting a solicited or unsolicited proposal for a public-private partnership project, the Office or a designated public entity shall enter into a public-private partnership agreement for a qualified project with the selected private entity or entities.

(b) A public-private partnership agreement approved and entered into by the Office or designated entity pursuant to this act shall include the following:

(1) The term length of the agreement, which shall be for a period not to exceed 99 years from the date after the full execution of the public-private partnership agreement;

(2) A complete description of the facilities to be developed and the functions and responsibilities to be performed by public entities and private entities that are party to the agreement;

(3) The types of property interest, if any, that the private entity will have in the project facilities;

(4) The terms of the planning, acquisition, financing, development, design, construction, reconstruction, rehabilitation, replacement, improvement, maintenance, management, operation, repair, leasing, and ownership of the facilities;

(5) The rights that the public entities and private entities that are party to the agreement have, if any, in revenue generated as a result of the public-private partnership agreement;

(6) The minimum quality standards applicable to the public-private partnership project, including performance criteria, reporting requirements, incentives, and penalties for failure to meet these standards;

(7) A specific plan to ensure proper maintenance of the project facilities throughout the term of the agreement and a return of the facility to the District in good condition and repair;

(8) The compensation of the private entities, including the extent to which and the terms upon which a private entity may charge fees to individuals and entities for the use of the facility, but in no event shall new fees be imposed or existing fees be amended unless authorized by a subsequent act of the Council;

(9) The requirement of an annual independent audit report furnished by the private entity or entities to the Office or designated public entity covering all aspects of the agreement;

(10) Performance and payment bonds or other security and risk-mitigation tools deemed suitable by the Office or designated public entity;

(11) If the private entity or entities are responsible for operating the public-private partnership project, one or more policies of public liability insurance in amounts determined by the Office or designated public entity to ensure coverage of tort liability for the public and employees of the private entities;

(12) Grounds for termination of the public-private partnership agreement by the Office, a designated public entity, or private entity;

(13) Procedures for amending the public-private partnership agreement;

(14) Disposition of the facility upon the conclusion or termination of the public-private partnership agreement;

(15) The rights and remedies available to the District for a material breach of the agreement by the private entity or entities or if there is a material default;

(16) Identification of funding sources to be used to fully fund the capital, operation, maintenance, and other expenses under the public-private partnership agreement;

(17) Certification of compliance with applicable District and federal laws; and

(18) Any other provisions determined to be appropriate by the Office or designated public entity.

(c) Public-private partnership agreements approved and entered into by the Office or designated public entity may include review and approval by the Office or a designated public entity of the private entity's plans for the development, operation, and maintenance of the public-private partnership project facilities.

(d) No public-private partnership agreement shall contain any noncompete provisions limiting the ability of a public entity to perform its government functions.

(e) The Office or a designated public entity shall have access and the right to inspect the public-private partnership project or facility at any time with reasonable notice.

(f) The Office may apply for and accept funds from the District or federal government and other sources of financial aid to fund public-private partnership projects or otherwise further the purposes of this act.

(g) The Office or designated public entity may enter into public-private partnership agreements with other local and state government agencies that are regional in scope as long as the regional scope is expressly stated in the request for proposals submitted to the Council pursuant to section 110.

Sec. 112. Legal rights; dispute resolution. **New § 2-273.07**

(a) The terms of a public-private partnership agreement shall not be construed as a waiver of the sovereign immunity of the District government or as a grant of sovereign immunity to any private entity.

(b) No private entity shall be liable for the debts or obligations of the District government or public entities, unless the public-private partnership agreement provides that a private entity is liable under the public-private partnership agreement.

(c) In addition to any other remedy available to the District, in the event of a material default by an operator, the District may elect to assume the responsibilities and duties of the operator in the public-private partnership project, and in this instance, the District or a designated public entity shall succeed to all of the rights, title, and interest in the public- private partnership project.

(d) The District may terminate, with cause, the public-private partnership agreement and exercise any other rights and remedies that may be available to it under the law or in equity.

(e) The District may make or cause to be made any appropriate claims under the

maintenance, performance, or payment bonds, or lines of credit, as set forth in the partnership agreement.

(f) If the District or a designated public entity elects to assume the responsibility and duties of a public-private partnership project pursuant to subsection (c) of this section, the District may develop or operate the public-private partnership project, impose previously approved user fees, impose and collect lease payments, and comply with any service contracts as if it were the operator.

(g) The full faith and credit of the District government shall not be pledged to secure any financing of the operator by the election to assume the responsibilities of an operator, and the assumption of the operation of the public-private partnership project shall not obligate the Office or the District government to pay any obligation of the operator from sources other than revenue from the project.

Sec. 113. Compliance with federal and District law. **New § 2-273.08**

(a) Parties to a public-private partnership agreement shall be exempt from the Procurement Practices Reform Act of 2010, effective April 8, 2011, (D.C. Law 18-371; D.C. Official Code § 2-351.01 et seq.) ("Act"), provided that sections 202 and 415 and titles VII and X of the Act shall apply.

(b) Private entities shall comply, to the extent applicable, with:

(1) The First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 et seq.);

(2) The Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 et seq.), or the rate established by the use of a project labor agreement, notice of which must be provided by the Office before soliciting bids or proposals for a public-private partnership;

(3) The Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 et seq.);

(4) Subchapter II of Chapter 28 of Title 47 of the D.C. Official Code;

(5) The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 et seq.);

(6) The Anacostia Waterfront Environmental Standards Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1226.31 et seq.);

(7) The Davis-Bacon Act of 1931, approved March 3, 1931 (46 Stat. 1494; 40 U.S.C. § 3141 et seq.); and

(8) The Hotel Development Projects Labor Peace Agreement Act of 2002, effective April 2, 2003 (D.C. Law 14-266: D.C. Official Code § 32-851).

(c) Unless otherwise provided by law, nothing in this act shall exempt public-private partnership projects and participating public and private entities from complying with all applicable District laws and regulations.

New § 2-273.09

Sec. 114. Transparency.

(a)(1) Before entering into a public-private partnership agreement, the Office shall submit to the Council a report outlining the details of the selected proposal, including any participating private entities, significant terms of the public-private partnership agreement, overall cost, cost to the District, value-for-money analysis and public sector comparator analysis, time for completion, delivery method, any participating public entities, a list of private entities that responded to the request for proposals, and how those responses were scored and how a response was selected according to the criteria and methodology for evaluating responses outlined in the request for proposals.

(2) The Office shall provide public notice of the report submitted to the Council.

(b)(1) A proposer shall identify those portions of a proposal or other submission that the proposer considers to be a trade secret or confidential commercial, financial, or proprietary information.

(2) For trade secrets and confidential and proprietary information to be exempt from disclosure, the proposer must do all of the following:

(A) Invoke exclusion on submission of the information or other materials for which protection is sought;

(B) Identify with conspicuous labeling the data or other materials for which protection is sought;

(C) State the reasons why protection is necessary; and

(D) Fully comply with any applicable District law with respect to information that the proposer contends should be exempt from disclosure.

(3) Each request for proposals issued pursuant to this title shall require the proposer to include with its proposal an executive summary, which shall be subject to release and disclosure to the public at any time, describing the major elements of its proposal that do not address the proposer's price, financing plan, or other confidential or proprietary information or trade secrets that the proposer intends to be exempt from disclosure.

(4)(A) Notwithstanding any other provision of law, no part of a proposal other than the executive summary and the information required to be disclosed under sections 108(f), 109(b), and 114(a) shall be subject to release or disclosure by the Office or a designated public entity before an award of the public-private partnership agreement and at the conclusion of any protest, appeal, or other challenge to the award, absent an administrative or judicial order requiring release or disclosure.

(B) After the award of the public-private partnership agreement and the conclusion of any protest, appeal, or other challenge to the award, the Freedom of Information Act shall apply to the proposal except for exclusions, such as proprietary information, as specifically provided in this act.

(c) An unsolicited proposal shall contain a similar executive summary and be afforded the same protections as a requested proposal.

(d) The Office shall provide public notice of all meetings and shall conduct its meetings in compliance with the Open Meetings Act.

(e) The Office shall submit an annual report to the Council within 90 days after the end of each fiscal year, summarizing the activities of the Office for the fiscal year just ended, including:

(1) A summary of solicitations requested by public entities for any public-private partnership, including the type of project, the Office's response, and current status;

(2) A summary of unsolicited proposals submitted to the Office by private entities, including the type of project, the Office's response, and current status;

(3) A summary of all public-private partnership agreements entered into by the Office, including the term sheet and current status of implementation;

(4) A summary of all public hearings and public meetings held by the Office;

(5) Any recommendations for needed action on the part of the Mayor and Council that is necessary for the Office to fulfill its mission; and

(6) An audit of the Office's budget, including the amount and percentage of the Office's budget spent on administrative costs.

TITLE II. CONFORMING AMENDMENTS

Amend § 2-351.05

Sec. 201. Section 105(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)), is amended as follows:

(a) Paragraph (17) is amended by striking the word "and" at the end.

(b) Paragraph (18) is amended by striking the phrase "Agency." and inserting the phrase "Agency; and" in its place.

(c) A new paragraph (19) is added to read as follows:

"(19) The Office of Public-Private Partnerships; provided that sections 202, 415, and titles VII and X shall apply.".

TITLE III. RULES; APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

New Subchapter IV

New § 2-274.01

Sec. 301. Rules.

(a) The Office, pursuant to Title I of the Administrative Procedure Act, shall issue rules to implement the provisions of this title, including:

(1) Rules for the development, solicitation, evaluation, award, delivery, and oversight of solicited and unsolicited public-private partnership projects; and

(2) Rules to ensure that persons responsible for the proper administration of this title maintain a position of strict impartiality and refrain from any activity that would imply support or opposition to a particular private entity, proposer, or operator of a public-private partnership agreement.

(b) The Office shall consult with the Office of the Chief Financial Officer when formulating rules to establish policies and procedures to ensure compliance with relevant laws with regards to the financing of public-private partnership projects.

(c)(1)Within 90-days of the appointment of an Executive Director, proposed rules for implementation of this act and all procurement procedures shall be submitted to the Council for a 45-day period of review, excluding days of Council recess.

(2) If the Council does not approve or disapprove the rules submitted pursuant to

paragraph (1) of this subsection, in whole or in part, by resolution within the 45-day period, the rules shall be deemed approved.

New Subchapter V

New § 2-275.01

Delayed Applicability

Sec. 302. Applicability; construction.

(a)(1) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

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

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

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

(b) Nothing in this act shall be construed to affect any public-private partnerships, projects, or agreements that are developed, solicited, awarded, or entered into before this act applies.

Sec. 303. Fiscal impact statement.

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

Sec. 304. Effective date.

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

D.C. Law 20-229, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-690
Act 20-551 effective December 29, 2014

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from real property, transfer, and recordation taxes, and the tenant opportunity to purchase requirements the property owned by N Street Village, Inc., located at 1301 14th Street, N.W.

Codification District of Columbia Official Code 2001 Edition

N Street Village, Inc. Tax and TOPA Exemption Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "N Street Village, Inc. Tax and TOPA Exemption Act of 2014".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1096. N Street Village, Inc., Lot 93, Square 242.".

(b) A new section 47-1096 is added as follows:

New § 47-1096

"§ 47-1096. N Street Village, Inc., Lot 93, Square 242.

"(a) Lot 93 in Square 242, located at 1301 14th Street, N.W. ("Property"), shall be exempt from all taxation so long as the Property, or any lots created out of Lot 93, continues to be used for affordable housing as described in § 47-1005.02(a)(1), for supportive services for tenants of the affordable housing and other people of low income, and for offices and parking on the Property, and is not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009 as if the exemption had been granted administratively, and, except as provided in subsection (b) of this section, the owner of the Property continues to be:

"(1) N Street Village, Inc.;

"(2) Luther Place Memorial Church; or

"(3) An entity controlled, directly or indirectly, by N Street Village, Inc. or Luther Place Memorial Church.

"(b)(1) The conveyance of the Property by a deed to an owner that meets the requirements described in subsection (a) of this section, or a deed of trust granted by such an owner to secure a loan, shall be exempt from the:

"(A) Tax imposed by Chapter 11 of Title 42;

"(B) Tax imposed by Chapter 9 of Title 47; and

"(C) Chapter 34 of Title 42.

"(2) For the purposes of this subsection, the term "deed" shall have the same meaning as provided in § 42-1101(3).".

Note, § 47-1096

Delayed Applicability

Sec. 3. Applicability.

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

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

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

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

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-710
Act 20-552 effective December 30, 2014

Codification District of Columbia Official Code 2001 Edition

To amend Chapter 20 of Title 21 of the District of Columbia Official Code to require counsel for an individual in a guardianship or protective proceeding to further the expressed wishes of the individual whenever possible and to require a guardian ad litem for an individual in a guardianship or protective proceeding to further the best interests of the individual; to require the court to review the adequacy of all guardianship orders within 3 years of the guardian's appointment by the court, and within every 3-year period thereafter; to require an individual appointed as a guardian to disclose his or her criminal history and to submit to local and federal criminal-history checks; to require that the court consider the qualifying criminal history of a potential guardian when selecting the person it deems best qualified to serve as a guardian; and to protect the rights of incapacitated individuals from unreasonable confinement or involuntary seclusion.

Guardianship Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Guardianship Amendment Act of 2014".

Sec. 2. Chapter 20 of Title 21 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section 21-2045.01 to read as follows:

"§ 21-2045.01. Mandatory court review of guardianships.".

Amend § 21-2011

(b) Section 21-2011 is amended as follows:

(1) The existing paragraph (1A) is redesignated paragraph (1B).

(2) A new paragraph (1A) is added to read as follows:

"(1A) "Case reviewer" means a social worker who is licensed in the District of Columbia and appointed by the court under § 21-2045.01(a).".

Amend § 21-2033

(c) Section 21-2033 is amended as follows:

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

(A) Strike the phrase "to prosecute or defend the interest of individuals" and inserting the phrase "to prosecute or defend the best interests of individuals" in its place.

(B) Strike the phrase "to determine his or her interests" and inserting the phrase "to determine his or her best interests" in its place.

(2) Subsection (b) is amended as follows:

(A) The lead in language is designated as paragraph (1).

(B) Paragraphs (1), (2), and (3) are redesignated as subparagraphs (A), (B), and (C).

(C) The newly designated paragraph (1) is amended by striking the phrase "legitimate interests" and inserting the phrase "expressed wishes" in its place.

(B) The newly designated subparagraph (C) is amended by striking the phrase "further that individual's interests" and inserting the phrase "further the subject of the guardianship's expressed wishes" in its place.

(C) A new paragraph (2) is added to read as follows:

"(2) If the subject of the guardianship or protective proceeding is unconscious or otherwise wholly incapable of expressing his or her wishes, counsel shall advocate zealously for the result that is the least restrictive option in type, duration, and scope, consistent with the subject's interests as determined by the guardian ad litem.".

Amend § 21-2043

(d) Section 21-2043 is amended by adding new subsections (d-1) and (d-2) to read as follows:

"(d-1)(1) The court shall not appoint a guardian until the person to be appointed as a guardian has submitted to the court a statement, signed and sworn by the person to be appointed, stating whether or not he or she has been convicted of, has pleaded nolo contendere to, is on probation before judgment or placement of a case upon a stet docket for, or has been found not guilty by reason of insanity of, any of the following offenses and including the court and date of each such adjudication:

"(A) A lifetime registration offense, as defined in § 22-4001(6), or its equivalent in any other state or territory, including any attempt or conspiracy to commit such an offense;

"(B) A registration offense, as defined in § 22-4001(8), or its equivalent in any other state or territory, including any attempt or conspiracy to commit such an offense;

"(C) Any offense set forth in Chapters 8, 8A, 9A, 10, 11, 14, 15, and 32 of Title 22 of the District of Columbia Official Code, or its equivalent in any other state or territory, including any attempt or conspiracy to commit such an offense;

"(D) A dangerous crime, as defined § 23-1331(3), or its equivalent in any other state or territory, including any attempt or conspiracy to commit such an offense; or

"(E) A crime of violence, as defined in § 23-1331(4), or its equivalent in any other state or territory, including any attempt or conspiracy to commit such an offense.

"(2) In addition to the affirmation under paragraph (1) of this subsection, a guardian shall submit to the court:

"(A) Within 60 days after the guardianship appointment, the results of a criminal-history check from the Metropolitan Police Department ("MPD"), conducted no more than 90 days before the guardianship appointment; and

"(B) Within 180 days after the guardianship appointment, the results of a Federal Bureau of Investigation ("FBI") fingerprint background check, conducted no more than 90 days before the guardianship appointment.

"(3) The results of all criminal-history checks and FBI fingerprint background checks and all signed, sworn statements, submitted pursuant to paragraphs (1) and (2) of this subsection, shall be made a part of the record of the case.

"(4) Emergency guardians, health-care guardians, and provisional guardians appointed under § 21-2046 are exempt from the requirements of paragraph (2) of this subsection.

"(5) If a guardian serves as a member of the Probate Division's Fiduciary Panel of Attorneys, the guardian may satisfy the requirements of paragraph (2) of this subsection by submitting to the court the results of a criminal-history check conducted by MPD and a FBI fingerprint background check, each issued no more than 3 years before the guardianship appointment.".

"(d-2)(1) It is presumed not to be in the best interests of an incapacitated individual to appoint as guardian a person who has been convicted of an offense identified in subsection (d-1)(1) or found, pursuant to an investigation by law enforcement or a government agency, to have inflicted harm upon a child, elderly individual, or person with a disability.

"(2) When determining whether it is in the best interest of the incapacitated individual for a person to be appointed as a guardian who has been convicted or found to have inflicted harm as set forth in paragraph (1) of this subsection, the Court shall consider the following:

"(A) The prior relationship, if any, of the proposed guardian to the incapacitated individual;

"(B) The nature of the offense;

"(C) The date of the offense;

"(D) Evidence of the rehabilitation of the proposed guardian.".

Amend § 21-2044

(e) Section 21-2044(a) is amended by striking the phrase "incapacitated individual's current mental and adaptive limitations" and inserting the phrase "incapacitated individual's current mental and adaptive limitations, the incapacitated individual's ability to improve his or her condition," in its place.

New § 21-2045.01

(f) A new section 21-2045.01 is added to read as follows:

"§ 21-2045.01. Mandatory court review of guardianships."

"(a)(1) Within the 3-year period after the appointment of a guardian and within every 3-year period thereafter in which a guardian remains appointed, the court shall appoint a case reviewer, who shall be a social worker licensed in the District of Columbia, to investigate the continued need for the guardian.

"(2) Within 6 months after the case reviewer's appointment, the case reviewer shall submit to the court a report containing the results of the case reviewer's investigation.

"(b) The case reviewer may be assisted in his or her investigation by a team of students enrolled in a master of social work program accredited by the Council on Social Work Education, but the case reviewer must supervise the students and submit the final report to the court.

"(c) The case reviewer's report submitted pursuant to subsection (a)(2) of this section shall include:

"(1) An updated medical or psychological report or statement by a licensed professional that addresses the current capacity of the ward;

"(2) A statement setting forth the ward's expressed preferences regarding the continued scope and duration of ward's guardianship, including his or her preference with respect to whether a replacement guardian should be appointed. If the ward is unable or unwilling to express his or her preferences, the case reviewer shall note that the ward is unable or unwilling to do so;

"(3) Any statements made by a ward or any other interested party requesting continuation, modification, or termination of the ward's guardianship; and

"(4) The case reviewer's opinion as to whether the operative guardianship order is the least restrictive guardianship order that is appropriate for the ward and the bases for that opinion.

"(d) No more than 10 days after the case reviewer's submission of the report to the court pursuant to subsection (a)(2) of this section, and at least 30 days before any court hearing ordered pursuant to subsection (e)(2) of this section, a copy of the report shall be:

"(1) Served personally on the ward; and

"(2) Delivered to the guardian; and

"(3) Delivered to all interested parties and persons who have filed a request for notice under § 21-2034; and

"(4) Accompanied by a written statement that advises the recipient that he or she may submit written objections to the report and its recommendations, and may petition the court at any time to modify or terminate the guardianship.

"(e) No more than 90 days after submission of the case reviewer's report to the court pursuant to subsection (a)(2) of this section, the court shall:

"(1) Review the case reviewer's report and any objection filed;

"(2) Hold a hearing if the ward requests a hearing, the case reviewer recommends modification or termination of the guardianship or removal of the guardian, or the court determines that a hearing is otherwise appropriate; and

"(3) Based upon the record, determine whether the guardianship continues to be the least restrictive to the ward in duration and scope, taking into account factors including the ward's current mental and adaptive limitations, the ward's ability to improve his or her condition, or any other consideration relevant to the appointment of a guardian under § 21-2044(a), and determine whether the guardianship should be continued in its present form, be modified, or be terminated.

"(f) Nothing in this section shall limit the power of the court to terminate a guardianship pursuant to § 21-2049.

"(g) Nothing in this section shall prevent the ward or other interested parties from requesting a hearing at any time or appealing court orders as otherwise permitted by law.

"(h) This section shall apply to all guardianships in which a guardian is appointed on or after January 1, 2015.".

Amend § 21-2047.01

(g) Section 21-2047.01 is amended as follows:

(1) Paragraph 5 is amended by striking the phrase "acquittal; or" and inserting the phrase "acquittal;" in its place.

(2) Paragraph (6) is amended by striking the phrase "the court." and inserting the phrase "the court; or" in its place.

(3) A new paragraph (7) is added to read as follows:

"(7) To impose unreasonable confinement or involuntary seclusion, including forced separation from other persons or the restriction of the incapacitated individual's access to email, phone calls, and mail, unless the power is expressly set forth in the order of appointment or after subsequent hearing and order of the court.".

Amend § 21-2060

(h) Section 21-2060(a) is amended by striking the phrase "As approved by order of the court, any visitor" and inserting the phrase "As approved by order of the court, any case reviewer, visitor" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-955
Act 20-553 effective December 29, 2014

Not Codified

To order the closing of a portion of Manchester Lane, N.W., adjacent to Square 2742, bound by Missouri Avenue, N.W., and 17th Street, N.W., in Ward 4.

Closing of a Portion of Manchester Lane, N.W., adjacent to Square 2742, S.O. 08-3083, Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of Manchester Lane, N.W., adjacent to Square 2742, S.O. 08-3083, Act of 2014".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq*.), the Council finds that the portion of Manchester Lane, N.W., adjacent to Square 2742, as shown on the Surveyor's plat filed under S.O. 08-3083, is unnecessary for street purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The Council approves this closing on the condition that the applicant records the following easements, to run with the land, in the land records for the District of Columbia:

(1) The easement required by Washington Gas and agreed to by the applicant as reflected in the official file on S.O. 08-3083; and

(2) An easement that would maintain as open space the portion of the land to vest with the applicant as shown on the Surveyor's plat.

Sec. 3. Transmittal.

The Chairman of the Council of the District of Columbia shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-966
Act 20-554
effective December 29, 2014

To authorize the Mayor to solicit advertisements and sponsorships to generate revenue for the District of Columbia Public Schools and the annual District of Columbia Interscholastic Athletic Association Championship Turkey Bowl game.

Codification District of Columbia Official Code 2001 Edition

Turkey Bowl Revenue Generation and Sponsorship Act of 2014

New Chapter 29C Title 38

New § 38-2981

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Turkey Bowl Revenue Generation and Sponsorship Act of 2014".

Sec. 2. (a) Notwithstanding any other provision of law, the Mayor may enter into one or more written agreements for advertisements and sponsorships to supplement local funding for the annual District of Columbia Interscholastic Athletic Association ("DCIAA") Championship Turkey Bowl and other DCIAA athletic activities and programs. The Mayor may delegate this authority to the Chancellor of the District of Columbia Public Schools ("DCPS").

(b) The Chancellor of DCPS may sub-delegate, by written order, the authority to contract for advertisements or sponsorships to another official within DCPS.

(c) An agreement pursuant to this act shall not require the District to expend funds.

(d) Only advertisements shall be agreed to in exchange for corporate goods, services, or funds.

(e) There shall be no limit to the value of goods, services, or funds that may be received from an organization, registered or not, or from an individual, regardless of whether the organization is located, or the individual resides, within the District of Columbia.

(f) Any sponsorship or advertisement pursuant to this act shall be memorialized by written agreement of the parties.

(g) The Chief Financial Officer shall deposit all cash proceeds received from advertisements and sponsorships pursuant to this act to the credit of the District of Columbia Public Schools in the same manner as that used for donations under section 115 of the District of Columbia Appropriations Act, 2003, approved February, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01).

(h) The Chancellor of DCPS shall keep an accounting of all goods, services, and funds received pursuant to this act.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

D.C. Law 20-233, effective March 11, 2015
[Delayed Applicability]

AN ACT

Bill 20-805
Act 20-556
effective December 30, 2014

To authorize the Mayor to assemble the soccer stadium site including through the use of eminent domain, to require the Mayor to amend the ground lease of the soccer stadium site, to require the Mayor to amend the development agreement for the construction of a new soccer stadium, and to authorize the rental of airspace and vault space; to amend the Robert F. Kennedy Memorial Stadium and District of Columbia National Guard Armory Public Safety Act to make it applicable to the soccer stadium; to amend Title 25 of the District of Columbia Official Code to provide for licenses to be issued to the operator of the soccer stadium; and to amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide tax abatements and to exempt the transfer of the stadium site from recordation and transfer taxes.

Codification District of Columbia Official Code 2001 Edition

Soccer Stadium Development Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Soccer Stadium Development Amendment Act of 2014".

New Chapter 16A, Title 10

TITLE I. ASSEMBLAGE OF SITE;
AUTHORITY OF MAYOR TO EXERCISE EMINENT DOMAIN.

New § 10-1651.01

Sec. 101. Definitions.

For the purposes of this title, the term "soccer stadium site" means the real property described as Squares 603S, 605, 607, 661, and 661N, and the northwest portion of Lot 24 in Square 665 as described in the letter of intent between the District and Potomac Electric Power Company dated December 27, 2013, and all public alleys and streets to be closed within these squares.

New § 10-1651.02

Sec. 102. Findings.

The Council finds that:

(1) RFK Stadium is no longer suitable as a home for D.C. United in that it was not designed to host soccer, but was designed for football and baseball, has a capacity much larger than current Major League Soccer Stadiums, is more than 50 years old, is in deteriorating condition, and is near the end of its useful life.

(2) Without the development of a new soccer stadium, it is likely that D.C. United would ultimately move to another jurisdiction where it could participate in the development of a modern, state-of-the-art, outdoor soccer stadium, which would cause the District to lose the economic and fiscal benefits associated with the team's location in the District.

(3) The development and operation of a new, state-of-the-art, LEED certified outdoor soccer stadium at Buzzard Point and the planned development on its ancillary site will increase economic activity.

(4) The stadium is proposed to be located in Buzzard Point, an underutilized industrial area that has long been targeted for redevelopment and, in anticipation of that redevelopment, has been rezoned for higher density use, but that, without a catalytic, public-sponsored project, is not likely to see significant redevelopment for a minimum of 8 years and likely longer.

(5) Developing a state-of-the-art, LEED certified outdoor soccer stadium at Buzzard Point will serve to accelerate that redevelopment as well as promote economic development in the Buzzard Point and Capitol Riverfront neighborhoods and enhance economic vitality in the District of Columbia.

(6) Improvements in the physical environment of Buzzard Point catalyzed by the soccer stadium will connect Buzzard Point to the emerging Capitol Riverfront area to create a vibrant, mixed-use neighborhood with improved pedestrian circulation and continuous public access to the water, offer new development opportunities that could promote mixed-use development and increase the inventory of affordable housing through inclusionary zoning, and provide ways to improve the environmental health of Buzzard Point.

(7) Improvements and infrastructure investments represented by the development of a new, state-of-the-art soccer stadium project at Buzzard Point will leverage other nearby District investments such as the South Capitol Street Bridge project and the parking facilities for Nationals Park and, along with the successful and planned development at the Yards and the Wharf, combine to anchor a new, mixed-use neighborhood that would reconnect residents to the waterfront, enhance the natural environment, and establish an attractive gateway to the District while improving conditions for nearby residents.

Sec. 103. Assemblage of soccer stadium site. **New § 10-1651.03**

(a)(1) The Council disapproves the exchange agreement between the District of Columbia and SW Land Holder, LLC dated May 23, 2014 (the "exchange agreement") and the amendment to the exchange agreement dated October 7, 2014.

(2) The Mayor shall acquire Squares 605, 607, and 661 and the northwest portion of Lot 24 in Square 665 as described in the letter of intent between the District and Potomac Electric Power Company ("PEPCO") dated December 27, 2013 for market value at a cost not to exceed $88.9 million; provided, that the cost may exceed $88.9 million if in an eminent domain proceeding the court determines or an appraisal conducted by the District establishes a value for one or more properties that causes the cost to exceed $88.9 million.

(b) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et. seq.*), or other provision of law, the Council authorizes the Mayor to transfer Lot 82 in Square 559 to PEPCO in exchange for $15.8 million.

(c) The Mayor is not authorized to exchange or otherwise dispose of the Franklin D. Reeves Center, located on Lot 844 in Square 204, in conjunction with the assemblage of the soccer stadium site.

(d) The Mayor shall transmit any agreement to acquire any portion of Squares 605, 607,

or 661, or the northwest portion of Lot 24 in Square 665 as described in the letter of intent between the District and PEPCO dated December 27, 2013 to the Council no fewer than 30 days before the effective date of the agreement.

(e) The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire any portion of Squares 605, 607, or 661, or the northwest portion of Lot 24 in Square 665 as described in the letter of intent between the District and PEPCO dated December 27, 2013.

Sec. 104. Amendments to ground lease and development agreement. **New § 10-1651.04**

(a)(1) The Mayor shall transmit to the Council a ground lease ("revised ground lease") that amends the ground lease between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original ground lease"), for lease of the soccer stadium site to DC Stadium LLC no fewer than 30 days before the effective date of the revised ground lease.

(2) The revised ground lease shall:

(A) Not contain any provision to abate District sales tax; and

(B) Contain modifications to conform the terms of the original ground lease to the provisions of this act.

(b)(1) The Mayor shall transmit to the Council a development agreement ("revised development agreement") that amends the development agreement between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original development agreement"), for the development of the soccer stadium site, not fewer than 30 days before the effective date of the revised development agreement.

(2) The revised development agreement shall:

(A) Extend the date by which the District shall acquire control of the soccer stadium site to September 30, 2015;

(B) Extend the dates by which the District shall close streets and alleys, acquire fee title, demolish existing structures, perform infrastructure work (including all District obligations under article V of the original development agreement), and perform environmental remediation work (including all District obligations under article VI of the original development agreement), as such actions are described in articles III, IV, V, and VI of the original development agreement and may be described or referenced in other provisions of the original development agreement, each by 6 months;

(C) Set a date by which DC Stadium LLC shall complete the construction of a soccer stadium at the soccer stadium site;

(D) Extend other dates as negotiated between the District and DC Stadium, LLC;

(E) Amend section 5.9 of the original development agreement to read as follows: "Land Contribution. Within 30 days of the District's acquisition of either Lot 7 or Lot 802 in Square 605, the Stadium Developer shall pay to the District, or its designee, Two Million Five Hundred Thousand Dollars ($2,500,000.00) to offset Land acquisition costs, unless the District acquires either Lot 7 or Lot 802 in Square 605 by the use of eminent domain and the

aggregate price paid by the District for Lot 7 and Lot 802 is less than $25,148,760.";

(F) Amend section 9.1(c) of the original development agreement to read as follows: "Designated Entertainment Area. The District shall grant to the Developer 'signage rights' with respect to the Land, such signage rights to be those rights described in the proposed Chapter 8 of Title 13 of the District of Columbia Municipal Regulations published in the DC Register on August 17, 2012."; and

(G) Provide that no fees, proffers, or deposits shall be borne or waived by the District pursuant to section 7.6 of the original development agreement before October 1, 2015.

(c) DC Stadium, LLC and the District shall agree to terms within the revised ground lease and revised development agreement providing that, notwithstanding any other provision of the revised ground lease or revised development agreement, DC Stadium LLC covenants and agrees:

(1) To enter into a labor peace agreement that conforms in content to the requirements set forth in section 4 of the District Hotel Development Projects Labor Peace Agreement Act of 2002, effective April 2, 2003 (D.C. Law 14-266; D.C. Official Code § 32-853), with each labor organization that requests a labor peace agreement and which represents, or reasonably might represent, food service or concession workers at the soccer stadium to be constructed at the soccer stadium site, workers in any hotel development located on the Adjacent Land (as defined in Exhibit A-2 to the original ground lease), or any group or subgroup of such workers; and

(2) To require, as a condition of any assignment, sublease, or transaction of any kind transferring, in whole or in part, any rights under the revised development agreement or the revised ground lease to any other entity, that such assignee, sublessee, transferee, or other entity:

(A) Adopt and execute any labor peace agreement entered into by DC Stadium LLC pursuant to paragraph (1) of this subsection or, to the extent that DC Stadium LLC has not entered into such a labor peace agreement with any labor organization that requests a labor peace agreement and that represents, or reasonably might represent, workers described in paragraph (1), to enter into such agreement; and

(B) Require adoption and execution of such labor peace agreement (or, to the extent that such agreement has not previously been reached with any labor organization that requests a labor peace agreement and that represents, or reasonably might represent, workers described in paragraph (1) of this subsection, to require entry into such agreement) by any future assignee, sublessee, transferee, or other entity as a condition of any future assignment, sublease, transfer, agreement, or transaction of any kind transferring, in whole or in part, any rights under the revised development agreement or the revised ground lease; and

(3) To entitle any labor organization that has entered into, or has requested to enter into, a labor peace agreement under this subsection to enforce the obligations described in paragraph (1) and paragraph (2) of this subsection as a third-party beneficiary of the contractual provisions described therein, by filing a civil action in the Superior Court of the District of Columbia seeking declaratory and other equitable relief.

Sec. 105. Authority of Mayor to rent vault space, airspace. **New § 10-1651.05**

Notwithstanding any other provision of law, the Mayor may issue a vault permit or airspace lease to DC Stadium LLC, or its designee, for the use of vault space or airspace adjacent to the soccer stadium site in accordance with the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), or the District of Columbia Public Space Utilization Act, approved October 17, 1968 (82 Stat. 1166; D.C. Official Code § 10-1121.01 *et seq.*), whichever one is applicable, for a term as determined by the Mayor and at no additional fee or rent, except as may be otherwise determined by the Mayor.

Sec. 106. Cap on horizontal development costs. **New § 10-1651.06**

Notwithstanding any other provision of law, the District shall not obligate in excess of $150 million in aggregate costs to acquire, assemble, and develop the soccer stadium site.

Sec. 107. Soccer Stadium Financing Fund. **New § 10-1651.07**

(a) There is established as a special fund the Soccer Stadium Financing Fund ("Fund"), which shall be administered by the Deputy Mayor for Planning and Economic Development in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) The payment made by the District of Columbia Water and Sewer Authority to the District government pursuant to section 3.02 of the memorandum of agreement entered into between the District of Columbia and the District of Columbia Water and Sewer Authority, dated September 4, 2014;

(2) Any payment made by D.C. United to the District government pursuant to section 5.9 of the development agreement;

(3) The proceeds of the sale of the District-owned property located at 1st and K Streets, N.W., which property is designated for tax and assessment purposes as Lot 82 in Square 559; and

(4) The funds reprogrammed pursuant to section 3 of the Fiscal Year 2015 Revised Budget Request Emergency Adjustment Act of 2014, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1043).

(c) Money in the Fund shall be used for the following purposes:

(1) To pay for the operating expenditures or other costs incurred in the implementation of this act; and

(2) To offset the revenue reduction impacts of this act.

(d) Money in the Fund may not be used for any purpose not identified in subsection (c) of this section.

(e) (1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds

appropriated in the Fund shall be continually available without regard to fiscal year limitation.

New § 10-1651.08

Sec. 108. Community benefits.

(a) The Mayor shall utilize additional funds provided for under the Fiscal Year 2015 Revised Budget Request Emergency Adjustment Act of 2014, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1043), to implement the Convention Center – Southwest Waterfront corridor as described in the "DC Circulator 2014 Transit Development Plan Update" dated September 2014, in addition to previously appropriated funds identified for the extension of the Union Station-Navy Yard route to the Southwest Waterfront.

(b) The Mayor shall implement a workforce intermediary program to connect residents of ANC6D with employment during construction of the stadium and the initial 2 seasons of soccer operations.

(c) The Mayor shall utilize additional capital funds provided for "General Improvements – DPR" contained in the Fiscal Year 2015 Revised Budget Request Emergency Adjustment Act of 2014, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1043), for capital improvements to the Randall Recreation Center in Ward 6.

(d) The Mayor shall provide ongoing operations and programming funding for the Randall Recreation Center in Ward 6.

TITLE II. AMENDMENTS

Sec. 201. The Robert F. Kennedy Memorial Stadium and District of Columbia National Guard Armory Public Safety Act, effective November 3, 1977 (D.C. Law 2-37; D.C. Official Code § 3-341 *et seq.*), is amended as follows:

Amend § 3-342.01

(a) Section 3a (D.C. Official Code § 3-342.01) is amended to read as follows:

"Sec. 3a. Definitions.

"For the purposes of this act, the term:

"(1) "Baseball Stadium" shall have the same meaning as that provided for the term "Ballpark" in D.C. Official Code § 47-2002.05(a)(1)(A).

"(2) "Soccer Stadium" means a soccer stadium constructed after October 1, 2014 on a site bounded by 2nd Street, S.W., T Street, S.W., Half Street, S.W., Potomac Avenue, S.W., and R Street, S.W.".

Amend § 3-343

(b) Section 4 (D.C. Official Code § 3-343) is amended by striking the phrase "Baseball Stadium," and inserting the phrase "Baseball Stadium, the Soccer Stadium," in its place.

Amend § 3-343.01

(c) Section 4a (D.C. Official Code § 3-343.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "or the Baseball Stadium" and inserting the phrase ", the Baseball Stadium, or the Soccer Stadium" in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (1A) is amended by striking the word "or" at the end.

(B) A new paragraph (1B) is added to read as follows:

"(1B) Any person duly authorized or licensed by the operator of the Soccer Stadium to possess, sell, give away, transport, or store alcoholic beverages or containers within

any portion of the Soccer Stadium or an employee or agent acting for any such duly authorized or licensed person; or".

(d) Section 4b (D.C. Official Code § 3-343.02) is amended as follows: **Amend § 3-343.02**

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

"(b-1) Unless expressly authorized by the operator of the Soccer Stadium or its duly authorized agents, no person shall at any time enter onto any portion of the playing field within the Soccer Stadium.".

(2) Subsection (c) is amended by striking the phrase "or the Baseball Stadium" and inserting the phrase ", the Baseball Stadium, or the Soccer Stadium" in its place.

Sec. 202. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-101 is amended as follows: **Amend § 25-101**

(1) The existing paragraph (48A) is redesignated as paragraph (48B).

(2) A new paragraph (48A) is added to read as follows:

"(48A) "Soccer Stadium" means a soccer stadium constructed after October 1, 2014 on a site bounded by 2nd Street, S.W., T Street, S.W., Half Street, S.W., Potomac Avenue, S.W., and R Street, S.W.".

(b) Section 25-114 is amended as follows: **Amend § 25-114**

(1) Subsection (a) is amended by striking the phrase "DC Arena" both times it appears and inserting the phrase "DC Arena or the Soccer Stadium" in its place.

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

"(c)(1) Upon application by an applicant as set forth in Chapter 4 of this title, the Board shall issue one or more retailer's licenses, class Arena C/X, to the operator of the Soccer Stadium.

"(2) At the option of the operator of the Soccer Stadium, the licenses may be issued to concessionaires and tenants of the Soccer Stadium, as may be requested from time to time by the operator of the Soccer Stadium.

"(3) Licenses may be canceled by the Board if the initial operator ceases to operate the Soccer Stadium.

"(4) If the operator of the Soccer Stadium assigns its interest in the Soccer Stadium, the Board may transfer the licenses to the operator's assignee, upon application under Chapter 4 of this title and approval by the Board.".

(3) Subsection (d) is amended by striking the phrase "DC Arena" and inserting the phrase "DC Arena, the Soccer Stadium" in its place.

(4) Subsection (e) is amended by striking the phrase "DC Arena" and inserting the phrase "DC Arena or the Soccer Stadium" in its place.

(c) Section 25-505 is amended by striking the phrase "DC Arena" and inserting the phrase "DC Arena and the Soccer Stadium" in its place. **Amend § 25-505**

(d) Section 25-1003 is amended as follows: **Amend § 25-1003**

(1) The heading is amended to read as follows:

"§ 25-1003. Prohibition on beverage storage containers in the DC Arena and Soccer

Stadium.".

(2) Subsection (a) is amended by striking the phrase "DC Arena" and inserting the phrase "DC Arena or the Soccer Stadium" in its place.

(3) Subsection (b) is amended as follows:

(A) Strike the phrase "DC Arena; to" and insert the phrase "DC Arena or the Soccer Stadium; to" in its place.

(B) Strike the phrase "DC Arena by the lessee or its" and insert the phrase "DC Arena or the Soccer Stadium, by the lessee of the DC Arena or its concessionaires and tenants, or by the operator of the Soccer Stadium or its" in its place.

Sec. 203. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-4663. Soccer Stadium tax abatements.".

(b) A new section 47-4663 is added to read as follows:

New § 47-4663

"§ 47-4663. Soccer Stadium tax abatements.

"(a) For the purposes of this section, the term:

"(1) "Soccer stadium" means a soccer stadium constructed after October 1, 2014 on a site bounded by Second Street, S.W., T Street, S.W., Half Street, S.W., Potomac Avenue, S.W., and R Street, S.W.

"(2) "Soccer stadium site" means the real property described as Squares 603S, 605, 607, 661, and 661N, and the northwest portion of Lot 24 in Square 665 as described in the letter of intent between the District and Potomac Electric Power Company dated December 27, 2013, and all public alleys and streets to be closed within these squares.

"(b) The real property taxes imposed under Chapter 8 of this title and the possessory interest tax imposed under § 47-1005.01 on that portion of the soccer stadium site on which the soccer stadium is constructed, shall be abated as follows:

"(1) Beginning on June 1, 2016, or the date by which the District acquires title to each portion of the soccer stadium site on which the soccer stadium is constructed, whichever is later, through the fifth lease year —100%;

"(2) For lease years 6 through 10—75%;

"(3) For lease years 11 through 15—50%;

"(4) For lease years 16 through 20—25%;

"(5) Beginning with the 21st lease year and for each lease year thereafter -- zero.

"(c)(1) The abatements provided by subsection (b) of this section for any real property tax year may be allocated between half tax years at the discretion of the Office of Tax and Revenue.

"(2) The abatements provided by subsection (b) of this section shall terminate at the end of the half tax year during which the soccer stadium ceases to be used as a stadium by a major league soccer team.

"(d)(1) All transfers of real property in the soccer stadium site from the possession date, as that term is defined in the revised ground lease transmitted pursuant to section 104(a) of the Soccer Stadium Development Amendment Act of 2014, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-805) ("ground lease"), through the end of the term of the ground lease shall be exempt from the taxes imposed by § 42-1103 and § 47-903.

"(2) The exemptions provided under paragraph (1) of this subsection shall expire on the termination of the ground lease.

"(e) The abatements and exemptions provided by this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the soccer stadium.".

TITLE III. GENERAL PROVISIONS

Delayed Applicability

Sec. 301. Applicability.

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

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

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

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

Sec. 302. Fiscal impact statement.

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

Sec. 303. Effective date.

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

AN ACT

Bill 20-892
Act 20-558 effective December 31, 2014

To amend the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to remove industrial revenue bonds from the definition of a government-assisted project, to prohibit an agency from spending more than 50% of its expendable budget with non-small business enterprises or non-certified business enterprises unless granted a waiver by the Mayor, to require the Director before making a determination on a request for a waiver of subcontracting requirements to send an electronic notice to all registered certified business enterprises of the waiver request and to post a copy of the agency's waiver request on the Department website for 10 days, to allow a certified business enterprise to self-certify a subsequent certificate of registration if there has been no material change in its business status, to extend the certification period from 2 years to 3 years, and to repeal the Small and Certified Business Enterprise Development and Assistance Waiver Certification Temporary Amendment Act of 2014.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Small and Certified Business Enterprise Waiver and Recertification Amendment Act of 2014".

Small and Certified Business Enterprise Waiver and Recertification Amendment Act of 2014

Sec. 2. The Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

(a) Section 2302 (D.C. Official Code § 2-218.02) is amended as follows:

Amend § 2-218.02

(1) Paragraph (9A)(D) is amended to read as follows:

"(D) A project that receives bonds or notes or the proceeds from bonds or notes issued by a District agency, including tax increment financing or payment in lieu of tax bonds or notes, but not including industrial revenue bonds.".

(2) Paragraph (13A) is redesignated as paragraph (13B).

(3) A new paragraph (13A) is added to read as follows:

"(13A) "Material change" means a change in a business':

"(A) Ownership;

"(B) Address; or

"(C) Size, if certified as a small business enterprise as defined in section 2332.".

(b) Section 2341 (D.C. Official Code § 2-218.41) is amended as follows:

Amend § 2-218.41

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

"(a-2)(1) An agency that cannot meet the requirements of subsections (a) and (a-1) of this section shall notify the Mayor and shall be prohibited from spending its remaining expendable budget with non-small business enterprises or non-certified business enterprises.

"(2) The Mayor may waive the prohibition set forth in paragraph (1) of this subsection and grant approval for the agency to spend its remaining expendable budget with non-small business enterprises or non-certified business enterprises.".

(2) A new subsection (a-3) is added to read as follows:

"(a-3) By October 1, 2015, and no later than October 1 of each succeeding year, an agency shall submit to the Department:

"(1) A spending plan that details how an agency intends to spend its expendable budget with small business enterprises and certified business enterprises during the fiscal year; and

"(2) An annual allocation letter signed by the agency director on a form prescribed by the Department that specifies the agency's 50% expendable budget goal.".

Amend § 2-218.51

(c) Section 2351 (D.C. Official Code § 2-218.51) is amended as follows:

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

"(a-1) Before the Director approves an agency's waiver request, the Director shall:

"(1) Send an electronic notice to all certified business enterprises notifying them of the agency's waiver request; and

"(2) Post a copy of the agency's waiver request on the Department's website, or such other locations as the Department may establish, for 10 days to provide the public reasonable notice of the waiver request.".

(2) Subsection (b) is amended by striking the sentence "A copy of the Director's determination shall be posted to the Department's website or such other locations as the Department may establish for 5 days such that the public shall have reasonable access to the determination before the Director grants any waiver.".

Amend § 2-218.61

(d) Section 2361 (D.C. Official Code § 2-218.61) is amended as follows:

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

"(c-1)(1) A certified business enterprise seeking a subsequent certificate of registration that has no material change in its business status shall be required to submit only a written application to renew its certificate of registration on a form as prescribed by the Department.

"(2) The application required pursuant to paragraph (1) of this subsection, shall include:

"(A) A no-change affidavit executed under penalty of perjury attesting that there has been no material change in the certified business enterprises' business status and that the certified business enterprise still meets the certification requirements required under this subpart; and

"(B) Proof of clean hands and good standing as required by D.C. Official Code §§ 47-2861 and 29-102.08 or the certified business enterprises' authorization that the Department may confirm clean hands and good standing with relevant District agencies.

"(3) A subsequent certificate of registration of a certified business enterprise that meets the requirements of this subsection shall be deemed approved upon filing of the written application.".

(2) Subsection (d) is amended as follows:

(A) Strike the phrase "2 years" and insert the phrase "3 years" in its place.

(B) Strike the phrase "2-year term" and insert the phrase "3-year term" in its place.

Sec. 3. Repealer.

The Small and Certified Business Enterprise Development and Assistance Waiver Certification Temporary Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-425; 61 DCR 10155), is repealed.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206-02(c)(3)).

Sec. 5. Effective date.

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

AN ACT

Bill 20-537
Act 20-559 effective January 6, 2015

Codification District of Columbia Official Code 2001 Edition

To amend the Holding Company System Act of 1993 to impose additional reporting requirements on insurance holding companies regarding information pertaining to subsidiaries of insurers, the acquisition or control of or mergers with domestic insurers, acquisitions involving insurers not otherwise covered, and the registration of insurers, to enhance standards for the management of insurers within a holding company system regarding their enterprise risks and other matters, and to authorize the Mayor to initiate and participate in supervisory colleges; to amend the Law on Credit for Reinsurance Act of 1993 and modernize reinsurance regulation, in coordination with the Federal Dodd-Frank financial services reform legislation, to establish requirements to regulate reinsurers, to grant, suspend, and revoke the accreditations of United States-based reinsurers and certifications of non-United States-based reinsurers for which credit for reinsurance shall be allowed, to establish and publish a list of qualified non-United States domiciliary jurisdictions of assuming insurers, and to receive notice from, and monitor the concentration of risks of, ceding insurers; and to amend Standards to Identify Insurance Companies Deemed to Be in Hazardous Financial Condition Act of 1993 to add additional standards that the Mayor may consider to determine whether an insurance business may be in a hazardous financial condition.

Insurance Holding Company and Credit for Reinsurance Modernization Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Insurance Holding Company and Credit for Reinsurance Modernization Amendment Act of 2014".

Sec. 2. The Holding Company System Act of 1993, effective October 21, 1993 (D.C. Law 10-44; D.C. Official Code § 31-701 *et seq.*), is amended as follows:

Amend § 31-701

(a) Section 2 (D.C. Official Code § 31-701) is amended as follows:

(1) Paragraph (3A) is redesignated as paragraph (3B).

(2) A new paragraph (3A) is added to read as follows:

"(3A) "Enterprise risk" means any activity, circumstance, event, or series of events involving one or more affiliates of an insurer that if not remedied promptly is likely to have a material adverse effect upon the financial condition or liquidity of the insurer or its insurance holding company system as a whole, including anything that would cause the insurer's risk-based capital to fall into company action level as set forth in the Risk-Based Capital Act of 1996, effective April 9, 1997 (D.C. Law 11-233; D.C. Official Code § 31-2001 *et seq.*), and the Health Organizations RBC Amendment Act of 2002, effective June 18, 2003 (D.C. Law 14-312; D.C. Official Code § 31-3851.01 *et seq.*), or would cause the insurer to be in hazardous financial condition as provided in section 2 of the Standards to Identify Insurance Companies Deemed to be in Hazardous Financial Condition Act of 1993, effective October 21, 1993 (D.C. Law 10-43; D.C. Official Code § 31-2101).".

Amend § 31-703

(b) Section 4 (D.C. Official Code § 31-703) is amended as follows:

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

"(3) For the purposes of this section, any controlling person of a domestic insurer seeking to divest its controlling interest in the domestic insurer, in any manner, shall file with the Mayor, with a copy to the insurer, confidential notice of its proposed divestiture at least 30 days before the cessation of control. The Mayor shall determine those instances in which the party or parties seeking to divest or to acquire a controlling interest in an insurer will be required to file for and obtain approval of the transaction. The information shall remain confidential until the conclusion of the transaction unless the Mayor, in the Mayor's discretion, determines that confidential treatment will interfere with enforcement of this act. If the statement referred to in paragraph (2) of this subsection is otherwise filed, this paragraph shall not apply.".

(2) Subsection (c) is amended as follows:

(A) Paragraph 11 is amended by striking the phrase "broker-dealers; and" and inserting the phrase "broker-dealers;" in its place.

(B) New paragraphs (11A) and (11B) are added to read as follows:

"(11A) An agreement by the person required to file the statement referred to in subsection (a) of this section that it will provide the annual report, specified in section 6(k-1), for so long as control exists; and

"(11B) An acknowledgement by the person required to file the statement referred to in subsection (a) of this section that the person and all subsidiaries within its control in the insurance holding company system will provide information to the Mayor upon request as necessary to evaluate enterprise risk to the insurer.".

(3) Subsection (g) is amended by adding a new paragraph (4) to read as follows:

"(4)(A) If the proposed acquisition of control will require the approval of more than one commissioner, the public hearing referred to in paragraph (1) of this subsection may be held on a consolidated basis upon request of the person filing the statement referred to in subsection (a) of this section. A person shall file the statement referred to in subsection (a) of this section with the National Association of Insurance Commissioners within 5 days of making the request for a public hearing.

"(B) A commissioner may opt out of a consolidated hearing, and shall provide notice to the applicant of the opt-out within 10 days of the receipt of the statement referred to in subsection (a) of this section.

"(C) A hearing conducted on a consolidated basis shall be public and shall be held within the United States before the commissioners of the states in which the insurers are domiciled.

"(D) The commissioners shall hear and receive evidence. A commissioner may attend a hearing in person or by telecommunication.".

(4) Subsection (i)(2) is amended by striking the phrase "control of," and inserting the phrase "control of, divestiture of," in its place.

Amend § 31-704
Amend § 31-705

(c) Section 5(b)(2)(A) (D.C. Official Code § 31-704(b)(2)(A)) is repealed.

(d) Section 6 (D.C. Official Code § 31-705) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Paragraph (4) is amended by striking the phrase "system; and" and inserting the phrase "system;" in its place.

(B) A new paragraph (4A) is added to read as follows:

"(4A) If requested by the Mayor, the insurer shall include financial statements of or within an insurance holding company system, including all affiliates. Financial statements may include annual audited financial statements filed with the U.S. Securities and Exchange Commission ("SEC") pursuant to the Securities Act of 1933, approved May 27, 1933 (48 Stat. 74; 15 U.S.C. § 77a *et seq.*), or the Securities Exchange Act of 1934, approved June 6, 1934 (48 Stat. 881; 15 U.S.C. § 78a *et seq.*). An insurer required to file financial statements pursuant to this paragraph may satisfy the request by providing the Mayor with the most recently filed parent corporation financial statements that have been filed with the SEC;".

(C) Paragraph (5) is amended by striking the period and inserting a semicolon in its place.

(D) New paragraphs (6) and (7) are added to read as follows:

"(6) Statements that the insurer's board of directors oversees corporate governance and internal controls and that the insurer's officers or senior management have approved, implemented, and continue to maintain and monitor corporate governance and internal control procedures; and

"(7) Any other information required by the Mayor by rule or regulation.".

(2) Subsection (k) is amended to read as follows:

"(k) Any person may file with the Mayor a disclaimer of affiliation with any authorized insurer or the disclaimer may be filed by the insurer or any member of an insurance holding company system. The disclaimer shall fully disclose all material relationships and bases for affiliation between the person and the insurer as well as the basis for disclaiming the affiliation. A disclaimer of affiliation shall be deemed to have been granted, unless the Mayor, within 30 days following receipt of a complete disclaimer, notifies the filing party that the disclaimer is disallowed. In the event of disallowance, the disclaiming party may request an administrative hearing, which shall be granted. The disclaiming party shall be relieved of its duty to register under this section if approval of the disclaimer has been granted by the Mayor or has been deemed approved.".

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

"(k-1) The ultimate controlling person of every insurer subject to registration shall also file an annual enterprise risk report. The report shall, to the best of the ultimate controlling person's knowledge and belief, identify the material risks within the insurance holding company system that could pose enterprise risk to the insurer. The report shall be filed with the lead state commissioner of the insurance holding company system as determined by the procedures within the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners.".

(4) Subsection (l) is amended by striking the phrase "statement required" and inserting the phrase "statement or enterprise risk filing required" in its place.

(e) Section 7 (D.C. Official Code § 31-706) is amended as follows: **Amend § 31-706**

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

(A) Paragraph (1) is amended by adding a new subparagraph (A-i) to read as follows:

"(A-i) Agreements for cost sharing services and management shall include such provisions as required by rules and regulations issued by the Mayor;".

(B) Paragraph (2) is amended as follows:

(i) The lead-in language is amended to read as follows:

"The following transactions involving a domestic insurer and any person in its holding company system, including amendments or modifications of affiliate agreements previously filed pursuant to this section, which are subject to any materiality standards contained in subparagraphs (A) through (E) of this paragraph, may not be entered into unless the insurer has notified the Mayor in writing of its intention to enter into such a transaction at least 30 days before execution of the transaction, or any shorter period as the Mayor may permit, and the Mayor has not disapproved it within such a period. The notice for amendments or modifications shall include the reasons for the change and the financial impact on the domestic insurer. Informal notice shall be reported to the Mayor within 30 days after termination of a previously filed agreement for determination of the type of filing required, if any:".

(ii) Subparagraph (C) is amended to read as follows:

"(C) Reinsurance agreements or modifications, including:

"(i) All reinsurance pooling agreements; and

"(ii) Agreements in which the reinsurance premium or a change in the insurer's liabilities, or the projected reinsurance premium or a change in the insurer's liabilities in any of the next 3 years, equals or exceeds 5% of the insurer's surplus as regards policyholders, as of the 31st day of December next preceding, including those agreements that may require as consideration the transfer of assets from an insurer to a non-affiliate, if an agreement or understanding exists between the insurer and non-affiliate that any portion of the assets will be transferred to one or more affiliates of the insurer;".

(iii) Subparagraph (D) is amended by striking the phrase "service contracts," and inserting the phrase "service contracts, tax allocation agreements, guarantees," in its place.

(2) Subsection (c) is amended as follows:

(A) Paragraph (4) is amended by striking the phrase "responsibility for recommending the selection of independent certified public accountants, reviewing the insurer's financial condition, the scope and results of the independent audit and any internal audit," and inserting the phrase "responsibilities of" in its place.

(B) Paragraph (5) is amended by striking the phrase "insurer having" and inserting the phrase "insurer, a mutual insurance holding company, or a publicly held corporation that has" in its place.

(C) A new paragraph (6) is added to read as follows:

"(6) An insurer may make application to the Mayor for a waiver from the requirements of this subsection, if the insurer's annual direct written and assumed premium, excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, is less than $300 million. An insurer may also make application to the Commissioner for a waiver from the requirements of this subsection based upon unique circumstances. The Mayor may consider various factors, including the type of business entity, volume of business written, availability of qualified board members, and the ownership or organizational structure of the entity.".

Amend § 31-707

(f) Section 8 (D.C. Official Code § 31-707) is amended as follows:

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

"(a) Subject to the limitation contained in this section and in addition to the powers that the Mayor has under the insurance laws of the District relating to the examination of insurers, the Mayor shall have the power to examine any insurer registered under section 6 and the insurer's affiliates to ascertain the financial condition of the insurer, including the enterprise risk to the insurer by the ultimate controlling party, any entity or combination of entities within the insurance holding company system, or the insurance holding company system on a consolidated basis.".

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

"(a-1)(1) The Mayor may order any insurer registered under section 6 to produce such records, books, or other information in the possession of the insurer or its affiliates as are reasonably necessary to determine compliance with this act.

"(2) To determine compliance with this act, the Mayor may order any insurer registered under section 6 to produce information not in the possession of the insurer if the insurer can obtain access to the information pursuant to contractual relationships, statutory obligations, or other method. If the insurer cannot obtain the information requested by the Mayor, the insurer shall provide the Mayor a detailed explanation of the reason that the insurer cannot obtain the information and the identity of the holder of information. Whenever it appears to the Mayor that the detailed explanation is without merit, the Mayor may require, after notice and hearing, the insurer to pay a penalty of $100 for each day's delay, or may suspend or revoke the insurer's license.".

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

"(d) If the insurer fails to comply with an order issued pursuant to this section, the Mayor shall have the power to examine the records, books, or other information in the possession of the insurer's affiliates to obtain the relevant information. The Mayor shall also have the power to issue subpoenas, to administer oaths, and to examine under oath any person for purposes of determining compliance with this section. Upon the failure or refusal of any person to obey a subpoena, the Mayor may petition a court of competent jurisdiction, and upon proper showing, the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order shall be punishable as contempt of court. Every person shall be obliged to attend as a witness at the place specified in the subpoena, when

subpoenaed, anywhere within the District. A person shall be entitled to the same fees and mileage, if claimed, as a witness in the Superior Court of the District of Columbia, which fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance and testimony of witness shall be itemized and charged against, and be paid by, the company being examined.".

New Section § 31-707.01

(g) A new section 8a is added to read as follows:

"Sec. 8a. Supervisory colleges.

"(a) With respect to any insurer registered under section 6, and in accordance with subsection (c) of this section, the Mayor shall have the power to participate in a supervisory college for any domestic insurer that is part of an insurance holding company system with international operations in order to determine compliance by the insurer with this act. The powers of the Mayor with respect to supervisory colleges shall include the following:

"(1) Initiating the establishment of a supervisory college;

"(2) Clarifying the membership and participation of other supervisors in the supervisory college;

"(3) Clarifying the functions of the supervisory college and the role of other regulators, including the establishment of a group-wide supervisor;

"(4) Coordinating the ongoing activities of the supervisory college, including planning meetings, supervisory activities, and processes for information sharing; and

"(5) Establishing a crisis management plan.

"(b) Each registered insurer subject to this section shall be liable for and shall pay the reasonable expenses of the Mayor's participation in a supervisory college in accordance with subsection (c) of this section, including reasonable travel expenses. For the purposes of this section, a supervisory college may be convened as either a temporary or permanent forum for communication and cooperation between the regulators charged with the supervision of the insurer or its affiliates, and the Mayor may establish a regular assessment to the insurer for the payment of these expenses.

"(c) To assess the business strategy, financial position, legal and regulatory position, risk exposure, risk management, and governance processes, and as part of the examination of individual insurers, in accordance with section 8, the Mayor may participate in a supervisory college with other regulators charged with supervision of the insurer or its affiliates, including other state, federal, and international regulatory agencies. The Mayor may enter into agreements in accordance with section 9(c) providing the basis for cooperation between the Mayor and the other regulatory agencies, and the activities of the supervisory college.

"(d) Nothing in this section shall delegate to the supervisory college the authority of the Mayor to regulate or supervise the insurer or its affiliates within its jurisdiction.".

Amend § 31-708

(h) Section 9 (D.C. Official Code § 31-708) is amended as follows:

(1) Subsection (b) is amended by striking the phrase "Commissioner shall" and inserting the phrase "Commissioner or any person with whom such documents, materials, or other information are shared pursuant to this act shall" in its place.

(2) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Strike the phrase "law enforcement authorities;" and insert the phrase "law enforcement authorities, including members of any supervisory college as described in section 8a" in its place.

(ii) Strike the phrase "recipient agrees" and insert the phrase "recipient agrees in writing" in its place.

(iii) Strike the phrase "other information" and insert the phrase "other information, and has verified in writing the legal authority to maintain confidentiality" in its place.

(B) A new paragraph (1A) is added to read as follows:

"(1A) Notwithstanding paragraph (1) of this subsection, the Commissioner may only share confidential and privileged documents, material, or information reported pursuant to section 6 or 7 with commissioners of states having statutes or regulations substantially similar to the provisions set forth in subsection (a) of this section and who have agreed in writing not to disclose such information.".

(C) Paragraph (3) is amended to read as follows:

"(3) Shall enter into written agreements with the National Association of Insurance Commissioners ("NAIC") governing the sharing and use of information provided pursuant to this act and consistent with this subsection that shall:

"(A) Specify procedures and protocols regarding the confidentiality and security of information shared with the NAIC and its affiliates and subsidiaries pursuant to this act, including procedures and protocols for sharing that information by the NAIC with other state, federal, or international regulators;

"(B) Specify that ownership of information shared with the NAIC and its affiliates and subsidiaries pursuant to this act remains with the Mayor and that the use of the information by the NAIC shall be subject to the direction of the Mayor;

"(C) Require prompt notice to be given to an insurer whose confidential information in the possession of the NAIC pursuant to this act is subject to a request or subpoena to the NAIC for disclosure or production; and

"(D) Require the NAIC and its affiliates and subsidiaries to consent to intervention by an insurer in any judicial or administrative action in which the NAIC and its affiliates and subsidiaries may be required to disclose confidential information about the insurer shared with the NAIC and its affiliates and subsidiaries pursuant to this act.".

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

"(c-1) The sharing of information by the Mayor pursuant to this act shall not constitute a delegation of regulatory authority or rulemaking. The Mayor shall be solely responsible for the administration, execution. and enforcement of the provisions of this act.".

(4) A new subsection (d-1) is added to read as follows:

"(d-1) Documents, materials, or other information in the possession or control of the NAIC pursuant to this act shall be confidential by law and privileged, shall not be subject to the District of Columbia Administrative Procedure Act, approved March 25, 1977 (D.C. Law 1-96;

D.C. Official Code § 2-531 *et seq*.), shall not be subject to subpoena, and shall not be subject to discovery or admissible into evidence in any private civil action.".

Amend § 31-710

(i) Section 12 (D.C. Official Code § 31-710) is amended by adding a new subsection (e-1) to read as follows:

"(e-1) Whenever it appears to the Mayor that a person has committed a violation of section 4, which prevents the full understanding of the enterprise risk to the insurer by affiliates or by the insurance holding company system, the violation may serve as an independent basis for disapproving dividends or distributions and for placing the insurer under an order of supervision in accordance with the insurance laws of the District of Columbia.".

Sec. 3. The Law on Credit for Reinsurance Act of 1993, effective October 15, 1993 (D.C. Law 10-36; D.C. Official Code § 31-501 *et seq*.), is amended as follows:

Amend § 31-501

(a) Section 2 (D.C. Official Code § 31-501) is amended to read as follows:

"Sec. 2. Credit allowed a domestic ceding insurer.

"(a)(1) Credit for reinsurance shall be allowed a domestic ceding insurer as either an asset or a reduction from liability on account of reinsurance ceded only when the reinsurer meets the requirements of subsections (b), (c), (d), (e), (f), or (g) of this section.

"(2) Credit shall be allowed under subsections (b), (c), or (d) of this section only in respect to cessions of those kinds or classes of business that the assuming insurer is licensed or otherwise permitted to write or assume in its state of domicile or, in the case of a United States branch of an alien assuming insurer, in the state through which it is entered and is licensed to transact insurance or reinsurance.

"(3) Credit shall be allowed under subsections (d) or (e) of this section only if the applicable requirements of subsection (h) of this section have been satisfied.

"(b) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is licensed to transact insurance or reinsurance in the District.

"(c) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is accredited by the Commissioner of the Department of Insurance, Securities, and Banking ("Commissioner") as a reinsurer in the District. To be eligible for accreditation, a reinsurer shall:

"(1) File with the Commissioner evidence of its submission to the District's jurisdiction;

"(2) Submit to the District's authority to examine its books and records;

"(3) Be licensed to transact insurance or reinsurance in at least one state, or, in the case of a United States branch of an alien assuming insurer, entered through and licensed to transact insurance or reinsurance in at least one state;

"(4) File annually with the Commissioner a copy of its annual statement filed with the insurance department of its state of domicile and a copy of its most recent audited financial statement; and

"(5) Demonstrate to the satisfaction of the Commissioner that it has adequate financial capacity to meet its reinsurance obligations and is otherwise qualified to assume

reinsurance from domestic insurers. An assuming insurer is deemed to meet this requirement as of the time of its application if it maintains a surplus as regards policyholders in an amount not less than $20 million and its accreditation has not been denied by the Commissioner within 90 days after submission of its application.

"(d)(1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is domiciled in, or, in the case of a United States branch of an alien assuming insurer, is entered through a state that employs standards regarding credit for reinsurance substantially similar to those applicable under this statute, and the assuming insurer or United States branch of an alien assuming insurer:

"(A) Maintains a surplus as regards policyholders in an amount not less than $20 million; and

"(B) Submits to the authority of the District to examine its books and records.

"(2) The requirement of paragraph (1)(A) of this subsection does not apply to reinsurance ceded and assumed pursuant to pooling arrangements among insurers in the same holding company system.

"(e)(1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that maintains a trust fund in a qualified United States financial institution, as defined in section 4(b), for the payment of the valid claims of its United States ceding insurers, their assigns, and successors in interest. To enable the Commissioner to determine the sufficiency of the trust fund, the assuming insurer shall report annually to the Commissioner information substantially the same as that required to be reported on the National Association of Insurance Commissioners Annual Statement form by licensed insurers. The assuming insurer shall submit to examination of its books and records by the Commissioner and bear the expense of the examination.

"(2)(A) Credit for reinsurance shall not be granted under this subsection unless the form of the trust and any amendments to the trust have been approved by the commissioner of the state where the trust is domiciled or the commissioner of another state who, pursuant to the terms of the trust instrument, has accepted principal regulatory oversight of the trust.

"(B) The form of the trust and any trust amendments shall also be filed with the commissioner of every state in which the ceding insurer beneficiaries of the trust are domiciled. The trust instrument shall provide that contested claims shall be valid and enforceable upon the final order of any court of competent jurisdiction in the United States. The trust shall vest legal title to its assets in its trustees for the benefit of the assuming insurer's United States ceding insurers, their assigns, and successors in interest. The trust and the assuming insurer shall be subject to examination as determined by the Commissioner.

"(C) The trust shall remain in effect for as long as the assuming insurer has outstanding obligations due under the reinsurance agreements subject to the trust. No later than February 28 of each year, the trustee of the trust shall report to the Commissioner in writing the balance of the trust and a listing of the trust's investments as of December 31 of the preceding year and shall certify the date of termination of the trust, if so planned, or certify that the trust will not expire before December 31 of that year.

"(3) The following requirements apply to the following categories of assuming insurer:

"(A) The trust fund for a single assuming insurer shall consist of funds in trust in an amount not less than the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers, and, in addition, the assuming insurer shall maintain a trusteed surplus of not less than $20 million, except as provided for in subparagraph (B) of this paragraph.

"(B)(i) At any time after the assuming insurer has permanently discontinued underwriting new business secured by the trust for at least 3 full years, the commissioner with principal regulatory oversight of the trust may authorize a reduction in the required trusteed surplus, but only after a finding, based on an assessment of the risk, that the new required surplus level is adequate for the protection of United States ceding insurers, policyholders, and claimants in light of reasonably foreseeable adverse loss development. The risk assessment may involve an actuarial review, including an independent analysis of reserves and cash flows and shall consider all material risk factors, including, when applicable, the lines of business involved, the stability of the incurred loss estimates, and the effect of the surplus requirements on the assuming insurer's liquidity or solvency.

"(ii) The minimum required trusteed surplus shall not be reduced to an amount of less than 30% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers covered by the trust.

"(4)(A) In the case of a group including incorporated and individual unincorporated underwriters:

"(i) For reinsurance ceded under reinsurance agreements with an inception, amendment, or renewal date on or after August 1, 1995, the trust shall consist of a trusteed account in an amount not less than the group's respective underwriters' several liabilities attributable to business ceded by United States domiciled ceding insurers to any member underwriter of the group;

"(ii) For reinsurance ceded under reinsurance agreements with an inception date on or before July 31, 1995, and not amended or renewed after that date, notwithstanding the other provisions of this act, the trust shall consist of a trusteed account in an amount not less than the group's respective underwriters' several insurance and reinsurance liabilities attributable to business written in the United States; and

"(iii) In addition to these trusts, the group shall maintain in trust a trusteed surplus of which $100 million shall be held jointly for the benefit of the United States domiciled ceding insurers of any member of the group for all years of account.

"(B) The incorporated members of the group shall not be engaged in any business other than underwriting as a member of the group and shall be subject to the same level of regulation and solvency control by the group's domiciliary regulator as are the unincorporated members.

"(C) Within 90 days after its financial statements are due to be filed with the group's domiciliary regulator, the group shall provide to the Commissioner an annual

certification by the group's domiciliary regulator of the solvency of each underwriter member or, if a certification is unavailable, financial statements prepared by independent public accountants of each underwriter member of the group.

"(5) In the case of a group of incorporated underwriters under common administration, the group shall:

"(A) Have continuously transacted an insurance business outside the United States for at least 3 years immediately before making application for accreditation;

"(B) Maintain aggregate policyholders' surplus of at least $10 billion;

"(C) Maintain a trust fund in an amount not less than the group's several liabilities attributable to business ceded by United States domiciled ceding insurers to any member of the group pursuant to reinsurance contracts issued in the name of the group;

"(D) Maintain a joint trusteed surplus of which $100 million shall be held jointly for the benefit of the United States domiciled ceding insurers of any member of the group as additional security for these liabilities; and

"(E) Within 90 days after its financial statements are due to be filed with the group's domiciliary regulator, make available to the Commissioner an annual certification of each underwriter member's solvency by the member's domiciliary regulator and financial statements of each underwriter member of the group prepared by its independent public accountant.

"(f)(1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that has been certified by the Commissioner as a reinsurer in this state and secures its obligations in accordance with the requirements of this subsection.

"(2) To be eligible for certification, the assuming insurer shall meet the following requirements:

"(A) Be domiciled and licensed to transact insurance or reinsurance in a qualified jurisdiction, as determined by the Commissioner pursuant to paragraph (4) of this subsection;

"(B) Maintain minimum capital and surplus, or its equivalent, in an amount to be determined by the Commissioner pursuant to regulation;

"(C) Maintain financial strength ratings from 2 or more rating agencies deemed acceptable by the Commissioner pursuant to regulation;

"(D) Submit to the jurisdiction of the District, appoint the Commissioner as its agent for service of process in the District, and agree to provide security for 100% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers if it resists enforcement of a final United States judgment;

"(E) Meet all applicable information filing requirements as determined by the Commissioner, both with respect to an initial application for certification and on an ongoing basis; and

"(F) Satisfy any other requirements for certification considered relevant by the Commissioner.

"(3) An association, including incorporated and individual unincorporated underwriters, may be a certified reinsurer. To be eligible for certification, in addition to satisfying requirements of paragraph (2) of this subsection:

"(A) The association shall satisfy its minimum capital and surplus requirements through the capital and surplus equivalents of the association and its members, which shall include a joint central fund that may be applied to any unsatisfied obligation of the association or any of its members, in an amount determined by the Commissioner to provide adequate protection;

"(B) The incorporated members of the association shall not be engaged in any business other than underwriting as a member of the association and shall be subject to the same level of regulation and solvency control by the association's domiciliary regulator as are the unincorporated members; and

"(C) Within 90 days after its financial statements are due to be filed with the association's domiciliary regulator, the association shall provide to the Commissioner an annual certification by the association's domiciliary regulator of the solvency of each underwriter member or, if a certification is unavailable, financial statements prepared by independent public accountants of each underwriter member of the association.

"(4)(A) The Commissioner shall create and publish a list of qualified jurisdictions under which an assuming insurer licensed and domiciled in such jurisdiction shall be eligible to be considered for certification by the Commissioner as a certified reinsurer.

"(B)(i) To determine whether the domiciliary jurisdiction of a non-United States assuming insurer is eligible to be recognized as a qualified jurisdiction, the Commissioner shall evaluate the appropriateness and effectiveness of the reinsurance supervisory system of the jurisdiction, both initially and on an ongoing basis, and consider the rights, benefits, and the extent of reciprocal recognition afforded by the non-United States jurisdiction to reinsurers licensed and domiciled in the United States. A qualified jurisdiction must agree to share information and cooperate with the Commissioner with respect to all certified reinsurers domiciled within that jurisdiction.

"(ii) A jurisdiction may not be recognized as a qualified jurisdiction if the Commissioner has determined that the jurisdiction does not adequately and promptly enforce final United States judgments and arbitration awards. Additional factors may be considered at the discretion of the Commissioner.

"(C)(i) A list of qualified jurisdictions shall be published through the National Association of Insurance Commissioners Committee Process. The Commissioner shall consider this list in determining qualified jurisdictions.

"(ii) If the Commissioner approves a jurisdiction as qualified that does not appear on the list of qualified jurisdictions, the Commissioner shall provide thoroughly documented justification in accordance with criteria to be developed under regulations.

"(D) United States jurisdictions that meet the requirement for accreditation under the National Association of Insurance Commissioners financial standards and accreditation program shall be recognized as qualified jurisdictions.

"(E) If a certified reinsurer's domiciliary jurisdiction ceases to be a qualified jurisdiction, the Commissioner has the discretion to suspend the reinsurer's certification indefinitely, in lieu of revocation.

"(5) The Commissioner shall assign a rating to each certified reinsurer, giving due consideration to the financial strength ratings that have been assigned by rating agencies deemed acceptable to the Commissioner pursuant to regulation. The Commissioner shall publish a list of all certified reinsurers and their ratings.

"(6)(A) A certified reinsurer shall secure obligations assumed from United States ceding insurers under this subsection at a level consistent with its rating, as specified in regulations promulgated by the Commissioner.

"(B) For a domestic ceding insurer to qualify for full financial statement credit for reinsurance ceded to a certified reinsurer, the certified reinsurer shall maintain security in a form acceptable to the Commissioner and consistent with the provisions of section 3, or in a multi-beneficiary trust in accordance with subsection (e) of this section, except as otherwise provided in this subsection.

"(C) If a certified reinsurer maintains a trust to fully secure its obligations subject to subsection (e) of this section and chooses to secure its obligations incurred as a certified reinsurer in the form of a multi-beneficiary trust, the certified reinsurer shall maintain separate trust accounts for its obligations incurred under reinsurance agreements issued or renewed as a certified reinsurer with reduced security as permitted by this subsection or comparable laws of other United States jurisdictions and for its obligations, subject to subsection (e) of this section. It shall be a condition to the grant of certification under this subsection that the certified reinsurer shall have bound itself, by the language of the trust and agreement with the commissioner with principal regulatory oversight of each such trust account, to fund, upon termination of any such trust account, out of the remaining surplus of such trust, any deficiency of any other such trust account.

"(D) The minimum trusteed surplus requirements provided in subsection (e) of this section are not applicable with respect to a multi-beneficiary trust maintained by a certified reinsurer for the purpose of securing obligations incurred under this subsection, except that such trust shall maintain a minimum trusteed surplus of $10 million.

"(E) With respect to obligations incurred by a certified reinsurer under this subsection, if the security is insufficient, the Commissioner shall reduce the allowable credit by an amount proportionate to the deficiency. The Commissioner has the discretion to impose further reductions in allowable credit upon finding that there is a material risk that the certified reinsurer's obligations will not be paid in full when due.

"(F)(i) For the purposes of this subsection, a certified reinsurer whose certification has been terminated for any reason shall be treated as a certified reinsurer required to secure 100% of its obligations.

"(ii) For the purposes of this subsection, the term "terminated" refers to revocation, suspension, voluntary surrender, and inactive status.

"(iii) If the Commissioner continues to assign a higher rating as permitted by other provisions of this section, this requirement shall not apply to a certified reinsurer in inactive status or to a reinsurer whose certification has been suspended.

"(7) If an applicant for certification has been certified as a reinsurer in a National Association of Insurance Commissioners accredited jurisdiction, the Commissioner has the discretion to defer to that jurisdiction's certification and has the discretion to defer to the rating assigned by that jurisdiction, and such assuming insurer shall be considered to be a certified reinsurer in this state.

"(8)(A) A certified reinsurer that ceases to assume new business in the District may request to maintain its certification in inactive status in order to continue to qualify for a reduction in security for its in-force business.

"(B) An inactive certified reinsurer shall continue to comply with all applicable requirements of this subsection.

"(C) The Commissioner shall assign a rating that takes into account, if relevant, the reasons why the reinsurer is not assuming new business.

"~~(~~g) Credit shall be allowed when the reinsurance is ceded to an assuming insurer not meeting the requirements of subsections (b), (c), (d), (e), or (f) of this section, but only as to the insurance of risks located in jurisdictions where the reinsurance is required by applicable law or regulation of that jurisdiction.

"~~(~~h)(1) If the assuming insurer is not licensed, accredited, or certified to transact insurance or reinsurance in this state, the credit permitted by subsections (c) and (d) of this section shall not be allowed unless the assuming insurer agrees in the reinsurance agreements:

"(A) That in the event of the failure of the assuming insurer to perform its obligations under the terms of the reinsurance agreement, the assuming insurer, at the request of the ceding insurer, shall submit to the jurisdiction of any court of competent jurisdiction in any state of the United States, comply with all requirements necessary to give the court jurisdiction, and abide by the final decision of the court or of any appellate court in the event of an appeal; and

"(B) To designate the Commissioner or a designated attorney as its true and lawful attorney upon whom may be served any lawful process in any action, suit, or proceeding instituted by or on behalf of the ceding company insurer.

"(2) This subsection is not intended to conflict with or override the obligation of the parties to a reinsurance agreement to arbitrate their disputes if this obligation is created in the agreement.

"(i) If the assuming insurer does not meet the requirements of subsections (b), (c), or (d) of this subsection, the credit permitted by subsection (e) or (f) of this section shall not be allowed unless the assuming insurer agrees in the trust agreements to the following conditions:

"(1) Notwithstanding any other provisions in the trust instrument, if the trust fund is inadequate because it contains an amount less than the amount required by subsection (e)(3) of this section, or if the grantor of the trust has been declared insolvent or placed into receivership, rehabilitation, liquidation, or similar proceeding under the laws of its state or country of

domicile, the trustee shall comply with an order of the commissioner with regulatory oversight over the trust or with an order of a court of competent jurisdiction directing the trustee to transfer to the commissioner with regulatory oversight all of the assets of the trust fund.

"(2) The assets shall be distributed by and claims shall be filed with and valued by the commissioner with regulatory oversight in accordance with the laws of the state in which the trust is domiciled that are applicable to the liquidation of domestic insurance companies.

"(3) If the commissioner with regulatory oversight determines that the assets of the trust fund or any part thereof are not necessary to satisfy the claims of the United States ceding insurers of the grantor of the trust, the assets or part thereof shall be returned by the commissioner with regulatory oversight to the trustee for distribution in accordance with the trust agreement.

"(4) The grantor shall waive any right otherwise available to it under United States law that is inconsistent with this provision.

"(j)(1) If an accredited or certified reinsurer ceases to meet the requirements for accreditation or certification, the Commissioner may suspend or revoke the reinsurer's accreditation or certification.

"(2) The Commissioner shall give the reinsurer notice and opportunity for a hearing. The suspension or revocation shall not take effect until after the Commissioner's order on a hearing, unless:

"(A) The reinsurer waives its right to a hearing;

"(B) The Commissioner's order is based on regulatory action by the reinsurer's domiciliary jurisdiction or the voluntary surrender or termination of the reinsurer's eligibility to transact insurance or reinsurance business in its domiciliary jurisdiction or in the primary certifying state of the reinsurer under subsection (f)(7) of this section; or

"(C) The Commissioner finds that an emergency requires immediate action and a court of competent jurisdiction has not stayed the Commissioner's action.

"(3)(A) While a reinsurer's accreditation or certification is suspended, no reinsurance contract issued or renewed after the effective date of the suspension qualifies for credit except to the extent that the reinsurer's obligations under the contract are secured in accordance with section 3.

"(B) If a reinsurer's accreditation or certification is revoked, no credit for reinsurance may be granted after the effective date of the revocation except to the extent that the reinsurer's obligations under the contract are secured in accordance with subsection (f)(6) of this section or section 3.

"(k)(1) A ceding insurer shall take steps to manage its reinsurance recoverables proportionate to its own book of business. A domestic ceding insurer shall notify the Commissioner within 30 days after reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, that exceeds 50% of the domestic ceding insurer's last reported surplus to policyholders, or after it is determined that reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit.

The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

"(2) A ceding insurer shall take steps to diversify its reinsurance program. A domestic ceding insurer shall notify the Commissioner within 30 days after ceding to any single assuming insurer, or group of affiliated assuming insurers, more than 20% of the ceding insurer's gross written premium in the prior calendar year, or after it has determined that the reinsurance ceded to any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.".

Amend § 31-502

(b) Section 3(2) (D.C. Official Code § 31-502(2)) is amended to read as follows:

"(2) Securities listed by the Securities Valuation Office of the National Association of Insurance Commissioners, including those deemed exempt from filing as defined by the Purposes and Procedures Manual of the Securities Valuation Office, and qualifying as admitted assets;".

Sec. 4. The Standards to Identify Insurance Companies Deemed to Be in Hazardous Financial Condition Act of 1993, effective October 21, 1993 (D.C. Law 10-43; D.C. Official Code § 31-2101 *et seq*.), is amended as follows:

Amend § 31-2101

(a) Section 2(a) (D.C. Official Code § 31-2101(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the word "reports" and inserting the phrase "reports, audit reports, and actuarial opinions, reports or summaries" in its place.

(2) Paragraph (2) is amended by striking the phrase "related reports" and inserting the phrase "other financial analysis solvency tools and reports" in its place.

(3) Paragraph (3) is repealed.

(4) Paragraph (4) is amended to read as follows:

"(4) Whether the insurer has made adequate provision, according to presently accepted actuarial standards of practice, for the anticipated cash flows required by the contractual obligations and related expenses of the insurer and related actuarial items, including the investment earnings on such assets and the considerations anticipated to be received and retained under such policies and contracts;".

(5) A new paragraph (6A) is added to read as follows:

"(6A) Whether the insurer's operating loss in the last 12-month period or any shorter period of time, excluding net capital gain, is greater than 20% of the insurer's remaining surplus as regards policyholders in excess of the minimum required;".

(6) Paragraph (7) is amended to read as follows:

"(7) Whether a reinsurer, obligor, or an entity within the insurer's insurance holding company system is insolvent, threatened with insolvency, or delinquent in payment of its monetary or other obligations, and which in the opinion of the Mayor may affect the solvency of the insurer;".

(7) A new paragraph (12A) is added to read as follows:

"(12A) Whether the insurer has failed to meet financial and holding company filing requirements in the absence of a reason satisfactory to the Mayor;".

(8) Paragraph (14) is amended by striking the word "or" at the end.

(9) Paragraph (15) is amended as follows:

(A) Strike the word "company" and insert the word "insurer" in its place.

(B) Strike the period and insert a semicolon in its place.

(10) New paragraphs (16), (17), (18), and (19) are added to read as follows:

"(16) Whether management has established reserves that do not comply with minimum standards established by state insurance laws, regulations, statutory accounting standards, sound actuarial principles, and standards of practice;

"(17) Whether management persistently engages in material under reserving that results in adverse development;

"(18) Whether transactions among affiliates, subsidiaries, or controlling persons for which the insurer receives assets or capital gains, or both, do not provide sufficient value, liquidity, or diversity to assure the insurer's ability to meet its outstanding obligations as they mature; or

"(19) Any other finding determined by the Mayor to be hazardous to the insurer's policyholders, creditors, or general public.".

Amend § 31-2102

(b) Section 3 (D.C. Official Code § 31-2102) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase "the policyholders" and inserting the phrase "its policyholders, creditors," in its place.

(B) Paragraph (8) is amended by striking the word "or".

(C) Paragraph (9) is amended by striking the period and inserting a semicolon in its place.

(D) New paragraphs (10) through (12) are added to read as follows:

"(10) Correct corporate governance practice deficiencies and adopt and utilize governance practices acceptable to the Mayor;

"(11) Provide a business plan to the Mayor in order to continue to transact business in the District; or

"(12) Notwithstanding any other provision of law limiting the frequency or amount of premium rate adjustments, adjust rates for any non-life insurance product written by the insurer that the Mayor considers necessary to improve the financial condition of the insurer.".

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

"(a-1) For the purposes of making a determination of an insurer's financial condition under this section, the Mayor may:

"(1) Disregard any credit or amount receivable resulting from transactions with a reinsurer that is insolvent, impaired, or otherwise subject to a delinquency proceeding;

"(2) Make appropriate adjustments including disallowance to asset values attributable to investments in or transactions with parents, subsidiaries, or affiliates consistent

with the National Association of Insurance Commissioners Accounting Policies and Procedures Manual and District laws and regulations;

"(3) Refuse to recognize the stated value of accounts receivable if the ability to collect receivables is highly speculative in view of the age of the account or the financial condition of the debtor; and

"(4) Increase the insurer's liability in an amount equal to any contingent liability, pledge, or guarantee not otherwise included if there is a substantial risk that the insurer will be called upon to meet the obligation undertaken within the next 12-month period.".

Amend § 31-5405

Sec. 5. Section 6(q)(3) of the Life and Health Insurance Guaranty Association Act of 1992, effective July 22, 1992 (D.C. Law 9-129; D.C. Official Code § 31-5405(q)(3)), is amended to read as follows:

"(3) In addition to paragraphs (1) and (2) of this subsection, the Association shall have all common law rights of subrogation and any other equitable or legal remedy which would have been available to the impaired or insolvent insurer or holder of a policy or contract with respect to the policy or contracts.".

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

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

AN ACT

Bill 20-890
Act 20-561
effective January 6, 2015

To amend the Omnibus Public Safety Agency Reform Amendment Act of 2004 to reclassify the procedure for a member of the Fire and Emergency Medical Services Department who retires from the department when facing disciplinary charges.

Codification District of Columbia Official Code 2001 Edition

Firefighter Retirement While Under Disciplinary Investigation Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUBMIA, That this act may be cited as the "Firefighter Retirement While Under Disciplinary Investigation Amendment Act of 2014".

Sec. 2. Title V of the Omnibus Public Safety Agency Reform Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-1031 *et seq.*), is amended as follows:

New Subchapter I

(a) Sections 502 and 503 (D.C. Official Code §§ 5-1031 and 5-1032) are designated as Subtitle A.

(b) A new Subtitle B is added to read as follows:

New Subchapter II

"SUBTITLE B. FIREFIGHTER RETIREMENT WHILE UNDER DISCIPLINARY INVESTIGATION.

New §5-1051

"Sec. 511. Definitions.

"For the purposes of this subtitle, the term:

"(1) "Chief" means the Chief of the Department.

"(2) Conditional retirement" means that a member has retired or resigned from the Department while under disciplinary investigation for serious misconduct.

"(3) "Department" means the Fire and Emergency Medical Services Department.

"(4) "Disciplinary investigation" means an official investigation by the Department, including the Office of Internal Affairs, of allegations of serious misconduct by a member of the Department.

"(5) "Resign" means the voluntary separation of a member from the Department before the member's pension rights have accrued and vested.

"(6) "Retire" means the voluntary separation of a member from the Department after the member's pension rights, retirement pay, or other benefits have accrued and vested as provided by federal or District of Columbia law or regulation.

"(7) "Serious misconduct" means any felony violation of federal, local, or District of Columbia law, making a false statement under oath, falsifying official records or reports, using unnecessary force, gross dereliction of duty, perpetrating a felony or assisting a person to escape investigation or prosecution, using illegal controlled substances, or other violations as determined by the Chief by general order.

"Sec. 512. Completion of disciplinary investigations. **New §5-1052**

"The Department shall complete a disciplinary investigation, including issuing findings pursuant to the general orders, of a member regardless of whether that member resigns or retires while under investigation.

"Sec. 513. Conditional retirement. **New §5-1053**

"(a) If a member of the Department retires or resigns while under disciplinary investigation, that member shall be deemed to be in conditional retirement until the disciplinary investigation is completed and factual findings are made.

"(b) A member who is in conditional retirement shall not be paid a pension or receive other accrued benefits of any kind, including salary, compensatory time, or accrued leave, during the pendency of the disciplinary investigation.

"(c) The Department shall complete the disciplinary investigation of a member in conditional retirement within 25 days from the date that the member retired or resigned. If the Department has not completed the investigation 25 days from the date the member retired or resigned, the matter shall be deemed to be closed and the allegations of serious misconduct not sustained.

"(d) If, at any time during a member's conditional retirement, the Department finds that the allegations of serious misconduct are not sustained or are unfounded, the matter shall be deemed to be closed and the member's pension rights and accrued benefits shall be paid retroactive to the date on which the member initially retired or resigned.

"(e) If the Department sustains the allegations of serious misconduct, the disciplinary process shall proceed as if the member in conditional retirement continued to be a member of the Department. The member shall be accorded all rights to which he or she is entitled under federal and District of Columbia law and regulations, Department regulations, and any applicable labor agreement.

"(f) If the Department ultimately determines that a member in conditional retirement should be subjected to discipline as provided by law and regulation, the member shall be subject to penalties in lieu of discipline, pursuant to section 514.

"(g) A member who retires or resigns from the Department without knowing that he or she was under disciplinary investigation for serious misconduct shall not be deemed to be in conditional retirement, but shall instead be provided the opportunity to continue employment with the Department during the pendency of the disciplinary investigation. Should the member decide to retire or resign after he or she has been informed of the disciplinary investigation, he or she shall be deemed to be in conditional retirement as provided in this section.

"Sec. 514. Penalties in lieu of discipline for members in conditional retirement. **New §5-1054**

"(a) The Department shall set the level of discipline for a member in conditional retirement as if he or she continued to be a member of the Department.

"(b) A member in conditional retirement who would have received suspension as discipline had he or she remained a member of the Department shall be assessed a penalty of not less than $100 and not greater than $5,000, depending on the length of suspension.

"(c) If a member in conditional retirement would have been terminated from the Department as discipline for serious misconduct, the member shall be assessed a penalty of not less than $1,000 and not greater than $5,000 in the discretion of the Chief, pursuant to written standards developed by the Chief.

"Sec. 515. Payments of penalties and collection of debts. **New §5-1055**

"Penalties assessed against a member in conditional retirement as provided in section 514 shall be treated as a debt owed to the District of Columbia government, pursuant to section 2903 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-629.03), and may be collected by the District of Columbia government, pursuant to section 2904 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-629.04), or by any other means authorized by law.

"Sec. 516. Administrative review. **New §5-1056**

"A member in conditional retirement may challenge the imposition of penalties imposed by sections 514 and 515 in an administrative proceeding before the District of Columbia Office of Employee Appeals, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.)

"Sec. 517. Applicability. **New §5-1057**

"This subtitle shall apply upon adoption of regulations by the Chief to implement the provisions of this title. The Chief shall adopt such regulations within 60 days after the effective date of the Firefighter Retirement While Under Disciplinary Investigation Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-890).".

Sec. 3. Section 506 of the Omnibus Police Reform Amendment Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-805), is amended to read as follows:

"Sec. 506. Payment of penalties. **Amend § 5-805**

"Penalties assessed against a member in conditional retirement as provided in section 505, shall be treated as a debt owed to the District of Columbia government, pursuant to section 2903 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-629.03), and may be collected by the District of Columbia government, pursuant to section 2904 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-629.04), or by any other means authorized by law.".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-951
Act 20-562 effective January 6, 2015

To amend the District of Columbia Procurement Practices Act of 1985 to align minimum qualifications for the position of Inspector General with federal standards.

Codification District of Columbia Official Code 2001 Edition

Inspector General Qualifications Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Inspector General Qualifications Amendment Act of 2014".

Amend § 1-301.115a

Sec. 2. Section 208(a)(1) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1-301.115a(a)(1)), is amended as follows:

(a) Subparagraph (D) is amended to read as follows:

"(D) The Inspector General shall be appointed:

"(i) Without regard to party affiliation;

"(ii) On the basis of integrity;

"(iii) With demonstrated supervisory and management experience; and

"(iv) With demonstrated experience and ability, in the aggregate, in law, accounting, auditing, financial management analysis, public administration, or investigations.".

(b) Subparagraph (D-i) is repealed.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-973
Act 20-592 effective January 22, 2015

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to require each District government attorney, hearing examiner and administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of District government employment to file a Certificate of Good Standing from the District of Columbia Court of Appeals on an annual basis.

Codification District of Columbia Official Code 2001 Edition

District Government Certificate of Good Standing Filing Requirement Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District Government Certificate of Good Standing Filing Requirement Amendment Act of 2014".

Amend § 1-608.81

Sec. 2. Section 881(a) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective July 25, 2002 (D.C. Law 14-182; D.C. Official Code § 1-608.81(a)), is amended as follows:

(a) Strike the phrase “each attorney employed at the level of DS-13 or above,” and insert the phrase “each attorney, hearing officer, or administrative law judge” in its place.

(b) Strike the phrase “by the Mayor” and insert the phrase “employed by the Mayor” in its place.

(c) Strike the phrase “District of Columbia Office of Personnel” and insert the phrase “Board of Ethics and Government Accountability” in its place.

(d) Strike the phrase “on an annual basis” and insert the phrase “by December 15 of each year” in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

D.C. Law 20-156, effective February 26, 2015 (Expiration date October 9, 2015)
(Related Emergency Legislation is Act 20-380, 20 DCSTAT 3862)

AN ACT

Bill 20-843
Act 20-425
effective
September 19, 2014

To amend, on a temporary basis, the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to require that, before granting a waiver under section 2346 of the act, the Director of the Department of Small and Local Business Development shall make a good-faith effort to determine that no qualified certified business enterprise or small business enterprise is able to meet the requirements of section 2346, complete a full search of the certified business enterprise and small business enterprise database to determine the existence of a qualified business enterprise, send an electronic written notice to each certified business enterprise and small business enterprise of the waiver request, publish a notice of the waiver request in the District of Columbia Register and on the agency website, provide for a 20-day period before the proposed waiver is granted, and certify in writing that all good-faith efforts to determine the existence of a qualified certified business enterprise or small business enterprise have been met.

Codification District of Columbia Official Code 2001 Edition

Small and Certified Business Enterprise Development and Assistance Waiver Certification Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Small and Certified Business Enterprise Development and Assistance Waiver Certification Temporary Amendment Act of 2014".

Note, § 2-218.51

Sec. 2. Section 2351 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.51), is amended by adding new subsections (c) and (d) to read as follows:

"(c) Before the Director may grant a waiver request, the Director shall make a good-faith effort to determine that no registered certified business enterprise or small business enterprise is qualified to satisfy the contracting or subcontracting requirements of to section 2346. The good-faith effort shall include:

"(1) Conducting a complete search of the small business enterprise or certified business enterprise database to determine the existence of a qualified business enterprise;

"(2) Providing an electronic written notice to each certified business enterprise and small business enterprise of all waiver requests of certified business enterprise or small business enterprise participation requirements;

"(3) Publishing a notice of the request for waiver in the District of Columbia Register and on the agency website; and;

"(4) Establishing a time period of 20 days for making a final determination on a request for a waiver of small business enterprise or certified business enterprise contracting and subcontracting participation requirements.

"(d) Before the Director can approve a request for a waiver of the subcontracting requirements of section 2346, the Director shall certify in writing that the good-faith efforts

required under subsection (c) of this section have been met and that there are no certified business enterprises or small business enterprises qualified to perform the contract.” .

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-162, effective February 26, 2015 (Expiration date October 9, 2015)
(Related Emergency Legislation is Act 20-394, 20 DCSTAT 3873)

AN ACT

Bill 20-869
Act 20-442 effective October 8, 2014

To amend, on a temporary basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater.

Codification District of Columbia Official Code 2001 Edition

Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2014".

Note, § 10-801

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-6) to read as follows:

"(d-6) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of the property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater, for which disposition was approved by the Council pursuant to the Strand Theater Disposition Approval Resolution of 2009, effective October 6, 2009 (Res. 18-0263; 56 DCR 8410), and extended by the Strand Theater Disposition Extension Approval Resolution of 2011, effective September 20, 2011 (Res. 19-246; 58 DCR 8477), is extended to October 6, 2015.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-163, effective February 26, 2015 (Expiration date October 9, 2015)
(Related Emergency Legislation is Act 20-396, 20 DCSTAT 3876)

AN ACT

Bill 20-877
Act 20-443
effective October 8, 2014

To amend, on a temporary basis, the Legalization of Marijuana for Medical Treatment Initiative of 1998 to expand the definition of a qualifying medical condition to allow physicians to determine whether a patient would benefit from medical marijuana treatment and to increase the number of living plants medical marijuana cultivation centers can possess at any time.

Codification District of Columbia Official Code 2001 Edition

Medical Marijuana Expansion Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Expansion Temporary Amendment Act of 2014".

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

(a) Section 2(17) (D.C. Official Code § 7-1671.01(17)) is amended to read as follows:

Note, § 7-1671.01

"(17) "Qualifying medical condition" means any condition for which treatment with medical marijuana would be beneficial, as determined by the patient's physician.".

(b) Section 7(e)(2) (D.C. Official Code § 7-1671.06(e)(2)) is amended by striking the number "95" and inserting the number "500" in its place.

Note, § 7-1671.06

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-164, effective February 26, 2015 (Expiration date October 9, 2015)
(Related Emergency Legislation is Act 20-430, 20 DCSTAT 4145)

AN ACT

Bill 20-912
Act 20-451 effective October 17, 2014

To amend, on a temporary basis, the Rental Housing Act of 1985 to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, and to require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.

Codification District of Columbia Official Code 2001 Edition

Rent Control Hardship Petition Limitation Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rent Control Hardship Petition Limitation Temporary Amendment Act of 2014".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3500 *et seq.*), is amended as follows:

Note, § 42-3502.06

(a) Section 206(c) (D.C. Official Code § 42-3502.06(c)) is amended to read as follows:

"(c) (1) At the housing provider's election, instead of any adjustment authorized by subsection (b) of this section, the rent charged for an accommodation may be adjusted through a hardship petition under section 212. The petition shall be clearly identified as an election instead of the general adjustments authorized by subsection (b) of this section. The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this subsection as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing

provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

(b) Section 212(c) (D.C. Official Code § 42-3502.12(c)) is amended to read as follows: **Note, § 42-3502.12**

"(c)(1) At the housing provider's election, instead of any adjustment authorized by section 206(b), the rent charged for an accommodation may be adjusted through a hardship petition under this section. The petition shall be clearly identified as an election instead of the general adjustments authorized by section 206(b). The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this subsection as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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

D.C. Law 20-165, effective February 26, 2015 (Expiration date October 9, 2015)
(Related Emergency Legislation is Act 20-445, 20 DCSTAT 4169)

AN ACT

Bill 20-914
Act 20-452 effective October 17, 2014

Not Codified

To amend, on a temporary basis, the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007 to clarify the boundaries of the Ward 4 Georgia Avenue Priority Area.

Georgia Avenue Great Streets Neighborhood Retail Priority Area Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Georgia Avenue Great Streets Neighborhood Retail Priority Area Temporary Amendment Act of 2014".

Sec. 2. Section 2(4) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended to read as follows:

"(4) Ward 4 Georgia Avenue Priority Area, consisting of the parcels, squares, and lots within the following area: beginning at the intersection of Kenyon Street, N.W. and Sherman Avenue, N.W.; continuing north along Sherman Avenue, N.W. to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W. to Spring Road, N.W.; then continuing northwest along Spring Road, N.W. to 14th Street, N.W., then continuing north along 14th Street, N.W. to Longfellow Street, N.W., then continuing east along Longfellow Street, N.W. to Georgia Avenue, N.W., then continuing north along Georgia Avenue, N.W. to Eastern Avenue, N.W., then continuing southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E. to Blair Road, N.W., then continuing south along Blair Road, N.W., to North Capitol Street, N.E., then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W., then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W., then continuing southwest along Kansas Avenue, N.W. to Varnum Street, N.W.; then continuing east along Varnum Street, N.W. to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then continuing further south along Warder Street, N.W., to Kenyon Avenue, N.W.; and then continuing west along Kenyon Avenue, N.W. to the beginning point;".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-166, effective February 26, 2015 (Expiration date October 9, 2015)
(Related Emergency Legislation is Act 20-434, 20 DCSTAT 4152)

AN ACT

Bill 20-923
Act 20-453 effective October 17, 2014

To amend, on a temporary basis, the Tenant Opportunity to Purchase Act of 1980 to clarify the tenant opportunity to purchase in the case of the sale of multi-unit housing for the purposes of demolition or a notice of discontinuance of housing use.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tenant Opportunity to Purchase Temporary Amendment Act of 2014".

Tenant Opportunity to Purchase Temporary Amendment Act of 2014

Sec. 2. Section 402(a) of the Tenant Opportunity to Purchase Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.02(a)), is amended to read as follows:

Note, § 42-3404.02

"(a)(1) Beginning January 1, 2014, before an owner of a housing accommodation may sell the accommodation, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use, the owner shall give the tenant an opportunity to purchase the accommodation at a price and terms which represent a bona fide offer of sale.

"(2) If within 360 days of the date of the issuance of a bona fide offer of sale pursuant to this subsection, an owner has neither sold, or is in the process of selling, the property pursuant to that bona fide offer of sale nor taken possession of the property, the owner shall comply anew with the requirements of this subsection before the owner may again act to sell the housing, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use.

"(3) For the purposes of this subsection, in the case of multi-unit housing, the term:

"(A)(i) "A bona fide offer of sale" means a sales price that is less than or equal to the appraised value of the real property, multi-unit housing, and any other appurtenant improvements ("property") plus, except as provided in sub-subparagraph (ii) of this subparagraph, the amount of liens existing before the sale or transfer; provided, that the liens shall be satisfied by the seller in the sale or transfer transaction.

"(ii) If the seller and the purchaser agree that the purchaser shall assume the liens, if any, a bona fide offer of sale means a sale price that is less than or equal to the appraised value of the property less the amount of any lien assumed by the purchaser.

"(B)(i) "Appraised value" means an objective property valuation based on the current state of the property and existing zoning, building, and occupancy permits that is no

more than 6 months older than the date of issuance of the offer of sale that has been determined by 2 independent appraisals performed by 2 appraisers qualified to perform multi-unit appraisals.

"(ii) Of the 2 appraisers required by sub-subparagraph (i) of this subparagraph, one shall be selected by the owner and one shall be selected by the tenant. If the appraisers fail to agree upon a fair market value, the owner and the tenant shall jointly select and pay a third appraiser whose appraisal shall be binding or agree to take an average of the 2 appraisals.

"(iii) "Multi-unit housing" means housing with 5 or more units.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-169, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-447, 20 DCSTAT 4175)

AN ACT

Bill 20-927
Act 20-462 effective October 31, 2014

To amend, on a temporary basis, the Firearms Control Regulations Act of 1975 to permit individuals to register a firearm for self-defense in their place of business, to provide a Freedom of Information Act exception, to specify application requirements for applying to carry a concealed pistol, to specify the duration of such licenses and requirements for renewal of licenses, to establish duties of licensees, to provide for revocation of licenses, to create a criminal offense of carrying while impaired, to specify prohibitions on licensees, to establish a Concealed Pistol Licensing Review Board, to specify penalties for violations, and to require the Mayor to issue rules; and to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to authorize the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

Codification District of Columbia Official Code 2001 Edition

License to Carry a Pistol Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "License to Carry a Pistol Temporary Amendment Act of 2014".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 201(b)(4) (D.C. Official Code § 7-2502.01(b)(4)) is amended by striking the phrase "the home" and inserting the phrase "the home or place of business" in its place.

Note, § 7-2502.01

(b) Section 202(a)(4)(C) (D.C. Official Code § 7-2502.02(a)(4)(C)) is amended to read as follows:

Note, § 7-2502.02

"(C) Any person who seeks to register a pistol:

"(1) For use in self-defense within that person's home or place of business; or

"(2) As part of the application process for a license to carry a concealed pistol pursuant to section 902; or".

(c) A new section 211a is added to read as follows:

Note, New § 7-2502.11a

"Sec. 211a. Freedom of information exception.

"Any record regarding individuals who have applied, received, or had revoked any registration issued pursuant to this title shall not be made available as a public record under section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).".

(d) Section 706(a) (D.C. Official Code § 7-2507.06(a)) is amended by striking the phrase "Except as provided in sections 205, 208, 702, and 807" and inserting the phrase "Except as provided in sections 205, 208, 702, 807, and Title IX" in its place.

Note, § 7-2502.06

(e) A new Title IX is added to read as follows:

"TITLE IX – LICENSES TO CARRY A PISTOL.

"Sec. 901. Definitions. **Note, New § 7-2509.01**

"For the purposes of this title, the term:

"(1) "Concealed pistol" means a loaded or unloaded pistol carried on or about a person entirely hidden from view of the public, or carried on or about a person in a vehicle in such a way as it is entirely hidden from view of the public.

"(2) "Law enforcement officer" means a sworn member of the Metropolitan Police Department or of any other law enforcement agency operating and authorized to make arrests in the District of Columbia, and includes any MPD reserve officer, any special police officers appointed pursuant to section 202 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057; D.C. Official Code § 5-129.02), and campus and university special police officers appointed pursuant to the College and University Campus Security Amendment Act of 1995, effective October 18, 1995 (D.C. Law 11-63; 6A DCMR § 1200 *et seq.*).

"(3) "License" means a license to carry a concealed pistol issued pursuant to section 6 of the Pistols and Other Dangerous Weapons Act.

"(4) "Licensee" means a person who has been issued a license pursuant to section 6 of the Pistols and Other Dangerous Weapons Act.

"(5) "MPD" means the Metropolitan Police Department.

"(6) "Section 6 of the Pistols and Other Dangerous Weapons Act" means section 6 of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4506).

"Sec. 902. Application requirements. **Note, New § 7-2509.02**

"(a) A person who submits an application pursuant to section 6 of the Pistols and Other Dangerous Weapons Act shall certify and demonstrate to the satisfaction of the Chief that he or she:

"(1) Is at least 21 years of age;

"(2) Meets all of the requirements for a person registering a firearm pursuant to this act, and has obtained a registration certificate for the pistol that the person is applying to carry concealed;

"(3) Does not currently suffer nor has suffered in the previous 5 years from any mental illness or condition that creates a substantial risk that he or she is a danger to himself or herself or others;

"(4) Has completed a firearms training course, or combination of courses, conducted by an instructor (or instructors) certified by the Chief that includes at least 16 hours of training, and covers the following:

"(A) Firearm safety;

"(B) Firearm nomenclature;

"(C) The basic principles of marksmanship;

"(D) The care, cleaning, maintenance, loading, unloading, and storage of pistols;

"(E) Situational awareness, conflict management, and moral and ethical decisions on the use of deadly force;

"(F) Defensive pistol and ammunition selection; and

"(G) All applicable District and federal firearms laws, including the requirements of this act, An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), and District law pertaining to self-defense;

"(5) Has completed at least 2 hours of range training conducted by an instructor certified by the Chief, including shooting a qualification course of 50 rounds of ammunition from a maximum distance of 15 yards (45 feet); and

"(6) Follows any procedures the Chief may establish by rule.

"(b) An applicant shall satisfy the requirements of subsection (a)(4) and (5) of this section with a certification from the firearms instructor that:

"(1) The applicant demonstrated satisfactory completion of the requirement; and

"(2) The applicant possesses the proper knowledge, skills, and attitude to carry a concealed pistol.

"(c) An applicant shall be exempt from the requirements of subsection (a)(4) and (5) of this section if he or she has submitted evidence that he or she has received firearms training in the United States military, or has otherwise completed firearms training conducted by a firearms instructor that, as determined by the Chief, is equal to or greater than that required under subsection (a)(4) and (5) of this section.

"(d) A non-resident applicant for a license may satisfy any component of the requirements of subsection (a)(4) and (5) of this section by demonstrating to the satisfaction of the Chief that the applicant has met that particular component as part of a successful application to carry a concealed pistol issued by the lawful authorities of any state or subdivision of the United States.

"(e)(1) An applicant shall sign an oath or affirmation attesting to the truth of all the information required by section 6 of the Pistols and Other Dangerous Weapons Act and this section.

"(2) Any declaration, certificate, verification, or statement made for purposes of an application for a license to carry a concealed pistol pursuant to this act shall be made under penalty of perjury pursuant to section 401 of the District of Columbia Theft and White Collar Crime Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2402).

"(f) An applicant is required to appear for an in-person interview at the MPD headquarters for purposes including verification of the applicant's identity and verification of the information submitted as part of the application process for a license.

"Sec. 903. Expiration and renewal of licenses. **Note, New § 7-2509.03**

"(a) Licenses shall expire no later than 2 years after the date of issuance unless revoked by the Chief or renewed pursuant to this title.

"(b)(1) A licensee shall be eligible for renewal of a license if:

"(A) The licensee continues to meet all of the initial standards and application requirements set forth in section 6 of the Pistols and Other Dangerous Weapons Act and section 902, except that with regard to section 902(a)(4), only 4 hours of such training shall be required;

"(B) With regard to section 902(a)(5), the licensee provides proof of 2 hours of range practice within the previous 12 months; and

"(C) Follows any procedures the Chief may establish by rule.

"(2) Timely renewal shall be the responsibility of the licensee, pursuant to any procedures the Chief may establish by rule.

"(3) A renewal license shall expire no later than 2 years after the date of issuance unless revoked by the Chief or renewed pursuant to this act.

"(c) Any person whose renewal application has been denied may, within 15 days of notice of the denial, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908.

"Sec. 904. Duties of licensees. **Note, New § 7-2509.04**

"(a) A licensee shall:

"(1) Notify the Chief in writing of the loss, theft, or destruction of the license (including the circumstances, if known) immediately upon discovery of such loss, theft, or destruction; and

"(2) Notify the Chief in writing within 30 days of a change in the licensee's name or address as it appears on the license.

"(b) A licensee shall have on or about his or her person each time the pistol is carried in the District of Columbia:

"(1) The license; and

"(2) The registration certificate for the pistol being carried, issued pursuant to this act.

"(c) If a law enforcement officer initiates an investigative stop of a person carrying a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act, the person, and any other licensee who is with the person at the time of the investigative stop, shall:

"(1) Disclose to the officer that he or she is carrying a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act;

"(2) Present the license and registration certificate;

"(3) Identify the location of the concealed pistol; and

"(4) Comply with all lawful orders and directions from the officer, including allowing a pat down of his or her person and permitting the law enforcement officer to take possession of the pistol for so long as is necessary for the safety of the officer or the public.

"(d) A licensee shall comply with all limits and conditions stated in the issuance of the license.

"(e) The duties set forth in this section are in addition to any other requirements imposed by this act or applicable law.

"(f) In addition to any other penalty provided by law, any person who violates subsection (c) of this section shall be subject to revocation of his or her license.

"Sec. 905. Revocation of licenses. **Note, New § 7-2509.05**

"(a) The Chief may revoke a license upon a finding that the licensee no longer meets the standards and requirements of section 6 of the Pistols and Other Dangerous Weapons Act and this title, or as a penalty as specified in this act.

"(b)(1) The United States Attorney for the District of Columbia, the Attorney General for the District of Columbia, or any person may apply to the MPD at any time for revocation of a license.

"(2) Any person having knowledge that a licensee no longer meets the requirements of this act or the requirements of section 6 of the Pistols and Other Dangerous Weapons Act may so notify the Chief or any other law enforcement officer who may take such action as may be appropriate.

"(c) Any person whose license has been revoked may, within 15 days of notice of the revocation, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908.

"Sec. 906. Carrying while impaired. **Note, New § 7-2509.06**

"(a) A licensee may not carry a pistol while impaired.

"(b) In addition to any other penalty provided by law, any person who violates this section shall be subject to revocation of his or her license.

"(c) Upon establishing reasonable suspicion that a licensee has been consuming drugs or alcohol, a licensee's failure to submit to one or more field sobriety, breathalyzer, or urine tests, administered to determine whether the licensee is impaired while carrying a pistol, shall be grounds for immediate revocation and seizure of the license.

"(d) For the purposes of this section, the term "impaired" means a licensee has consumed alcohol or a drug or a combination thereof and that it has affected the licensee's behavior in a way that can be perceived or noticed.

"Sec. 907. Prohibitions on carrying licensed pistols. **Note, New § 7-2509.07**

"(a) No person holding a license shall carry a pistol in the following locations or under the following circumstances:

"(1) Any building owned or under the control of the District of Columbia, its agencies, and instrumentalities;

"(2) The building and grounds, including any adjacent parking lot, of any public, public charter, or private elementary or secondary school; or any public or private college or university;

"(3) Any pre-school or child care facility;

"(4) Any public or private hospital, or other building where medical or mental health services are the primary services provided;

"(5) Any penal institution, secure juvenile residential facility, or halfway house;

"(6) Any public transportation vehicle, including the Metrorail transit system, but not including taxicab operators;

"(7) Any premises or portion thereof, licensed under Title 25 of the District of Columbia Official Code, where alcoholic beverages are served, or are sold and consumed on premises, but not including premises with small-sample tasting permits issued pursuant to D.C. Official Code § 25-118;

"(8) Any public gathering or special event conducted on property open to the public that requires the issuance of a permit from the District or federal government or their agencies or instrumentalities; provided, that no criminal penalty shall apply unless:

"(A) The licensee has been advised by a law enforcement officer that such a public gathering or special event is occurring; and

"(B) The licensee has been ordered by the law enforcement officer to leave the area of the special event or gathering until the licensee removes the pistol from his or her possession in compliance with applicable law and the licensee has not complied with the order;

"(9) Any stadium or arena;

"(10) The public memorials on the National Mall and along the Tidal Basin, and any other area where firearms are prohibited under federal law or by a federal agency or entity;

"(11) The area around the White House, namely: between Constitution Avenue, N.W., and H Street, N.W., and between 15th Street, N.W., and 17th Street, N.W.;

"(12) Within 1,000 feet, or other lesser distance designated by the Chief or his or her designee, when a dignitary or high-ranking official of the United States or a state, local, or foreign government is moving under the protection of the MPD, or other law enforcement agency assisting or working in concert with MPD; provided, that no criminal penalty shall apply unless:

"(A) The licensee has been advised by a law enforcement officer that the movement of a dignitary or official is occurring; and

"(B) The licensee has been ordered by the law enforcement officer to leave the area of the movement until the licensee removes the pistol from his or her possession in compliance with applicable law and the licensee has not complied with the order;

"(13) Within 1,000 feet, or other lesser distance designated by the Chief or his or her designee, of a demonstration in a public place; provided, that no criminal penalty shall apply unless:

"(A) The licensee has been advised by a law enforcement officer that a demonstration is occurring at the public place; and

"(B) The licensee has been ordered by the law enforcement officer to leave the area of the demonstration until the licensee removes the pistol from his or her possession in compliance with applicable law and the licensee has not complied with the order; and

"(14) Any prohibited circumstance that the Chief determines by rule; provided, that for spontaneous circumstances, no criminal penalty shall apply unless the licensee has notice of the prohibition and has failed to comply.

"(b)(1) Any private residence shall be presumed to prohibit the presence of concealed pistols unless otherwise authorized by the property owner or person in control of the premises and communicated personally to the licensee in advance of entry onto the residential property.

"(2) For 90 days immediately following the effective date of the License to Carry a Pistol Emergency Amendment Act of 2014, effective October 9, 2014 (D.C. Act 20-447; 61 DCR ___), for any private property not a residence, the owner or person in control of the property shall be presumed to prohibit the presence of concealed pistols unless the owner or person in control of the property authorizes entry by a licensee carrying a concealed pistol; thereafter, for any private property not a residence, the owner or person in control of the private property shall be presumed to permit a licensee carrying a concealed pistol to enter the owner's property unless the property is posted with conspicuous signage prohibiting concealed pistols, or the owner or authorized agent communicates such prohibition personally to the licensee.

"(c) Whenever a licensee carries a concealed pistol and approaches any prohibited location, or is subject to any prohibited circumstance, the licensee shall:

"(1) If the licensee is in a vehicle or if a vehicle is readily available, immediately secure the pistol in the manner prescribed in section 4b(b) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02(b)); or

"(2) If the licensee does not have a vehicle available, immediately leave the prohibited location or circumstance.

"(d) A licensee shall not be in violation of this section:

"(1) While he or she is traveling along any public street, road, or highway (including any adjacent public sidewalk) that touches the perimeter of any of the premises under subsection (a) of this section or that are prohibited under subsection (b) of this section if the concealed pistol is carried on his or her person in accordance with this act, or is being transported by the licensee in accordance with section 4b of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02); or

"(2) While driving a vehicle into and immediately parking at any location listed in subsection (a)(2) or (3) of this section, for the purpose of picking up or dropping off a minor child; provided, that the licensee shall secure the concealed weapon in accordance with section 4b(b) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02(b)), before leaving the parked vehicle.

"(e) A licensee shall not carry a pistol openly or otherwise in a manner that is not concealed.

"(f) In addition to any other penalty provided by law, any person who violates this section shall be subject to revocation of his or her license.

"(g) For the purposes of this section, the term:

"(1) "Demonstration" means one or more persons demonstrating, picketing, speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves the communication or expression of views or grievances and that has the effect, intent, or propensity to attract a crowd or onlookers. The term "demonstration" does not include the casual use of property by visitors or tourists that does not have the effect, intent, or propensity to attract a crowd or onlookers.

"(2) "Public place" means a place to which the general public has access and a right to occupy for business, entertainment, or other lawful purpose. The term "public place" is not limited to a place devoted solely to the uses of the public, and includes:

"(A) The front or immediate area or parking lot of a store, restaurant, tavern, shopping center, or other place of business;

"(B) A public building, including its grounds and curtilage;

"(C) A public parking lot;

"(D) A public street, sidewalk, or right-of-way;

"(E) A public park; and

"(F) Other public grounds.

"(3) "Residence" means an actual dwelling place or abode, and does not include any adjacent common areas or commercial property.".

"Sec. 908. Concealed Pistol Licensing Review Board. **Note, New § 7-2509.08**

"(a) There is established a Concealed Pistol Licensing Review Board ("Board") for the purpose of hearing appeals from:

"(1) A denial of any application or renewal application for a license to carry a concealed pistol in the District pursuant to this act; or

"(2) A revocation of a license to carry a concealed pistol.

"(b) The Board's membership shall be comprised as follows:

"(1) A mental health professional employed by the Department of Behavioral Health, appointed by the Mayor;

"(2) A representative from the Office of the Attorney General for the District of Columbia, appointed by the Attorney General for the District of Columbia;

"(3) A representative from the United States Attorney's Office for the District of Columbia ("USAO"), appointed by the United States Attorney for the District of Columbia. If the USAO declines to provide a representative, the Mayor shall appoint a person who is a former employee of the USAO;

"(4) The Chief Judge of the Superior Court of the District of Columbia or his or her designee, or if the Chief Judge declines to serve or appoint a designee, a person appointed by the Mayor who is a retired judge of the Superior Court of the District of Columbia; and

"(5) One public member appointed by the Mayor, who shall be a current or former sworn officer of a law enforcement agency other than the MPD.

"(c) Each member shall serve a 4-year term.

"(d) The initial terms shall begin on the date a majority of the members have been sworn in, which shall become the anniversary date for all subsequent appointments.

"(e) A vacancy on the Board shall be filled in the same manner in which the original appointment was made.

"(f) A Board member whose term has expired may continue to serve as a member until a replacement member has been appointed.

"(g) A member appointed to replace a member who has resigned, dies, or is no longer able to serve (as determined by the Board) shall serve for the remainder of the unexpired term of the member being replaced.

"(h) The Board shall elect a chairperson by majority vote on an annual basis.

"(i) Three members of the Board shall constitute a quorum, except that the Board may only take official action when at least one of the following members is present:

"(1) The representative from the Office of the Attorney General for the District of Columbia designated pursuant to subsection (b)(2) of this section;

"(2) The representative from the United States Attorney's Office for the District of Columbia designated pursuant to subsection (b)(3) of this section; or

"(3) The current or former sworn officer of a law enforcement agency other than the MPD representative designated pursuant to subsection (b)(5) of this section.

"(j) Members shall serve without compensation, but shall receive actual and necessary expenses incurred in the performance of their official duties.

"(k) The Mayor shall provide hearing facilities and administrative support for the Board from existing resources for the current fiscal year.

"(l)(1) Within 30 days after the date that a majority of the Board members are sworn in pursuant to subsection (d) of this section, the Mayor, by rule, shall establish hearing procedures for a contested case review of any appeal from a denial of an application or renewal application for a license or revocation of a license, including procedures for the Board to assign panels of 3 Board members to conduct such hearings pursuant to subsection (i) of this section.

"(2) The rules shall include that the burden of production of evidence, and the burden of persuasion, at any hearing before the Board shall be upon the applicant or licensee that is challenging any denial of an application or renewal application or revocation of a license.

"(m) The meetings and hearings conducted by the Board shall be confidential and not open to the public.

"Sec. 909. Penalties. **Note, New § 7-2509.09**

"(a)(1) Except as otherwise provided in this title, a person convicted of a violation of a provision of this title, or rules or regulations issued under the authority of this title, shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or imprisoned for not more than 180 days.

"(2) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this title, or any rules or regulations issued under the authority of this title.

"(b) All prosecutions for violations of this title shall be brought in the name of the District of Columbia and prosecuted by the Office of the Attorney General for the District of Columbia.

"Sec. 910. Rules. **Note, New § 7-2509.10**

"(a) The Chief of the Metropolitan Police Department, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall, by October 22, 2014, issue rules to implement the provisions of this title, including rules:

"(1) To establish criteria for determining when an applicant has, pursuant to section 6 of the Pistols and Other Dangerous Weapons Act:

"(A) Demonstrated a good reason to fear injury to his or her person, which shall at a minimum require a showing of a special need for self-protection distinguishable from the general community as supported by evidence of specific threats or previous attacks which demonstrate a special danger to the applicant's life;

"(B) Demonstrated any other proper reason for carrying a concealed pistol, which shall at a minimum include types of employment that require the handling of cash or other valuable objects that may be transported upon the applicant's person; and

"(C) Demonstrated the applicant's suitability to carry a concealed pistol, which shall at a minimum include evidence that the applicant meets the requirements of section 902;

"(2) To establish the type and amount of ammunition that may be carried concealed by a licensee;

"(3) To establish the methods by which a pistol may be carried, including any standards for safe holstering;

"(4) To establish all application forms, investigation procedures, background checks, and fees necessary to process an application for a license to carry a concealed pistol;

"(5) To specify any procedures or requirements specific to non-residents who apply to carry a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act, with regard to the registration requirements in this act;

"(6) To specify requirements for signage on any private premises where the owner or person in control of the premises prohibits carrying concealed pistols, pursuant to section 907(b); and

"(7) To establish procedures for the renewal of licenses.".

Sec. 3. An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), is amended as follows:

(a) Section 4(a) (D.C. Official Code § 22-4504(a)) is amended as follows: **Note, § 22-4504**

(1) The lead-in language is amended as follows:

(A) Strike the phrase "a pistol" and insert the phrase "a pistol, without a license issued pursuant to District of Columbia law" in its place.

(B) Strike the phrase "capable of being so concealed".

(2) Paragraph (1) is amended by striking the phrase "a pistol" and inserting the phrase "a pistol, without a license issued therefor pursuant to District of Columbia law" in its place.

(b) Section 6 (D.C. Official Code § 22-4506) is revived as of the effective date of the License to Carry a Pistol Emergency Amendment Act of 2014, effective October 9, 2014 (D.C. Act 20-447; 61 DCR ___), and is amended to read as follows: **Note, § 22-4506**

"Sec. 6. Issuance of a license to carry a pistol.

"(a) The Chief of the Metropolitan Police Department ("Chief") may, upon the application of any person having a bona fide residence or place of business within the District of Columbia, or of any person having a bona fide residence or place of business within the United States and a license to carry a pistol concealed upon his or her person issued by the lawful authorities of any State or subdivision of the United States, issue a license to such person to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue, if it appears that the applicant has good reason to fear injury to his or her person or property or has any other proper reason for carrying a pistol, and that he or she is a suitable person to be so licensed.

"(b) A non-resident who lives in a state that does not require a license to carry a concealed pistol may apply to the Chief for a license to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue; provided, that he or she meets the same reasons and requirements set forth in subsection (a) of this section.

"(c) For any person issued a license pursuant to this section, or renewed pursuant to section 903 of the Firearms Control Regulations Act of 1975, passed on 2nd reading on October

7, 2014 (Enrolled version of Bill 20-927), the Chief may limit the geographic area, circumstances, or times of the day, week, month, or year in which the license is effective, and may revoke the license for good cause.

"(d) The application for a license to carry shall be on a form prescribed by the Chief. The license shall be in a form prescribed by the Chief and shall bear the name, address, description, photograph, and signature of the licensee.

"(e) Any person whose application has been denied or license revoked may, within 15 days of notice of the denial, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908 of the Firearms Control Regulations Act of 1975, passed on 2nd reading on October 7, 2014 (Enrolled version of Bill 20-927).".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Law 20-170, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-460, 20 DCSTAT 4367)

AN ACT

Bill 20-964
Act 20-475 effective November 10, 2014

To amend, on a temporary basis, the H Street, N.E., Retail Priority Area Incentive Act of 2010 to include other neighborhood-serving retail uses, and to clarify the eligibility of businesses in the Bladensburg Road, N.E.., Retail Priority Area to receive grants for retail development projects.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014".

H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014

Sec. 2. Section 4 of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.173), is amended as follows:

Note, § 1-325.173

(a) Subsection (b)(2) is amended by striking the word "restaurants" and inserting the phrase "restaurants whose annual alcohol sales exceed 20%" in its place.

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

"(2) Direct frontage on a commercial corridor within the H Street, N.E., Retail Priority Area;".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-171, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-457, 20 DCSTAT 4362)

AN ACT

Bill 20-962
Act 20-490
effective
November 20, 2014

To establish, on a temporary basis, that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

Codification
District of Columbia Official Code 2001 Edition

Grocery Store Restrictive Covenant Prohibition Temporary Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grocery Store Restrictive Covenant Prohibition Temporary Act of 2014".

Note, § 2-1212.21

Sec. 2. (a) It shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction in a contract for the sale, or other transfer, or lease of real property being used as a grocery store that prohibits the subsequent use of the real property as a grocery store.

(b) Any contract, including a private agreement, that includes a restrictive land covenant or use restriction on real property as described in subsection (a) of this section shall be void and unenforceable.

(c) The prohibition imposed by this section shall not apply to an owner or operator of a grocery store or food retail store that terminates operations at a site for purposes of relocating the grocery or food retail store into a comparable or larger store located within the District of Columbia within one-half mile of the site where the prior operation was terminated; provided, that relocation and commencement of the operation of the new grocery store or food retail store at the new site occurs within 2 years of the sale, transfer, or lease of the prior site, and the restrictive covenant imposed on the prior site does not have a term in excess of 3 years. If the new grocery store or food retail store is not relocated within the District within one-half mile of the prior site within 2 years, the restrictive land covenant or use restriction shall not be enforceable.

(d) For the purposes of this act, the term:

(1) "Grocery store" means a retail establishment with a primary business of selling grocery products and includes a selling area that is used for a general line of food and nonfood grocery products.

(2) "Private agreement" means a mutually agreed upon and entered into exchange of promises.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-174, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-464, 20 DCSTAT 4398)

AN ACT

Bill 20-950
Act 20-505 effective December 8, 2014

To amend, on a temporary basis, the District of Columbia Procurement Practices Act of 1985 to align minimum qualifications for the position of Inspector General with federal standards.

Codification District of Columbia Official Code 2001 Edition

Inspector General Qualifications Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Inspector General Qualifications Temporary Amendment Act of 2014".

Note, § 1-301.115a

Sec. 2. Section 208(a)(1) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1-301.115a(a)(1)), is amended as follows:

(a) Subparagraph (D) is amended to read as follows:

"(D) The Inspector General shall be appointed:

"(i) Without regard to party affiliation;

"(ii) On the basis of integrity;

"(iii) With demonstrated supervisory and management experience; and

"(iv) With demonstrated experience and ability, in the aggregate, in law, accounting, auditing, financial management analysis, public administration, or investigations.".

(b) Subparagraph (D-i) is repealed.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-175, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-480, 20 DCSTAT 4404)

AN ACT

Bill 20-985
Act 20-506 effective December 8, 2014

Codification District of Columbia Official Code 2001 Edition

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to require each administrative law judge, hearing officer, or attorney who is required to be a member of the District of Columbia Bar as a prerequisite of District government employment to file a Certificate of Good Standing from the District of Columbia Court of Appeals on an annual basis.

District Government Certificate of Good Standing Filing Requirement Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District Government Certificate of Good Standing Filing Requirement Temporary Amendment Act of 2014".

Note, § 1-608.81

Sec. 2. Section 881(a) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective July 25, 2002 (D.C. Law 14-182; D.C. Official Code § 1-608.81(a)), is amended by striking the phrase “each attorney” and inserting the phrase “each administrative law judge, hearing officer, or attorney” in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-176, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-510, 20 DCSTAT 4434)

AN ACT

Bill 20-998
Act 20-522
effective
December 18, 2014

To amend, on a temporary basis, section 47-1812.08 of the District of Columbia Official Code to exclude the standard deduction from withholding calculations for an employer.

Codification
District of Columbia
Official Code
2001 Edition

Standard Deduction Withholding Clarification Temporary Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Standard Deduction Withholding Clarification Temporary Act of 2014".

Note, § 47-1812.08

Sec. 2. Section 47-1812.08(b) of the District of Columbia Official Code is amended by adding a new paragraph (1A) to read as follows:

"(1A) Notwithstanding which method of determination for withholding set forth in paragraph (1) of this subsection is used, no allowance for the standard deduction shall be permitted.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-177, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-508, 20 DCSTAT 4429)

AN ACT

Bill 20-993
Act 20-536
effective
December 19, 2014

To amend, on a temporary basis, the Grandparent Caregivers Pilot Program Establishment Act of 2005 to allow the Grandparent Caregivers Program subsidy to be transferred to a relative caregiver when a grandparent is no longer able to care for the child.

Codification
District of Columbia Official Code 2001 Edition

Grandparent Caregivers Program Subsidy Transfer Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grandparent Caregivers Program Subsidy Transfer Temporary Amendment Act of 2014".

Sec. 2. The Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 4-251.01) is amended as follows:

Note, § 4-251.01

(1) A new paragraph (1A) is added to read as follows:

"(1A) "Godparent" means an individual identified by a relative of the child by blood, marriage, domestic partnership, or adoption, in a sworn affidavit, to have close personal or emotional ties with the child or the child's family, which pre-dated the child's placement with the individual.".

(2) A new paragraph (3A) is added to read as follows:

"(3A) "Relative" means an individual who is related to the child by blood, marriage, domestic partnership, or adoption or is a godparent of the child.".

(b) A new section 103a is added to read as follows:

Note, § 4-251.03a

"Sec. 103a. Transfer of subsidy.

"(a) The Mayor may transfer subsidy payments to a relative caregiver upon the death or mental or physical incapacity of a grandparent if:

"(1) The relative caregiver files an application for a subsidy within 30 days of becoming the child's primary caregiver;

"(2) The relative caregiver has a strong commitment to caring for the child;

"(3) The child's parent does not reside in the relative caregiver's home; provided, that a parent may reside in the home without disqualifying the relative caregiver from receiving a subsidy if:

"(A) The parent has designated the relative caregiver to be the child's standby guardian pursuant to Chapter 48 of Title 16;

"(B) The parent is a minor enrolled in school; or

"(C) The parent is a minor with a medically verifiable disability under criteria prescribed by the Mayor pursuant to section 106;

"(4) The relative caregiver and all adults residing in the relative caregiver's home have submitted to criminal background checks;

"(5) The relative caregiver is a resident of the District as defined by section 503 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.03);

"(6) The relative caregiver has applied for Temporary Assistance for Needy Families benefits for the child;

"(7) The relative caregiver has entered into a subsidy agreement that includes a provision that no payments received under the agreement shall inure to the benefit of the child's parent but shall be solely for the benefit of the child;

"(8) The relative caregiver is not currently receiving a guardianship or adoption subsidy for the child;

"(9) The relative caregiver has provided a signed statement, sworn under penalty of perjury, that the information provided to establish eligibility pursuant to this section or rules promulgated pursuant to section 106 is true and accurate to the best belief of the relative caregiver applicant; and

"(10) The relative caregiver has met any additional requirements of rules promulgated pursuant to section 106.

"(b)(1) The Mayor shall recertify the eligibility of each relative caregiver receiving a subsidy on at least an annual basis.

"(2) For the purposes of the recertification, a relative caregiver may be required to provide a signed statement, sworn under penalty of perjury, that the information provided to establish continued eligibility pursuant to this section or any rules issued pursuant to section 106 remains true and accurate to the best belief of the relative caregiver.

"(c)(1) The Mayor shall terminate subsidy payments to a relative caregiver at any time if:

"(A) The Mayor determines the relative caregiver no longer meets the eligibility requirements established by this section or by rules issued pursuant to section 106; or

"(B) There is a substantiated finding of child abuse or neglect against the relative caregiver resulting in the removal of the child from the relative caregiver's home.

"(2) A relative caregiver whose subsidy payments are terminated as a result of the removal of the child from the relative caregiver's home may reapply if the child has been returned to the relative caregiver's home.

"(d) Eligibility for subsidy payments under this section may continue until the child reaches 18 years of age.

"(e) The determination of whether to transfer a subsidy is solely within the discretion of the Mayor.

"(f) An applicant whose application for a subsidy transfer has been denied shall not be entitled to a hearing under Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

"(g) A relative caregiver whose subsidy has been terminated shall be entitled to a fair hearing under the applicable provisions of Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*); provided, that a relative caregiver shall not be entitled to a hearing if the termination of a subsidy is based upon the unavailability of appropriated funds.

"(h) Any statement under this section made with knowledge that the information set forth in the statement is false shall be subject to prosecution as a false statement under section 404(a) of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2405(a)).".

Note, § 4-251.04

(c) Section 104 (D.C. Official Code § 4-251.04) is amended as follows:

(1) Subsection (b) is amended by striking the word "grandparent" and inserting the phrase "grandparent or relative caregiver" in its place.

(2) Subsection (c) is amended by striking the word "grandparent" and inserting the phrase "grandparent or relative caregiver" in its place.

Note, § 4-251.05

(d) Section 105 (D.C. Official Code § 4-251.05) is amended by adding a new paragraph (5A) to read as follows:

"(5A) The number of subsidies transferred to a relative caregiver pursuant to section 103a;".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-178, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-509, 20 DCSTAT 4432)

AN ACT

Bill 20-995
Act 20-537 effective December 23, 2014

To establish, on a temporary basis, the Pepco Cost-Sharing Fund for DC PLUG, into which the District Department of Transportation shall deposit funds received from Potomac Electric Power Company, to be used solely for purposes authorized by the Electric Company Infrastructure Improvement Financing Act of 2014 for the District of Columbia Power Line Undergrounding initiative.

Codification District of Columbia Official Code 2001 Edition

Pepco Cost-Sharing Fund for DC PLUG Establishment Temporary Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Pepco Cost-Sharing Fund for DC PLUG Establishment Temporary Act of 2014".

Note, New § 1-325.331

Sec. 2. Pepco Cost-Sharing Fund for DC PLUG.

(a) There is established as a special fund the Pepco Cost-Sharing Fund for DC PLUG ("Fund"), which shall be administered by the Director of the District Department of Transportation in accordance with subsection (c) of this section.

(b) The Fund shall consist of transfers from the Potomac Electric Power Company to facilitate cost-sharing for the District of Columbia Power Line Undergrounding ("DC PLUG") initiative.

(c) The Fund shall be used to pay for any purpose authorized by the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01 *et seq.*), for the DC PLUG, initiative.

(d) The money deposited into the Fund, and interest earned , shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of the fiscal year, or at any other time.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-179, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-461, 20 DCSTAT 4368)

AN ACT

Bill 20-958
Act 20-555 effective December 29, 2014

To amend, on a temporary basis, various acts to clarify provisions of the Fiscal Year 2015 Budget Support Act of 2014 supporting the Fiscal Year 2015 budget.

Codification District of Columbia Official Code 2001 Edition

Fiscal Year 2015 Budget Support Clarification Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Budget Support Clarification Temporary Amendment Act of 2014".

Note, § 47-362

Sec. 2. (a) Section 47-362(f)(2) of the District of Columbia Official Code is amended by striking the phrase "to the Capital Fund as Paygo" and inserting the phrase "equally among the Local Streets Ward-Based Capital Projects. For the purposes of this paragraph, the term Local Streets Ward Based Capital Projects shall have the same meaning as provided in § 50-921.51(4)" in its place.

Note, § 1-612.03c

(b) Section 1203c(g)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended to read as follows:

"(2) "Eligible employee" means a District government employee; provided, that the term "eligible employee" does not include:

"(A) A temporary employee appointed for less than 90 days; or

"(B) An intermittent employee.".

Note, § 28-3903

(c) Section 28-3903(a)(17) is amended by striking the phrase "§ 28-3905" and inserting the phrase "the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*)" in its place.

Note, § 2-1217.73

(d) Section 4(l) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(l)), is amended by striking the phrase "within the following area" and inserting the phrase "abutting the following line" in its place.

Note, § 1-611.03

(e) Section 1103(f)(4)(A) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1 611.03(f)(4)(A), is amended as follows:

(1) The existing text is designated as sub-subparagraph (i).

(2) A new sub-subparagraph (ii) is added read as follows:

"(ii) For Fiscal Year 2015, and except as provided in subparagraph (B) of this paragraph, no officer or member of the Fire and Emergency Medical Services Department who

is authorized to receive overtime compensation under this subsection may earn overtime in excess of $ 30,000 in a fiscal year.".

(f) The Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended as follows:

(1) Section 1053 is repealed. **Note, § 1-612.03c**

(2) A new section 4073a is added to read as follows:

"Sec. 4073a. Child development facility requirements. **Note, New § 38- 282.01**

"(a) If 50 % or more children in a licensed child development facility are eligible to participate in the CACF Program, the facility shall participate in the program unless OSSE grants it an exemption pursuant to subsection (b) of this section.

"(b) To be eligible for an exemption, a child development facility must provide OSSE with a written statement describing why participation in the CACF Program constitutes a hardship. OSSE will determine whether good cause exists and provide notice to the child development facility that it is excused from participating in the CACF Program for one year from the date of the notice. To the extent possible, OSSE shall work with excused child development facilities to address barriers to participating in the CACF Program.".

(3) Section 4074(a) is amended as follows: **Note, § 38- 283**

(A) Paragraph (2) is amended by striking the word "and" at the end.

(B) Paragraph (3) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new paragraph (4) is added to read as follows:

"(4) Provide to the Mayor, the Council, and the Healthy Schools and Youth Commission, no later than June 30 of each year, a report listing the names and locations of licensed child development facilities with 50 % or more eligible children enrolled, whether the facility participates in the CACF Program, and whether and why the facility was excused from participation.".

(g) Section 552(d-1) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52(d-1), is amended by striking the phrase "October 1, 2015" and **Note, § 4-205.52**
inserting the phrase "October 1, 2014" in its place.

(h) The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq*.), is amended as follows:

(1) Section 202(b) (D.C. Official Code § 10-1102.02(b)) is amended to read as follows: **Note, § 10-1102.02**

"(b) Notwithstanding the requirements of subsection (a) of this section, the District shall not charge a fee to an organization for occupying public space to operate a farmers market; provided, that it participates in the Supplemental Nutritional Assistance Program and the Women, Infants and Children Farmers Market Nutrition Program.".

(2) Section 303 (D.C. Official Code § 10-1103.02) is amended to read as follows: **Note, § 10-1103.02**

"Sec. 303. (a)(1) The Chief Financial Officer shall assess and collect rent and charges from the owner or owners of abutting property for any vault located in the public space abutting such property, unless such vault has been removed, filled, sealed, or otherwise rendered unusable in a manner satisfactory to the Mayor.

"(2) Bills and notices shall be deemed to be properly served when mailed via first class mail to the abutting property owner's mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(b)(1) Notwithstanding section 104 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision of law that imposes liability for vault rent that is contrary to this subsection, vault rent shall be assessed against a responsible condominium unit owners' association.

"(2) The responsible condominium unit owners' association shall be billed for vault rent as a separate and distinct taxable entity with its own vault rent account, as designated by the Chief Financial Officer, and, unless the context requires otherwise, for purposes of this title shall be deemed to be the owner of the property abutting public space in which any vault is located.

"(3) A notice of proposed land assessment relating to the vault rent account shall be given to the responsible condominium unit owners' association by March 1st before the beginning of the applicable vault rent year. Only the land values of comparable multi-family residential properties shall only be used in determining land values for vault rent purposes of residential condominiums.

"(4) The assessed value of the land derived for purposes of billing the vault rent may be appealed as provided under D.C. Official Code § 47-825.01a(d), (e), and (g); except, that for the purposes of this section any references in that section to an owner shall be deemed to be references to a responsible condominium unit owners' association.

"(5) The Chief Financial Officer may correct or change any land assessment relating to the vault rent account for which a responsible condominium unit owners' association is responsible as under the circumstances and subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to:

"(A) Tax years shall be deemed to be a reference to vault rent years;

"(B) Owner shall be deemed to be a reference to a responsible condominium unit owners' association; and

"(C) The owner's address of record shall be deemed to be a reference to the responsible condominium unit owners' mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(c) Where vault rent is assessed against any owner other than a responsible condominium owners' association, the Mayor may adjust any utilization factor or area of the vault level under the circumstances, subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to tax years shall be deemed to be a reference to vault rent years .".

Note, § 47-4304.01

(i) Section 47-4304.01(3) of the District of Columbia Official Code is amended by striking the phrase “3-year period” and inserting the phrase “4-year period” in its place.

(j) The Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended by adding new sections 7010a, 7010b, 7010c, 7010d, and 7010e to read as follows:

"Sec. 7010a. The Retail Incentive Amendment Act of 2012, effective April 27, 2013 (D.C. Law 19-288; 60 DCR 2325), is repealed. **§ 2-1217.73 Law 19-288 not implemented**

"Sec. 7010b. Section 701 of the Raising Expectations for Education Outcomes Omnibus Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-757.01), is repealed. : **Note, § 38-757.01**

"Sec. 7010c. The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2201.01 et seq.), is amended as follows:

"(a) Section 206g(d) is repealed. **Note, § 34-2202.06g**

"(b) Section 206h(e) is repealed. **Note, § 34-2202.06h**

"Sec. 7010d. The Senior Citizen Real Property Tax Relief Act of 2013, effective May 28, 2014 (D.C. Law 20-105; 61 DCR 5897), is repealed. **§ 47-863 Law 20-105 not implemented**

"Sec. 7010e. Section 601(m) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1164.01(m)), is repealed.". **Note, § 1-1164.01**

(k) Section 47-181 of the District of Columbia Official Code is amended as follows: **Note, § 47-181**

(1) Subsection (b) is amended by striking the phrase "approved, any recurring revenues in a quarterly revenue estimate" and inserting the phrase "approved by the District, any recurring revenues in a February revenue estimate" in its place.

(2) Subsection (c)(7) is amended by striking the phrase "$6,650 for Head of Household" and inserting the phrase "$6,500 for Head of Household" in its place.

(l) Section 47-1801.04(44) of the District of Columbia Official Code is amended to read as follows: **Note, § 47-1801.04**

"(44) "Standard deduction" means:

"(A) In the case of a return filed by a single individual or married individual filing a separate return:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50) for a single individual and one-half of the amount that may be taken by a single individual for a married individual filing a separate return;

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $5,200 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $5,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the amount of the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(B) In the case of a return filed by a head of household:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $6,500 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $7,800 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(C) In the case of a return filed by married individuals filing a joint return, or a surviving spouse:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $8,350 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $10,275 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) The standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986; and

"(D) In the case of an individual who is a resident, as defined in paragraph (42) of this section, for less than a full 12-month taxable year, the amounts specified in subparagraph (A), (B), or (C) of this paragraph prorated by the number of months that the individual was a resident.".

(m) Section 47-1803.02(a)(2)(N) of the District of Columbia Official Code is amended to read as follows:

Note, § 47-1803.02

"(N)(i) Pension, military retired pay, or annuity income received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year, except that the exclusion shall not exceed the lesser of $3,000 or the actual amount of the pension, military retired pay, or annuity received during the taxable years; provided, that the pension, military retired pay, or annuity is otherwise subject to taxation under this chapter; provided further, that this sub-subparagraph shall apply for taxable years beginning before January 1, 2015.

"(ii) Survivor benefits received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year.".

(n) Section 47-1806.02 of the District of Columbia Official Code is amended as follows: **Note, § 47-1806.02**

(1) Subsection (c) is amended to read as follows:

"(c) There shall be allowed an additional exemption for a taxpayer who qualifies as a head of household; provided, that this subsection shall not apply for a tax year in which the deduction amount for personal exemptions under subsection (i) of this section is $2,200 or more.".

(2) Subsection (i)(2) is amended by striking the phrase "and subject to § 47-1806.04(e)".

(3) Subsection (h-1) is amended by striking the phrase "The amount" and inserting the phrase "For tax years beginning after December 31, 2014, the amount" in its place.

(o) Section 47-1806.04(f)(1)(B) of the District of Columbia Official Code is amended by striking the phrase "40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986" and inserting the phrase "40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986; provided, that the credit shall not be allowed to a resident who has elected to claim the low income tax provided for in subsection (e) of this section" in its place. **Note, § 47-1806.04**

(p) Section 47-2000 of the District of Columbia Official Code is amended as follows: **Note, § 47-2002**

(1) Paragraph (5) is repealed.

(2) Paragraph (6) is repealed.

(q) Section 47-3702 of the District of Columbia Official Code is amended as follows: **Note, § 47-3702**

(A) Subsection (a) is amended by striking the phrase "before January 1, 2015" and inserting the phrase "before January 1, 2016" in its place.

(B) Subsection (c) is amended by striking the phrase "before January 1, 2015" and inserting the phrase "before January 1, 2016" in its place.

(r) Title 47 of the District of Columbia Official Code is amended as follows:

(1) Section 47-845(c) is amended by striking the phrase "interest at the rate of 8% per annum" and inserting the phrase "simple interest at the rate of 1/2% per month or portion of a month until paid" in its place. **Note, § 47-845**

(2) Section 47-845.02 is amended as follows: **Note, § 47-845.02**

(A) Subsection (a)(2) is amended to read as follows:

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year

ending immediately before the beginning of the real property tax year during which application is made under subsection (e) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.".

(B) Subsection (c) is amended by striking the phrase "interest at the rate of 8% per annum" and inserting the phrase "simple interest at the rate of 1/2% per month or portion of a month until paid" in its place.

(C) Subsection (d) is amended by striking the phrase "and § 47-845" and inserting the phrase ", § 47-845, and § 47-845.03" in its place.

(D) Subsection (h) is amended by adding a new paragraph (5) to read as follows:

"(5)(A) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(1)(B) of this section.

"(B) This paragraph shall not apply if the senior's household no longer qualifies for the deferral for any other reason.".

Note, § 47-845.03

(3) Section 47-845.03 is amended as follows:

(A) Subsection (a)(2) is amended to read as follows:

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year ending immediately before the beginning of the real property tax year during which application is made under subsection (f) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.".

(B) Subsection (c) is amended to read as follows:

"(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than $12,500 of household interest and dividend income, and has owned a residence in the District for at least the immediately preceding 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section.".

(C) Subsection (d) is amended by striking the phrase "and § 47-845" and inserting the phrase ", §47-845, and § 47-845.02" in its place.

(D) Subsection (i) is amended by adding a new paragraph (5) to read as follows:

"(5) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(4)(D) of this section. This paragraph shall not apply where the senior's household no longer qualifies for the deferral for any other reason.".

Note, § 47-1806.06

(4) Section 47-1806.06 is amended as follows:

(A) Subsection (a) is amended as follows:

(i) Paragraph (2)(C) is amended by striking the phrase "for all claimants" and inserting the phrase "for all claimants other than eligible senior claimants" in its place.

(ii) A new paragraph (2A) is added to read as follows:

"(2A) For taxable years beginning after December 31, 2014, the percentage required under paragraph (1) of this subsection to be determined for eligible senior claimants shall be 100% of property tax or of rent constituting property taxes accrued exceeding 3.0% of adjusted gross income of the tax filing unit.".

(B) Subsection (b) is amended by adding a new paragraph (9) to read as follows:

"(9) The term "eligible senior claimant" means a claimant who is 70 years or older at any time during the tax year and whose adjusted gross income does not exceed $60,000.".

(C) Subsection (e)(1) is amended by striking the phrase "§ 47-845" and inserting the phrase ""§§ 47-845, 47-845.02 and 47-845.03" in its place.

(D) Subsection (r) is amended by striking the phrase "$50,000 shall be" and inserting the phrase "$50,000 ($60,000 for eligible senior claimants) shall be" in its place.

(5) Section 47-845.03 is amended by striking the phrase "at least 25 years" and inserting the phrase "at least the immediately preceding 25 years" in its place. **Note, § 47-845.03**

(6) Chapter 13A is amended by striking the section designation "47-1390. Office of Real Property Tax Sale Review.". **Note, § 47-1390**

(7) Section 47-1334(b) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place. **Note, § 47-1334**

(8) Section 47-1341 is amended as follows: **Note, § 47-1341**

(A) Subsection (a)(2) is amended to read as follows:

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form and may include a payment coupon or enclosed bill:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by May 31, 20__)

"The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the

limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com or at any District branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is not made before May 31, 20__, the amount listed on this notice may no longer be accurate. In that case, you must contact the Office of Tax and Revenue at …….. to obtain an updated payoff amount.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS

IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

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

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form, and may include a payment coupon or enclosed bill:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by [Last Business Day before tax sale begins]

"The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com, at any District branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is made less than 10 calendar days before [the last business day before tax sale], you must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure that your property is removed from the tax sale.

- "You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the Customer Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.
- "Do not mail your paid receipt.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS

IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).".

(9) Section 47-1346(a)(5) is amended as follows: **Note, § 47-1346**

(A) Subparagraph (A) is amended by striking the word "taxes" and inserting the phrase "in rem taxes" in its place.

(B) Subparagraph (B) is amended by striking the word "taxes" and inserting the phrase "in rem taxes" in its place.

(10) Section 47-1348 is amended as follows: **Note, § 47-1348**

(A) Subsection (a)(10) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place.

(B) Subsection (c) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place.

(11) Section 47-1353(d) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place. **Note, § 47-1353**

Note, § 47-1353.01

(12) Section 47-1353.01(b) is amended to read as follows:

"(b) The notice required pursuant to subsection (a) of this section shall be in substantively the following form:

"[Date]

"ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address]

"Tax Sale Date: [July __, 20__]

"If you do not pay all amounts due, the purchaser will have the right to file a lawsuit to foreclose on the property and you may lose title.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Please follow the below instructions to redeem your property from tax sale and prevent a foreclosure lawsuit.

- "To redeem your property from the tax sale, you must pay all taxes owed, as well as any legal fees and expenses that may become due.
- "A tax bill is mailed to you during the month of August. You should pay the bill in full and on time.
- "If you are receiving this notice after October 31, 20__, or if you have not already paid your tax bill in full, you should contact the Office of Tax and Revenue ("OTR") at …….. for a current tax bill and up-to-date payoff amount.
- "After you have paid your taxes, you should call OTR to confirm that you have redeemed your property. Keep a copy of your proof of payment in case there is a later dispute about the payment.
- "If you have not paid all taxes within four months after the Tax Sale Date stated above, an additional $381.50 may be added to reimburse the purchaser for some costs.
- "If you do not redeem the property within six months of the Tax Sale Date stated above, the tax sale purchaser may file a lawsuit against you to obtain title to the property.
- "If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees and expenses that may total thousands of dollars. You may also lose title to the property.
- "For further information on how to redeem, please read our Real Property Owner's Guide to the Tax Sale Redemption Process, available on our Web site at www.taxpayerservicecenter.com by clicking on "Real Property." You may also request a copy by visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

"YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE. SEE THE NEXT PAGE FOR MORE INFORMATION.

"Should you have additional questions, please call OTR's Customer Service Center at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

Note, § 47-1354

(13) Section 47-1354(b) is amended by striking the phrase "the other purchaser" and inserting the phrase "such other purchaser" in its place.

Note, § 47-1361

(14) Section 47-1361(d)(1) is amended by striking the phrase "subsection (b-1)" and inserting the phrase "subsection (b-2)" in its place.

Note, § 47-1377

(15) Section 47-1377(a)(1)(A)(i) is amended by striking the word "amount" and inserting the word "cost" in its place.

Note, § 2-1215.15

(s) Section 15(f) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-34; D.C. Official Code § 2-1215.15(f)), is amended by striking the phrase "plus interest on the unpaid amount at the rate of 1 1/2%" and inserting the phrase "plus simple interest on the unpaid amount at the rate of 1.5%" in its place.

(t) The District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq*.), is amended as follows:

Note, § 42-1102

(1) Section 302(34) (D.C. Official Code § 42-1102(34)) is to read as follows:

"(34) Deeds to property transferred to a named beneficiary of a revocable transfer on death deed under the Uniform Real Property Transfer of Death Act of 2012, effective

March 19, 2013 (D.C. Law 19-230; D.C. Official Code § 19-604.01 *et seq*.), by reason of the death of the grantor of the revocable transfer on death deed.".

(2) Section 303(a-4) (D.C. Official Code § 42-1103(a-4)) is amended by striking the word "transferred" and inserting the phrase "transferred by deed of title" in its place. **Note, § 42-1103**

(u) The Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended as follows:

(1) A new section 7173 is added to read as follows: **Note, § 47-1817.01**

"Sec. 7173. Applicability.

"This subtitle shall be applicable for tax years beginning after December 31, 2014.".

(2) A new section 7185 is added to read as follows: **Note, § 2-1210.32**

"Sec. 7185. The grant program established by this subtitle shall be funded by the savings realized from section 7184.".

(3) Section 8032(a) is amended by striking the phrase "Regional Transportation Improvement Program" and inserting the phrase "region's Transportation Improvement Program" in its place. **NA**

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-180, effective March 7, 2015 (Expiration date October 18, 2015)
(Related Emergency Legislation is Act 20-523, 20 DCSTAT 4437)

AN ACT

Bill 20-1005
Act 20-588 effective January 14, 2015

To amend, on a temporary basis, the District of Columbia Health Occupations Revision Act of 1985 to extend the transition period for persons currently meeting the requirements for licensure as trauma technologists in the District.

Codification District of Columbia Official Code 2001 Edition

Trauma Technologists Licensure Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Trauma Technologists Licensure Temporary Amendment Act of 2014".

Note, § 3-1206.53

Sec. 2. Section 653 of the District of Columbia Health Occupations Revision Act of 1985, effective January 25, 2014 (D.C. Law 20-64; D.C. Official Code § 3-1206.53), is amended by striking the phrase "12 months" and inserting the phrase "24 months" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-238, effective March 13, 2015 (Expiration date October 24, 2015)
(Related Emergency Legislation is Act 20-528, 20 DCSTAT 4446)

AN ACT

Bill 20-1009
Act 20-589 effective January 22, 2015

To amend, on a temporary basis, the Day Care Policy Act of 1979 to establish a pilot community-based Quality Improvement Network that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family-support engagement services, including educational, health, nutritional, behavioral, and family support services.

Codification District of Columbia Official Code 2001 Edition

Early Learning Quality Improvement Network Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Early Learning Quality Improvement Network Temporary Amendment Act of 2014".

Note, New § 4-415

Sec. 2. The Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-401 *et seq.*), is amended by adding a new section 15a to read as follows:

"Sec. 15a. Comprehensive child development programs.

"(a) Notwithstanding sections 3 through 11, the Office of the State Superintendent of Education ("OSSE") shall establish a pilot community-based Quality Improvement Network ("QIN") composed of:

"(1) Child development hubs, selected through a competitive process, that will provide quality improvement technical assistance and comprehensive services to licensed child development centers and licensed child development homes selected by OSSE to be partners and that agree to meet federal Early Head Start Program Performance Standards for program participation; and

"(2) Child development centers and child development homes, selected through a competitive process, to provide low-income infants and toddlers high-quality, full-day, full-year comprehensive early learning and development services and continuum of care.

"(b) Child development centers and child development homes within the QIN shall receive technical assistance from child development hubs to achieve the following within 18 months of being selected by OSSE to participate in the QIN:

"(1) Child development centers and child development homes within the QIN shall have adult-to-child ratios and group sizes that meet or exceed federal Early Head Start standards for all children from birth to 3 years of age in child development centers, or as otherwise approved by OSSE.

"(2) Child development centers and child development homes within the QIN shall have a comprehensive curriculum or program that is aligned with federal Head Start Program Performance Standards and the District's early learning and development standards for serving infants, toddlers, and their families.

"(3) Staff who have direct supervision of infants and toddlers at child development centers and child development homes within the QIN shall, at a minimum, meet or exceed Early Head Start Standards for staff qualifications or credentials.

"(4) Child development centers and child development homes within the QIN shall partner with child development hubs to develop and implement a quality improvement plan, including aligning program policies and procedures to support on-site coaching, professional development, and teacher planning time.

"(5) Child development centers and child development homes within the QIN shall provide child-, family-, and program-level data to OSSE and the child development hubs as requested.

"(6) Child development centers and child development homes within the QIN shall participate in ongoing, on-site, and desktop monitoring activities to ensure compliance with program requirements and Head Start Program Performance Standards required to remain in good standing with OSSE, the child development hubs, and the U.S. Department of Health and Human Services, Office of Head Start, if applicable.

"(7) Child development centers and child development homes within the QIN shall support comprehensive services for children and families by the child development hubs, including implementation of individualized family service plans.

"(8) Child development centers and child development homes within the QIN shall participate in the Child and Adult Care Food Program.

"(9) Child development centers and child development homes within the QIN shall facilitate children's and families' transitions to Pre-K or Head Start programs.

"(c) OSSE shall have authority to set payment rates, and to develop policies and procedures for high-quality early learning and development services set under the authority of this section.

"(d) To be eligible for infant and toddler child development services provided by child-care partners in the QIN, a child shall be a resident of the District of Columbia and between birth and 3 years of age; provided, that a child who turns 3 years old during a program year may continue to receive services for the duration of the program year before transitioning into a pre-kindergarten or Head Start preschool program.

"(e) To the extent possible, priority enrollment shall be given to children between birth and 3 years of age whose families are living at or below the federal poverty level, who are homeless or in the foster care system, or who live with a grandparent, godparent or relative who is receiving a grandparent caregiver subsidy pursuant to Title I of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq.)*.

"(f) OSSE shall monitor the child development hubs and partner participants in the QIN for adherence to policies and procedures set under the authority of this act.

"(g) OSSE may, in whole or in part, terminate the grant provided to a child development hub or partner participant at any time if OSSE determines that the hub or partner participant has:

"(1) Substantially failed to comply with, or meet the objectives and terms of, the grant award; or

"(2) Failed to comply with applicable federal or District laws or regulations.

"(h) OSSE shall continue on-site monitoring for health and safety licensing compliance of child-care partners participating in the QIN; provided, that OSSE may delegate to the child development hubs on-site monitoring of the compliance of participating child development centers and homes with federal Head Start Program Performance Standards; provided, that relevant data collected by child development hubs is regularly reported to OSSE.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-239, effective March 13, 2015 (Expiration date October 24, 2015)
(Related Emergency Legislation is Act 20-529, 20 DCSTAT 4449)

AN ACT

Bill 20-1011
Act 20-590 effective January 22, 2015

To amend, on a temporary basis, the Education Licensure Commission Act of 1976 to extend authority to the Commission to require an educational institution physically located outside the District of Columbia offering postsecondary degree-granting or non-degree-granting online programs or courses to District of Columbia residents to be licensed in the District of Columbia, and to provide the Commission with the authority to enter into reciprocity agreements in regard to online instruction; and to amend the State Education Office Establishment Act of 2000 to designate the Office of the State Superintendent of Education the state portal agency for state authorization reciprocity.

Codification District of Columbia Official Code 2001 Edition

Education Licensure Commission Temporary Amendment Act of 2014

BE IT ENACTED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Education Licensure Commission Temporary Amendment Act of 2014”.

Sec. 2. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq*.), is amended as follows:

Note, § 38-1302

(a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

(1) Paragraph (7) is amended by striking the phrase "by personal attendance or correspondence." and inserting the phrase "by personal attendance, online instruction, or by other means." in its place.

(2) New paragraphs (15) and (16) are added to read as follows:

“(15)(A) "Online instruction" means education, whether known as virtual class, correspondence course, distance learning, or other like term, where the learner and instructor are not physically in the same place at the same time, that is delivered through an electronic medium such as the Internet, Web-based form, real time, or recorded video or digital form, and offered or provided by an educational institution to District residents who are physically present in the District.

“(B) The education provided pursuant to subparagraph (A) of this paragraph shall be deemed delivered through an online presence in the District.

“(16) "Online presence" means the delivery of online instruction by an educational institution.”.

Note, § 38-1306

(b) Section 6 (D.C. Official Code § 38-1306) is amended by adding a new subsection (c-1) to read as follows:

“(c-1) An educational institution licensed by the Commission shall be subject to the laws and regulations that govern degree-granting and non-degree-granting institutions in the District, including those governing the complaint process.”.

(c) Section 7 (D.C. Official Code § 38-1307) is amended as follows: **Note, § 38-1307**

(1) Paragraph (3) is amended by striking the word "and" at the end.

(2) Paragraph (4) is amended by striking the period and inserting a semicolon in its place.

(3) New Paragraphs (5) and (6) are added to read as follows:

"(5) Have the authority to enter into agreements with other jurisdictions as it relates to the licensing of postsecondary educational institutions that provide degree-granting or non-degree-granting online instruction to residents of the District; and

"(6) Enter into agreements with degree-granting educational institutions operating in the District of Columbia that are otherwise conditionally exempt pursuant to section 10 for the purpose of ensuring consistent consumer protection in the interstate distance education delivery of higher education.".

(d) Section 9 (D.C. Official Code § 38-1309) is amended as follows: **Note, § 38-1309**

(1) Subsection (a)(2) is amended by striking the phrase "§ 29-101.99 or § 29-301.64," and inserting the phrase "§ 29-101.01 *et seq*.," in its place.

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

"(a-1) An educational institution that is providing degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District and shall be licensed by the Commission.".

(3) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "; and" and inserting a period in its place.

(B) Paragraph (2) is repealed.

(4) Subsection (e) is amended by striking the phrase "done by correspondence." and inserting the phrase "done solely through online instruction." in its place.

Sec. 3. Section 3(b)(6) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(6)), is amended by striking the semicolon and inserting the phrase ", including acting as the state portal agency for the purposes of state authorization reciprocity;" in its place. **Note, § 38-2602**

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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

D.C. Law 20-240, effective March 13, 2015 (Expiration date October 24, 2015)
(Related Emergency Legislation is Act 20-544, 20 DCSTAT 4458)

AN ACT

Bill 20-1013
Act 20-591 effective January 22, 2015

To amend, on a temporary basis, An Act To provide for the payment and collection of wages in the District of Columbia to clarify who may bring an action on behalf of an employee and when a general contractor and subcontractor or a general contractor and ;temporary staffing firm will be jointly and severally liable for violations, to revise criminal penalties for violations of the act, and to authorize the Mayor to issue rules to implement the provisions of the act; to amend the Minimum Wage Act Revision Act of 1992 to clarify the time period for retention of payroll records, when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, and how the Mayor shall make certain information available to employers; and to amend the Wage Theft Prevention Amendment Act of 2014 to repeal a retroactive applicability provision.

Codification District of Columbia Official Code 2001 Edition

Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2014".

Sec. 2. An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is amended as follows:

Note, § 32-1303

(a) Section 3 (D.C. Official Code § 32-1303) is amended as follows:

(1) Paragraph (5) is amended as follows:

(A) Strike the word "alleged" and insert the word "found" in its place.

(B) Strike the phrase "Act." and insert the phrase "Act, except as otherwise provided in a contract between the contractor and subcontractor in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157)." in its place.

(2) Paragraph (6) is amended by striking the phrase "District." and inserting the phrase "District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157)." in its place.

Note, § 32-1307

(b) Section 7(a) (D.C. Official Code § 32-1307(a)) is amended to read as follows:

" (a)(1) Any employer who negligently fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:

"(A) For the first offense, an amount per affected employee of not more than $2,500;

"(B) For any subsequent offense, an amount per affected employee of not more than $5,000.

"(2) Any employer who willfully fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall:

"(A) For the first offense, be fined not more than $5,000, or imprisoned not more than 30 days, or both; or

"(B) For any subsequent offense, be fined not more than $10,000, or imprisoned not more than 90 days, or both.

"(3) The fines set forth in paragraphs (1) and (2) of this subsection shall not be limited by section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).".

Note, § 32-1308

(c) Section 8(a) (D.C. Official Code § 32-1308(a)) is amended by striking the phrase ", or any entity a member of which is aggrieved by a violation of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act".

Note, § 32-1312

(d) A new section 10b is added to read as follows:

"Sec. 10b. Rules.

"The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1068 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.".

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

Note, § 32-1008

(a) Section 9(a)(1) (D.C. Official Code § 32-1008(a)(1)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1009

(b) Section 10(c) (D.C. Official Code § 32-1009(c)) is amended to read as follows:

"(c) The Mayor shall make copies or summaries of this act publicly available on the District government's website or by some other appropriate method within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157). An employer shall not be liable for failure to post notice if the Mayor has failed to provide to the employer the notice required by this section.".

Note, § 32-1011

(c) Section 12(d)(1)(C) (D.C. Official Code § 32-1011(d)(1)(C)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1012

(d) Section 13 (D.C. Official Code § 32-1012) is amended as follows:

(1) Subsection (c) is amended by striking the phrase "act." and inserting the phrase "act, except as otherwise provided in a contract between the contract and subcontractor in

effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157).” in its place.

(2) Subsection (f) is amended by striking the phrase “District.” and inserting the phrase “District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157).” in its place.

Retroactive Applicability Date

Sec. 4. Section 7 of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157), is repealed.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

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

AN ACT

Bill 20-1021

Emergency Declaration Res. 20-763 21 DCStat 950

Codification District of Columbia Official Code 2001 Edition

Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014

Note, § 44-407

To amend, on an emergency basis, the Health Services Planning Program Re-establishment Act of 1996 to exempt the Not-For-Profit Hospital Corporation from the certificate-of-need requirements for a period of one year for the establishment of an ambulatory care clinic in Ward 8, provided that it establishes 2 mobile health clinics to operate in Wards 7 and 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014".

Sec. 2. Section 8(b) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407(b)), is amended as follows:

(a) Paragraph (12) is amended by striking the phrase “service; and” and inserting the phrase “service.” in its place.

(b) Paragraph (13) is amended by striking the phrase “Hospital.” and inserting the phrase “Hospital; and” in its place.

(c) A new paragraph (14) is added to read as follows:

"(14)(A) Operation by the Not-For-Profit Hospital Corporation of an ambulatory care clinic located in Ward 8; provided, that the Not-For-Profit Hospital Corporation also establishes 2 mobile health clinics to operate in Wards 7 and 8 within 180 days after the effective date of the Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1021).

“(B) The mobile health clinics established pursuant to subparagraph (A) of this paragraph shall also be exempt from certificate of need review.

“(C) The exemptions provided in this paragraph shall expire one calendar year after the effective date of the Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1021).”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-564, effective January 6, 2015 (Expiration date April 6, 2015)

AN ACT

Bill 20-1045

Emergency Declaration Res. 20-741 21 DCStat 935

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Firearms Control Regulations Act of 1975 to permit a person to register a firearm for self-defense in their place of business, to provide a Freedom of Information Act exception for pistol registration information, to specify application requirements for applying for a license to carry a concealed pistol, to specify the duration of such licenses and requirements for renewal of licenses, to establish duties of licensees, to provide for revocation of licenses, to create a criminal offense of carrying while consuming alcohol or while impaired, to specify prohibitions on licensees, to establish a Concealed Pistol Licensing Review Board, to provide a Freedom of Information Act exception for license information, to specify penalties for violations, and to require the Mayor to issue rules; and to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to authorize the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

License to Carry a Pistol Second Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "License to Carry a Pistol Second Emergency Amendment Act of 2014".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 201(b)(4) (D.C. Official Code § 7-2502.01(b)(4)) is amended by striking the phrase "the home" and inserting the phrase "the home or place of business" in its place.

Note, § 7-2502.01

(b) Section 202(a)(4)(C) (D.C. Official Code § 7-2502.02(a)(4)(C)) is amended to read as follows:

Note, § 7-2502.02

"(C) Any person who seeks to register a pistol:

"(i) For use in self-defense within that person's home or place of business; or

"(ii) As part of the application process for a license to carry a concealed pistol pursuant to section 902; or".

(c) Section 203(a)(4) (D.C. Official Code § 7-2502.03(a)(4)) is amended as follows:

Note, § 7-2502.03

(1) Subparagraph (D) is amended by striking the word "or" at the end.

(2) Subparagraph (E) is amended by adding the word "or" at the end.

(3) A new subparagraph (F) is added to read as follows:

"(F) Violation of section 503 of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-3133);".

(d) A new section 211a is added to read as follows:

Note, New § 7-2502.11a

"Sec. 211a. Freedom of information exception.

"Any record regarding a person who has applied for, received, or had revoked any registration issued pursuant to this title shall not be made available as a public record under section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).".

Note, § 7-2507.06

(e) Section 706(a) (D.C. Official Code § 7-2507.06(a)) is amended by striking the phrase "Except as provided in sections 205, 208, 702, and 807" and inserting the phrase "Except as provided in sections 205, 208, 702, 807, and Title IX" in its place.

(f) A new Title IX is added to read as follows:

"TITLE IX – LICENSES TO CARRY A PISTOL.

Note, New § 7-2509.01

"Sec. 901. Definitions.

"For the purposes of this title, the term:

"(1) "Child" means a person under 18 years of age.

"(2) "Concealed pistol" means a loaded or unloaded pistol carried on or about a person entirely hidden from view of the public, or carried on or about a person in a vehicle in such a way as it is entirely hidden from view of the public.

"(3) "Law enforcement officer" means a sworn member of the Metropolitan Police Department or of any other law enforcement agency operating and authorized to make arrests in the District of Columbia, and includes an MPD reserve officer, a special police officer appointed pursuant to section 202 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057; D.C. Official Code § 5-129.02), and a campus and a university special police officer appointed pursuant to the College and University Campus Security Amendment Act of 1995, effective October 18, 1995 (D.C. Law 11-63; 6A DCMR § 1200 *et seq.*).

"(4) "License" means a license to carry a concealed pistol issued pursuant to section 6 of the Pistols and Other Dangerous Weapons Act.

"(5) "Licensee" means a person who has been issued a license pursuant to section 6 of the Pistols and Other Dangerous Weapons Act.

"(6) "MPD" means the Metropolitan Police Department.

"(7) "Section 6 of the Pistols and Other Dangerous Weapons Act" means section 6 of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4506).

Note, New § 7-2509.02

"Sec. 902. Application requirements.

"(a) A person who submits an application pursuant to section 6 of the Pistols and Other Dangerous Weapons Act shall certify and demonstrate to the satisfaction of the Chief that he or she:

"(1) Is at least 21 years of age;

"(2) Meets all of the requirements for a person registering a firearm pursuant to this act, and has obtained a registration certificate for the pistol that the person is applying to carry concealed;

"(3)(A) Does not currently suffer from any mental illness or condition that creates a substantial risk that he or she is a danger to himself or herself or others; or

(B) If he or she has suffered in the previous 5 years from a mental illness or condition that created a substantial risk that he or she was a danger to himself or herself or others, no longer suffers from a mental illness or condition that creates a substantial risk that he or she is a danger to himself or herself or others;

"(4) Has completed a firearms training course or combination of courses, conducted by an instructor (or instructors) certified by the Chief, which includes at least 16 hours of training, and covers the following:

"(A) Firearm safety;

"(B) Firearm nomenclature;

"(C) Basic principles of marksmanship;

"(D) Care, cleaning, maintenance, loading, unloading, and storage of pistols;

"(E) Situational awareness, conflict management, and use of deadly force;

"(F) Selection of pistols and ammunition for defensive purposes; and

"(G) All applicable District and federal firearms laws, including the requirements of this act, An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), and District law pertaining to self-defense;

"(5) Has completed at least 2 hours of range training, conducted by an instructor certified by the Chief, including shooting a qualification course of 50 rounds of ammunition from a maximum distance of 15 yards (45 feet); and

"(6) Has complied with any procedures the Chief may establish by rule.

"(b) An applicant shall satisfy the requirements of subsection (a)(4) and (a)(5) of this section with a certification from a firearms instructor that the applicant:

"(1) Demonstrated satisfactory completion of the requirements of subsection (a)(4) and (a)(5) of this section; and

"(2) Possesses the proper knowledge, skills, and attitude to carry a concealed pistol.

"(c) An applicant may be exempt from some or all of the requirements of subsection (a)(4) and (a)(5) of this section if the applicant has submitted evidence that he or she has received firearms training in the United States military or has otherwise completed firearms training conducted by a firearms instructor that, as determined by the Chief, is equal to or greater than that required under subsection (a)(4) and (a)(5) of this section.

"(d) An applicant for a license may satisfy any component of the requirements of subsection (a)(4) and (a)(5) of this section by demonstrating to the satisfaction of the Chief that

the applicant has met that particular component as part of a successful application to carry a concealed pistol issued by the lawful authorities of any state or subdivision of the United States.

"(e)(1) An applicant shall sign an oath or affirmation attesting to the truth of all the information required by section 6 of the Pistols and Other Dangerous Weapons Act and this section.

"(2) Any declaration, certificate, verification, or statement made for purposes of an application for a license to carry a concealed pistol pursuant to this act shall be made under penalty of perjury pursuant to section 401 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2402).

"(f) An applicant is required to appear for an in-person interview at the MPD headquarters for purposes including verification of the applicant's identity and verification of the information submitted as part of the application process for a license.

"(g) Any person whose application has been denied may, within 15 days after the date of the notice of denial, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908.

"Sec. 903. Expiration and renewal of licenses. **Note, New § 7-2509.03**

"(a) A license shall expire no later than 2 years after the date of issuance unless revoked by the Chief or renewed pursuant to this title.

"(b)(1) A license shall be eligible for renewal if:

"(A) The licensee continues to meet the requirements of section 6 of the Pistols and Other Dangerous Weapons Act and section 902, except that:

"(i) With regard to section 902(a)(4), only 4 hours of such training shall be required for renewal; and

"(ii) With regard to section 902(a)(5), the licensee shall provide proof of 2 hours of range practice within the previous 12 months; and

"(B) The licensee follows any procedures the Chief may establish by rule.

"(2) Timely renewal shall be the responsibility of the licensee, pursuant to any procedures the Chief may establish by rule.

"(c) Any person whose renewal application has been denied may, within 15 days after the date of the notice of denial, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908.

"Sec. 904. Duties of licensees. **Note, New § 7-2509.04**

"(a) A licensee shall comply with all limits and conditions of the license.

"(b) A licensee shall notify the Chief in writing:

"(1) Immediately upon discovery of the loss, theft, or destruction of the license and include the circumstances of the loss, theft, or destruction, if known; and

"(2) Within 30 days after a change in the licensee's name or address as it appears on the license.

"(c) A licensee shall have on or about his or her person each time the pistol is carried in the District:

"(1) The license; and

"(2) The registration certificate for the pistol being carried, issued pursuant to this act.

"(d) If a law enforcement officer initiates an investigative stop of a licensee carrying a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act, the licensee, and any other licensee carrying a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act who is with the stopped licensee at the time of the investigative stop, shall:

"(1) Disclose to the officer that he or she is carrying a concealed pistol;

"(2) Present the license and registration certificate;

"(3) Identify the location of the concealed pistol; and

"(4) Comply with all lawful orders and directions from the officer, including allowing a pat down of his or her person and permitting the law enforcement officer to take possession of the pistol for so long as is necessary for the safety of the officer or the public.

"(e) The duties set forth in this section are in addition to any other requirements imposed by this act or applicable law.

"(f) In addition to any other penalty provided by law, a person who violates this section shall be subject to revocation of his or her license.

"Sec. 905. Revocation and suspension of licenses. **Note, New § 7-2509.05**

"(a)(1) The Chief may limit or revoke a license upon a finding that the licensee no longer meets the requirements of section 6 of the Pistols and Other Dangerous Weapons Act and this title, or as a penalty as specified in this act.

"(2) The United States Attorney for the District of Columbia, the Attorney General for the District of Columbia, or any person may apply to the MPD at any time for limitation or revocation of a license.

"(3) Any person having knowledge that a licensee no longer meets the requirements of this act or the requirements of section 6 of the Pistols and Other Dangerous Weapons Act may so notify the Chief or any other law enforcement officer who may take such action as may be appropriate.

"(4) Before a limitation or revocation taking effect, the Chief shall serve a notice of intent to limit or revoke the license. The limitation or revocation shall take effect unless the licensee requests an appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908 no later than 15 days after the date of the notice of intent.

"(b)(1) The Chief may summarily suspend or limit, without a hearing, a license, when the Chief has determined that the conduct of a licensee presents an imminent danger to the health and safety of a person or the public.

"(2) At the time of the summary suspension or limitation of a license, the Chief shall provide the licensee with written notice stating the action that is being taken, the basis for the action, and the right of the licensee to request a hearing.

"(3) A licensee shall have the right to request a hearing within 72 hours after service of notice of the summary suspension or limitation of the license. The Concealed Pistol

Licensing Review Board shall hold a hearing within 72 hours after receipt of a timely request, and shall issue a written decision within 72 hours after the hearing.

"Sec. 906. Carrying a pistol while impaired. **Note, New § 7-2509.06**

"(a) A licensee shall not carry a pistol while he or she is consuming alcohol.

"(b) A licensee shall not carry a pistol while impaired.

"(c) Upon establishing reasonable suspicion that a licensee has been consuming drugs or alcohol, a licensee's failure to submit to one or more field sobriety, breathalyzer, or urine tests, administered to determine whether the licensee is impaired while carrying a pistol, shall be grounds for summary suspension of the license pursuant to section 905(b).

"(d) In addition to any other penalty provided by law, any person who violates this section shall be subject to revocation of his or her license.

"(e) For the purposes of this section, the term "impaired" means a licensee has consumed alcohol or other drug or drugs and that it has affected the licensee's behavior in a way that can be perceived or noticed.

"Sec. 907. Prohibitions on carrying licensed pistols. **Note, New § 7-2509.07**

"(a) No person holding a license shall carry a pistol in the following locations or under the following circumstances:

"(1) A building or office occupied by the District of Columbia, its agencies, or instrumentalities;

"(2) The building and grounds, including any adjacent parking lot, of a childcare facility, preschool, public or private elementary or secondary school; or a public or private college or university;

"(3) A hospital, or an office where medical or mental health services are the primary services provided;

"(4) A penal institution, secure juvenile residential facility, or halfway house;

"(5) A polling place while voting is occuring;

"(6) A public transportation vehicle, including the Metrorail transit system and its stations;

"(7) Any premises, or portion thereof, where alcohol is served, or sold and consumed on the premises, pursuant to a license issued under Title 25 of the District of Columbia Official Code; provided, that this prohibition shall not apply to premises operating under a temporary license issued pursuant to D.C. Official Code § 25-115, a C/R, D/R, C/H, D/H, or caterer license issued pursuant to D.C. Official Code § 25-113, or premises with small-sample tasting permits issued pursuant to D.C. Official Code § 25-118, unless otherwise prohibited pursuant to subsection (b)(3) of this section;

"(8) A stadium or arena;

"(9) A gathering or special event open to the public; provided, that no licensee shall be criminally prosecuted unless:

"(A) The organizer or the District has provided notice prohibiting the carrying of pistols in advance of the gathering or special event and by posted signage at the gathering or special event; or

"(B) The licensee has been ordered by a law enforcement officer to leave the area of the gathering or special event and the licensee has not complied with the order;

"(10) The public memorials on the National Mall and along the Tidal Basin, and any area where firearms are prohibited under federal law or by a federal agency or entity, including U.S. Capitol buildings and grounds;

"(11) The area around the White House between Constitution Avenue, N.W., and H Street, N.W., and between 15th Street, N.W., and 17th Street, N.W.;

"(12) The U.S. Naval Observatory and its grounds, and from the perimeter of its fence to the curb of Massachusetts Avenue, N.W., from 34th Street, N.W., south on Massachusetts Avenue, N.W., to Observatory Circle, N.W.;

"(13)(A) When a dignitary or high-ranking official of the United States or a state, local, or foreign government is moving under the protection of the MPD, the U.S. Secret Service, the U.S. Capitol Police, or other law enforcement agency assisting or working in concert with MPD, within an area designated by the Chief, the Chief of the U.S. Secret Service, or the Chief of the U.S. Capitol Police, or a designee of any of the forgoing, that does not include any point at a distance greater than 1,000 feet from the moving dignitary or high-ranking official; provided, that no licensee shall be criminally prosecuted unless:

"(i) The law enforcement agency provides notice of the designated area by the presence of signs, law enforcement vehicles or officers acting as a perimeter, or other means to make the designated area of protection obvious;

"(ii) The District or federal government has provided notice prohibiting the carrying of pistols along a designated route or in a designated area in advance of the event, if possible, and by posted signage along a route or in a designated area; or

"(iii) The licensee has been ordered by a law enforcement officer to leave the designated area and the licensee has not complied with the order.

"(B) For the purposes of this paragraph, the term "moving" shall include any planned or unplanned stops, including temporary stops, in locations open to the public.

"(14) When demonstration in a public place is occurring, within a perimeter designated by the Chief or his or her designee, or other law enforcement agency, that does not include any point at a distance great than 1,000 feet from the demonstration; provided, that no licensee shall be criminally prosecuted unless:

"(A) The law enforcement agency provides notice of the designated area by the presence of signs, law enforcement vehicles or officers acting as a perimeter, or other means to make the designated area of the demonstration obvious;

"(B) The District or federal government has provided notice prohibiting the carrying of pistols along or within a demonstration route or designated area in advance of the event, if possible, and by posted signage along a demonstration route or designated area; or

"(C) The licensee has been ordered by a law enforcement officer to leave the designated area and the licensee has not complied with the order;

"(15) Any prohibited location or circumstance that the Chief determines by rule; provided, that for spontaneous circumstances, no criminal penalty shall apply unless the licensee has notice of the prohibition and has failed to comply.

"(b)(1) The carrying of a concealed pistol on private residential property shall be presumed to be prohibited unless otherwise authorized by the property owner or person in control of the premises and communicated personally to the licensee in advance of entry onto the residential property.

"(2) The carrying of a concealed pistol in a church, synagogue, mosque, or other place where people regularly assemble for religious worship shall be presumed to be prohibited unless the property is posted with conspicuous signage allowing the carrying of a concealed pistol, or the owner or authorized agent communicates such allowance personally to the licensee in advance of entry onto the property; provided, that such places may not authorize the carrying of a concealed pistol where services are conducted in locations listed in subsection (a) of this section.

"(3) The carrying of a concealed pistol on private property that is not a residence shall be presumed to be permitted unless the property is posted with conspicuous signage prohibiting the carrying of a concealed pistol, or the owner or authorized agent communicates such prohibition personally to the licensee.

"(c) Whenever a licensee carries a concealed pistol and approaches any prohibited location, or is subject to any prohibited circumstance, under subsection (a) or (b) of this section, the licensee shall:

"(1) If the licensee is in a vehicle or if a vehicle is readily available, immediately secure the pistol in the manner prescribed in section 4b(b) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02(b)); or

"(2) If the licensee does not have a vehicle available, immediately leave the prohibited location or circumstance.

"(d) A licensee shall not be in violation of this section:

"(1) While he or she is traveling along a public street, road, or highway, including an adjacent public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) or (b) of this section if the concealed pistol is carried on his or her person in accordance with this act, or is being transported by the licensee in accordance with section 4b of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02); or

"(2) While driving a vehicle into and immediately parking at any location listed in subsection (a)(2) of this section for the purpose of picking up or dropping off a student or a child; provided, that the licensee shall secure the concealed pistol in accordance with section 4b(b) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons

in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02(b)), before leaving the parked vehicle.

"(e) A licensee shall not carry a pistol openly or otherwise in a manner that is not concealed.

"(f) In addition to any other penalty provided by law, any person who violates this section shall be subject to revocation of his or her license.

"(g) For the purposes of this section, the term:

"(1) "Demonstration" means one or more persons demonstrating, picketing, speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves the communication or expression of views or grievances and that has the effect, intent, or propensity to attract a crowd or onlookers. The term "demonstration" does not include the casual use of property by visitors or tourists that does not have the effect, intent, or propensity to attract a crowd or onlookers.

"(2) "Public place" means a place to which the general public has access and a right to occupy for business, entertainment, or other lawful purpose. The term "public place" is not limited to a place devoted solely to the uses of the public, and includes:

"(A) The front or immediate area or parking lot of a store, restaurant, tavern, shopping center, or other place of business;

"(B) A public building, including its grounds and curtilage;

"(C) A public parking lot;

"(D) A public street, sidewalk, or right-of-way;

"(E) A public park; and

"(F) Other public grounds.

"(3) "Public transportation vehicle" means any publicly owned or operated commercial vehicle, including any DC Circulator bus, DC Streetcar, MetroAccess vehicle, Metrobus, or Metrorail train.

"(4) "Residence" means a building wholly or partly used or intended to be used for living and sleeping by human occupants, together with any fences, walls, sheds, garages, or other accessory buildings appurtenant to the building, and the area of land surrounding the building and actually or by legal construction forming one enclosure in which such a building is located, but does not include adjacent common areas or commercial property contained in any part of the building.

"Sec. 908. Concealed Pistol Licensing Review Board. **Note, New § 7-2509.08**

"(a) There is established a Concealed Pistol Licensing Review Board ("Board") for the purpose of hearing appeals from:

"(1) A denial of an application or renewal application for a license to carry a concealed pistol in the District pursuant to this act;

"(2) A summary suspension or limitation of a license to carry a concealed pistol; or

"(3) A limitation or revocation of a license to carry a concealed pistol.

"(b)(1) The Board shall consist of 7 members as follows:

"(A) The United States Attorney ("USAO") for the District of Columbia or his or her designee; provided, that if the USAO declines to provide a representative, the Mayor shall appoint a person who is a former employee of the USAO;

"(B) The Attorney General for the District of Columbia or his or her designee;

"(C) A mental health professional employed by the Department of Behavioral Health, appointed by the Mayor;

"(D) A former sworn officer of a law enforcement agency other than the MPD, appointed by the Mayor;

"(E) Three public members appointed by the Mayor, as follows:

"(i) One mental health professional; and

"(ii) Two District residents with experience in the operation, care, and handling of firearms.

"(2) The appointment of members designated by subsection (b)(1)(D) and (b)(1)(E) of this section shall be made in accordance with the following provisions:

"(A) Each member shall be appointed for a term of 4 years, and shall continue to serve during that time as long as the member remains eligible for the appointment;

"(B) A member may be reappointed;

"(C) A Board member whose term has expired may continue to serve as a member until a replacement member has been appointed;

"(D) A person appointed to fill a vacancy occurring before the expiration of a term shall serve for the remainder of the term or until a successor has been appointed; and

"(E) A member may be removed by the appointing authority only for incompetence, neglect of duty, or misconduct.

"(3) The Mayor shall select a chairperson.

"(4) Members shall serve without compensation, but shall be compensated for actual and necessary expenses incurred in the performance of their official duties.

"(c) Four members of the Board shall constitute a quorum, except that 2 members shall be a quorum when hearing panels of 3 members are assigned by the Board to conduct a hearing and make a final decision required by this section. Each hearing panel shall contain at least one member designated by subsection (b)(1)(A), (B), or (D) of this section.

"(d)(1) Within 30 days after the effective date of the License to Carry a Pistol Second Emergency Amendment Act of 2014, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1045), the Mayor, by rule, shall establish hearing procedures for a contested case review of any appeal, including the manner and time of appeals, and procedures for the Board to assign panels of 3 Board members to conduct such hearings and issue final decisions, pursuant to subsection (c) of this section.

"(2) The rules shall include that the burden of production of evidence, and the burden of persuasion, at a hearing before the Board shall be upon the applicant or licensee that is

challenging a denial of an application or renewal application or limitation or revocation of a license.

"(e) The meetings and hearings conducted by the Board shall be confidential and not open to the public.

"(f) Any person, including the Chief, aggrieved by a final action of the Board may file an appeal in accordance with Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

"Sec. 909. Freedom of information exception; report. **Note, New § 7-2509.09**

"(a) Any record regarding a person who has applied for, received, or had revoked a license shall not be made available as a public record under section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532); provided, that aggregate data, excluding any personal identifying information, may be used for the purposes of the public report in subsection (b) of this section.

"(b) Every 2 years, the Metropolitan Police Department shall make public a report that includes the following information:

"(1) The total number of valid licenses; and

"(2) For the most recent 2-year period:

"(A) The number of applications for a license received;

"(B) The number of licenses issued;

"(C) The number of licenses renewed, suspended, revoked, or denied;

"(D) The number of licensees convicted of a crime involving a pistol, classified by type of crime;

"(E) The number of pistols for which a license was issued that were reported lost or stolen; and

"(F) The number of pistols for which a license was issued that were found or recovered as stolen that were unreported by a licensee as lost or stolen.

"Sec. 910. Penalties. **Note, New § 7-2509.10**

"(a)(1) Except as otherwise provided in this title, a person convicted of a violation of a provision of this title, or rules or regulations issued under the authority of this title, shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or imprisoned for not more than 180 days.

"(2) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this title, or any rules or regulations issued under the authority of this title.

"(b) All prosecutions for violations of this title shall be brought in the name of the District of Columbia and prosecuted by the Office of the Attorney General for the District of Columbia.

"Sec. 911. Rules. **Note, New § 7-2509.11**

"The Chief of the MPD, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),

shall issue rules to implement the provisions of the License to Carry a Pistol Second Emergency Amendment Act of 2014, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1045), including rules:

"(1) To establish criteria for determining when an applicant has, pursuant to section 6 of the Pistols and Other Dangerous Weapons Act:

"(A) Demonstrated a good reason to fear injury to his or her person, which shall at a minimum require a showing of a special need for self-protection distinguishable from the general community as supported by evidence of specific threats or previous attacks that demonstrate a special danger to the applicant's life;

"(B) Demonstrated any other proper reason for carrying a concealed pistol, which shall at a minimum include types of employment that require the handling of cash or other valuable objects that may be transported upon the applicant's person; and

"(C) Demonstrated the applicant's suitability to carry a concealed pistol, which shall at a minimum include evidence that the applicant meets the requirements of section 902;

"(2) To establish the type and amount of ammunition that may be carried concealed by a licensee;

"(3) To establish the methods by which a pistol may be carried, including any standards for safe holstering;

"(4) To establish all application forms, investigation procedures, background checks, and fees necessary to process an application for a license to carry a concealed pistol;

"(5) To specify any procedures or requirements specific to non-residents who apply to carry a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act, with regard to the registration requirements in this act;

"(6) To specify requirements for signage on any private premises where the owner or person in control of the premises prohibits the carrying of a concealed pistol pursuant to section 907(b); and

"(7) To establish procedures for the renewal of licenses.".

Sec. 3. An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), is amended as follows:

(a) Section 4(a) (D.C. Official Code § 22-4504(a)) is amended as follows: **Note, § 22-4504**

(1) The lead-in language is amended as follows:

(A) Strike the phrase "a pistol" and insert the phrase "a pistol, without a license issued pursuant to District of Columbia law" in its place.

(B) Strike the phrase "capable of being so concealed".

(2) Paragraph (1) is amended by striking the phrase "a pistol" and inserting the phrase "a pistol, without a license issued therefor pursuant to District of Columbia law" in its place.

(b) Section 6 (D.C. Official Code § 22-4506) is revived as of the effective date of the License to Carry a Pistol Emergency Amendment Act of 2014, effective October 9, 2014 (D.C. Act 20-447; 61 DCR 10765), and is amended to read as follows: **Note, § 22-4506**

"Sec. 6. Issuance of a license to carry a pistol.

"(a) The Chief of the Metropolitan Police Department ("Chief") may, upon the application of a person having a bona fide residence or place of business within the District of Columbia, or of a person having a bona fide residence or place of business within the United States and a license to carry a pistol concealed upon his or her person issued by the lawful authorities of any State or subdivision of the United States, issue a license to such person to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue, if it appears that the applicant has good reason to fear injury to his or her person or property or has any other proper reason for carrying a pistol, and that he or she is a suitable person to be so licensed.

"(b) A non-resident who lives in a state that does not require a license to carry a concealed pistol may apply to the Chief for a license to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue; provided, that he or she meets the same reasons and requirements set forth in subsection (a) of this section.

"(c) For any person issued a license pursuant to this section, or renewed pursuant to section 903 of the Firearms Control Regulations Act of 1975, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1045), the Chief may limit the geographic area, circumstances, or times of the day, week, month, or year in which the license is effective, and may subsequently limit, suspend, or revoke the license as provided under section 905 of the Firearms Control Regulations Act of 1975, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1045).

"(d) The application for a license to carry shall be on a form prescribed by the Chief and shall bear the name, address, description and photograph of the licensee.

"(e) Except as provided in section 905(b) of the Firearms Control Regulations Act of 1975, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1045), any person whose application has been denied or whose license has been limited or revoked may, within 15 days after the date of the notice of the denial or notice of intent, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908 of the Firearms Control Regulations Act of 1975, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1045).".

Sec. 4. Repealers.

(a) Section 101 of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-2511), is repealed. **Note, § 22-4504**

(b) The License to Carry a Pistol Emergency Amendment Act of 2014, effective October 9, 2014 (D.C. Act 20-447; 61 DCR 10765), is repealed. **Note, § 7-2509.01**

(c) The License to Carry a Pistol Temporary Amendment Act of 2014, enacted on October 31, 2014 (D.C. Act 20-462; 61 DCR 11814), is repealed.

Note, § 7-2509.01

Sec. 5. Rules.

Note, § 7-2509.01

The rules issued under the authority of the License to Carry a Pistol Emergency Amendment Act of 2014, effective October 9, 2014 (D.C. Act 20-447; 61 DCR 10765), shall remain in effect until repealed or superseded.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the License to Carry a Pistol Amendment Act of 2014, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-930), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-566, effective January 9, 2015 (Expiration date March 30, 2015)

AN ACT

Bill 20-1063

Emergency Declaration Res. 20-778 21 DCStat 973

Codification District of Columbia Official Code 2001 Edition

To enact and amend, on an emergency basis, due to congressional review, provisions of law necessary to support the Fiscal Year 2015 budget.

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Fiscal Year 2015 Budget Support Second Congressional Review Emergency Act of 2014

For codification of this act see Act 20-449 20 DCR 4188

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Budget Support Second Congressional Review Emergency Act of 2014".

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. BONUS AND SPECIAL PAY LIMITATION

Sec. 1001. Short title.

This subtitle may be cited as the "Bonus and Special Pay Limitation Congressional Review Emergency Act of 2014".

Sec. 1002. Bonus and special pay limitations.

(a) For Fiscal Year 2015, no funds may be used to support the categories of special awards pay or bonus pay; provided, that funds may be used to pay:

(1) Retirement awards;

(2) Hiring bonuses for difficult-to-fill positions;

(3) Additional income allowances for difficult-to-fill positions;

(4) Agency awards or bonuses funded by private grants or donations;

(5) Employee awards pursuant to section 1901 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-619.01);

(6) Safe driving awards;

(7) Gainsharing incentives in the Department of Public Works;

(8) Suggestion or invention awards;

(9) Quality Steps;

(10) Salary incentives negotiated through collective bargaining; or

(11) Any other award or bonus required by an existing contract or collective bargaining agreement that was entered into before the effective date of this subtitle.

(b) No special awards pay or bonus pay may be paid to a subordinate agency head or an assistant or deputy agency head unless required by an existing contract that was entered into before the effective date of this subtitle.

(c) Notwithstanding any other provision of law, no restrictions on the use of funds to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply in Fiscal Year 2015 to employees of the District of Columbia Public Schools who are based at a local school or who provide direct services to individual students.

(d) Notwithstanding this subtitle or any other provision of law, the Office of the Attorney General shall pay employees of the Office of the Attorney General all performance allowance payments to which they are entitled or may become entitled under any approved compensation

agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the American Federation of Government Employees, Local 1403, AFL-CIO, for the period from October 1, 2013, through September 30, 2017.

SUBTITLE B. ELECTED ATTORNEY GENERAL IMPLEMENTATION AND LEGAL SERVICE ESTABLISHMENT TECHNICAL AMENDMENT

Sec. 1011. Short title.

This subtitle may be cited as the "Elected Attorney General Implementation and Legal Service Establishment Technical Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1012. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*.), is amended as follows:

(a) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the year "2014" and inserting the year "2018" in its place.

(b) Section 863 (D.C. Official Code § 1-608.63) is amended by striking the year "2014" and inserting the year "2018" in its place.

(c) Section 864 (D.C. Official Code § 1-608.64) is amended by striking the year "2014" wherever it appears and inserting the year "2018" in its place.

Sec. 1013. Section 401(a) of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60; 60 DCR 15487), is amended by striking the year "2014" and inserting the year "2018" in its place.

Sec. 1014. (a) The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*.), as amended by section 1012, is amended as follows:

(1) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the year "2018" and inserting the year "2014" in its place.

(2) Section 863 (D.C. Official Code § 1-608.63) is amended by striking the year "2018" and inserting the year "2014" in its place.

(3) Section 864 (D.C. Official Code § 1-608.64) is amended by striking the year "2018" wherever it appears and inserting the year "2014" in its place.

(b) Section 401(a) of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60; 60 DCR 15487), as amended by section 1013, is amended by striking the year "2018" and inserting the year "2014" in its place.

(c)(1) This section shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

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

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

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

SUBTITLE C. PUBLIC SECTOR WORKERS' COMPENSATION BUDGET SAVINGS

Sec. 1021. Short title.

This subtitle may be cited as the "Public Sector Workers' Compensation Budget Savings Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1022. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding a new section designation after "SEC. 2306a. PERIOD OF DISABILITY PAYMENTS" to read as follows:

"SEC. 2306b. REPORT OF EARNINGS".

(b) Title XXIII is amended as follows:

(1) Section 2306(b) (D.C. Official Code § 1-623.06(b)) is repealed.

(2) A new section 2306b is added to read as follows:

"Sec. 2306b. Report of earnings.

"(a) The Mayor shall require each employee receiving benefits under this subtitle to report his or her earnings from employment or self-employment by affidavit, including by providing copies of tax returns and authorizing the Mayor to obtain copies of tax documents, within 30 days of a written request for a report of earnings.

"(b) An employee shall forfeit his or her right to workers' compensation with respect to any period for which the report of earnings was required if the employee:

"(1) Fails to file a complete report of earnings within 30 days of a written request for a report of earnings; or

"(2) Knowingly omits or understates any part of his or her earnings.

"(c) Workers' compensation forfeited under this section, if already paid, may be recovered by a deduction from future workers' compensation payments owed to the employee or otherwise recovered under section 2329.

"(d) The Mayor shall notify any employee receiving workers' compensation benefits, on forms prescribed by the Mayor, of that employee's affirmative duty to report earnings and shall specifically notify the employee that a failure to report earnings may subject him or her to

termination from the program and civil or criminal liability. The notice by the Mayor may be satisfied by printing the notice on the employee payee statement portion of the indemnity check sent to the employee.

"(e) For the purposes of this section, the term "earnings" includes any cash, wages, or salary received from self-employment or from any other employment aside from the employment in which the worker was injured. The term "earnings" also includes commissions, bonuses, and the cash value of all payments and benefits received in any form other than cash. Commissions and bonuses earned before disability but received during the time the employee is receiving workers' compensation benefits do not constitute earnings that must be reported.".

(3) Section 2307 (D.C. Official Code § 1-623.07) is amended as follows:

(A) Subsection (a)(3) is amended to read as follows:

"(3) In addition to compensation for temporary total or temporary partial disability; provided, that:

"(A) A claimant who has received compensation for temporary total or temporary partial disability under this title shall be eligible for compensation payable under this section only after compensation for the temporary total or temporary partial disability has ceased;

"(B) A claimant shall not receive any further compensation for a single injury for temporary total or temporary partial disability after receiving compensation for the injury under this section; and

"(C) A claimant shall not be entitled to receive multiple awards of compensation under this section for the same permanent disability, but shall only be entitled to receive one award of compensation payable under this section per permanent disability.".

(B) Subsection (b) is repealed.

(4) Section 2333(b)(1)(A) (D.C. Official Code § 1-623.33(b)(1)(A)) is amended by striking the phrase "before reaching age 60".

SUBTITLE D. FLEXIBILITY IN PROVISION OF TECHNOLOGY SERVICES

Sec. 1031. Short title.

This subtitle may be cited as the "Technology Services Support Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1032. Section 1003(a) of the Technology Services Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-1432(a)), is amended as follows:

(a) Strike the phrase "health care or education".

(b) Strike the phrase "and any open-access" and insert the phrase "any open-access" in its place.

(c) Strike the phrase "neighborhoods in the District of Columbia" and insert the phrase "neighborhoods in the District, and entities designated by the Mayor as necessary to support economic development initiatives of the District government" in its place.

SUBTITLE E. CAPITAL POLICY AND RESERVE ACCOUNT

Sec. 1041. Short title.

This subtitle may be cited as the "Capital Policy and Reserve Account Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1042. Section 47-392.02 of the District of Columbia Official Code is amended as follows:

(a) Subsection (f) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

"(2) Beginning with the Fiscal Year 2017 budget, and for each subsequent year, the annual proposed budget and financial plan submitted to the Council and the approved budget and financial plan submitted to the Congress of the United States shall include a Pay-as-you-go Capital Account.".

(2) Paragraph (3) is amended by striking the phrase “May, 2015” and inserting the phrase “in May of the previous year” in its place.

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

"(2) The Fiscal Stabilization Reserve Account may be used by the Mayor for the following purposes:

"(A) Those purposes permitted for use of the Contingency Reserve Fund, specified in § 1-204.50a(b)(4), as certified by the Chief Financial Officer, with approval of the Council by act; and

"(B) Funding for locally approved expenditures during a lapse in regular appropriations; provided, that any amounts used must be replenished immediately at the conclusion of the lapse.".

(c) Subsection (j-2) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

"(2) The Cash Flow Reserve Account may be used by the Chief Financial Officer to cover the following:

"(A) Cash-flow needs; provided, that any amounts used must be replenished to the Cash Flow Reserve Account in the same fiscal year; and

"(B) Funding for locally approved expenditures during a lapse in regular appropriations; provided, that any amounts used must be replenished immediately at the conclusion of the lapse.".

(2) A new paragraph (4) is added to read as follows:

"(4) If at the close of a fiscal year, the District has fully funded the Emergency, Contingency, Fiscal Stabilization, and Cash Flow Reserves, all additional uncommitted amounts in the unrestricted fund balance of the General Fund of the District of Columbia as certified by the Comprehensive Annual Financial Report shall be used for the following purposes:

"(A) 50% shall be deposited in the Housing Production Trust Fund; and

"(B) 50% shall be reserved for Pay-as-you-go capital projects.".

Sec. 1043. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-308.04. Replacement schedule for capital assets.".

(b) A new section 47-308.04 is added to read as follows:

"§ 47-308.04. Replacement schedule for capital assets.

"The Chief Financial Officer of the District of Columbia shall develop a 15-year replacement schedule for the capital assets of the District government. The schedule shall be prepared in a form that reflects both the adopted capital improvements plan and a replacement schedule for District capital assets. The Chief Financial Officer shall report to the Council and the Mayor on the replacement schedule on an annual basis, with the initial report due on October 1, 2015. All agencies shall cooperate with any requests made by the Chief Financial Officer related to this section.".

(c) Section 47-335.01 is amended by striking the word "borrowings." and inserting the phrase "borrowings. In determining the amounts to be financed, the Mayor shall consult with the Chief Financial Officer to determine if any funds appropriated for Debt Service, as defined in § 47-334(1), in excess of Debt Service requirements are available to reduce the amount of borrowing for the next bond issuance." in its place.

(d) Section 47-362 is amended by adding a new subsection (f) to read as follows:

"(f) Notwithstanding § 47-363, any funds appropriated for Debt Service, as defined in § 47-334(1), in excess of Debt Service requirements:

"(1) May not be reprogrammed, unless the Council approves the reprogramming request by resolution; and

"(2) At the end of a fiscal year, any excess shall be transferred equally among the Local Streets Ward-Based Capital Projects. For the purposes of this paragraph, the term "Local Streets Ward Based Capital Projects" shall have the same meaning as provided in § 50-921.51(4).".

SUBTITLE F. GOVERNMENT FAMILY LEAVE PROGRAM

Sec. 1051. Short title.

This subtitle may be cited as the "Government Family Leave Program Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1052. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding new section designations to read as follows:

"SEC. 1203a. UNIVERSAL LEAVE PROGRAM

"SEC. 1203b. DONOR LEAVE

“SEC. 1203c. FAMILY LEAVE".

(b) A new section 1203c is added to read as follows:

"Sec. 1203c. Family leave.

"(a) An eligible employee shall receive leave with pay for family leave of not more than 8 workweeks within a 12-month period for a single qualifying event.

"(b) Leave authorized by this section for a single qualifying event:

"(1) May be exercised by an eligible employee only within the 12-month period following the qualifying event;

"(2) May be used in no less than one-day increments, either consecutively or intermittently; and

"(3) Shall count against the 16 workweeks of family leave provided under section 3 of the District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-502) ("D.C. FMLA").

"(c) If an employee using leave under this section is serving in a probationary capacity, the employee's probationary period shall be extended by the duration of the leave used.

"(d) An eligible employee using leave under this section shall enjoy the same employment and benefit protections afforded to an employee under section 6 of the D.C. FMLA; provided, that section 6(f) of the D.C. FMLA shall not apply under this section.

"(e) An agency may require that a request for leave under this section be supported by appropriate certification or other supporting documentation. An agency shall keep any information regarding the family relationship confidential.

"(f) Each agency shall maintain an accounting of leave used under this section and any records related to its use.

"(g) For the purposes of this section, the term:

"(1) "Child" means:

"(A) A person under 21 years of age;

"(B) A person, regardless of age, who is substantially dependent upon the employee by reason of physical or mental disability; or

"(C) A person who is under 23 years of age who is a full-time student at an accredited college or university.

"(2) "Eligible employee" means a District government employee; provided, that the term “eligible employee” does not include:

“(A) A temporary employee appointed for less than 90 days; or

“(B) An intermittent employee.

"(3) "Family member" means:

"(A) A person to whom the employee is related by blood, legal custody, domestic partnership, or marriage;

"(B) A foster child;

"(C) A child who lives with the employee and for whom the employee permanently assumes and discharges parental responsibility; or

"(D) A person with whom the employee shares or has shared, within the last year, a mutual residence and with whom the employee maintains a committed relationship.

"(4) "Qualifying event" means one of the following:

"(A) The birth of a child of the employee;

"(B) The legal placement of a child with the employee (such as through adoption, guardianship, or foster care);

"(C) The placement with the employee of a child for whom the employee permanently assumes and discharges parental responsibilities; or

"(D) The care of a family member of the employee who has a serious health condition.".

SUBTITLE G. OFFICE OF CONTRACTING AND PROCUREMENT SURPLUS PERSONAL PROPERTY SALES FUND ESTABLISHMENT

Sec. 1061. Short title.

This subtitle may be cited as the “Office of Contracting and Procurement Surplus Personal Property Fund Establishment Second Congressional Review Emergency Act of 2014”.

Sec. 1062. Surplus Personal Property Sales Fund.

(a) There is established as a special fund the Surplus Personal Property Sales Fund ("Fund"), which shall be administered by the Chief Procurement Officer in accordance with subsection (c) of this section:

(b) Except as provided in subsection (d) of this section, proceeds from the sale of surplus personal property shall be deposited into the Fund.

(c) Money in the Fund shall be used to pay for the cost of online auction contracts for surplus personal property.

(d) Amounts in excess of the money needed to pay for the cost of online auction contracts for surplus personal property shall be deposited into the unrestricted fund balance of the General Fund of the District of Columbia.

SUBTITLE H. COMMISSION ON FATHERS, MEN, AND BOYS

Sec. 1071. Short title.

This subtitle may be cited as the "Commission on Fathers, Men, and Boys Establishment Second Congressional Review Emergency Act of 2014".

Sec. 1072. Commission on Fathers, Men, and Boys.

The Commission on Fathers, Men, and Boys ("Commission") is established to advise the Mayor, the Council, and the public on issues and needs of fathers, men, and boys in the District of Columbia.

Sec. 1073. Commission members; qualifications; terms of office; removal.

(a) The Commission shall consist of 12 members nominated by the Mayor and subject to the consent of the Council in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)). The makeup of the Commission shall reflect the demographics of the District and shall include prominent business and community leaders and individuals certified in fatherhood training or having documented experience working directly with issues of particular interest and concern to fathers, men, and boys.

(b) Members of the Commission shall be residents of the District.

(c) Members shall be appointed to serve terms of 4 years and shall serve until their successors are appointed. A member of the Commission may be reappointed but may serve no more than 2 consecutive terms.

(d) Whenever a vacancy occurs on the Commission, the Mayor shall, within 90 business days of the vacancy, appoint a successor to fill the unexpired portion of the term.

(e) The Mayor shall designate, from among the members appointed, the Chairman, who shall serve in that capacity at the pleasure of the Mayor.

(f) All members of the Commission shall serve without compensation except that expenses incurred by the Commission as a whole, or by a group of its members, shall become an obligation against appropriated District funds designated for that purpose.

(g) The Mayor may remove, after notice and hearing, any member of the Commission for neglect of duty, incompetence, misconduct, or malfeasance in office.

Sec. 1074. Duties of the Commission.

(a) The Commission shall:

(1) Serve as an advocate for fathers, men, and boys residing in the District by advising and making recommendations to the Mayor and the Council concerning the needs of District residents related to or concerning fathers, men, and boys;

(2) Research, review, maintain, and disseminate empirical data, statistics, and facts concerning or attributable to fatherhood and family social economic issues;

(3) Stimulate and encourage the dialogue of responsible fatherhood and spur community initiatives to combat fatherlessness;

(4) Prepare and recommend to the Mayor and the Council an annual plan of programs and services focused on issues directly related to fathers, men, and boys;

(5) Work with District agencies, the private sector, and local communities to promote a healthier societal impact on fathers, men, and boys; and

(6) Nominate special advisors to serve and provide technical and expert advice on specific and particular matters relevant to the functions of the Commission.

(b) The Commission shall devise policies and procedures that will effectively address the social economic concerns of fathers, men, and boys, including:

(1) Employment;

(2) Poverty;

(3) Fatherlessness and responsible fatherhood;

(4) Family law;
(5) Health and well-being; and
(6) Rehabilitation and reintegration.

(c) The Commission may apply for and receive grants to fund programs and initiatives in accordance with procedures relating to grants management, District government statutes, regulations, Mayor's Orders, and procedures as specified by the Office of the Chief Financial Officer, the Office of Partnerships and Grant Services, and the Office of Contracting and Procurement and to recommend to the Mayor and Council applications for federal grants-in-aid for fatherhood, children, and family initiatives.

(d) The Commission may accept private gifts and donations to carry out the purposes of this subtitle in compliance with the procedures and requirements of the Office of Partnerships and Grant Services.

Sec. 1075. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(1) Paragraph (48) is amended by striking the word "and".

(2) Paragraph (49) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (50) is added to read as follows:

"(50) The Commission on Fathers, Men, and Boys established pursuant to section 1072 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750).".

SUBTITLE I. GRANTS ADMINISTRATION

Sec. 1081. Short title.

This subtitle may be cited as the "Grants Administration Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1082. Section 1093 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61, D.C. Official Code § 1-328.12), is amended by striking the phrase "shall be administered" and inserting the phrase "or the Fiscal Year 2015 Budget Support Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), shall be administered" in its place.

SUBTITLE J. WORKPLACE WELLNESS

Sec. 1091. Short title.

This subtitle may be cited as the "Workplace Wellness Second Congressional Review Emergency Act of 2014".

Sec. 1092. Workplace wellness policy.

(a) The Mayor shall develop and adopt a workplace wellness policy for the District government no later than one year following the effective date of this act. The workplace wellness policy shall be reviewed and updated annually.

(b) The workplace wellness policy required by subsection (a) of this section shall apply to all District agencies, including independent District agencies and the Council of the District of Columbia, but excluding boards and commissions, Advisory Neighborhood Commissions, and the Courts.

(c) The workplace wellness policy required by subsection (a) of this section shall include initiatives that:

(1) Establish measurable goals for improving the health of District government employees;

(2) Improve nutrition in the workplace, including:

(A) Expanding opportunities for employees to store lunches and foods in District buildings; and

(B) Promoting the availability and consumption of water throughout the day;

(3) Improve the physical fitness of employees and physical activity during the work day, including:

(A) Providing opportunities for employees to exercise at their desks and offices; and

(B) Ensuring that staircases are accessible and their use is encouraged;

(4) Promote healthy living and educate employees about physical activity, healthy eating, stress management, and disease prevention;

(5) Provide for early detection and screening for key health indicators; and

(6) Support changes in the work environment to encourage healthy behaviors and breastfeeding and promote occupational safety and health.

(d) Each agency shall designate one employee as the agency's wellness coordinator who shall have the responsibility of implementing the wellness policy in the agency and promoting wellness programs.

(e) It is the goal of the District for each agency to achieve the American Heart Association's gold-level designation as a "Fit-Friendly" workplace or other evidence-based workplace initiatives of national or local health organizations.

Sec. 1093. Healthy food and beverage standards for District government property.

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §§ 2-501 *et seq.*), shall issue rules establishing healthy food and beverage nutrition and procurement standards that are guided by the General Services Administration document "Health and Sustainability Guidelines for Federal Concessions and Vending Operations" for all District agencies no later than one year following the effective date of this act.

(b) The standards shall consider both positive and negative contributions of nutrients, ingredients, and foods to diets, including calories, portion size, saturated fat, trans fat, sodium, sugar, and the presence of fruits, vegetables, whole grains, and nutrients of concern in Americans' diets.

(c) The standards shall apply to foods and beverages purchased or served by District agencies, including at meetings, events, in vending machines, and through on-site vendors, with the exception of food served by the Department of Corrections and the Department of Behavioral Health to persons who reside at their institutions or are in their direct custody. No less than 50% of all foods and beverages shall be healthy, as guided by the General Services Administration document "Health and Sustainability Guidelines for Federal Concessions and Vending Operations".

(d) The standards shall not apply to food to be served to children in schools, but may apply to food served to adults in schools if that food is separate and different from the food served to children.

(e) Exemptions may be allowed for those circumstances in which the individuals consuming the food have specific dietary needs.

Sec. 1094. Section 601(b)(2) of the Omnibus Spending Reduction Act of 1993, effective November 25, 1993 (D.C. Law 10-65; D.C. Official Code § 10-1301(b)(2)), is amended as follows:

(a) Subparagraph (B) is amended by striking the word "and".

(b) Subparagraph (C) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) Enter into lease or other agreements, with or without monetary consideration, with entities of the District government and with private entities for establishing healthy food retail opportunities within the Property.".

SUBTITLE K. EMANCIPATION DAY.

Sec. 1101. Short title.

This subtitle may be cited as the "Emancipation Day Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1102. The District of Columbia Emancipation Day Parade and Fund Act of 2004, effective March 16, 2005 (D.C. Law 15-240; D.C. Official Code § 1-181 *et seq*.), is amended as follows:

(a) Section 3 (D.C. Official Code § 1-182) is amended by adding a new sentence at the end to read as follows: “For Fiscal Year 2015 only, the Council committee with oversight related to the District of Columbia Emancipation Day shall continue to coordinate the District of Columbia Emancipation Day activities in consultation with the Office of the Mayor.”.

(b) Section 4 (D.C. Official Code § 1-183) is amended by adding a new subsection (e) to read as follows:

"(e) Each agency, including the Metropolitan Police Department, the District Department of Transportation, the Department of Public Works, and the Department of Parks and Recreation, shall absorb permitting, staffing, and related costs associated with the conduct of the Emancipation Day Parade.".

SUBTITLE L. STATEHOOD INITIATIVES BUDGETING

Sec. 1111. Short title.

This subtitle may be cited as the "Statehood Initiatives Budgeting Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1112. Beginning in Fiscal Year 2015, the Chief Financial Officer shall assign an individual agency-level code for Statehood Initiatives in the District's financial system. The agency-level code shall be used to track the operating budget for the District's efforts to achieve statehood and any funds that are appropriated for that purpose.

Sec. 1113. Section 47-1812.11c is revived as of January 1, 2009, and amended to read as follows:

"§ 47-1812.11c. Statehood Delegation Fund tax check-off

"(a) There shall be provided on the District of Columbia individual income tax return a voluntary check-off that indicates an individual may contribute a minimum donation or gift of $ 1 to the Statehood Delegation Fund ("Fund"), established by § 1-129.08. The contribution shall reduce any refund owed to the individual taxpayer or increase the tax owed by the individual taxpayer on the taxpayer's tax return. The funds generated from the tax check-off shall be earmarked for the Fund except that any cost incurred by the Chief Financial Officer in collecting, processing, accounting for, or disbursing the funds generated by the tax check-off shall be reimbursed to the Chief Financial Officer from the funds generated by the tax check-off.

"(b) Except as provided in subsection (c) of this section, the funds generated by the tax check-off established by subsection (a) of this section shall be transferred to the Fund pursuant to rules issued by the Chief Financial Officer that establish timetables and procedures for transfer of the funds. Check-off funds shall be transferred to the Fund only after the costs to the Chief Financial Officer described in subsection (a) of this section have been reimbursed.

"(c)(1) Until the District of Columbia Statehood Delegation Fund Commission, established by § 1-129.02, convenes, the funds generated by the tax check-off shall be deposited in equal amounts in the District of Columbia statehood funds established pursuant to § 1-123(g) .

"(2) Semiannually, each Representative and Senator shall submit to the Mayor, the Chairman of the Council, and the Chairman of the District of Columbia Board of Elections and Ethics an accounting of the expenditures made with the tax check-off funds.

"(d)(1) Except as provided in paragraph (2) of this subsection, any unpaid District tax liability on an individual income tax return shall render any voluntary tax check-off election void. Any amount paid for the purpose of contributing to the Fund shall be used first to satisfy any unpaid tax liability, in whole or in part.

"(2) If there is any amount that remains after satisfaction of the unpaid tax liability, the amount shall be transferred to the Fund.".

SUBTITLE M. HOME RULE ACT 40TH ANNIVERSARY CELEBRATION AND COMMEMORATION COMMISSION EXTENSION

Sec. 1121. Short title.

This subtitle may be cited as the "Home Rule Act 40th Anniversary Celebration and Commemoration Commission Extension Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1122. Section 1089 of the Fiscal Year 2013 Budget Support Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-137.08), is amended by striking the phrase "October 1, 2014" and inserting the phrase "January 31, 2015" in its place.

SUBTITLE N. PAY-FOR-SUCCESS CONTRACT AUTHORIZATION

Sec. 1131. Short title.

This subtitle may be cited as the "Pay-for-Success Contract Authorization Second Congressional Review Emergency Act of 2014".

Sec. 1132. Definitions.

For the purposes of this subtitle, the term:

(1) "Pay-for-success contract" means a contract between the District and a social service intermediary that establishes outcome-based performance standards for social programs performed by nonprofit service providers and initially funded by private investors through a social impact funding instrument and provides a mechanism by which investors shall receive a return of their investment and earnings thereon only if outcome-based performance standards are met by the social service intermediary.

(2) "Social service intermediary" means an organization that is organized and operated pursuant to section 501(c)(3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), or an affiliated legal entity thereof that is so organized and operated and that is capable of entering into a pay-for-success contract with the District that sets forth outcome-based performance standards, contracting with service providers to deliver social services, raising capital to finance the delivery of social services via a social impact funding instrument, and administering the social impact funding instrument by providing ongoing investor relations and project management.

(3) "Social impact funding instrument" means an investment product established by a social service intermediary to raise private investment capital for social programs.

Sec. 1133. Authorization of pay-for-success contracts.

Notwithstanding any other law, the Mayor may enter into pay-for-success contracts. Each contract shall include:

(1) A requirement that payment from the District be conditioned on the achievement of specific outcomes based on defined performance targets;

(2) An objective process by which an independent evaluator will determine whether the performance targets have been achieved;

(3) A detailed scope of the social service intermediary's service under the contract;

(4) A calculation of the amount and timing of payments to the social service intermediary during each year of the contract if performance targets are achieved as determined by the independent evaluator;

(5) A requirement that the social service intermediary create a social impact funding instrument to obtain the funds required for the social program;

(6) A sinking fund requirement under which the Mayor shall request a multiyear appropriation for every fiscal year that the contract is in effect, in an amount equal to the expected payments that the District would ultimately be obligated to pay in the future based upon service provided, if performance targets were achieved pursuant to the terms of the contract;

(7) A process for the District to review payments made by the social service intermediary through reporting requirements pursuant to the contract; and

(8) A determination by the Mayor that the contract will result in significant performance improvements and budgetary savings to the District across all impacted areas if the performance targets are achieved.

Sec. 1134. Pay-for-Success Contract Fund.

(a) There is established as a special fund the Pay-for-Success Contract Fund ("Fund") which shall be administered by the Mayor or his or her designee in accordance with subsection (c) of this section.

(b) Each fiscal year there shall be deposited into the Fund the amount of the annual appropriation estimated to be paid in the next fiscal year for any pay-for-success contract.

(c) The Fund shall be used to fund payments to be made pursuant to pay-for-success contracts. The Chief Financial Officer shall create separate accounts within the Fund for each pay-for-success contract entered into by the District.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE O. FINANCIAL REPORTING

Sec. 1141. Short title.

This subtitle may be cited as the "Financial Reporting Second Congressional Review Emergency Act of 2014".

Sec. 1142. (a) No later than December 1, 2014, and on a quarterly basis thereafter, until the approval of the Fiscal Year 2016 budget and financial plan, the Chief Financial Officer shall provide a report to the Council on the following subjects:

(1) Progress toward ensuring that the Fiscal Year 2016 budget will be balanced, including:

(A) Savings achieved to date;

(B) Additional revenue certified through revised revenue estimates; and

(C) Additional revenue that may be certified through revenue enhancements;

(2) An analysis of procurement reform efforts in Fiscal Year 2014, including:

(A) Contracts reviewed for potential cost savings;

(B) Savings secured through the renegotiation of existing contracts; and

(C) A report from the Office of Contracting and Procurement to the Chief Financial Officer regarding subparagraphs (A) and (B) of this paragraph;

(3) An analysis of personnel review efforts, including:

(A) Positions left vacant or eliminated as a result of cost-savings initiatives; and

(B) Savings secured through personnel savings; and

(4) Any other operating budget savings achieved or targeted in Fiscal Year 2014.

(b) Agencies shall report on their progress toward limiting personal and nonpersonal expenditures whether one-time or recurring.

SUBTITLE P. BEGA ESTABLISHMENT AND COMPREHENSIVE ETHICS REFORM AMENDMENT

Sec. 1151. Short title.

This subtitle may be cited as the "Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1152. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq*.), is amended as follows:

(a) Section 224(a) (D.C. Official Code § 1-1162.24(a)) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) The lead-in language is amended by striking the phrase "Advisory Neighborhood Commissioners and members of the Washington Metropolitan Area Transit

Authority Board of Directors appointed pursuant to section 1 of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01)" and inserting the phrase "Advisory Neighborhood Commissioners, members of the Washington Metropolitan Area Transit Authority Board of Directors appointed pursuant to section 1 of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), and candidates for nomination for election, or election, to public office, who are not otherwise required to file pursuant to this paragraph" in its place.

(B) Subparagraph (G)(iv) is amended by striking the phrase "been offered or".

(2) A new paragraph (3) is added to read as follows:

"(3)(A) An Advisory Neighborhood Commissioner who is not otherwise required to file a report pursuant to paragraph (1) of this subsection shall file the certification required by paragraph (1)(G) of this subsection for the preceding year.

"(B) Effective January 1, 2015, a candidate for nomination for election, or election, to public office who is not otherwise required to file a report pursuant to paragraph (1) of this subsection shall file the certification required by paragraph (1)(G) of this subsection for the preceding year.

"(C) A candidate for nomination for election, or election, to public office who, as of May 15, 2014, had not filed a report for calendar year 2013 required by this section and who was not otherwise required to file a report pursuant to paragraph (1) of this subsection shall not be required to do so.".

(b) Section 225(a) (D.C. Official Code § 1-1162.25(a)) is amended by striking the phrase "Advisory Neighborhood Commissioners and members of the Washington Metropolitan Area Transit Authority Board of Directors" and inserting the phrase "members of the Washington Metropolitan Area Transit Authority Board of Directors" in its place.

SUBTITLE Q. ATTORNEY GENERAL ELECTION

Sec. 1161. Short title.

This subtitle may be cited as the "Attorney General 2014 Special Election Authorization Clarification Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1162. Section 8 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 701; D.C. Official Code § 1-1001.08), is amended by adding a new subsection (j-1) to read as follows:

"(j-1) Notwithstanding any other provision of law, and pursuant to the June 4, 2014 Order of the District of Columbia Court of Appeals in *Zukerberg v. D.C. Board of Elections and Ethics, et al.*, No. 14-CV-222, the Board shall conduct the 2014 election of the Attorney General consistent with the procedural requirements for a special election under this act, and shall have the election of the Attorney General coincide with the November 4, 2014, general election.".

Sec. 1163. Section 102(a) of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.82(a)), is amended by striking the phrase "which time shall not be before January 1, 2018,".

SUBTITLE R. COMMISSION ON THE ARTS AND HUMANITIES

Sec.1171. Short title.

This subtitle may be cited as the "Commission on the Arts and Humanities Term Limit Second Congressional Review Emergency Amendment Act of 2014".

Sec. 1172. Section 4(b) of the Commission on Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203(b)), is amended by striking the phrase "but may not serve more than 2 consecutive terms".

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. MANUFACTURER TASTING PERMIT

Sec. 2001. Short title.

This subtitle may be cited as the "Manufacturer Tasting Permit Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2002. Title 25 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for Chapter 1 is amended by adding a new section designation to read as follows:

"25-126. On-site sales consumption permit.".

(b) Section 25-110(a)(2)(B) is amended by striking the phrase "The licensee may sell beer to the consumer only in barrels, kegs, and sealed bottles," and inserting the phrase "Except as provided in § 25-126, the licensee may sell beer to the consumer only in barrels, cans, kegs, and sealed bottles," in its place.

(c) A new section 25-126 is added to read as follows:

"§ 25-126. On-site sales consumption permit.

"(a) The holder of a manufacturer's license, class B, may apply for an on-site sales and consumption permit in order to use a portion of the licensed premises for the on-premises sale, service, and consumption of beer brewed by the brewery and purchased by the customer.

"(b) The holder of an on-site sales and consumption permit shall only sell, serve, and permit the consumption of beer brewed by the brewery and purchased by the customer between the hours of 1 p.m. and 9 p.m., 7 days a week.

"(c) The on-premises sales and consumption permit shall not obviate the requirement of the holder of a manufacturer's license, class B, to obtain a tasting permit pursuant to § 25-118, to be authorized to provide samples of beer to a customer at no cost.

"(d) A violation of this section shall constitute a primary tier violation.".

(d) Section 25-508 is amended by adding a phrase at the end to read as follows:

"On-site sales and consumption permit $1,000/year.".

SUBTITLE B. CONSUMER PROCEDURES AND PROTECTIONS ENFORCEMENT

Sec. 2011. Short title.

This subtitle may be cited as the "Consumer Procedures and Protections Enforcement Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2012. Chapter 39 of Title 28 of the District of Columbia Official Code is amended as follows:

(a) Section 28-3903(a) is amended as follows:

(1) Paragraph (14) is amended by striking the word "and" at the end.

(2) Paragraph (16) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (17) is added to read as follows:

"(17) impose civil fines, pursuant to Chapter 18 of Title 2, as alternative sanctions for any violation of the provisions of this chapter or of any rules issued under the authority of this chapter. Any violation of this chapter, or of any rule issued under the authority of this chapter, shall be a Class 2 infraction pursuant to 16 DCMR § 3200.1(b), unless the violation is classified otherwise pursuant to rules issued by the Department.".

(b) Section 28-3904(m) is amended to read as follows:

"(m) harass or threaten a consumer with any act other than legal process, either by telephone, cards, letters, or any form of electronic or social media;".

(c) Section 28-3905(i)(3)(A) is amended to read as follows:

"(3)(A) Any person found to have executed a trade practice in violation of a law of the District within the jurisdiction of the Department may be liable for a civil penalty not exceeding $1,000 for each failure to adhere to a provision of an order described in subsection (f), (g), or (j) of this section, or a consent decree described in subsection (h) of this section.".

SUBTITLE C. SOLAR PERMITTING FEES

Sec. 2021. Short title.

This subtitle may be cited as the "Solar Permitting Fees Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2022. Chapter 101.1(a) of Title 12-K of the District of Columbia Municipal Regulations (12-K DCMR § 101.1(a)) is amended by inserting a phrase between the fees for "sign" and "swimming pool" to read as follows:

"Solar Photovoltaic Less than 15 kilowatts $250 Residential; $300 Commercial

"15 - 99 kilowatts $300 for first 15 kilowatts and $11.25 per additional kilowatt

"100 - 199 kilowatts $1,250 for the first 100 kilowatts and $2.5 per additional kilowatt
"200 kilowatts or more $1,250 for the first 200 kilowatts and $1 per additional kilowatt

"Solar Thermal Fewer than 10 panels $250 Residential; $300 Commercial
"10 - 24 panels $300 for first 10 panels and $25 per additional panel
"25 - 49 panels $650 for the first 25 panels and $15 per additional panel
"50 panels or more $1,010 for the first 50 panels $10 per additional panel.".

SUBTITLE D. PUBLIC UTILITIES REIMBURSEMENT FEE AMENDMENT

Sec. 2031. Short title.

This subtitle may be cited as the "Public Utilities Reimbursement Fee Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2032. Paragraph 42(b)(1), (2), and (3) of section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code §§ 34-912(b)(1), (2), and (3)), is amended to read as follows:

"(b)(1) All amounts appropriated for the Public Service Commission and the Office of the People's Counsel for each fiscal year shall be repaid during such fiscal year by the public utilities, natural gas suppliers, electricity suppliers, and telecommunications service providers as a reimbursement fee.

"(2) The Public Service Commission shall annually determine the amount of the reimbursement fee to be paid by each natural gas supplier, electricity supplier, and telecommunications service provider authorized to provide service in the District, excluding the local exchange carrier, and the formula by which the amount shall be determined.

"(3)(A) The amount of the reimbursement fee to be paid by each public utility other than those subject to paragraph (2) of this subsection shall be equal to the amounts appropriated, less the amount to be reimbursed by the providers subject to paragraph (2) of this subsection, multiplied by the fraction, as determined by the Mayor, represented by the gross revenues of the public utility derived from utility operations in the District of Columbia that are regulated by the Public Service Commission during the immediately preceding fiscal year (or other 12-month period as the Mayor may designate), divided by the gross revenues of all public utilities from utility operations in the District of Columbia during such period. The fee shall be paid by the public utilities during such fiscal year to the Treasurer of the District of Columbia, at such time or times and in such manner as the Mayor by regulation may require.

"(B) If the total amount paid or obligated by the Public Service Commission and the People's Counsel during such fiscal year pursuant to appropriations for such fiscal year is less than the amounts appropriated by more than 5%, the Mayor shall refund to or credit each public utility, natural gas supplier, electricity supplier, and telecommunications service provider subject to subparagraph (A) of this paragraph and paragraph (2) of this subsection a portion of the difference, rounded to the nearest dollar, as equals the difference multiplied by the fraction, representing the gross revenues of the public utility, natural gas supplier, electricity supplier, or telecommunications service provider, divided by the gross revenues of all public utilities, natural gas suppliers, electricity suppliers, and telecommunications service providers.

"(C) Subparagraph (B) of this paragraph shall apply as of Fiscal Year 2012.".

SUBTITLE E. DC FILM INCENTIVE FUND

Sec. 2041. Short title.

This subtitle may be cited as the "DC Film Incentive Fund Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2042. Section 2 of the Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501), is amended as follows:

(a) The section heading is amended by striking the phrase "Film DC Economic Incentive Fund" and inserting the phrase "DC Film Incentive Fund" in its place.

(b) Subsection (a) is amended to read as follows:

"(a)(1) There is established as a special fund the DC Film Incentive Fund ("Fund"). The Fund shall appear as a separate program line within the budget of the Office of Motion Picture and Television Development. The Fund shall be funded by annual appropriations.

"(2)(A) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE F. FREE TRANSPORTATION FOR SUMMER YOUTH

Sec. 2051. Short title.

This subtitle may be cited as the "Free Transportation for Summer Youth Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2052. Section 2 of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended by adding a new subsection (g) to read as follows:

"(g)(1) Participants in the Summer Youth Employment Program ("SYEP") administered by the Department of Employment Services pursuant to section 2 of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241), shall be eligible for a summer youth transit subsidy program ("Program") as established by the Mayor.

"(2) The Program shall allow qualified SYEP participants to travel on Metrobus, Metrorail, and public transportation services offered by the District at subsidized or reduced fares.

"(3) The subsidized or reduced fares established pursuant to this subsection shall be valid only for the transportation of SYEP participants to and from their internships and related activities for the first 3 weeks of the summer 2015 SYEP.".

SUBTITLE G. FOOD STAMP EXPANSION

Sec. 2061. Short title.

This subtitle may be cited as the "Food Stamp Expansion Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code §§ 4-261.01 *et seq.*), is amended by adding a new section 5084 to read as follows:

"Sec. 5084. Locally funded minimum benefit.

"Beginning on or after January 1, 2015, but beginning no later than October 1, 2015, a family participating in the food stamp program whose federally funded household benefit is less than $30 per month shall receive locally funded benefits to bring the household's total benefit to $30 per month.".

SUBTITLE H. CABLE TELEVISION O-TYPE TRANSFER

Sec. 2071. Short title.

This subtitle may be cited as the "Cable Television O-Type Transfer Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2072. Notwithstanding any other provision of law, for Fiscal Year 2015, the Chief Financial Officer shall transfer to the unrestricted fund balance of the General Fund of the District of Columbia and recognize as local funds $1.8 million of Fiscal Year 2014 Cable Television Franchise Fee revenues.

SUBTITLE I. HOME PURCHASE ASSISTANCE PROGRAM

Sec. 2081. Short title.

This subtitle may be cited as the "Home Purchase Assistance Program Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2082. The lead-in language of section 14-2503.1(b) of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2503.1(b)) is amended to read as follows:

"(b) Downpayment Assistance for eligible very low, low, and moderate income applicants shall be in an amount equal to the Desired Purchasing Power less the Standard Mortgage Qualification Level for each eligible applicant, subject to the Per-Client Downpayment Assistance Cap, and adjusted for household size. The maximum amount of Downpayment Assistance for the lowest income applicant shall be $50,000 and shall be adjusted based on the applicant's income according to subparagraph (1) of this paragraph.".

SUBTITLE J. RETAIL PRIORITY AREA

Sec. 2091. Short title.

This subtitle may be cited as the "Retail Priority Area Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2092. Section 2(5) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171(5)), is amended by striking the phrase “beginning point” and inserting the phrase “beginning point, and, after October 1, 2014, the Bladensburg Road, N.E., Retail Priority Area, as defined in section 4(g) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73),” in its place.

Sec. 2093. Section 2(4) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended to read as follows:

"(4) Ward 4 Georgia Avenue Priority Area, consisting of the parcels, squares, and lots within the following area: beginning at the intersection of Kenyon Street, N.W. and Sherman Avenue, N.W.; continuing north along Sherman Avenue, N.W. to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W. to Spring Road, N.W.; then continuing northwest along Spring Road, N.W. to 14th Street, N.W., then continuing north along 14th Street, N.W. to Longfellow Street, N.W., then continuing east along Longfellow Street, N.W. to Georgia Avenue, N.W., then continuing north along Georgia Avenue, N.W. to Eastern Avenue, N.W., then continuing southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E. to Blair Road, N.W., then continuing south along Blair Road, N.W., to North Capitol Street, N.E., then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W., then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W., then continuing southwest along Kansas Avenue, N.W. to Varnum Street, N.W.; then continuing east along Varnum Street, N.W. to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then continuing further south along Warder Street, N.W., to Kenyon Avenue, N.W.; and then continuing west along Kenyon Avenue, N.W. to the beginning point;".

Sec. 2094. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

(a) Subsection (g) is amended to read as follows:

"(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E., to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.; thence south on 19th Street, N.E., to Benning Road, N.E.; thence east on Benning Road, N.E. to Oklahoma Avenue, N.E.; thence southwest on Oklahoma Avenue, N.E. to Clagett Place, N.E.; thence northwest on Clagett Place, N.E. to 20th Street, N.E.; thence northwest along the rear boundaries of all properties with frontage along the southwest side of Benning Road, N.E. to 19th Street, N.E.; thence south on 19th Street, N.E. to Gales Street, N.E.; thence northwest on Gales Street, N.E. to 15th Street, N.E.; thence west on G Street, N.E. to 14th Street, N.E.; thence north on 14th Street, N.E. to Florida Avenue, N.E.; thence west on Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the point of beginning.".

(b) A new subsection (k) is added to read as follows:

"(k) There is established the New York Avenue, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of New York Avenue, N.E., and Florida Avenue, N.E.; thence southeast on Florida Avenue, N.E., to West Virginia Avenue, N.E.; thence northeast on West Virginia Avenue, N.E. to 17th Street, N.E.; thence southeast on 17th Street. N.E.; thence continuing northeast on 17th Street, N.E. to Montana Avenue, N.E., thence southeast on Montana Avenue, N.E. to Bladensburg Road, N.E.; thence northeast on Bladensburg Road, N.E. to New York Avenue, N.E.; thence east on New York Avenue, N.E.; thence continuing northeast on New York Avenue, N.E.; thence continuing southeast on New York Avenue, N.E. to Fort Lincoln Drive, N.E.; thence north on Fort Lincoln Drive, N.E.; thence continuing northwest on Fort Lincoln Drive, N.E.; thence continuing southwest on Fort Lincoln Drive, N.E. to 33rd Place, N.E.; thence continuing southwest on 33rd Place, N.E. to South Dakota Avenue, N.E.; thence northwest on South Dakota Avenue, N.E. to Channing Place, N.E.; thence west on Channing Place, N.E. to Bladensburg Road, N.E.; thence southwest on Bladensburg Road, N.E. to Queens Chapel Road, N.E.; thence northwest on Queens Chapel Road to Channing Street, N.E.; thence west on Channing Street, N.E. to 21st Place, N.E., thence south on 21st Place, N.E. to Bryant Street, N.E., thence west on Bryant Street, N.E. to Lawrence Street, N.E., then southwest on Lawrence Street, N.E. to Edwin Street, N.E., thence northwest on Edwin Street, N.E.; thence continuing southwest on Edwin Street, N.E. to Montana Avenue, N.E., thence continuing northwest on Montana Avenue, N.E. to W Street, N.E., thence southwest on W Street, N.E., thence west along a line extending W Street, N.E., west to the continuation of W Street, N.E., and continuing west along W Street, N.E., to Brentwood Road, N.E.; thence southwest along Brentwood Road, N.E., to its end at T Street, N.E.; thence southwest to the intersection of a line extending Fourth Street, N.E., south and a line

extending R Street, N.E., east; thence west on R Street, N.E. to Eckington Place, N.E., thence southwest on Eckington Place, N.E., to Florida Avenue, N.E., thence southeast on Florida Avenue, N.E. and continuing southeast until the point of beginning.”.

(c) A new subsection (l) is added to read as follows:

“(l) There is established the Good Hope Road, S.E. Retail Priority Area, which shall consist of the parcels, squares, and lots abutting the following line: Beginning at the intersection of Anacostia Drive and Good Hope Road S.E.; thence southeast on Good Hope Road to Naylor Road S.E.”.

SUBTITLE K. RESIDENTIAL ESSENTIAL SERVICE SUBSIDY STABILIZATION

Sec. 2101. Short title.

This subtitle may be cited as the "Residential Essential Service Subsidy Stabilization Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2102. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code §§ 8-1773.01 *et seq*.), is amended as follows:

(a) Section 101(6) (D.C. Official Code § 8-1773.01(6)) is amended to read as follows:

"(6) "Existing low-income program" means the program operated under the name "LIHEAP Expansion and Energy Education"."

(b) Section 211 (D.C. Official Code § 8-1774.11) is amended as follows:

(1) Subsection (b)(1) is amended by striking the number ".006" and inserting the number ".0051" in its place.

(2) Subsection (c) is amended by striking the phrase "programs in the amount of $2.409 million in fiscal year 2011, and $2.6 million annually thereafter" and inserting the phrase "program in the amount of $2.33 million annually, and the Mayor shall have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF" in its place.

(c) A new section 215 is added to read as follows:

"Sec. 215. Discount program for low-income gas customers.

"The Commission shall establish, by order, a discount program for low-income gas customers in the District. The Commission shall establish the eligibility, funding, and administrative guidelines for the program; provided, that the program shall not be funded from existing District funds, District revenue sources, or District assessments.".

SUBTITLE L. RENEWABLE ENERGY PORTFOLIO STANDARD

Sec. 2111. Short title.

This subtitle may be cited as the "Renewable Energy Portfolio Standard Second Congressional Review Emergency Amendment Act of 2014".

Sec. 2112. Section 11(b) of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1439(b)), is amended by striking the phrase "April 1" and inserting the phrase "May 1" in its place.

SUBTITLE M. ADULT LITERACY TASK FORCE

Sec. 2121. Short title.

This subtitle may be cited as the "Adult Literacy Task Force Second Congressional Review Emergency Act of 2014".

Sec. 2122. Establishment of Adult Career Pathways Task Force.

(a) For the purposes of this act, the term:

(1) "Basic skills program" means a secondary, post-secondary, or alternative education or training program that helps individuals enhance the reading, writing, math, English language, digital literacy, or problem-solving skills that adults need to succeed in a job, occupational training, or postsecondary education.

(2) "Career pathways" means an approach to connecting progressive levels of basic skills and postsecondary education, training, and supportive services in specific sectors or cross-sector occupations in a way that optimizes the progress and success of individuals (including those with limited education, English skills, or work experience) in securing marketable credentials, family-supporting employment, and further education and employment opportunities.

(3) "High-demand occupations or sectors" means occupations or sectors consistent with the Workforce Investment Council's current Workforce Investment Act of 1998 Demand Occupation List.

(4) "Task Force" means the Adult Career Pathways Task Force established in subsection (b) of this section.

(b) Beginning October 1, 2014, the Mayor shall establish an Adult Career Pathways Task Force that shall have as its purpose development of a city-wide strategic plan for connecting adult basic skills programs administered in the District to career pathways.

(c) The Task Force shall be convened by the Workforce Investment Council, and shall consist of the following 13 members:

(1) The Chairman of the Council, or his or her designee;

(2) The Chair of the Workforce Investment Council, or his or her designee;

(3) The Deputy Mayor for Education, or his or her designee;

(4) The State Superintendent of Education, or his or her designee;

(5) The Chancellor of the District of Columbia Public Schools, or his or her designee;

(6) The Chair of the Public Charter School Board, or his or her designee;

(7) The Director of the Department of Employment Services, or his or her designee;

(8) The Director of the Department of Human Services, or his or her designee;

(9) The Executive Director of the D.C. Public Library, or his or her designee;

(10) A representative of the University of the District of Columbia Community College, appointed by the President of the University of the District of Columbia; and

(11) Three community representatives, appointed by the Mayor, as follows:

(A) A representative of a District organization engaged in the direct provision of a basic skills program;

(B) A representative of a District school engaged in the direct provision of a basic skills program; and

(C) A representative of a District job training provider.

(d) No later than June 1, 2015, the Task Force shall submit to the Council and the Mayor the city-wide strategic plan required under this section. In developing the strategic plan, the Task Force shall:

(1) Review best practices for improving literacy, numeracy, and technology skills for adults;

(2) Review and analyze adult basic skills programs currently administered by the Office of the State Superintendent of Education, the District of Columbia Public Schools, the District of Columbia Public Charter Schools, the University of the District of Columbia Community College, the District of Columbia Public Library, and other agencies identified by the Task Force , with focus provided to the missions and goals of the various programs, the types of credentials offered, the degree of funding levels, the age and educational functioning level of students at time of program entry and the rates of gains upon completion, and the degree to which the program partners with job training providers, postsecondary education programs, or employers;

(3) Consult with stakeholders, including the following:

(A) Organizations with research or policy expertise in adult basic skills programs and career pathways;

(B) Organizations focused on adult education and workforce development research or service provision;

(C) Representatives of the District's business community in high-demand occupations or sectors that the Task Force has identified for potential career pathways; and

(D) Representatives from the philanthropic community;

(4) Perform an analysis of evidence-based approaches for helping adult learners with different needs and skill levels advance in career pathways, with special attention paid to practices for adult learners with basic skills below the 6th grade level;

(5) Develop a city-wide mission statement for ensuring that adult learners have access to career pathways by 2020 and annual benchmarks for measuring progress toward that goal;

(6) Analyze the high-demand occupations or sectors in which career pathways can be developed;

(7) Develop responsibilities among the Task Force agencies for meeting the city-wide goals, including recommendations to better align policies and practices around support services;

(8) Develop common performance definitions and measures that adult basic skills programs will use to track progress, including educational gains, GED or secondary school diploma attainment, employment placement and retention, entrance into postsecondary education or training, and other credential completion; and

(9) Analyze existing professional development opportunities for adult educators and develop a strategy for addressing any identified gaps.

(e) Following the completion of the city-wide strategic plan, the Workforce Investment Council shall convene the Task Force on a quarterly basis to track implementation of the strategy.

TITLE III. PUBLIC SAFETY AND JUSTICE
SUBTITLE A. MPD ESCORT AND REIMBURSEMENT

Sec. 3001. Short title.

This subtitle may be cited as the "Police Escort Reimbursement Second Congressional Review Emergency Amendment Act of 2014".

Sec. 3002. Reimbursable police escorts and other law enforcement services.

(a) The Chief of Police may charge and collect reimbursement fees, as set forth in the fee schedule established pursuant to subsection (b) of this section, for providing police escorts that are necessary to protect public health and safety. All reimbursement fees collected under this subsection shall be deposited into the fund established by D.C. Official Code § 47-2826(d).

(b) The Chief of Police, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules setting forth a reimbursement fee schedule.

(c) For the purposes of this subtitle, the term "police escort" shall include the assignment of law enforcement personnel and vehicles as necessary to ensure the preservation of public safety, typically either at a specified location or from a point of origin to a specified destination, in a manner consistent with the nature of the persons, material, and the threat posed by the movement or event.

Sec. 3003. Section 47-2826 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended to read as follows:

"(b) The Mayor may adjust the license fee set in subsection (a) of this section to cover the costs to the District of providing police, fire, and other public services that are necessary to protect public health and safety.".

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

"(d)(1) There is established as a special fund the MPD Overtime Reimbursement Fund ("Fund"), which shall be administered by the Metropolitan Police Department ("MPD") in accordance with paragraph (3) of this subsection.

"(2) Except as provided in § 1-325.81, revenue from the following sources shall be deposited in the Fund:

"(A) Fees paid pursuant to this section related to police services; and

"(B) Fees paid pursuant to section 3002 of the Fiscal Year 2015 Budget Support Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750).

"(3) Money in the Fund shall be used for the purpose of reimbursing MPD for the cost of overtime needed to:

"(A) Staff special events such as parades, carnivals, and movie productions; and

"(B) Provide security details to establishments, such as bars, nightclubs, and sports teams, that pay for extra police coverage.".

Sec. 3004. Conforming amendment.

Section 3052(a) of the FEMS Special Events Fee Fund Establishment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.81(a)), is amended by striking the phrase “all fees assessed and collected” and inserting the phrase “all fees assessed and collected relating to Fire and Emergency Medical Services Department service delivery” in its place.

SUBTITLE B. STATE SAFETY OVERSIGHT AGENCY ESTABLISHMENT

Sec. 3011. Short title.

This subtitle may be cited as the “State Safety Oversight Agency Establishment Second Congressional Review Emergency Amendment Act of 2014”.

Sec. 3012. Section 1a of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401.01), is amended to read as follows:

“Sec. 1a. State safety oversight agency for DC Streetcar.

“(a) For the purposes of this section, the term “DC Streetcar” means the rail-fixed guideway public transportation system operated by the District Department of Transportation pursuant to section 2 of the Department of Transportation Establishment Act of 2002, effective March 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01), or any future rail-fixed guideway public transportation system operated by the District, whichever exists.

“(b) The Fire and Emergency Medical Services Department is designated as the state safety oversight agency, as required by 49 U.S.C. § 53 *et seq*. and implementing regulations, as they may be amended from time to time (hereinafter referred to as “applicable federal law”).

“(c) There is established, within the Fire and Emergency Medical Services Department, a state safety office. The state safety office shall be headed by a Program Manager. The Program

Manager shall not be supervised by, or under the direction or control of, any District officer or employee, anyone acting on their behalf, responsible for any aspect of the operation of the DC Streetcar.

"(d) The Program Manager of the state safety office, or his or her designee, shall, in accordance with applicable federal or District law:

"(1) Oversee the operations of the DC Streetcar insofar as those operations affect, or could affect, the safe operation of the DC Streetcar;

"(2) Conduct, or cause to be conducted, investigations, independently or in cooperation with federal or District offices or agencies, into the operations of the DC Streetcar, including any accident or incident involving the operations or assets of the DC Streetcar, insofar as those operations affect, or could affect, the safe operation of the DC Streetcar;

"(3) Audit the DC Streetcar system for compliance with safety-related plans, or for any other purpose the Program Manager concludes would promote the safe operation of the DC Streetcar;

"(4) Issue reports and findings regarding all aspects of the safety and security of the DC Streetcar, including operations and accidents, when:

"(A) The issuance of reports and findings is required by federal or District law; or

"(B) The Program Manager determines that such action would promote the safe operation of the DC Streetcar;

"(5) Require the DC Streetcar to develop and submit safety-related plans to the Program Manager for review. After review, the Program Manager shall approve or disapprove the safety-related plans as appropriate;

"(6) Enforce statutes, regulations, and executive orders related to the safe operation of the DC Streetcar. If the Program Manager concludes that enforcement is required in order to protect or promote public safety, the Program Manager may:

"(A) Order the partial or complete cessation of an activity undertaken by the District government, or any entity acting on the District government's behalf, in connection with the operation of the DC Streetcar; and

"(B) Take any other enforcement actions that are consistent with federal or District requirements related to the safe operation of the DC Streetcar;

"(7) Conduct any other activity and take any other action necessary to implement federal or District laws or regulations related to the functions and responsibilities of a state safety oversight agency;

"(8) Execute and file an application on behalf of the District with the Federal Transit Administration ("FTA") for federal assistance authorized by 49 U.S.C. §53 *et seq*., Title 23 of the United States Code, or other federal statutes authorizing a project administered by the FTA;

"(9) Execute and file with its application for federal assistance submitted under paragraph (8) of this subsection the annual certifications, assurances, and other documents required by the FTA to award a federal assistance grant or cooperative agreement; and

"(10) Execute grant and cooperative agreements with the FTA on behalf of the District.

"(e) Pursuant to Title I of the District of Columbia Administrative Procedure Act approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), the Program Manager may issue rules to implement the provisions of this section.".

SUBTITLE C. MICROSTAMPING IMPLEMENTATION

Sec. 3021. Short title.

This subtitle may be cited as the "Microstamping Implementation Second Congressional Review Emergency Amendment Act of 2014".

Sec. 3022. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq*.), is amended as follows:

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the phrase "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place.

(b) Section 503 (D.C. Official Code § 7-2505.03) is amended by striking the phrase "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place.

SUBTITLE D. ACCESS TO JUSTICE

Sec. 3031. Short title.

This subtitle may be cited as the "Access to Justice Initiative Administrative Costs Second Congressional Review Emergency Amendment Act of 2014".

Sec. 3032. The Access to Justice Initiative Establishment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01 *et seq*.), is amended as follows:

(a) Section 201 (D.C. Official Code § 4-1702.01) is amended as follows:

(1) Designate the existing text as subsection (a).

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

"(b) The provisions of this act shall be exempt from the requirements of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).".

(b) Section 301(b) (D.C. Official Code § 4-1703.01(b)) is amended as follows:

(1) Designate the existing text as paragraph (1).

(2) A new paragraph (2) is added to read as follows:

"(2) Any training or evaluation deemed necessary by the Bar Foundation for purposes of the Initiative shall be permitted as a non-administrative expense, with reasonable expenses for these purposes not restricted to the percentage set aside for administrative expenses under paragraph (1) of this subsection.".

(c) Section 401 (D.C. Official Code § 4-1704.01) is amended as follows:

(1) Subsection (b) is amended by adding a new paragraph (3) to read as follows:

"(3) Any training or evaluation deemed necessary by the Bar Foundation for purposes of the Initiative shall be permitted as a non-administrative expense, with reasonable expenses for these purposes not restricted to the percentage set aside for administrative expenses under subsection (c) of this section.".

(2) Subsection (c) is amended as follows:

(A) Paragraph (3) is amended by striking the phrase "The Administer may use" and inserting the phrase "Except as provided in paragraphs (3) and (4) of this subsection, the Administrator may use" in its place.

(B) A new paragraph (4) is added to read as follows:

"(4) If the Deputy Mayor has designated the Bar Foundation as Administrator, the Bar Foundation may, in lieu of using a percentage of LRAP grant funding under paragraph (3) of this subsection, use a portion of funds authorized under section 301(b) of this section for reasonable administrative expenses associated with administering the LRAP.".

SUBTITLE E. DEPUTY CHIEF MEDICAL EXAMINER

Sec. 3041. Short title.

This subtitle may be cited as the "Deputy Chief Medical Examiner Second Congressional Review Emergency Amendment Act of 2014".

Sec. 3042. Section 2903(b) of the Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1402(b)), is amended by striking the phrase "Deputy CME" and inserting the phrase "Deputy CME, to be paid at an annual rate of $206,000," in its place.

SUBTITLE F. FEMS OVERTIME LIMITATION

Sec. 3051. Short title.

This subtitle may be cited as the "Fire and Emergency Medical Services Overtime Limitation Second Congressional Review Emergency Amendment Act of 2014".

Sec. 3052. Section 1103(f) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1 611.03(f)), is amended as follows:

(a) Paragraph (2)(B) is amended by striking the phrase "2011, 2012, 2013, and 2014" and inserting the phrase "2011, 2012, 2013, 2014, and 2015" in its place.

(b) Paragraph (4)(A) is amended as follows:

(1) The existing text is designated as sub-subparagraph (i).

(2) A new sub-subparagraph (ii) is added to read as follows:

"(ii) For Fiscal Year 2015, and except as provided in subparagraph (B) of this paragraph, no officer or member of the Fire and Emergency Medical Services Department

who is authorized to receive overtime compensation under this subsection may earn overtime in excess of $ 30,000 in a fiscal year.”.

Sec. 3053. Section 2 of An Act To amend the Act entitled "An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes", approved June 20, 1906, and for other purposes, approved June 19, 1948 (62 Stat. 498; D.C. Official Code § 5-405), is amended as follows:

(a) Subsection (f) is amended to read as follows:

“(f)(1) Except as provided in paragraph (2) of this subsection and in subsection (h) of this section, for Fiscal Years 2011, 2012, 2013, and 2014, no member of the Fire and Emergency Medical Services Department, except for officers, shall work more than 204 hours in 2 consecutive pay periods.

“(2) For Fiscal Year 2015, no member of the Fire and Emergency Medical Services Department, except for officers, shall work more than 228 hours in 2 consecutive pay periods.”.

(b) Subsection (g) is amended by striking the phrase “2011, 2012, 2013, and 2014” and inserting the phrase “2011, 2012, 2013, 2014, and 2015” in its place.”.

SUBTITLE G. MARIJUANA POSSESSION DECRIMINALIZATION EVIDENCE

Sec. 3061. Short title.

This subtitle may be cited as the “Marijuana Possession Decriminalization Evidence Second Congressional Review Emergency Amendment Act of 2014”.

Sec. 3062. Section 203(e) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; 61 DCR 3482), is amended by striking the phrase “a statement from a law enforcement officer on the weight of the seized marijuana,”.

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS

Sec. 4001. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq*.), is amended as follows:

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase "$9,306 per student for fiscal year 2014" and inserting the phrase "$9,492 per student for Fiscal Year 2015" in its place.

(b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following chart in its place:

Grade Level	Weighting	Per Pupil Allocation in FY 2015
Pre-Kindergarten 3	1.34	$12,719
Pre-Kindergarten 4	1.30	$12,340
Kindergarten	1.30	$12,340
Grades 1-5	1.00	$9,492
Grades 6-8	1.08	$10,251
Grades 9-12	1.22	$11,580
Alternative program	1.44	$13,668
Special education school	1.17	$11,106
Adult	0.89	$8,448

(c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

"(c)(1) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

"Special Education Add-ons:

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	$9,207
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services.	1.2	$11,390
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	$18,699
"Level 4: Special Education	More than 24 hours per week which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	$33,127
"Blackman Jones Compliance	Weighting provided in addition to special education level add-on weightings on a per student basis for Blackman Jones compliance.	0.069	$655
"Attorney's	Weighting provided in addition to	0.089	$845

Fees Supplement	special education level add-on weightings on a per student basis for attorney's fees.		
"Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	$15,852

"General Education Add-ons:

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
ELL	Additional funding for English Language Learners	0.49	$4,651
At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level	0.219	$2,079

"Residential Add-ons:

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
Level 1: Special Education – Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	$3,493
Level 2: Special Education – Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	$12,691
Level 3: Special Education – Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	$27,438
Level 4: Special Education	Additional funding to support the	2.874	$27,280

– Residential	after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting		
LEP/NEP –Residential	Additional funding to support the after-hours Limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	$6,341

" Special Education Add-ons for Students with Extended School Year ("ESY") Indicated in Their Individualized Education Programs ("IEPs"):

Level/Program	**Definition**	**Weighting**	**Per Pupil Allocation in FY 2015**
"Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs.	0.063	$598
"Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.227	$2,155
"Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.491	$4,661
"Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.489	$4,642

"(2) Pursuant to section 106a, allocations in addition to the grade level and supplemental allocations provided pursuant to section 105 and this section shall be provided in accordance with section 106a for students identified as at-risk.".

(d) Section 106a(c) (D.C. Official Code § 38-2905.01(c)) is amended by striking the period at the end and inserting the phrase "; provided, that for students identified as both as at-risk and as participating in an alternative program or as adult learners, only the alternative program weighting shall apply." in its place.

SUBTITLE B. ALTERNATIVE SCHOOLS

Sec. 4011. Short title.

This subtitle may be cited as the "Alternative Education Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4012. Section 102(1B) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(1B)), is amended to read as follows:

"(1B) "Alternative program" means specialized instruction for students under court supervision or who have a history of being on short- or long-term suspension or who have been expelled from school, or who meet other criteria as defined by the State Education Office through rulemaking. To qualify as an alternative program, a school must meet the criteria and rules set by the State Education Office. An alternative program may describe an entire school or a specialized program within a school.".

SUBTITLE C. DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD FUNDING

Sec. 4021. Short title.

This subtitle may be cited as the "District of Columbia Public Charter School Board Funding Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4022. Section 2211(b)(2) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.11(b)(2)), is amended by striking the phrase "one-half of one percent" and inserting the phrase "1%" in its place.

SUBTITLE D. PREFERENCES IN ADMISSION FOR PUBLIC CHARTER SCHOOL APPLICANTS.

Sec. 4031. Short title.

This subtitle may be cited as the "Preferences in Admission for Public Charter Schools Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4032. Section 2206(c) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code, § 38-1802.06(c)), is amended to read as follows:

"(c) Random selection. - - If there are more applications to enroll in a public charter school from students who are residents of the District of Columbia than there are spaces available, students shall be admitted using a random selection process; except, that a preference in admission may be given to an applicant who is a:

"(1) Sibling of a student already attending or selected for admission to the public charter school in which the applicant is seeking enrollment;

"(2) Child of a member of the public charter school's founding board; provided, that enrollment of such children is limited to no more than 10% of the school's total enrollment or to 20 students, whichever is less; and

"(3) Child of a full-time employee of the public charter school who is a District resident; provided, that enrollment of such children is limited to no more than 10% of the school's total enrollment.”.

SUBTITLE E. RESIDENCY EXEMPTION FOR WARDS OF THE STATE

Sec. 4041. Short title.

This subtitle may be cited as the "Educational Continuity Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4042. Section 2 of the District of Columbia Nonresident Tuition Act, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302), is amended by adding a new subsection (e) to read as follows:

"(e) Notwithstanding the provisions of subsection (a) of this section, a child in the care and custody of the District pursuant to D.C. Official Code § 16-2320(a)(3) who, while attending a DCPS or public charter school, ceases to be in that care and custody as a result of being placed in the permanent care and custody of a parent, guardian, or custodian who resides outside the District of Columbia shall be considered a resident of the District of Columbia for the purpose of school attendance and shall be exempt from the requirement to pay tuition for the period of time until the child completes the educational program offered at the school the child currently attends.".

SUBTITLE F. ESTABLISHMENT OF THE COMMON LOTTERY BOARD

Sec. 4051. Short title.

This subtitle may be cited as the "Common Lottery Advisory Board Establishment Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4052. The Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191 *et seq*.), is amended as follows:

(a) Section 202(b) (D.C. Official Code § 38-191(b)) is amended as follows:

(1) Paragraph (7) is amended by striking the word "and" at the end.

(2) Paragraph (8) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (9) is added to read as follows:

"(9) Provide administrative and technical support for the Common Lottery Board.".

(b) New sections 205 and 206 are added to read as follows:

"Sec. 205. Common Lottery Board.

"(a)(1) There is established a Common Lottery Board ("CLB") within the Department of Education. The purpose of the CLB shall be to develop and maintain a common lottery system for admission to public schools in the District of Columbia and shall:

"(A) Adopt policies and procedures to govern the common lottery system, to be implemented by the Department of Education;

"(B) Develop a 5-year strategic plan for the continuous improvement of the common lottery system;

"(C) Develop an annual budget for the common lottery system;

"(D) Promote participation of local educational agencies in the common lottery system;

"(E) Identify critical entities with which to partner that will enable the CLB to further develop the common lottery system; and

"(F) Solicit input from a Parent Advisory Council as established by the CLB;

"(2) The CLB shall be funded through local appropriations and any private funding that it receives. The CLB may solicit, accept, and use private gifts, grants, or donations to further its stated purposes.

"(3) The CLB shall adopt its own by-laws and rules of procedure.

"(4) The CLB may utilize District public space for its official duties.

"(5) Subject to the availability of appropriations, the Chairperson shall appoint, terminate, and fix the pay of an Executive Director of the CLB; provided, that the CLB shall approve the appointment and termination of the Executive Director.

"(b) The CLB shall consist of the following 10 members:

"(1) Seven voting members as follows:

"(A) The Deputy Mayor for Education, or designee, who shall serve as Chairperson of the CLB;

"(B) The Chancellor of the District of Columbia Public School ("DCPS"), or designee;

"(C) Two representatives from DCPS, as appointed by the Chancellor; and

"(D) Three representatives from public charter schools, each appointed by a vote among charter schools as organized by the Public Charter School Board "(PCSB"); and

"(2) Three non-voting members as follows:

"(A) The State Superintendent of Education, or designee;

"(B) The Chair of the Public Charter School Board ("PCSB"), or designee; and

"(C) The Executive Director of the CLB.

"(c)(1) Except as provided in paragraph (2) of this subsection, the representatives appointed by DCPS and by a vote organized by the PCSB ("termed members") shall serve 2-year terms and may be reappointed without limitation.

"(2) The initial appointment of the termed members shall be as follows:

"(A) One member appointed by DCPS and one member appointed by a vote organized by the PCSB to serve terms of 2 years, with the term to begin on July 1 and end on June 30; and

"(B) One member appointed by DCPS and 2 members appointed by a vote organized by the PCSB to serve terms of one year, with the term to begin on July 1 and end on June 30.

"(3) When a vacancy occurs in the membership of the CLB for reasons other than the expiration of a term, an appointment to fill the remainder of the vacated term shall be made in the same manner as prescribed in subsection (b)(1)(C) or (D) of this section, whichever is applicable.

"Sec. 206. Common Lottery Board Fund.

"(a) There is established as a special fund the Common Lottery Board Fund ("Fund"), which shall be administered by the Deputy Mayor for Education in accordance with subsections (c) and (d) of this section.

"(b) Deposits into the Fund shall include:

"(1) Appropriated funds;

"(2) Gifts,

"(3) Grants; and

"(4) Donations.

"(c) Money in the Fund shall be used for the continued development and improvement of the common lottery system.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE G. EDUCATION FUNDING FORMULA EQUITY

Sec. 4061 Short title.

This subtitle may be cited as the "Education Funding Formula Equity Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4062. Section 115 of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 38-2913), is amended by striking the phrase "fiscal year 2015" and inserting the phrase "Fiscal Year 2016" in its place.

SUBTITLE H. HEALTHY TOTS

Sec. 4071. Short title.

This subtitle may be cited as the "Healthy Tots Second Congressional Review Emergency Act of 2014".

Sec. 4072. Definitions.

For the purposes of this subtitle, the term:

(1) "Child and Adult Care Food Program" or "CACF Program" means the program authorized by section 17 of the National School Lunch Act, approved October 7, 1975 (89 Stat. 522; 42 U.S.C. § 1766).

(2) "Child development facility" means a licensed community-based center, home, or other structure, regardless of its name, that provides care, supervision, guidance, and other services for infants, toddlers, and preschoolers on a regular basis. The term "child development facility" does not include a child development center or program that is sponsored or run by a public or private school.

(3) "Eligible child" means a child who is a District resident who occupies a slot funded in whole or in part by the childcare subsidy program, authorized by section 3 of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-402), the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), or the District of Columbia Public Schools' Head Start program.

(4) "Farm-to-preschool programs" means programs at child development facilities that connect early care and education settings to local food producers, as an extension of the farm-to-school model, which connect children to local foods through meals and snacks, taste tests, lessons, farmer visits, cooking, field trips, growing food, and community and parent engagement.

(5) "Infant" means a child younger than 12 months of age.

(6) "Locally grown" shall have the same meaning as provided in section 101(3) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01(3)).

(7) "OSSE" means the Office of the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C Official Code § 38-2601).

(8) "Preschool" or "preschooler" means a child older than 24 months of age but younger than compulsory school attendance age, who is not enrolled in a public, charter, or private school.

(9) "Sustainable agriculture" shall have the same meaning as provided in section 101(9) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01(9)).

(10) "Toddler" means a child between 12 months of age and 24 months of age.

(11) "Unprocessed" shall have the same meaning as provided in section 101(10) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01(10)).

(12) "WIC" means the Special Supplemental Nutrition Program for Women, Infants, and Children, as provided in section 17 of the Child Nutrition Act of 1966, approved September 26, 1972 (86 Stat. 729; 42 U.S.C. § 1786).

Sec. 4073. Healthy Tots Fund.

(a) There is established as a special fund the Healthy Tots Fund ("Fund"), which shall be administered by OSSE in accordance with this section.

(b)(1) The Fund shall be funded by annual appropriations, which shall be deposited into the Fund. The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

(c) OSSE shall make funds from the Fund available for the following purposes:

(1) To provide additional funding for healthy meals served by child development facilities participating in the CACF Program by reimbursing the child development facility for each meal that meets the rules issued pursuant to this subtitle as follows:

(A) For meals eligible for reimbursement through the CACF Program served to an eligible child:

(i) Ten cents for each breakfast;

(ii) Ten cents for each lunch; and

(iii) Ten cents for each supper;

(B) For breakfasts served to any child attending the child development facility but not eligible for reimbursement through the CACF Program because child development facilities have maximized the number of allowable reimbursable meals, an amount of local funding equal to the free federal rate as established under the CACF Program; provided, that the breakfasts meet the rules issued pursuant to this subtitle; provided further, that at least 75% of the children attending the child development facility are District residents and at least 50% are eligible to receive free or reduced meals.

(2)(A) To provide additional funding to child development facilities participating in the Child and Adult Care Food Program that use local foods by reimbursing the child development facility an additional $0.05 per lunch or supper that meets the rules issued pursuant to this subtitle served to eligible children and at least one component of a meal is comprised entirely of locally grown and unprocessed foods; provided, that the child development facility reports to OSSE the name and address of the local farms where the foods were grown.

(B) For the purposes of this paragraph, the term "locally grown and unprocessed foods" shall not include milk.

(3) To provide funding to child development facilities that have partnerships with the Office of the State Superintendent of Education and that follow Early Headstart Standards as defined by 45 C.F.R. § 1304 and that provide comprehensive services, including health, mental health, nutrition, and family services; provided, that the funds shall be used for recruitment into or administration of the Child and Adult Care Food Program, including meal planning and nutrition education to children and their families.

(d) In addition to the requirements set forth in subsection (c) of this section, and subject to available funding, OSSE shall make funds from the Fund available:

(1) To make competitive grants available to child development facilities participating in the Child and Adult Care Food Program to support physical activity, nutrition, gardens, natural play areas, and farm-to-preschool programs; and

(2) As an incentive to increase participation in the Child and Adult Care Food Program, provide a $300 grant per year to a child development home that participates in the Child and Adult Care Food Program to help pay for costs associated with licensing, renewal, and other related expenses.

(e) A child development facility receiving a reimbursement or other funding pursuant to this section shall provide the meals at no charge to participating infants, toddlers, and preschoolers.

(f)(1) OSSE may, by rule, increase the amount of reimbursements, grants, or other funding provided by this section to further improve the quality and nutrition of meals provided by a child development facility.

(2) OSSE may withhold reimbursements or other funding authorized by this section from a child development facility that does not meet the requirements of this subtitle, or rules issued pursuant to this subtitle.

Sec. 4073a. Child development facility requirements.

(a) If 50 % or more children in a licensed child development facility are eligible to participate in the CACF Program, the facility shall participate in the program unless OSSE grants it an exemption pursuant to subsection (b) of this section.

(b) To be eligible for an exemption, a child development facility must provide OSSE with a written statement describing why participation in the CACF Program constitutes a hardship. OSSE will determine whether good cause exists and provide notice to the child development facility that it is excused from participating in the CACF Program for one year from the date of the notice. To the extent possible, OSSE shall work with excused child development facilities to address barriers to participating in the CACF Program.

Sec. 4074. OSSE requirements.

(a) The OSSE shall:

(1) Provide training to support the efforts of a child development facility to meet the requirements of this subtitle;

(2) Monitor the progress of a child development facility in complying with this subtitle during the facility's licensing process and record collected data in each facility's compliance history;

(3) Provide to the Mayor, the Council, and the Healthy Schools and Youth Commission an annual evaluation of the effect of the implementation of this subtitle on the health, well-being, and school-readiness of participating District children; and

(4) Provide to the Mayor, the Council, and the Healthy Schools and Youth Commission, no later than June 30 of each year, a report listing the names and locations of licensed child development facilities with 50 % or more eligible children enrolled, whether the facility participates in the CACF Program, and whether and why the facility was excused from participation.

(b) Within 60 days of the effective date of this subtitle, the OSSE shall add participation in the Child and Adult Care Food Program to the searchable criteria on the website for the OSSE Child Care Connections, which is the District's child care resource and referral center.

(c) No later than December 30 of each year, the OSSE shall submit, in conjunction with the Department of Health, a report to the Council and the Mayor on the efforts to promote WIC in child development facilities, including data on:

(1) Identifying opportunities to better promote WIC at child development facilities;

(2) The feasibility of the development of a breastfeeding-friendly rating for child development facilities; and

(3) Whether data matching or other means tested programs can be used to identify families receiving child-care subsidies and connect them to WIC if they are eligible for WIC benefits and are not receiving them.

(d) Within 120 days of the effective date of this subtitle, pursuant to the authority granted by section 3(b)(11) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C Official Code § 38-2602(b)(11)), the OSSE shall issue rules to implement this subtitle, which, at a minimum, shall:

(1) Establish nutritional standards for meals and snacks served at child development facilities;

(2) Establish physical activity standards for child development facilities;

(3) Improve the environmental sustainability of child development facilities;

(4) Increase the use of locally grown and unprocessed foods from growers engaged in sustainable agriculture practices;

(5) Enhance nutrition and healthy eating education programming for infants, toddlers, and preschoolers at child development facilities, including farm-to-preschool programs; and

(6) Ensure that child development facilities provide sufficient training to staff on improving nutrition and increasing the level of physical activity of participating infants, toddlers, and preschoolers.

Sec. 4075. Use of Department of Parks and Recreation facilities.

The Department of Parks and Recreation shall, to the extent feasible, partner with child development facilities to allow the facilities to use District recreation centers, fields, playgrounds, and other facilities on occasions that do not conflict with the Department of Parks and Recreation's existing programming or with on-going community obligations.

Sec. 4076. Conforming amendment.

Section 3b of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C Official Code § 38-2602(b)), is amended as follows:

(a) Paragraph (20)(O)(vi) is amended by striking the word "and" at the end.

(b) Paragraph (21) is amended by striking the period and inserting a semicolon in its place.

(c) New paragraphs (22) and (23) are added to read as follows:

"(22) Administer the Healthy Schools Fund and fulfill its other responsibilities under the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01 *et seq*.); and

"(23) Administer the Healthy Tots Fund and fulfill its other responsibilities under the Healthy Tots Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750).".

SUBTITLE I. CHARTER SCHOOL FACILITIES ALLOTMENT

Sec. 4081. Short title.

This subtitle may be cited as the "Charter School Facilities Allotment Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4082. Section 109 of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2908), is amended by adding a new subsection (b-2) to read as follows:

"(b-2)(1) For Fiscal Years 2015 and 2016, the per pupil facility allowance for Public Charter Schools shall be $3072.

"(2) For Fiscal Year 2017 and succeeding fiscal years, the per pupil facility allowance for Public Charter Schools shall be $3100.

"(3) The facility allowance set forth in paragraphs (1) and (2) of this subsection shall be multiplied by the number of students estimated to attend each Public Charter School to determine the actual facility allowance payments to be received by each Public Charter School.”.

SUBTITLE J. PCSB DONATIONS

Sec. 4091. Short title.

This subtitle may be cited as the "Public Charter School Board Donation Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4092. Section 115 of the Consolidated Appropriations Resolution, 2003, approved February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01), is amended as follows:

(a) Subsection (d) is repealed.

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

"(d-1) This section shall not apply to the Public Charter School Board, which may accept and use gifts to the Public Charter School Board without prior approval by the Mayor.".

SUBTITLE K. DEPUTY MAYOR FOR EDUCATION GRANT-MAKING AUTHORITY

Sec. 4101. Short title.

This subtitle may be cited as the "Deputy Mayor for Education Limited Grant-Making Authority Second Congressional Review Emergency Act of 2014".

Sec. 4102. Deputy Mayor for Education limited grant-making authority.

For Fiscal Year 2015, the Deputy Mayor for Education shall have grant-making authority solely to provide:

(1) An operational grant of $2 million for the development of a language immersion public charter school campus serving middle- and high-school students; provided, that the grant shall not be used for the lease, renovation, or development costs of a temporary location; and

(2) An operational grant of $2 million to support the project development and management of an athletic and community meeting space on the grounds of a public charter school that provides a classical education to students in grades 5 through 12.

Sec. 4103. Grants issued pursuant to this subtitle shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

SUBTITLE L. JOINTLY OPERATED PUBLIC CHARTER SCHOOL

Sec. 4111. Short title.

This subtitle may be cited as the “Jointly Operated Public Charter School Second Congressional Review Emergency Amendment Act of 2014”.

Sec. 4112. Section 2201 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.01), is amended by adding a new subsection (c-1) to read as follows:

“(c-1) *Jointly Operated School* – The Public Charter School Board shall have the authority to approve one joint program for applicants seeking to establish a jointly operated school where 2 or more public charter schools that have adopted, for the combined program, identical mission statements, goals, curricula and educational philosophy (“member schools”) may combine to create a jointly operated middle and high school. Notwithstanding any other

law, the jointly operated school shall have the same duties, powers and responsibilities of a public charter school, shall be funded as if a public charter school, and shall be treated as a single local educational agency under federal and local law. Students matriculating directly from the highest grade of a member school into the entry grade of the jointly operated school shall be exempt from the requirements of section 2206(c).".

SUBTITLE M. PUBLIC EDUCATION REFORM EVALUATION

Sec. 4121. Short title.

This subtitle may be cited as the "Public Education Reform Evaluation Second Congressional Review Emergency Amendment Act of 2014".

Sec. 4122. Section 204 of the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-193), is amended as follows:

(a) Subsection (b) is amended by striking the phrase "On September 30, 2014"and inserting the phrase "No later than June 1, 2015" in its place.

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

"(e)(1) There is established as a special fund the PERAA Evaluation Fund ("Fund"), which shall be administered by the Office of the District of Columbia Auditor in accordance with paragraph (3) of this subsection.

"(2) The following shall be deposited in the Fund:

"(A) All excess monies, not to exceed $600,000, remaining in the local funds operating budget for the Office of the District of Columbia Auditor at the end of each fiscal year; and

"(B) Any interest earned from the monies deposited into the Fund.

"(3) Money in the Fund shall be used for the purpose of contracting for the remaining reports with NRC as required by this section.

"(4) The money deposited in the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(5) This subsection shall expire on September 30, 2015".

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. DEVELOPMENTAL DISABILITY SERVICE MANAGEMENT REFORM

Sec. 5001. Short title.

This subtitle may be cited as the "Department on Disability Services Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5002. The Department on Developmental Disabilities Establishment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 7-761.02) is amended as follows:

(1) A new paragraph (3A) is added to read as follows:

"(3A) "DHCF" means the Department of Health Care Finance as established by section 3 of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.02).".

(2) Paragraph (8) is repealed.

(3) Paragraph (9) is amended by striking the phrase "Medical Assistance Administration" and inserting the acronym "DHCF" in its place.

(b) Section 105(4) (D.C. Official Code § 7-761.05(4)) is amended by striking the acronym "MAA" and inserting the acronym "DHCF" in its place.

(c) Section 106(c) (D.C. Official Code § 7-761.06(c)) is amended by striking the phrase "action," and inserting the phrase "action, including issuing grants and stipends," in its place.

(d) Section 107 (D.C. Official Code § 7-761.07) is amended as follows:

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

"(a) The Department and DHCF shall enter into an agreement for the Department to direct: policy development and design of services, rate-setting, and support provided under the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities or any other waiver targeted for people with intellectual and developmental disabilities and their families that is approved under section 1915(c) of the Social Security Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1369n); and policies, services, and supports related to the operation of intermediate care facilities for individuals with intellectual disabilities.".

(2) Subsection (b) is amended by striking the phrase "Medical Assistance Administration" and inserting the acronym "DHCF" in its place.

(e) A new section 112 is added to read as follows:

"Sec. 112. Family Support Council.

"(a) The Director shall establish a Family Support Council to assist, within available appropriations, the Department and other agencies to develop systems of support for families throughout the lifespans of their family members with intellectual and developmental disabilities.

"(b) The Family Support Council shall be composed of 11 members, of whom the majority shall be people with developmental disabilities and their family members.

"(c) No later than one year following the effective date of the Department on Disability Services Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Department shall publish operating procedures for the Family Support Council, and the Director shall appoint the initial Family Support Council members.".

SUBTITLE B. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION AMENDMENTS

Sec. 5011. Short title.

This subtitle may be cited as the "Department of Health Functions Clarification Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5012. The Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 *et seq*.), is amended as follows:

(a) Section 4907a (D.C. Official Code § 7-736.01) is amended by adding new subsections (e), (f), and (g) to read as follows:

"(e)(1) Through Fiscal Year 2015, the Director of the Department of Health may issue grants totaling $1,550,000 to District of Columbia HIV prevention programs for a combination of HIV prevention interventions. These interventions shall include HIV screening in clinical and non-clinical settings and effective behavioral programs.

"(2) Through Fiscal Year 2015, the Director of the Department of Health may issue HIV prevention grants for a combination of HIV prevention interventions that include:

"(A) HIV screening;

"(B) Harm reduction;

"(C) Social network HIV screening;

"(D) Partner services;

"(E) Faith-based initiatives;

"(F) Youth peer education; and

"(G) Other health-education services for adolescents and older adults.

"(3) For the purposes of this subsection, the term "faith-based initiative" means a program to encourage and support places of worship in delivering HIV prevention messages that promote safe-sex practices, educate people about HIV, and promote HIV screening.

“(4) In Fiscal Year 2015, the Director of the Department of Health shall issue a competitive grant totaling $480,000 to a qualified community-based nonprofit corporation or organization for the creation of a comprehensive concussion care protocol for children.

"(f) For Fiscal Year 2015, the Director of the Department of Health may issue grants to qualified community organizations to provide:

"(1) Clinical nutritional home delivery services for individuals living with cancer and other life-threatening diseases;

"(2) Ambulatory health services;

"(3) Poison control hotline and prevention education services;

"(4) Operations and primary care services for school-based health clinics; and

"(5) A teen pregnancy prevention program.

"(g)(1) All grants issued pursuant to subsections (e) and (f) of this section shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

"(2) The Department of Health shall submit a quarterly report to the Secretary to the Council on all grants issued pursuant to the authority granted in subsections (e) and (f) of this section.".

(b) New sections 4907b and 4907c are added to read as follows:

"Sec. 4907b. Communicable and Chronic Disease Prevention and Treatment Fund.

"(a) There is established as a special fund the Communicable and Chronic Disease Prevention and Treatment Fund ("Fund"), to be administered by the Department of Health in accordance with subsection (c) of this section.

"(b) The Fund shall consist of revenue from the following sources related to the prevention and treatment of communicable and chronic diseases by the Department of Health:

"(1) Third-party payors;

"(2) Sliding-fee scale collections; and

"(3) Other collections.

"(c) The Fund shall be used for operations necessary to provide communicable and chronic disease prevention and treatment services.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"Sec. 4907c. Communicable disease fees.

"(a) The Director of the Department of Health may establish a schedule of fees for the prevention and treatment of communicable diseases, including HIV/AIDS, hepatitis, sexually transmitted diseases, and tuberculosis to be provided to any individual who presents for prevention or treatment services, regardless of health insurance coverage or ability to pay. The Director may periodically revise the schedule of fees and may establish a sliding fee scale, based on income, for uninsured individuals. The fees, including any sliding fee scale, shall be published in the District of Columbia Register.

"(b) The Director may seek reimbursement from any third-party payor for services provided relating to the prevention and treatment of communicable diseases.".

SUBTITLE C. MEDICAL ASSISTANCE PROGRAM AMENDMENTS

Sec. 5021. Short title.

This subtitle may be cited as the "Medical Assistance Program Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5022. Section 1 of An Act to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), is amended as follows:

(a) Subsection (a) is amended by adding a new paragraph (8) to read as follows:

"(8) Review and approval by the Council of the Fiscal Year 2015 Budget and Financial Plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any amendment, modification, or waiver of the state plan required to:

"(A) Implement needed amendments to the Elderly and Individuals with Physical Disabilities waiver to ensure compliance with federal law and promote best practices;

"(B) Establish new payment rates for Federally-Qualified Health Centers;

"(C) Establish a new payment method and make other improvements to the payment methodology for hospital inpatient treatment;

"(D) Establish a new payment method and make other improvements to the payment methodology for hospital outpatient services;

"(E) Implement needed amendments to the Intellectual Disabilities/Developmental Disabilities waiver to ensure compliance with federal law and promote best practices;

"(F) Align specialty hospital payments with the complexity of their patient mixes and national best practices and to describe payment standards for sub-acute services for children who are inpatients in private psychiatric specialty hospitals; and

"(G) Update transplantation coverage standards and provide coverage for lung transplantation and autologous bone marrow transplantation.".

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

"(e)(1) The District state plan required under Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq*.), may provide for reimbursement of chiropractic services.

"(2) The Mayor may develop and implement a reimbursement methodology for chiropractic services.".

SUBTITLE D. DEPARTMENT OF BEHAVIORAL HEALTH ESTABLISHMENT AMENDMENT

Sec. 5031. Short title.

This subtitle may be cited as the "Department of Behavioral Health Establishment Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5032. Section 5118 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 7-1141.07), is amended as follows:

(a) Designate the existing text as subsection (a).

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

"(b) The following powers, duties, functions, and responsibilities are hereby transferred to the Department of Health, effective October 1, 2014:

"(1) All property, Career and Excepted Service, Management Supervisory Service, and trainee positions, personnel, assets, records, obligations, unexpended balances of appropriations, allocations, and other funds available or to be made available to the Tobacco Control Program.

"(2) The Mayor shall coordinate, as necessary, the transfer from the Department to the Department of Health of any property, positions, personnel, assets, records, obligations, unexpended balances of appropriations, allocations, and other funds required for the management and operation of the Tobacco Control Program.".

SUBTITLE E. DEPARTMENT OF BEHAVIORAL HEALTH ENTERPRISE FUND

Sec. 5041. Short title.

This subtitle may be cited as the "Department of Behavioral Health Enterprise Fund Second Congressional Review Emergency Act of 2014".

Sec. 5042. Department of Behavioral Health Enterprise Fund.

(a) There is established as a special fund the Department of Behavioral Health Enterprise Fund ("Fund"), which shall be administered by the Department of Behavioral Health ("Department") in accordance with subsection (c) of this section.

(b) The Fund shall consist of revenue from the following fees, proceeds, and revenues collected from the following activities and operations:

(1) Proceeds from the cafeteria managed and operated by the Department on the St. Elizabeths Hospital Campus;

(2) Fees charged for trainings and Continuing Education Units by the Department's Organizational Development- DMH Training Institute; and

(3) Recoupment and collection of housing bridge subsidy payments from individual consumers, representative payees, and landlords by the Department's Adult Services Supported Housing program.

(c) The Fund shall be used for the management and operation of the food cafeteria, DMH Training Institute, and Supported Housing programs managed and operated by the Department.

SUBTITLE F. LIHEAP HEAT AND EAT ELIGIBILITY PRESERVATION

Sec. 5051. Short title.

This subtitle may be cited as the "LIHEAP Heat and Eat Eligibility Preservation Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5052. Section 5083(c) of the Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.03(c)), is amended by striking the phrase "$1" and inserting the phrase "$20.01" in its place.

SUBTITLE G. HEALTH SERVICES PLANNING AND DEVELOPMENT

Sec. 5061. Short title.

This subtitle may be cited as the "Health Services Planning and Development Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5062. Section 2(12) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401(12)), is amended as follows:

"(12) "Health service" means any medical or clinical related service, including services that are diagnostic, curative, or rehabilitative, as well as those related to inpatient mental

health services, home health care, hospice care, medically supervised day care, and renal dialysis. The term "health service" shall not include those outpatient behavioral health services subject to the exclusive regulatory authority of the Department of Behavioral Health and services provided by physicians, dentists, HMOs, and other individual providers in individual or group practice.”.

SUBTITLE H. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES COST-OF-LIVING ADJUSTMENT

Sec. 5071. Short title.

This subtitle may be cited as the "Temporary Assistance for Needy Families Cost-of-Living Adjustment Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5072. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq*.), is amended as follows:

(a) Section 511b (D.C. Official Code § 4-205.11b) is amended by striking the phrase "in the District".

(b) Section 552 (D.C. Official Code § 4-205.52) is amended by adding a new subsection (d-1) to read as follows:

"(d-1)(1) Effective October 1, 2014, the payment levels issued pursuant to section (c) of this subsection shall be adjusted annually for the rate of inflation, except for Fiscal Year 2017, for which the payment level shall be increased by 46%.

"(2) To adjust for the rate of inflation each year, the payment levels from the immediately preceding year shall be multiplied by the CPI percentage increase from the preceding calendar year, as determined by the United States Department of Labor Bureau of Labor Statistics in the Consumer Price Index for Urban Consumers (CPI-U) for all items.".

(c) Section 572a(b) (D.C. Official Code § 4-205.72a(b)) is amended to read as follows:

"(b) An assistance unit's eligibility for POWER pursuant to subsection (a) of this section shall be subject to periodic review and redetermination as determined by the Mayor or the Mayor's designee.".

(d) Section 575 (D.C. Official Code § 4-205.75) is amended by adding a new subsection (c) to read as follows:

"(c) A POWER recipient who is determined eligible for continuation of one year due to incapacity under section 572(b)(2) shall be informed by the Mayor or the Mayor's designee about the recipient's potential eligibility for Social Security Disability Insurance (“SSDI”) or Supplemental Security Income (“SSI”). If appropriate, the POWER recipient shall submit an application for SSDI or SSI benefits as part of the recipient's self-sufficiency plan. The Mayor or the Mayor's designee shall offer application and advocacy assistance.".

SUBTITLE I. INSURANCE REGULATORY TRUST FUND

Sec. 5081. Short title.

This subtitle may be cited as the "Insurance Regulatory Trust Fund Bureau Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5082. The Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1201 *et seq*.), is amended as follows:

(a) Section 4(b) (D.C. Official Code § 31-1203(b)) is amended by adding a new sentence at the end to read as follows: "The assessment shall be a tax and licensing and regulatory fee for purposes of 45 CFR §§ 158.221(c) and 158.161(b).".

(b) Section 9 (D.C. Official Code § 31-1208) is amended as follows:

(1) Designate the existing text as subsection (a).

(2) The newly designated subsection (a) is amended to read as follows:

"(a) All insurers and health maintenance organizations subject to assessments in accordance with this act shall be members of an Insurance Regulatory Trust Fund Bureau, organized and maintained by such insurers and health maintenance organizations at their own expense, for the purpose of advising the Commissioner and the Executive Director of the District of Columbia Health Benefit Exchange Authority as to the need for the proposed assessments, including the assessment of health carriers in section 4(f) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.03(f)), the fairness of the proposed assessments, and any other matters with respect to the administration of the Insurance Regulatory Trust Fund. The Commissioner and the Executive Director of the District of Columbia Health Benefit Exchange Authority shall submit to the Insurance Regulatory Trust Fund Bureau annually, in advance of the Mayor's budget submission to the Council, a detailed budget showing how the proposed assessments are to be expended.".

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

"(b) The board of directors of the Insurance Regulatory Trust Fund Bureau shall consist of no fewer than 15 members and shall include at least a majority of the health carriers issuing qualified health plans and some representation from health carriers issuing qualified dental plans as defined in section 2 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01).".

(c) Section 10 (D.C. Official Code § 31-1209) is amended to read as follows:

“Sec. 10. Annual audit of Insurance Regulatory Trust Fund or District of Columbia Health Benefit Exchange Authority Fund.

"Upon a vote of the Insurance Regulatory Trust Fund Bureau taken in accordance with its bylaws, the Insurance Regulatory Trust Fund Bureau, at its own expense, may annually arrange for an independent audit of the expenditures made in any fiscal year by the Insurance Regulatory Trust Fund or the District of Columbia Health Benefit Exchange Authority Fund established in section 4(a) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.03(a)). The Commissioner, the

Department of Insurance, Securities, and Banking, the Executive Director of the District of Columbia Health Benefit Exchange Authority, and all other elements of the District of Columbia government shall cooperate with such an audit and shall make available all documents and records reasonably necessary to the conduct of the audit.".

Sec. 5083. Section 4(e) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.03(e)), is amended by adding a new paragraph (3) to read as follows:

"(3) The assessment on health carriers pursuant to subsection (f) of this section shall be a tax and licensing and regulatory fee for purposes of 45 CFR §§ 158.221(c) and 158.161(b).".

SUBTITLE J. POWER EXPANSION

Sec. 5091. Short title.

This subtitle may be cited as the "POWER Expansion Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5092. Section 572a(a) of the District of Columbia Public Assistance Act of 1982, effective April 20, 1999 (D.C. Law 12-241; D.C. Official Code § 4-205.72a(a)), is amended by adding a new paragraph (1A) to read as follows:

"(1A) Is a single custodial parent or caretaker with a child under 6 months old; provided, that no parent or caretaker may remain eligible under this paragraph for more than 12 months;".

SUBTITLE K. END YOUTH HOMELESSNESS

Sec. 5101. Short title.

This subtitle may be cited as the "End Youth Homelessness Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5102. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq*.), is amended as follows:

(a) Section 5(b)(9) (D.C. Official Code § 4-752.02(b)(9)) is amended to read as follows:

"(9) By September 1 of each year, develop a plan, consistent with the right of clients to shelter in severe weather conditions, describing how member agencies will coordinate to provide hypothermia shelter, identifying the specific sites that will be used as hypothermia shelters, and including protocols on how to provide shelter services for unaccompanied minors; and".

(b) A new section 5a is added to read as follows:

"Sec. 5a. Plan to end youth homelessness in the District by 2020.

"(a) No later than 300 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-

750) , the Interagency Council, working jointly with organizations providing service to homeless youth within the Continuum of Care as well as homeless or formerly homeless youth and their advocates, shall prepare, publish, and submit to the Council a comprehensive Plan to End Youth Homelessness in the District by 2020.

"(b) The plan required by this section shall:

"(1) Include a community-wide needs assessment that takes into account existing data, including the results of the extended youth count required in section 7(h);

"(2) Include an analysis of strategies that have been successful in reducing youth homelessness;

"(3) Be developed pursuant to a process that includes public hearings and that will identify, prioritize, and target needs for services for homeless youth within the Continuum of Care;

"(4) Include specific recommendations for eradicating youth homelessness in the District by 2020, including recommendations for:

"(A) A grant-based family reunification program, a host-home program, and additional cultural competency training for youth homeless service workers, including intake and drop-in center workers, designed to inform such workers adequately concerning the developmental needs of homeless youth; and

"(B) Other specific culturally-competent and language-accessible programs designed to prevent youth from becoming homeless, identify youth that are homeless or at risk of becoming homeless, and provide counseling, shelter, and appropriate services to the youth so identified (including minor heads of households and minors temporarily without parental supervision); and

"(5) Include estimates of the costs of carrying out various components of the plan.

"(c) The plan required by this section shall identify any new legislation that is necessary to implement its recommendations, and provide recommendations concerning how to fund the provisions of the plan without reducing funding for other social programs.

"(d) The Interagency Council shall revise and submit to the Council the strategic plan required by section 5(b)(2) no later than 390 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), incorporating the provisions of the plan required by this section.".

(c) Section 7 (D.C. Official Code § 4-753.01) is amended by adding new subsections (h) and (i) to read as follows:

"(h) No later than 300 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Department of Human Services shall establish a program of street outreach to youth which shall be competitively granted.

"(i) No later than 180 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-

750), and annually thereafter, the Department of Human Services, in coordination with the Interagency Council, shall conduct a youth census, separate from the annual Point-in-Time survey, to determine the needed scale and scope of a comprehensive program to end youth homelessness in the District. The youth census shall:

"(1) Count all children and youth under 18 years of age who are living apart from a parent or guardian, excluding those who are in the physical custody of the District, and all youth between the ages of 18 and 24 years of age who are economically or emotionally detached from their families and lack an adequate or fixed residence, including children and youth who are unstably housed, living in doubled up circumstances, in transitional housing, in shelter, or on the street;

"(2) For each child or youth counted, record basic demographic information including age, race, and gender identification, the location where the child or youth stayed the night before the count, the child or youth's education and employment status, and membership in pertinent subgroups based on sexual orientation, gender orientation, pregnancy or parenting status, or involvement in the foster care or juvenile or adult criminal justice systems;

"(3) Identify patterns in responses describing factors leading to homelessness;

"(4) Identify patterns in responses describing services used and gaps in service;

"(5) Be conducted over a period of at least one week, controlling for duplication by assigning each child or youth a unique identifier; and

"(6) Include multiple strategies and entry points to identify homeless children and youth.".

(d) Section 8(c) (D.C. Official Code § 4-753.02(c)) is amended by adding a new paragraph (1C) to read as follows:

"(1C)(A) No later than 180 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Mayor shall issue a grant to a community-based organization to establish one or more intake and drop-in center for youth, including minors and youth-headed families, for the purposes of:

"(i) Assessing the eligibility of youth for services within the Continuum of Care and making referrals, including to the Child and Family Services Agency as appropriate; provided, that homelessness alone is not a valid reason for an allegation of abuse or neglect;

"(ii) Coordinating as necessary with the intake centers for families operated pursuant to paragraph (1) of this subsection;

"(iii) Contacting the parent or guardian of an unaccompanied minor within 72 hours of the minor's request for services within the Continuum of Care; and

"(iv) Tracking outcomes, utilization rates, and turn-aways of youth across service providers.

"(B) Grants issued pursuant to this paragraph shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).".

(e) Section 28 (D.C. Official Code § 4-755.01) is amended by adding a new subsection (d) to read as follows:

"(d)(1)Notwithstanding subsections (a) and (b) of this section, the Mayor shall fund a minimum of 5 additional shelter beds for homeless youth up to 24 years of age and additional transitional housing capacity for 10 youth 18 to 24 years of age.

"(2) Homeless services for youth shall be provided through 2-year grants to eligible community organizations based in the District with expertise in systems of care for homeless youth.

"(3) Recipients of grants shall establish, maintain, or expand facilities through these grants that protect the safety of homeless youth through facilities that are specifically for homeless youth and separate from any existing homeless services for the general population.

"(4) Grants issued pursuant to this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).".

SUBTITLE L. HOMELESS PREVENTION PROGRAM ESTABLISHMENT

Sec. 5111. Short title.

This subtitle may be cited as the "Homeless Prevention Program Establishment Second Congressional Review Emergency Act of 2014".

Sec. 5112. Homeless Prevention Program.

(a) There is established within the Department of Human Services ("Department") a Homeless Prevention Program ("Program") to conduct community outreach and provide services to families at risk of becoming homeless.

(b) The Department may contract with a qualified community-based nonprofit corporation, organization, or consortia of organizations, with offices located in the District, to operate the Program. The Department shall establish the criteria that an entity must meet to be selected to operate the Program. If the Department is unable to contract with an outside entity that meets the specified criteria, or determines it to not be in the best interest of the District, the Department shall operate the Program.

(c) The Program shall be administered by the Department in consultation with the Interagency Council on Homelessness.

(d) The Program shall:

(1) Use an evidence-based assessment and evaluation method to target and identify families most at risk of becoming homeless;

(2) Connect individuals and families at risk of becoming homeless with housing and financial assistance programs that provide short- and long-term assistance to allow households to remain in their current housing situation, if appropriate;

(3) Have multiple locations in communities identified as being at-risk of homelessness;

(4) Conduct educational campaigns and outreach to inform District residents about the services available to prevent homelessness;

(5) Conduct family or tenant-landlord mediation to assist families in remaining in their current housing situation or provide referrals to other organizations that can provide this assistance, if appropriate;

(6) Provide classes in skills critical to maintaining housing, including household budgeting, financial management, and financial literacy, or provide referrals to other organizations that can provide this assistance;

(7) Provide job training and placement referrals to employment services or provide referrals to other organizations that can provide this assistance, including connecting families with resources available at District agencies;

(8) Assist families in applying for public benefits, including child care, SNAP, tax credits, and Medicaid or provide referrals to other organizations that can provide this assistance; and

(9) Provide other counseling, case management, or services, including mental or behavioral health services or referrals to mental or behavioral health programs, to assist families in preventing homelessness.

(e) No later than January 1, 2016, and annually thereafter, the Program shall submit a report to the Council on the operations and services of the Program during the preceding fiscal year.

Sec. 5113. Section 5 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.02), is amended by adding a new subsection (e) to read as follows:

"(e) The Department of Human Services shall administer the Homeless Prevention Program, established pursuant to the Homeless Prevention Program Establishment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), in consultation with the Interagency Council on Homelessness.".

SUBTITLE M. TOBACCO PRODUCT MANUFACTURER RESERVE FUND

Sec. 5121. Short title.

This subtitle may be cited as the "Tobacco Product Manufacturer Reserve Fund Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5122. Section 6(b) of the Tobacco Product Manufacturer Reserve Fund Complementary Procedures Act of 2004, effective April 22, 2004 (D.C. Law 15-150; D.C. Official Code § 7-1803.05(b)), is amended as follows:

(a) Strike the phrase "Corporation Counsel" wherever it appears and insert the phrase "Attorney General" in its place.

(b) A new sentence is added at the end to read as follows:

"The Attorney General may also disclose the information received under this act with the data clearinghouse created to implement the term sheet agreed to by the District and Participating Manufacturers, and given effect by a March 12, 2013, arbitral award.".

SUBTITLE N. SOAR PILOT PROGRAM ESTABLISHMENT

Sec. 5131. Short title.

This subtitle may be cited as the "SSI/SSDI Outreach, Access, and Recovery ("SOAR") Pilot Program Establishment Second Congressional Review Emergency Act of 2014".

Sec. 5132. SOAR Pilot Program.

(a) There is established within the Department of Human Services ("Department") a SSI/SSDI Outreach, Access, and Recovery, or SOAR Pilot Program ("Program") to provide application assistance for individuals applying to receive Supplemental Security Income ("SSI") and Social Security Disability Insurance ("SSDI").

(b)(1) The Department may contract with, or provide a grant to, a qualified community-based nonprofit corporation, organization, or consortia of organizations, with offices located in the District, to operate the Program. The Department shall establish the criteria that an entity must meet to be selected to operate the Program. If the Department is unable to contract with an outside entity that meets the specified criteria, or determines it to not be in the best interest of the District, the Department shall operate the Program.

(2) A grant issued under this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

(c) The Program shall conduct outreach to homeless individuals to provide intensive assistance and support with completing an SSI or SSDI application with the federal Social Security Administration.

SUBTITLE O. TEEN PREGNANCY PREVENTION FUND

Sec. 5141. Short title.

This subtitle may be cited as the "Teen Pregnancy Prevention Fund Establishment Second Congressional Review Emergency Act of 2014".

Sec. 5142. Definitions.

For the purposes of this subtitle, the term:

(1) "Fund" means the Teen Pregnancy Prevention Fund established in section 5143.

(2) "Grant-managing entity" means the DC Campaign to Prevent Teen Pregnancy, as authorized by section 5146.

Sec. 5143. Teen Pregnancy Prevention Fund.

(a) There is established a Teen Pregnancy Prevention Fund to provide subgrants to nonprofit organizations.

(b) The Department of Health shall make a grant to a single grant-managing entity of which at least 90% shall be used to make subgrants for the purpose of teen pregnancy prevention. The remaining 10% shall be utilized for administrative expenses and evaluation of the Fund. The grant-managing entity is limited to spending any funds received from the Fund on administrative costs only, and not any substantive work related to teen pregnancy prevention.

(c) The Fund is designed to provide subgrants to nonprofits in health services for teens, reproductive health education, professional development and training, research and policy development, and public education and awareness. The funds shall be available for conveyance to a grant-managing entity for the purposes identified in subsection (b) of this section.

(d) Subgrants shall be awarded, subject to the availability of funding, as follows:

(1) All subgrants shall be awarded on a competitive basis;

(2) The subgrants shall not exceed $100,000 per year;

(3) Subgrants are one-time;

(4) The subgrant funds shall be used exclusively to serve District of Columbia residents; and

(5) All subgrants shall be subject to District transparency requirements, such as Freedom of Information Act requests.

(e) The Fund shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

Sec. 5144. Required information before approval.

(a) To be eligible to receive a subgrant from the grant-managing entity pursuant to section 5143, a subgrantee shall submit the following required documentation to the grant-managing entity, as well as any additional information required by the grant-managing entity:

(1) Internal Revenue Service certification that the organization is tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A 24 Stat. 163; 26 U.S.C. § 501(c)(3));

(2)(A) The organization's most recent financial audit, not more than 2 years old; or

(B) A recent financial statement, not more than one year old, prepared by a certified accountant that shows that the organization is in good financial standing and which delineates its:

(i) Existing assets and liabilities;

(ii) Pending lawsuits, if any; and

(iii) Pending and final judgments, if any;

(3) Internal Revenue Service Form 990 covering the organization's most recently completed fiscal year;

(4) A notarized statement from the subgrantee certifying that:

(A) The organization is current on District and federal taxes;

(B) The grant-managing entity is authorized to verify the organization's tax status with the Office of Tax and Revenue and the Office of Tax and Revenue is authorized to release this information to the grant-managing entity;

(C) The grant-managing entity shall have access to the subgrantee's financial, administrative, and operational records, including specific consent for the grant-managing entity to access its books, accounts, records, findings, and documents related to the subgrant; and

(D) The subgrantee is registered with the Department of Consumer and Regulatory Affairs; and

(5) A comprehensive program statement that includes a detailed:

(A) Scope of work; and

(B) Budget that describes how the subgrant funds shall be spent.

Sec. 5145. Reporting requirements.

Beginning December 1, 2014, the grant-managing entity shall submit a bimonthly report to the Council of all District funds allocated, which includes:

(1) Detailed subgrantee data;

(2) Performance measures and performance outcomes under each subgrant;

(3) The specific services provided under each subgrant;

(4) The entity providing the services, if one other than the subgrantee;

(5) The time period of delivery of the services;

(6) The type of service provided;

(7) The actual amount paid for the services; and

(8) The amount of other expenditures under the subgrant, if any.

Sec. 5146. Authorization for grant-managing entity.

For Fiscal Year 2015, the DC Campaign to Prevent Teen Pregnancy ("DC Campaign") is designated as the grant-managing entity. The DC Campaign shall be required to enter into a Memorandum of Understanding ("MOU") with the District of Columbia government. The MOU shall set forth certain administrative requirements for the DC Campaign to abide by when it obtains District funds and awards subgrants involving District funds, and will clarify and reaffirm the DC Campaign's responsibility and obligation with respect to District funds, including the monitoring of the use of District funds.

Sec. 5147. Limitation on duplicative projects.

(a) The grant-managing entity shall take steps to avoid awarding subgrants to a nonprofit that has been awarded or is being awarded funds from another District agency for the same or similar program purposes for which it is applying for funding from the Fund.

(b) Within 30 days after the effective date of the MOU, the grant-managing entity shall provide to the Department of Health and the Council a plan that sets forth procedures for avoiding the award of duplicative funds.

SUBTITLE P. UNITED MEDICAL CENTER TRANSFORMATION INITIATIVE

Sec. 5151. Short title.

This subtitle may be cited as the "United Medical Center Transformation Initiative Second Congressional Review Emergency Act of 2014".

Sec. 5152. Findings and policy.

(a) It is the policy of the District government that there shall be an enduring, full-service hospital east of the Anacostia River. To effect this policy, the government is committed to improving the United Medical Center ("UMC") with the expectation that its improved financial condition (i.e., solvency) will enable eventual divestiture of UMC from District ownership and management.

(b) The government recognizes and supports the proposition that maintaining full hospital service may likely entail more than renovation of the current facility on Southern Avenue, S.E.

(c) Substantial funding has been made available to UMC in the Capital Improvement Plan accompanying the Fiscal Year 2015 budget. Although most of these dollars are strategic investment in facilities, equipment, and information technology, the Council would be supportive of utilizing these dollars toward a viable proposal, which may involve a public-private partnership, to construct a new hospital facility rather than renovation of the existing facility.

(d) The Council affirmatively approved a contract in 2012 with Huron Consulting Group ("Huron") in part to improve the operations of UMC and to assist with the divestiture of UMC from District ownership and management. Huron is urged to solicit bidders for ownership and management without constraint as to a particular business model or financing structure other than to obtain an offer that is both in the best interest of the District government and the policy to maintain an enduring, full-service hospital east of the Anacostia River.

(e) The Executive is urged to move forward expeditiously with improving UMC operations and soliciting proposals for private sector takeover of the ownership and management of the United Medical Center.

SUBTITLE Q. LOCAL RENT SUPPLEMENT PROGRAM REFERRALS

Sec. 5161. Short title.

This subtitle may be cited as the "Local Rent Supplement Program Referrals Second Congressional Review Emergency Amendment Act of 2014".

Sec. 5162. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16- 35; D.C. Official Code § 4-751.01 *et seq*.), is amended by adding a new section 8d to read as follows:

"Sec. 8d. Notwithstanding section 8c, during Fiscal Year 2015, the District of Columbia Housing Authority shall fill 75 tenant-based Rent Supplement Program vouchers, established by section 26c of the District of Columbia Housing Authority Act, effective March 2, 2007 (D.C. Law 13-105; D.C. Official Code § 6-228), through referrals by the Department of Human Services. The referrals shall be based on special eligibility criteria established in 29 DCMR § 2557.1, or shall consist of families currently in the Department of Human Services Permanent Supportive Housing Program who the Department determines no longer need intensive services.".

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

SUBTITLE A. VAULT RENT

Sec. 6001. Short title.

This subtitle may be cited as the "Vault Rent Second Congressional Review Emergency Amendment Act of 2014".

Sec. 6002. The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10–1101.01 *et seq*.), is amended as follows:

(a) Section 103 (D.C. Official Code § 10-1101.01) is amended as follows:

(1) New paragraphs (1B), (1C), and (1D) are added to read as follows:

"(1B) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

"(1C) "Condominium unit owners' association" shall have the same meaning as the unit owner's association described in section 301 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.01), or a master association as defined in section 102(19A) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.02(19A)), as the context may require.

"(1D) "Declarant" shall have the same meaning as provided in section 102(11) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.02(11)).".

(2) A new paragraph (6A) is added to read as follows:

"(6A) "Responsible condominium unit owners' association" means a condominium unit owners' association if vault rent was an obligation of the condominium as a whole before there was a unit owner other than the declarant, or the condominium unit owners' association or its predecessor entered into an agreement with the Mayor relating to the occupation of vault space.".

(3) A new paragraph (9) is added to read as follows:

"(9) "Vault rent year" means the period beginning July 1st each year and ending June 30th of each succeeding year.".

(b) Section 202 (D.C. Official Code § 10-1102.02) is amended as follows:

(1) Designate the existing text as subsection (a).

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

"(b) Notwithstanding the requirements of subsection (a) of this section, the District shall not charge a fee to an organization for occupying public space to operate a farmers market; provided, that it participates in the Supplemental Nutritional Assistance Program and the Women, Infants and Children Farmers Market Nutrition Program.".

(c) Section 303 (D.C. Official Code § 10-1103.02) is amended to read as follows:

"Sec. 303. (a)(1) The Chief Financial Officer shall assess and collect rent and charges from the owner or owners of abutting property for any vault located in the public space abutting such property, unless such vault has been removed, filled, sealed, or otherwise rendered unusable in a manner satisfactory to the Mayor.

"(2) Bills and notices shall be deemed to be properly served when mailed via first class mail to the abutting property owner's mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(b)(1) Notwithstanding section 104 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision of law that imposes liability for vault rent that is contrary to this subsection, vault rent shall be assessed against a responsible condominium unit owners' association.

"(2) The responsible condominium unit owners' association shall be billed for vault rent as a separate and distinct taxable entity with its own vault rent account, as designated by the Chief Financial Officer, and, unless the context requires otherwise, for purposes of this title shall be deemed to be the owner of the property abutting public space in which any vault is located.

"(3) A notice of proposed land assessment relating to the vault rent account shall be given to the responsible condominium unit owners' association by March 1st before the beginning of the applicable vault rent year. Only the land values of comparable multi-family residential properties shall only be used in determining land values for vault rent purposes of residential condominiums.

"(4) The assessed value of the land derived for purposes of billing the vault rent may be appealed as provided under D.C. Official Code § 47-825.01a(d), (e), and (g); except, that for the purposes of this section any references in that section to an owner shall be deemed to be references to a responsible condominium unit owners' association.

"(5) The Chief Financial Officer may correct or change any land assessment relating to the vault rent account for which a responsible condominium unit owners' association is responsible as under the circumstances and subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to:

"(A) Tax years shall be deemed to be a reference to vault rent years;

"(B) Owner shall be deemed to be a reference to a responsible condominium unit owners' association; and

"(C) The owner's address of record shall be deemed to be a reference to the responsible condominium unit owners' mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(c) Where vault rent is assessed against any owner other than a responsible condominium owners' association, the Mayor may adjust any utilization factor or area of the vault level under the circumstances, subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to tax years shall be deemed to be a reference to vault rent years.".

(d) Section 305 (D.C. Official Code § 10-1103.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "shall pay the rent established in accordance with this part for such vault. Such rent shall be payable annually for the year commencing July 1st and ending on the following June 30th, and shall be payable in full prior to the beginning of such year." and inserting the phrase "shall pay the rent established in accordance with this part for such vault and any charges levied under § 308(a). Such rent and charges shall be payable annually for the vault rent year and shall be payable in full on or before the later of 30 days after the date the vault rent bill was mailed or September 15 of the vault rent year." in its place.

(2) Subsection (c) is amended by striking the second sentence.

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

"(c-1) Notwithstanding subsection (c) of this section, rent per fuel oil tank shall be $100; provided, that the Council may adjust the amount of rent per fuel oil tank pursuant to section 401.".

(e) Section 305a (D.C. Official Code § 10-1103.04a) is amended by striking the word "Mayor" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(f) Section 308 (D.C. Official Code § 10-1103.07) is amended by adding subsections (c), (d), (e), and (f) to read as follows:

"(c)(1) For vault years beginning after June 30, 2015, the Mayor, in the Mayor's discretion, may seal off, remove in whole or in part, fill, reconstruct, repair, or close a vault or vault opening, or perform any other service in connection with a vault or vault opening that the Mayor considers necessary or appropriate; provided, that should the subject vault contain utility infrastructure, the Mayor shall confer with the affected utility before any modification to the vault about whether the planned activity would compromise the operations of the utility infrastructure system.

"(2) The Chief Financial Officer shall levy a charge against the abutting property for the reasonable cost of action by the Mayor.

"(d)(1) For periods beginning after June 30, 2015, interest on unpaid vault rent and the charges authorized under subsection (a) of this section shall accrue at the rate set forth in D.C. Official § 47-811(c) per month or part thereof after the due date prescribed in section 305.

"(2) Except as provided in subsection (f) of this section, the abutting property for any vault located in the public space shall be sold by the Chief Financial Officer at a tax sale held under Chapter 13A of Title 47 of the District of Columbia Official Code for vault rent, charges, and interest that are delinquent as of the October 1st before the tax sale.

"(3) Notwithstanding any other provision of law, delinquent vault rent, charges, and interest shall not be required to be certified for purposes of the tax sale and the lien priority of vault rents, charges, and interest shall be immediately junior to real property taxes.

"(e) Payments shall be applied to the oldest vault year owed, and within such year first to interest, then to charges, and then to rent.

"(f)(1) When a responsible condominium unit owners' association is billed for vault rent, charges, and interest and the rent, charges, and interest are not timely paid, the rent, charges, and interest shall constitute a delinquent tax to be collected against the responsible condominium unit owners' association in accordance with Chapter 44 of Title 47 of the District of Columbia Official Code, notwithstanding section 104 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision to the contrary. Liability shall follow to any subsequent or successor responsible condominium unit owners' association or the resulting owners of any termination of the condominium, as the case may be, notwithstanding any other law to the contrary.".

(g) A new subsection 308a is added to read as follows:

"Sec. 308a. Waiver and compromise; authority of the Chief Financial Officer.

"The Chief Financial Officer may:

"(1) Waive, in whole or in part, interest assessed pursuant to this act in the interest of equity or in the public interest; or

"(2) Compromise any charge or vault rent assessed pursuant to this act when, in the Chief Financial Officer's judgment, there is reasonable doubt as to the liability of the owner against whom the vault rent was assessed or the collectability of the tax.".

(h) A new section 311 is added to read as follows:

"Sec. 311. Rules.

“The Chief Financial Officer, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat 1204; D.C. Official Code § 2-501 *et seq*.), may issue rules to implement the provisions of this title.".

SUBTITLE B. CAPITAL BIKESHARE CORPORATE SPONSORSHIP ESTABLISHMENT

Sec. 6011. Short title.

This subtitle may be cited as the "Private Sponsorship of Capital Bikeshare Second Congressional Review Emergency Amendment Act of 2014".

Sec. 6012. Section 5(a) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)), is amended as follows:

(a) Paragraph (4)(G)(iv) is amended by striking the period and inserting the phrase "; provided, that proceeds related to advertisements on bicycles, equipment, or facilities used for

the purposes of the Bicycle Sharing program shall be deposited into the Bicycle Sharing Fund established by section 9h." in its place.

(b) A new paragraph (4A) is added to read as follows:

"(4A) Rights-of-Way Management Administration may enter into agreements to allow the private sponsorship of bicycles, equipment, and facilities used in the Bicycle Sharing program, the placement of a corporate logo, slogan, or other indicia on the bicycles or facilities, and on related websites and social media; provided, that that an agreement that would modify the name or design of any part of the Capital Bikeshare system, including equipment, or facilities, shall be submitted to the Council for a 30-day period of passive review before execution. The agreement submitted to the Council shall include detailed information about a proposed name or design. All proceeds collected from a private sponsorship agreement shall be deposited into the Bicycle Sharing Fund established by section 9h.".

SUBTITLE C. DDOT MANAGED LANE AUTHORIZATION

Sec. 6021. Short title.

This subtitle may be cited as the "District Department of Transportation Managed Lane Authorization Second Congressional Review Emergency Amendment Act of 2014".

Sec. 6022. Section 5(a)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)(2)), is amended as follows:

(a) Subparagraph (M) is amended by striking the word “and” at the end.

(b) Subparagraph (N) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new subparagraph (O) is added to read as follows:

"(O) Implement managed lane policies, including lane pricing, vehicle eligibility, and access control; provided, that at least one lane of traffic on a street with managed lanes shall be free of charge; provided further, that the Department shall submit to the Council any policy created pursuant to this subparagraph for approval by act before implementation.”.

SUBTITLE D. INTEGRATED PREMIUM TRANSIT SYSTEM AMENDMENT

Sec. 6031. Short title.

This subtitle may be cited as the "Integrated Premium Transit System Second Congressional Review Emergency Amendment Act of 2014".

Sec. 6032. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq*.), is amended as follows:

(a) Section 5 (D.C. Official Code § 50-921.04) is amended as follows:

(1) The lead-in language is designated as subsection (a).

(2) The newly designated subsection (a) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (C) is amended by striking the word “and” at the end.

(ii) Subparagraph (D) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(E) Plan, manage, and contract for all, or any part of, the design, engineering, construction, operation, and maintenance of any element of the Integrated Premium Transit System.".

(B) Paragraph (2) is amended as follows:

(i) Subparagraph (L) is amended by striking the phrase "Operate, develop, and finance" and inserting the phrase "Operate, maintain, and regulate" in its place.

(ii) Subparagraph (N) is amended by striking the phrase "Operate, develop, regulate, and finance" and inserting the phrase "Operate, maintain, and regulate" in its place.

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

"(b) For the purposes of this section, the term:

"(1) "DC Streetcar" means a fixed guideway transit network offering rail passenger service operated by the District government or its agent.

"(2) "Integrated Premium Transit System" means an integrated transit system composed of any or all of the DC Streetcar, bus service operated or managed by, or on behalf of, the District government consistent with the Washington Metropolitan Area Transit Regulation Compact, and facilities including buildings, other structures, and parking areas appurtenant to the DC Streetcar and bus service.".

(b) Section 11n (D.C. Official Code § 50-921.72) is amended as follows:

(1) Paragraph (1) is amended by striking the word “and” at the end.

(2) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (3) is added to read as follows:

"(3) Enter into contracts with third parties for the design, construction, operation, and maintenance of the DC Streetcar.".

Sec. 6033. Section 47-392.02 of the District of Columbia Official Code is amended as follows:

(a) Subsection (f) is amended as follows:

(1) Paragraph (5)(A) is amended by striking the phrase "Beginning in the fiscal year following the completion of the capital construction of the Streetcar Project," and inserting the phrase "Beginning in Fiscal Year 2045," in its place.

(2) Paragraph (6) is amended to read as follows:

"(6) All funds in the Pay-as-you-go Capital Account shall be budgeted for the Integrated Premium Transit System until Fiscal Year 2045.".

(b) A new subsection (l) is added to read as follows:

"(l) For the purposes of this section, the term:

"(A) "DC Streetcar" shall have the same meaning as provided in section 5(b)(1) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b)(1)).

"(B) "Integrated Premium Transit System" shall have the same meaning as provided in section 5(b)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b)(2)).".

Sec. 6034. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.), is amended as follows:

(a) Section 104 (D.C. Official Code § 2-351.04) is amended as follows:

(1) A new paragraph (2A) is added to read as follows:

"(2A) "Alternative technical concept" means a proposed change to an agency-supplied base design configuration, project scope, design criterion, or construction criterion that the agency determines is equal to or better than a requirement in a request for proposals.".

(2) Paragraph (13) is amended to read as follows:

"(13) "Construction" means the process of building, altering, repairing, improving, or demolishing any public infrastructure facility. The term "construction" does not include the routine operation, routine repair, or routine maintenance of an existing public infrastructure facility.".

(3) A new paragraph (37A) is added to read as follows:

"(37A) "Public infrastructure facility" includes any public structure, public building, any element of the Integrated Premium Transit System, as that term is defined in section 5(b)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b)(2)), and other public improvements of any kind to real property.".

(b) Section 201(d) (D.C. Official Code § 2-352.01(d)) is amended by striking the phrase "roads and bridges" and inserting the phrase "roads, bridges, other transportation systems, and facilities and structures appurtenant to roads, bridges, and other transportation systems" in its place.

(c) Section 403 (D.C. Official Code § 2-354.03) is amended by adding a new subsection (d-1) to read as follows:

"(d-1) An RFP for the construction of a road, bridge, other transportation system, or a facility or structure appurtenant to a road, bridge, or other transportation system, may allow prospective offerors or contractors to submit alternative technical concepts as a part of their proposals. The agency's determination on the alternative technical concepts may be considered by the contracting officer as part of the evaluation and ranking of proposals.".

SUBTITLE E. PESTICIDE REGISTRATION FUND AMENDMENT

Sec. 6041. Short title.

This subtitle may be cited as the "Pesticide Registration Fund Second Congressional Review Emergency Amendment Act of 2014".

Sec. 6042. Section 9a(c) of the Pesticide Education and Control Amendment Act of 2012, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 8-438.01(c)), is amended by striking the word "pesticide" and inserting the phrase "pesticide, chemical, tank, land remediation, and wildlife protection" in its place.

SUBTITLE F. DISTRIBUTED GENERATION AMENDMENT

Sec. 6051. Short title.

This subtitle may be cited as the "Distributed Generation Second Congressional Review Emergency Amendment Act of 2014".

Sec. 6052. Section 4(e) of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1432(e)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "serving the District" and inserting the phrase "serving the District; provided, that renewable energy credits from solar energy systems larger than 5MW in capacity located on property owned by the District, or by any agency or independent authority of the District, may be used to meet the solar requirement" in its place.

(b) Paragraph (2) is amended to read as follows:

"(2) As of January 1, 2015, notwithstanding paragraph (1) of this subsection, an electricity supplier may meet the remaining non-solar tier one renewable source requirement of the renewable energy portfolio standard by obtaining the equivalent amount of renewable energy credits from solar energy systems that do not satisfy the requirements under paragraph (1) of this subsection.".

SUBTITLE G. CLEAN AND AFFORDABLE ENERGY AMENDMENT

Sec. 6061. Short title.

This subtitle may be cited as the “Clean and Affordable Energy Second Congressional Review Emergency Amendment Act of 2014”.

Sec. 6062. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

(a) Section 201(d)(4) (D.C. Official Code § 8-1774.01(d)(4)) is amended to read as follows:

"(4) Improve the energy efficiency or increase the renewable energy generating capacity of low-income housing, shelters, clinics, or other buildings serving low-income residents in the District of Columbia;".

(b) Section 202(a) (D.C. Official Code § 8-1774.02(a)) is amended by striking the phrase "5 years" and inserting the phrase "5 years. Upon the expiration of the initial SEU contract, including any option years, subsequent SEU contracts shall be multiyear contracts of not less than 4 years. If options to extend the SEU contract are included in subsequent SEU contracts, the option periods shall be for not less than 2 years" in its place.

(c) Section 210 (D.C. Official Code § 8-1774.10) is amended as follows:

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

(A) Paragraph (1) is amended by striking the word "nonlapsing" and inserting the word "special" in its place.

(B) Paragraph (2) is amended to read as follows:

"(2) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.".

(C) A new paragraph (3) is added to read as follows:

"(3) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

(2) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended to read as follows:

"(1) The SEU contract in an amount of at least $20 million annually;".

(B) Paragraphs (5), (6), (7), and (8) are repealed.

Sec. 6063. Section 8 of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1436), is amended as follows:

(a) Subsection (b) is amended by striking the phrase "shall receive" and inserting the phrase "may receive" in its place.

(b) Subsection (c) is amended by adding a new sentence at the end to read as follows: "The Fund may be used to supplement programs supporting the creation of new solar energy sources in the District of Columbia through the Sustainable Energy Utility contract established by the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*).".

SUBTITLE H. ATHLETIC FIELD PERMIT COORDINATION COMMITTEE

Sec. 6071. Short title.

This subtitle may be cited as the "Athletic Field Permit Coordination Committee Second Congressional Review Emergency Amendment Act of 2014".

Sec. 6072. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq.*), is amended by adding a new section 7b to read as follows:

“Sec. 7b. Athletic Field Permit Coordination Committee.

“(a)(1) Within 90 days of the effective date of the Athletic Field Permit Coordination Committee Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version

of Bill 20-750), the Department shall establish an Athletic Field Permit Coordination Committee ("Committee") to advise the Department on how to develop a collaborative permitting system for athletic fields located on property owned by the District of Columbia.

"(2) The Committee shall include representatives from the following:

"(A) The Department;

"(B) The Department of General Services;

"(C) The District of Columbia Public Schools;

"(D) The District of Columbia Public Charter School Board; and

"(E) The National Park Service.

"(3) The Department shall assign an employee from the Department to perform duties, including the following:

"(A) Coordinating and securing a location for Committee meetings;

"(B) Ensuring administrative support for the Committee, such as circulating meeting notices and keeping meeting minutes; and

"(C) Developing an agenda for meetings and ensuring that the Committee issues the comprehensive report described in subsection (b) of this section.

"(b) By March 31, 2015, the Committee shall transmit to the Mayor and to the Council, and make publicly available, a comprehensive report containing the following:

"(1) An analysis of public field availability throughout the District;

"(2) An analysis of whether it is feasible to create a singular office for permitting public athletic field space located throughout the District;

"(3) A recommendation of how to proportionately allocate permit revenue to the District government entities whose fields are being used, as opposed to all funds being deposited into the General Fund of the District of Columbia; and

"(4) A list of underutilized public fields that the Department, in collaboration with the Department of General Services, may convert to usable and sustainable fields.

"(c) By March 31, 2016, and each year thereafter, the Committee shall transmit to the Mayor and to the Council, and make publicly available, a report containing the following:

"(1) An update on the progress of the analysis conducted and recommendations provided in previous reports created by the Committee;

"(2) Actions taken by the Committee in the preceding year; and

"(3) Recommendations for methods to develop and provide a collaborative permitting system for athletic fields owned by the District of Columbia.".

SUBTITLE I. COMPETITIVE GRANTS

Sec. 6081. Short title.

This subtitle may be cited as the "Competitive Grants Second Congressional Review Emergency Act of 2014".

Sec. 6082. In Fiscal Year 2015, the Council shall award a grant on a competitive basis to a regional organization, in an amount not to exceed $500,000, to produce a comprehensive rail

plan for the District, including plans to accommodate future increases in passenger, commuter, and freight rail traffic. The Council shall consult with the Office of Planning and the District Department of Transportation before awarding the grant.

Sec. 6083. In Fiscal Year 2015, the District Department of the Environment shall award a grant on a competitive basis, in an amount not to exceed $50,000, for recycling education at public housing.

Sec. 6084. In Fiscal Year 2015, the Department of Parks and Recreation shall award a grant on a competitive basis, in an amount not to exceed $250,000, to improve the Kenilworth Parkside Community Park.

Sec. 6085. In Fiscal Years 2015 to 2018, the Office of the State Superintendent of Education shall award a grant on a competitive basis, in an amount not to exceed $63,000, to one or more nonprofit organizations to support school pantries at low-income schools in the District.

Sec. 6086. In Fiscal Years 2015 to 2018, the District Department of the Environment shall award a grant on a competitive basis, in an amount not to exceed $200,000, to provide wildlife rehabilitation services.

Sec. 6087. (a) Of the funds appropriated in Fiscal Years 2015 and 2016 to the Department of Small and Local Business Development for Clean Teams, the amount of $600,000 shall be awarded as a competitive grant over a 2-year period to include $300,000 in Fiscal Year 2015 and $300,000 in Fiscal Year 2016 to a Business Improvement District ("BID") that can provide clean team services to, at minimum, the following areas, with funds divided equally:

(1) In Ward 7: Pennsylvania Avenue, S.E., from Fairlawn Street, S.E., to Naylor Road, S.E.;

(2) In Ward 3: Wisconsin Avenue, N.W., from Lowell Street, N.W., to Davenport Street, N.W.; and

(3) In Ward 5: Penn Street, N.E., between 6th Street, N.E., and 4th Street, N.E.; 4th Street, N.E., between Penn Street, N.E., and New York Avenue, N.E.; New York Avenue, N.E., between 4th Street, N.E., and Fenwick Street, N.E.; Fenwick Street, N.E., between New York Avenue, N.E., and West Virginia Avenue, N.E.; West Virginia Avenue, N.E., between Fenwick Street, N.E., and Mount Olivet Road, N.E.; Capitol Avenue, N.E., between Fenwick Street, N.E., and Mount Olivet Road, N.E.; Gallaudet Street, N.E., between Fenwick Street, N.E., and Corcoran Street, N.E.; Fairview Avenue, N.E., between New York Avenue, N.E., and Gallaudet Street, N.E.; Corcoran Street, N.E., between Gallaudet Street, N.E., and Mount Olivet Road, N.E.; Kendall Street, N.E., between New York Avenue, N.E., and Capitol Avenue, N.E.; Central Place, N.E., between Gallaudet Street, N.E., and West Virginia Avenue, N.E.; Providence Street, N.E., between Gallaudet Street, N.E., and Capitol Avenue, N.E.; Okie Street,

N.E., between Fenwick Street, N.E., and Kendall Street, N.E.; and the 1100 block of Okie Street, N.E.

(b) The BID must further have experience in:

(1) Providing clean team services;

(2) Providing job training services to its employees;

(3) Hiring District residents; and

(4) Providing additional social support services to its Clean Team employees.

(c) Section 6082 of the Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12541), is amended by striking the phrase "Cathedral Avenue" and inserting the phrase ""Devonshire Place" in its place.

Sec. 6088. All grants issued pursuant to this subtitle shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

Sec. 6089. Notwithstanding section 6088 or the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.), in Fiscal Year 2015, the Deputy Mayor for Planning and Economic Development shall award a grant of $5 million for the improvement of facilities and operations of the Animal Care and Control Agency selected pursuant to section 3 of the Animal Control Act of 1979, effective October 17, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1802).

SUBTITLE J. ANACOSTIA RIVER TOXICS REMEDIATION

Sec. 6091. Short title.

This subtitle may be cited as the “Anacostia River Toxics Remediation Second Congressional Review Emergency Act of 2014”.

Sec. 6092. By June 30, 2018, the Director of the District Department of the Environment shall adopt and publish a record of decision in the District of Columbia Register choosing the remedy for remediation of contaminated sediment in the Anacostia River. The remedial choice shall be based on the remedial investigation and feasibility study results and shall be consistent with the National Contingency Plan set forth in 40 C.F.R. Part 300, and with section 121 of the Comprehensive Environmental Response Compensation and Liability Act, approved October 17, 1986 (100 Stat. 1672; 42 U.S.C. § 9621).

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS

Sec. 7001. Short title.

This subtitle may be cited as the "Subject to Appropriations Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7002. Section 47-4304.01(3) of the District of Columbia Official Code is amended to read as follows:

"(3) The tax credit shall be applied over a 4-year period in equal amounts in tax years beginning on or after January 1, 2019.".

Sec. 7003. Section 3 of the Earned Sick and Safe Leave Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-89; 61 DCR 317), is repealed.

Sec. 7004. Section 3 of the Minimum Wage Amendment Act of 2013, effective March 11, 2014 (D.C. Law 20-91; 61 DCR 3746), is repealed.

Sec. 7005. Section 4(c) of the Small and Certified Business Enterprise Development and Assistance Amendment Act of 2014, effective June 10, 2014 (D.C. Law 20-108; 61 DCR 3892), is repealed.

Sec. 7006. Section 5 of the Fair Student Funding and School-Based Budgeting Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-87; 61 DCR 3742), is repealed.

Sec. 7007. Section 4 of the Smoking Restriction Amendment Act of 2013, effective December 13, 2014 (D.C. Law 20-48; 61 DCR 15145), is repealed.

Sec, 7008. Section 13 of the Wildlife Protection Act of 2010, effective March 8, 2011 (D.C. Law 18-289; 57 DCR 11499), is repealed.

Sec. 7009. Section 5 of the Traffic Adjudication Amendment Act of 2014, effective July 23, 2014 (D.C. Law 20-127; 61 DCR 5711), is amended to read as follows:

"Sec. 5. Applicability.

"This act shall apply as of October 1, 2014.".

Sec. 7010. Section 501 of the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01 *et seq*.), is repealed.

Sec. 7010a. The Retail Incentive Amendment Act of 2012, effective April 27, 2013 (D.C. Law 19-288; 60 DCR 2325), is repealed.

Sec. 7010b. Section 701 of the Raising Expectations for Education Outcomes Omnibus Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-757.01), is repealed.

Sec. 7010c. The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2201.01 *et seq*.), is amended as follows:

(a) Section 206g(d) (D.C. Official Code § 34-2202.06g(d)) is repealed.

(b) Section 206h(e) (D.C. Official Code § 34-2202.06h(e)) is repealed.

Sec. 7010d. The Senior Citizen Real Property Tax Relief Act of 2013, effective May 28, 2014 (D.C. Law 20-105; 61 DCR 5897), is repealed.

Sec. 7010e. Section 601(m) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1164.01(m)), is repealed.

SUBTITLE B. TAX REVISION COMMISSION IMPLEMENTATION

Sec. 7011. Short title.

This subtitle may be cited as the "Tax Revision Commission Implementation Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7012. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new chapter designation to read as follows:

"1C . Tax Revision Implementation.".

(b) A new Chapter 1C is added to read as follows:

"CHAPTER 1C. TAX REVISION IMPLEMENTATION.

Sec.

"47-181. Tax reform procedure and priority.

"§ 47-181. Tax reform procedure and priority.

"(a) If local Fiscal 2015 or Fiscal Year 2016 recurring annual revenues included in the quarterly revenue estimate issued in February 2015 exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2015:

"(1) The first $181 million shall be recognized as Fiscal Year 2016 revenue; and

"(2) Any additional recurring revenue remaining after paragraph (1) of this subsection has been addressed shall be used to implement the provisions set forth in the Tax Revision Commission Implementation Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750) ("TRC Act"), according to the priority set forth in subsection (c) of this section, for taxable years beginning or deaths occurring, as applicable, after December 31, 2015.

"(b) After the Fiscal Year 2016 budget and financial plan has been approved by the District, any recurring revenues in a February revenue estimate preceding any subsequent fiscal

year, net of the dedication required by § 47-392.02(f), that exceed the local revenue incorporated in the approved budget and financial plan for that year shall be used to continue implementation of the TRC Act according to the priority set forth in subsection (c) of this section for taxable years beginning or deaths occurring, as applicable, after December 31 of the year of the applicable February estimate.

"(c) The tax reform provisions of this section shall be implemented in the following priority:

"(1) Reduce the rate on the new individual income tax middle bracket of $40,000 - $60,000 from 7.0% to 6.75%;

"(2) Create new individual income tax brackets of $350,000 to $1 million at 8.75% and in excess of $1million at 8.95%;

"(3) Reduce the unincorporated and incorporated business franchise tax from 9.4% to 9.2%;

"(4) Reduce the rate on the new individual income tax middle bracket of $40,000 - $60,000 from 6.75% to 6.5%;

"(5) Reduce the unincorporated and incorporated business franchise tax from 9.2% to 9.0%:

"(6) Raise the estate tax threshold from $1 million to $2 million;

"(7) Raise the standard deduction from $5,200 for singles, $6,500 for Head of Household, and $8,350 for married to $5650 for singles, $7,800 for Head of Household, and $10,275 for married;

"(8) Increase the personal exemption from $1,675 to $2,200;

"(9) Raise the standard deduction from $5,650 for singles, $7,800 for Head of Household, and $10,275 for married to conform to the federal level;

"(10) Increase the personal exemption from $2,200 to $2,700;

"(11) Reduce the unincorporated and incorporated business franchise tax from 9.0% to 8.75%;

"(12) Increase the personal exemption from $2,700 to $3,200;

"(13) Raise estate threshold from $2 million to conform to the federal level;

"(14) Reduce unincorporated and incorporated business franchise tax from 8.75% to 8.5%;

"(15) Increase the personal exemption from $3,200 to $3,700;

"(16) Reduce unincorporated and incorporated business franchise tax from 8.5% to 8.25%; and

"(17) Increase the personal exemption from $3,700 to conform to the federal level, and repeal the low income credit.

"(d) Except for those provisions of the TRC Act that are funded in the approved budget and financial plan for Fiscal Year 2015, the currently unfunded provisions of the TRC Act shall not apply until their fiscal effect is provided for pursuant to this section.

"(e) The cost of the tax policy reforms authorized by subsections (a) and (b) of this section shall be recalculated on an annual basis and reported in each February revenue estimate.".

(c) Chapter 18 is amended as follows:

(1) Section 47-1801.04 is amended as follows:

(A) Paragraph (11)(A) is amended by striking the phrase "paragraph (44)(A) and (B)" and inserting the phrase "paragraph (44)(A), (B), and (C)" in its place.

(B) Paragraph (43) is amended by striking the phrase "section." and inserting the phrase "section. The term "sales" does not include receipts of a taxpayer from hedging transactions and from the maturity, redemption, sales, exchange, loan, or other disposition of cash or securities." in its place.

(C) Paragraph (44) is amended to read as follows:

"(44) "Standard deduction" means:

"(A) In the case of a return filed by a single individual or married individual filing a separate return:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50) for a single individual and one-half of the amount that may be taken by a single individual for a married individual filing a separate return;

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $5,200 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $5,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the amount of the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(B) In the case of a return filed by a head of household:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $6,500 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $7,800 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(C) In the case of a return filed by married individuals filing a joint return, or a surviving spouse:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $8,350 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $10,275 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) The standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986; and

"(D) In the case of an individual who is a resident, as defined in paragraph (42) of this section, for less than a full 12-month taxable year, the amounts specified in subparagraph (A), (B), or (C) of this paragraph prorated by the number of months that the individual was a resident.".".

(2) Section 47-1803.02(a)(2)(N) is amended to read as follows:

"(N)(i) Pension, military retired pay, or annuity income received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year, except that the exclusion shall not exceed the lesser of $3,000 or the actual amount of the pension, military retired pay, or annuity received during the taxable years; provided, that the pension, military retired pay, or annuity is otherwise subject to taxation under this chapter; provided further, that this sub-subparagraph shall apply for taxable years beginning before January 1, 2015.

"(ii) Survivor benefits received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year.".

(3) Section 47-1803.03(b-1) is amended by striking the phrase "An individual" and inserting the phrase "For taxable years beginning before January 1, 2015, an individual" in its place.

(4) Section 47-1806.02 is amended as follows:

(A) Subsection (c) is amended to read as follows:

"(c) There shall be allowed an additional exemption for a taxpayer who qualifies as a head of household; provided, that this subsection shall not apply for a tax year in which the deduction amount for personal exemptions under subsection (i) of this section is $2,200 or more.".

(B) Subsection (d) is amended by striking the phrase "There shall" and inserting the phrase "Until § 47-181(c)(I) is implemented, there shall" in its place.

(C) Subsection (e) is amended by striking the phrase "There shall" and inserting the phrase "Until § 47-181(c)(I) is implemented, there shall" in its place.

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

"(A) Whose gross income for the calendar year in which the year of the taxpayer begins is less than the higher of:

"(i) $1,675, increased annually, beginning January 1, 2013, by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(ii) The amount set forth in subsection (i) of this section; or".

(E) Subsection (i) is amended to read as follows:

"(i) For the purposes of this section, the deduction for personal exemptions shall be:

"(1) For taxable years beginning after December 31, 2012, $1,675, increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(2) Subject to availability of funding and in accordance with § 47-181, the amount shall be:

"(A) $2,200;

"(B) $3,200; or

"(C) The prescribed personal exemption amount in section 151 of the Internal Revenue Code of 1954 without reduction for the phaseout of section 151(d)(3) of the Internal Revenue Code of 1954.".

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

"(h-1)(1) For tax years beginning after December 31, 2014, the amount of the personal exemption otherwise allowable for the taxable year in the case of an individual whose adjusted gross income exceeds $150,000 shall be reduced by 2% for every $2,500 of the excess of the adjusted gross income over $150,000.

"(2) No amount of the personal exemption in excess of the amount provided in paragraph (1) of this subsection shall be available for an adjusted gross income in excess of $275,000.".

(5) Section 47-1806.03(a) is amended as follows:

(A) Paragraph (8)(B) is amended by striking the phrase "January 1, 2016" and inserting the phrase "January 1, 2015" in its place.

(B) New paragraphs (9) and (10) are added to read as follows:

"(9) In the case of the taxable year beginning after December 31, 2014, there is imposed on the taxable income of every resident a tax determined in accordance with the following table:

"If the taxable income is:....	The tax is:
"Not over $10,000	4% of the taxable income.
"Over $ 10,000 but not over $ 40,000	$400, plus 6% of the excess over $ 10,000.
"Over $ 40,000 but not over $ 60,000	$2,200, plus 7% of the excess over $ 40,000.
"Over $ 60,000 but not over $ 350,000	$3,600, plus 8.5% of the excess over $ 60,000.
"Over $350,000	$28,250, plus 8.95% of the excess above $350,000.

"(10) In the case of taxable years beginning after December 31, 2015, there is imposed on the taxable income of every resident a tax determined in accordance with the following table:

"(A) "If the taxable income is: The tax is:

"Not over $ 10,000	4% of the taxable income.
"Over $ 10,000 but not over $ 40,000	$400, plus 6% of the excess over $ 10,000; and

"(B) Subject to availability of funding and in accordance with § 47-181,

"If the taxable income is:	The Tax is:
"Over $ 40,000 but not over $ 60,000	$2,200, plus 6.5% of the excess over $ 40,000.
"Over $ 60,000 but not over $ 350,000	$3,500, plus 8.5% of the excess over $ 60,000.
"Over $350,000 but not over $1,000,000	$28,150, plus 8.75% of the excess above $350,000.
"Over $1,000,000	$85,025, plus 8.95% of the excess above $1,000,000

"(C) Paragraph (9) of this subsection shall continue to apply for taxable years beginning after December 31, 2015, except where superseded by any funded provision of § 47-181, until subparagraph (B) of this paragraph is fully applicable.".

(6) Section 47-1806.04 is amended as follows:

(A) Subsection (e) is amended by adding a new paragraph (4) to read as follows:

"(4) The credit provided for in paragraph (1) of this subsection shall no longer be allowed upon the personal exemption being increased to conform to the federal level.".

(B) Subsection (f) is amended as follows:

(i) Paragraph (1) is amended as follows:

(I) Designate the existing text as subparagraph (A).

(II) New subparagraphs (B) and (C) are added to read as follows:

"(B) If a return is filed for a full calendar or fiscal year beginning after December 31, 2014, an individual with a qualifying child who is eligible for and claimed an earned income tax credit on their federal tax return under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against the tax imposed by this chapter for the taxable year in an amount equal to 40% of the earned income tax credit allowed under section 32 of the

Internal Revenue Code of 1986; provided, that the credit shall not be allowed to a resident who has elected to claim the low income tax credit provided for in subsection (e) of this section.

"(C)(i) If a return is filed for a full calendar or fiscal year beginning after December 31, 2014, an individual without a qualifying child who is eligible for an earned income tax credit on their federal tax return under section 32 of the Internal Revenue Code of 1986 (without regard to the limit in section 32(a)(2) of the Internal Revenue Code of 1986) shall be allowed a credit against the tax imposed by this chapter in an amount equal to the credit percentage of so much of a taxpayer's earned income as does not exceed the earned income amount.

"(ii) The amount of the credit allowable to a taxpayer under sub-subparagraph (i) of this subparagraph for any taxable year shall not exceed the credit percentage of the earned income amount, over the phaseout percentage of 8.48% of so much of the adjusted gross income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the phaseout amount of $17,235, increased annually by the cost-of-living adjustment.".

(ii) A new paragraph (4) is added to read as follows:

"(4) For the purposes of this subsection, credit percentage, earned income, earned income amount, and qualifying child shall have the same meanings as provided in section 32 of the Internal Revenue Code of 1986.".

(C) Subsection (g)(1) is amended by striking the phrase “under subsection” and inserting the phrase “under subsection (f)(1)(C) of this section or subsection” in its place.

(7) Section 47-1807.02(a) is amended by adding new paragraphs (5) and (6) to read as follows:

"(5) For the taxable year beginning after December 31, 2014, a tax at the rate of 9.4% upon the taxable income of every corporation, whether domestic or foreign; and

"(6) Subject to availability of funding and in accordance with § 47-181, upon the taxable income of every corporation, whether domestic or foreign, a tax at the rate of 9%, 8.75%, 8.5%, or 8.25%.”.

(8) Section 47-1808.01 is amended as follows:

(A) Paragraph (4) is amended by striking the word "or" at the end.

(B) Paragraph (5) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(C) A new paragraph (6) is added to read as follows:

"(6) For tax years beginning after December 31, 2014, a trade or business that arises solely by reason of the purchase, holding, or sale of, or the entering, maintaining, or terminating of positions in, stocks, securities, or commodities for the taxpayer's own account; provided, that this paragraph shall not apply to:

"(A) A taxpayer that holds property, or maintains positions, as stock in trade, inventory, or for sale to customers in the ordinary course of the taxpayer's trade or business;

"(B) A taxpayer that acquires debt instruments in the ordinary course of the taxpayer's trade or business for funds loaned or services rendered; or

"(C) A taxpayer that holds any of the following that is not traded on an established securities market:

"(i) Stock in a real estate investment trust; or

"(ii) A partnership interest.".

(9) Section 47-1808.03(a) is amended by adding new paragraphs (5) and (6) to read as follows:

"(5) For the taxable year beginning after December 31, 2014, a tax at the rate of 9.4% upon the taxable income of every unincorporated business, whether domestic or foreign; and

"(6) Subject to availability of funding and in accordance with § 47-181, upon the taxable income of every unincorporated business, whether domestic or foreign, a tax at the rate of 9%, 8.75%, 8.5%, or 8.25%.".

(10) Section 47-1810.02 is amended as follows:

(A) Subsection (d) is amended by striking the phrase "(d-1), all" and inserting the phrase "(d-1) or (d-2), whichever is applicable, all" in its place.

(B) Subsection (d-1)(2) is amended by striking the phrase "beginning after December 31, 2010." and inserting the phrase "beginning after December 31, 2010, and before January 1, 2015." in its place.

(C) A new subsection (d-2) is added to read as follows:

"(d-2) Apportionment of business income.

"(1) All business income shall be apportioned to the District by multiplying the income by the sales factor.

"(2) This subsection shall be applicable for the tax years beginning after December 31, 2014.".

(D) Subsection (g)(3) is amended to read as follows:

"(3)(A) Sales, other than sales of tangible personal property, are in the District if the taxpayer's market for the sales is in the District. The taxpayer's market for sales is in the District:

"(i) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in the District;

"(ii) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in the District;

"(iii) In the case of the sale of a service, if and to the extent the service is delivered to a location in the District; and

"(iv) In the case of intangible property:

"(I) That is rented, leased, or licensed, if and to the extent the property is used in the District; provided, that intangible property utilized in marketing a good or service to a consumer is used in the District if that good or service is purchased by a consumer who is in the District; and

"(II) That is sold, if and to the extent the property is used in the District; provided, that:

"(aa) A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is used in the District if the geographic area includes all or part of the District;

"(bb) Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under sub-sub-subparagraph (I) of this sub-subparagraph; and

"(cc) All other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the sales factor.

"(B) If the state or states of assignment under subparagraph (A) of this paragraph cannot be determined, the state or states of assignment shall be reasonably approximated.

"(C) If the taxpayer is not taxable in a state in which a sale is assigned under subparagraph (A) or (B) of this paragraph, or if a state of assignment cannot be determined under subparagraph (A) of this paragraph or reasonably approximated under subparagraph (B) of this paragraph, the sale shall be excluded from the denominator of the sales factor.

"(D) The Chief Financial Officer may prescribe regulations as necessary or appropriate to carry out the purposes of this subsection.".

(11) Section 47-1810.04(c) is amended as follows:

(A) The lead-in text is amended by striking the phrase “The taxpayer’s share” and inserting the phrase “Except as provided in paragraph (3), the taxpayer’s share” in its place.

(B) A new paragraph (3) is added to read as follows:

"(3) For taxable years beginning after December 31, 2014, the apportionment provisions of § 47-1810.02(d-2) shall apply.".

(d) Section 47-2001 is amended as follows:

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

“(e-1) “e-cigarette” means an electronic vaporizer that produces an aerosol that simulates tobacco smoking.”.

(2) Subsection (h-3) is amended to read as follows:

"(h-3) "Other tobacco product" means any product containing, made, or derived from tobacco, other than a cigarette or a premium cigar, that is intended or expected to be consumed. The term "other tobacco product" does not include an e-cigarette or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, a tobacco dependence product, or for other medical purposes and is being marketed and sold solely for the approved purpose.".

(3) Subsection (n) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (T) is amended by striking the word "or" at the end.

(ii) Subparagraph (U) is amended by striking the period at the end and inserting a semicolon in its place.

(iii) New subparagraphs (V), (W), (X), (Y), (Z), and (AA) are added to read as follows:

"(V) The sale by a bottled water delivery service of bottled water by the gallon generally for use with and to be dispensed from a water cooler or similar type of water dispenser;

"(W) The sale of or charge for the service of the storage of household goods through renting or leasing space for self-storage, including rooms, compartments, lockers, containers, or outdoor space, except general merchandise warehousing and storage and coin-operated lockers;

"(X) The sale of or charge for the service of carpet and upholstery cleaning, including the cleaning or dyeing of used rugs, carpets, or upholstery, or for rug repair;

"(Y)(i) The sale of or charge for health-club services or a tanning studio;

"(ii) For the purposes of this subparagraph, the term:

"(I) "Health-club services" includes the use of, access to, or membership to, an athletic club, fitness center, gym, recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities including swimming, skating, or racquet sports, or other facility for the purpose of physical exercise. The term "health club services" does not include the use of facilities for non-fitness-related purposes, including room rentals, or for other services or charges covered by a separate contract with the user, such as a lease or occupancy agreement.

"(II) "Tanning studio" means a business the purpose of which is to provide individuals a manmade tan, including sun tanning salons and spray tanning salons;

"(Z) The sale of or charge for the service of car washing, including cleaning, washing, waxing, polishing, or detailing an automotive vehicle, except not for coin-operated self-service carwashes; or

"(AA)(i) The sale of or charge for the service of a bowling alley or a billiard parlor;

"(ii) For the purposes of this subparagraph, the term:

"(I) "Billiard parlor" means the structure where the game of striking balls on a cloth-covered table with a cue stick for amusement and recreation takes place, including a billiard room, pool room, and pool parlor.

"(II) "Bowling alley" means a structure where the game of rolling a ball down a wooden alley to knock down pins for amusement and recreation takes place, including candle-pin, duck-pin, five-pin, and ten-pin bowling.".

(B) Paragraph (2)(J) is amended to read as follows:

"(J) Sales of cigarettes, as defined in § 47-2401(1A), and other tobacco product, as defined in § 47-2401(5A).".

(d-1) Section 47-2002(a) is amended as follows:

(1) Paragraph (5) is repealed.

(2) Paragraph (6) is repealed.

(e) Chapter 24 is amended as follows:

(1) The chapter heading is amended by striking the word “CIGARETTE” and inserting the word “TOBACCO” in its place.

(2) Section 47-2401 is amended as follows:

(A) Paragraph (1) is amended to read as follows:

“(1) The term “cigar” means any roll for smoking, other than a cigarette, where both the roll and wrapper or cover of the roll are composed entirely of tobacco.”.

(B) Paragraph (2) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco products” in its place.

(C) Paragraph (5) is amended by striking the phrase “cigarettes, cigars, or other tobacco products” and inserting the phrase “cigarettes or other tobacco products” in its place.

(D) Paragraph (5A) is amended to read as follows:

“(5A) The term "other tobacco product" means any product containing, made from, or derived from tobacco, other than a cigarette or premium cigar, that is intended or expected to be consumed. The term “other tobacco product” does not include an e-cigarette (as that term is defined in § 47-2001(e-1)) or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and that is being marketed and sold solely for such an approved purpose.”.

(E) A new paragraph (7A) is added to read as follows:

“(7A) The term "premium cigar" means any cigar with a retail cost of $ 2.00 or more, or packaged units of cigars averaging $ 2.00 or more per packaged cigar at retail.”.

(F) Paragraph (8) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco products” in its place.

(G) Paragraph (8A) is repealed.

(H) Paragraph (10) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco product” in its place.

(I) A new paragraph (11) is added to read as follows:

“(11) The term “wholesale price” means the price for which a licensed wholesaler sells other tobacco products. The wholesale price includes the applicable federal excise tax, freight charges, or packaging costs, regardless of whether they were included in the purchase price, but excludes any discount, trade allowance, rebate, or other reduction.”.

(3) Section 47-2402 is amended by striking the word “payment” in the section heading and inserting the phrase “payment of cigarette tax” in its place.

(4) Section 47-2402.01 is amended as follows:

(A) The section heading is amended to read as follows:

"§ 47-2402.01. Tax on other tobacco products.".

(B) Subsection (a) is amended to read as follows:

"(a)(1)(A) A tax is levied and imposed on the sale or possession of other tobacco products in the District.

"(B)(i) Other tobacco products on which the taxes levied and imposed by this section have been paid shall not be subject to additional taxation under this section; provided, that the burden of proof that the taxes levied and imposed by this section have been paid shall be upon the person who sells or possesses other tobacco products in the District, against whom a tax assessment has been made, who has submitted an application for a refund, or whose other tobacco products have been seized.

"(ii) For the purposes of this subparagraph, the term "person" includes any officer or employee of a corporation responsible for payment of the tax, or any member of a partnership or association responsible for the payment of the tax.

"(C) The tax rate for other tobacco products shall be equal to the cigarette tax and surtax under § 47- 2402(a)(1)-(2) on a pack of 20 cigarettes, expressed as a percentage of the average wholesale price of a package of 20 cigarettes, for the March 31 preceding the September 1 announcement of the change in rates, or in the case of retailers upon whom this tax is imposed, at a rate prescribed in regulations promulgated by the Mayor. The first calculation shall be made and applicable for calendar quarters beginning after September 30, 2014.

"(D) The rate shall be applied against gross receipts from sales of or charges for such other tobacco products subject to the tax under this section.

"(2)(A) Beginning as of March 31, 2015, and on March 31 of each year thereafter, the Mayor shall reevaluate the percentage calculation in paragraph (1) of this subsection on the basis of the § 47-2402 cigarette tax and surtax to be effective on the following October 1 on a pack of 20 cigarettes and shall recompute the tax rate on other tobacco product as defined in this chapter.

"(B) The Mayor shall provide notice of any change in the tax rate for other tobacco products on or before September 1 of that year, and the change shall be effective as of the following October 1.".

(5) Section 47-2403 is amended as follows:

(A) Subsection (a) is amended as follows:

(i) Paragraph (1) is amended by striking the word "cigarettes" wherever it appears and inserting the phrase "cigarettes or other tobacco products" in its place.

(ii) Paragraph (4) is amended by striking the word "and" at the end.

(iii) Paragraph (5) is amended as follows:

(I) Strike the word "cigarettes" and insert the phrase "cigarettes or other tobacco products" in its place.

(II) Strike the period and insert the phrase "; and" in its place.

(iv) A new paragraph (6) is added to read as follows:

"(6) Possession of other tobacco product by licensed wholesalers for sale outside of the limits of the District or for sale to other licensed wholesalers as provided for in § 47-2402(f), sales of other tobacco products by licensed wholesalers to other licensed wholesalers as provided for in § 47-2402(f), and possession by authorized licensed retailers and vending machine operators of other tobacco products on which the tax rate for any other state or jurisdiction has been paid, for sale in such other state or jurisdiction; provided, that such authorized licensed retailers and vending machine operators are licensed under the laws of such other state or jurisdiction to engage in the business of selling other tobacco products therein.".

(B) Subsection (b) is amended by striking the word "cigarettes" wherever it appears and inserting the phrase "cigarettes or other tobacco products" in its place.

(6) Section 47-2404(3)(B) is amended by striking the word "cigarettes" wherever it appears and inserting the phrase "cigarettes or other tobacco products" in its place.

(7) Section 47-2405 is amended as follows:

(A) The heading is amended by striking the phrase "cigarettes." and inserting the phrase "cigarettes and other tobacco products." in its place.

(B) Subsections (a) and (b) are amended to read as follows:

"(a) Any person, other than a consumer, who transports cigarettes not bearing District cigarette tax stamps or other tobacco products over the public highways, roads, streets, waterways, or other public space of the District, shall have in his actual possession invoices or delivery tickets for such cigarettes or other tobacco products, which show the true name and address of the consignor or seller, the true name and address of the consignee or purchaser, and the quantity and brands of the cigarettes or other tobacco products so transported.

"(b) If the cigarettes or other tobacco products are consigned to or purchased by any person in the District, such purchaser or consignee must be a person authorized by this chapter to possess unstamped cigarettes or untaxed other tobacco products in the District. If the invoice or delivery ticket specifies that the cigarettes or other tobacco products are to be delivered to any person in any state or jurisdiction other than the District, such person must be licensed under the laws of such other state or jurisdiction to engage in the business of selling cigarettes or other tobacco products within that state or jurisdiction. Any cigarettes or other tobacco products transported in violation of any of the provisions of this section shall be deemed contraband cigarettes and other tobacco products and such cigarettes or other tobacco products, the conveyance in which such cigarettes or other tobacco products are being transported, and any equipment or devices used in connection with, or to facilitate, the transportation of such cigarettes or other tobacco products shall be subject to seizure and forfeiture as provided for in § 47-2409.".

(8) Section 47-2408 is amended as follows:

(A) Subsection (b) is amended as follows:

(i) Paragraph (3)(B) is amended by striking the word "cigarettes" and inserting the phrase "cigarettes or other tobacco product" in its place.

(ii) Paragraph (4) is amended to read as follows:

"(4) Stop any conveyance that the Mayor has knowledge or reasonable cause to believe is carrying more than 200 cigarettes or other tobacco products with a value exceeding the wholesale price of 200 cigarettes and, upon presenting appropriate credentials to the operator of the conveyance, examine the invoices or delivery tickets for such cigarettes or other tobacco products and inspect the conveyance for contraband cigarettes or other tobacco products.".

(B) Subsection (c) is amended by striking the word "cigarettes" wherever it appears and inserting the phrase "cigarettes or other tobacco product" in its place.

(C) Subsection (g) is amended by striking the word "cigarettes" and inserting the phrase "cigarettes or other tobacco product" in its place.

(9) Section 47-2422(a) is amended by striking the word "cigarette" and inserting the phrase "cigarette or other tobacco product" in its place.

(10) Section 47-2425(b) is amended by striking the word "cigarettes" wherever it appears and inserting the phrase "cigarettes or other tobacco products" in its place.

(f) Chapter 37 is amended as follows:

(1) Section 47-3701 is amended as follows:

(A) The lead-in language of paragraph (4)(C) is amended to read follows:

"(C) For a decedent dying after December 31, 2002, but before January 1, 2016:".

(B) Paragraph (6) is amended by striking the period and inserting the phrase "; provided, that if the federal estate tax is not in effect at the time of the decedent's death, it means the Internal Revenue Code as in effect immediately before the federal estate tax ceased to be in effect." in its place.

(C) Paragraph (12) is amended as follows:

(i) Subparagraph (B) is amended by striking the phrase "decedent whose death occurs on or subsequent to January 1, 2008, the meaning defined in section 2501" and inserting the phrase "decedent dying after December 31, 2007, but before January 1, 2015, the meaning defined in section 2051" in its place.

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

"(C) For a decedent dying after December 31, 2014, the meaning defined in section 2051 of the Internal Revenue Code, but without reduction for the deduction provided in section 2058 of the Internal Revenue Code, and calculated as if the federal estate tax recognized a domestic partner in the same manner as a spouse.".

(D) A new paragraph (12A) is added to read as follows:

"(12A) "Taxable situs" means with regard to:

"(A) Real property, the place where the property is situated;

"(B) Tangible personal property, the place where the property is customarily located at the time of the decedent's death; and

"(C) Intangible personal property, the domicile of the decedent at the time of the decedent's death; provided, that intangible personal property used in a trade or business in the District shall have a taxable situs in the District regardless of the domicile of the owner.".

(E) Paragraph (13) is amended to read as follows:

"(13) "Value" means value as finally determined for federal estate tax purposes, or otherwise defined under the Internal Revenue Code.

(F) A new paragraph (14) is added to read as follows:

"(14) (A) "Zero bracket amount" means, subject to available funding and in accordance with § 47-181:

"(i) $2 million; or

"(ii) $5 million increased by an amount equal to $5 million multiplied by the cost-of-living adjustment for the calendar year.

"(B) For the purposes of this paragraph, the term:

"(i) "Cost-of-living adjustment" means for a calendar year the percentage (if any) by which the CPI for the preceding calendar year exceeds the CPI for the calendar year 2010; provided, that for any amount as adjusted under the preceding sentence that is not a multiple of $10,000, the amount shall be rounded to the nearest $10,000.

"(ii) "CPI" means the consumer price index as defined in sections 1(f)(4) and (5) of the Internal Revenue Code.".

(2) Section 47-3702 is amended as follows:

(A) Subsection (a) is amended by striking the phrase "resident dying on or after April 1, 1987, subject" and inserting the phrase "resident decedent dying after March 31, 1987, but before January 1, 2016, subject" in its place.

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

"(a-1) A tax is imposed on the taxable estate of every resident decedent dying after December 31, 2015, as follows:

"(1) The rate of tax shall be 16%; except, that if the taxable estate does not exceed the zero bracket amount, the tax rate shall be 0%, and if the taxable estate exceeds the zero bracket amount, the following tax rates shall be applied to the incremental values of the taxable estate:

"(A) The rate of tax on the taxable estate over $2 million but not over $2.5 million shall be 8.0%;

"(B) The rate of tax on the taxable estate over $2.5 million but not over $3 million shall be 8.8%;

"(C) The rate of tax on the taxable estate over $3 million but not over $3.5 million shall be 9.6%;

"(D) The rate of tax on the taxable estate over $3.5 million but not exceeding $4 million shall be 10.4%;

"(E) The rate of tax on the taxable estate over $4 million but not exceeding $5 million shall be 11.2%;

"(F) The rate of tax on the taxable estate over $5 million but not exceeding $6 million shall be 12%;

"(G) The rate of tax on the taxable estate over $6 million but not exceeding $7 million shall be 12.8%;

"(H) The rate of tax on the taxable estate over $7 million but not exceeding $8 million shall be 13.6%;

"(I) The rate of tax on the taxable estate over $8 million but not exceeding $9 million shall be 14.4%; and

"(J) The rate of tax on the taxable estate over $9 million but not exceeding $10 million shall be 15.2%.

"(2) If any real or tangible personal property of a resident decedent has a taxable situs outside the District, the amount of the tax due under this section shall be reduced by the proportion that the value of the real or tangible property outside the District bears to the amount of the gross estate of the resident decedent.".

(C) Subsection (b) is amended by striking the word "If" and inserting the phrase "For a decedent dying before January 1, 2016, if" in its place.

(D) Subsection (c) is repealed.

(3) Section 47-3703 is amended as follows:

(A) Subsection (b) is amended by striking the word "The" and inserting the phrase "For every nonresident decedent dying before January 1, 2016, the" in its place.

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

"(b-1) For every nonresident decedent dying after December 31, 2015, the tax shall be an amount computed by multiplying the tax determined under § 47-3702(a-1) by a fraction, the numerator of which shall be the value of that part of the gross estate that has its taxable situs in the District and the denominator of which shall be the value of the nonresident decedent's gross estate.".

(C) Subsection (c) is repealed.

(4) Section 47-3705(a)(2) is amended to read as follows:

"(2) A personal representative shall not be required to file a return if the gross estate does not exceed $1 million or the zero bracket amount, whichever is higher.".

(5) Section 47-3723 is repealed.

Sec. 7013. Section 7 of the Government Employer-Assisted Housing Amendment Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2506), is amended by adding a new subsection (c) to read as follows:

"(c) This section shall apply for taxable years beginning after October 1, 2006, through the taxable year ending December 31, 2014.".

SUBTITLE C. URBAN INSTITUTE REAL PROPERTY TAX REBATE

Sec. 7021. Short title.

This subtitle may be cited as the "The Urban Institute Real Property Tax Rebate Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7022. Section 47-4624 of the District of Columbia Official Code is amended to read as follows;

"§ 47-4624. The Urban Institute tax rebate.

"(a) If The Urban Institute leases and occupies a building or a portion of a building that is subject to real property taxation under Chapter 8 of this title, The Urban Institute shall receive a rebate of its proportionate share of the real property tax paid with respect to the building, if:

"(1) It is liable under the lease for its proportionate share of the real property tax;

"(2) It applies for the rebate of real property tax by September 15 of the calendar year in which the tax was payable as provided under § 47-811; and

"(3) The real property tax was paid.

"(b) The rebate shall be the amount of the portion of the real property tax that was paid, either directly or indirectly, by The Urban Institute under its lease with the lessor.

"(c) The application for the rebate shall include:

"(1) A copy of the lease with the lessor; and

"(2) Documentation that the tax has been paid.

"(d) If a proper application has been made, the Chief Financial Officer shall rebate the tax on or before December 31 of the same calendar year.

"(e) The real property tax rebate established by this section shall begin no earlier than January 1, 2015, and shall be effective for a 10-year period. The first year of the 10-year period shall be the year that The Urban Institute occupies a building or a portion of a building that is subject to real property taxation under Chapter 8 of this title pursuant to a signed lease with the lessor of that building or building portion. The amount of the rebate shall not exceed $1 million per tax year.".

SUBTITLE D. INDUSTRIAL REVENUE BOND SECURITY INTEREST INSTRUMENT RECORDATION TAX EXEMPTION

Sec. 7031. Short title.

This subtitle may be cited as the "Industrial Revenue Bond Security Interest Instrument Recordation Tax Exemption Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7032. Section 302 of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

(a) Paragraph (31) is amended by striking the word "and".

(b) Paragraph (32) is amended by striking the period and inserting a semicolon in its place.

(c) A new paragraph (33) is added to read as follows:

"(33) A security interest instrument executed by a borrower in connection with a loan under the Industrial Revenue Bond Forward Commitment Program authorized by Subchapter II-B of Chapter 3 of Title 47 of the District of Columbia Official Code; provided, that unless waived by regulation, a certification by the Mayor that the security interest instrument is entitled to this exemption accompanies the security interest instrument at the time it is presented for recordation; and".

SUBTITLE E. FISCAL YEAR 2014 BUDGET SUPPORT ACT AMENDMENTS

Sec. 7041. Short title.

This subtitle may be cited as the "Fiscal Year 2014 Budget Support Act Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7042. The Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12472), is amended as follows:

(a) Section 4092 is repealed.

(b) Section 4122 is repealed.

Sec. 7043. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-2002(c) is repealed.

(b) Section 47-2402(l) of the District of Columbia Official Code is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “Department of Behavioral Health” and inserting the phrase “Department of Health” in its place.

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

“(A) Such funds as may be appropriated from time to time; and”.

(3) Paragraph (4) is repealed.

Sec. 7044. Section 6a of the Commission on the Arts and Humanities Act, effective January 29, 1998 (D.C. Law 12-42; D.C. Official Code § 39-205.01), is amended as follows:

(a) Subsection (a-1)(1) is repealed.

(b) Subsection (a-2) is repealed.

(c) Subsection (f) is repealed.

SUBTITLE F. SENIOR CITIZEN REAL PROPERTY TAX RELIEF

Sec. 7051. Short title.

This subtitle may be cited as the "Senior Citizen Real Property Tax Relief Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7052. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 8 is amended as follows:

(1) Section 47-845(c) is amended by striking the phrase “interest at the rate of 8% per annum” and inserting the phrase “simple interest at the rate of 1/2% per month or portion of a month until paid” in its place.

(2) Section 47-845.02 is amended as follows:

(A) Subsection (a)(2) is amended to read as follows:

“(2) “Household adjusted gross income” means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year ending immediately before the beginning of the real property tax year during which application is made under subsection (e) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.”.

(B) Subsection (c) is amended by striking the phrase “interest at the rate of 8% per annum” and inserting the phrase “simple interest at the rate of 1/2% per month or portion of a month until paid” in its place.

(C) Subsection (d) is amended by striking the phrase “and § 47-845” and insert the phrase “, § 47-845, and § 47-845.03” in its place.

(D) Subsection (h) is amended by adding a new paragraph (5) to read as follows:

“(5)(A) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(1)(B) of this section.

“(B) This paragraph shall not apply if the senior’s household no longer qualifies for the deferral for any other reason.”.

(3) Section 47-845.03 is amended as follows:

(A) Subsection (a)(2) is amended to read as follows:

“(2) “Household adjust ed gross income” means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year ending immediately before the beginning of the real property tax year during which application is made under subsection (f) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.”.

(B) Subsection (c) is amended to read as follows:

“(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than $12,500 of household interest and dividend income, and has owned a residence in the District for at least the immediately preceding 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section.".

(C) Subsection (d) is amended by striking the phrase “and § 47-845” and inserting the phrase “, §47-845, and § 47-845.02” in its place.

(D) Subsection (i) is amended by adding a new paragraph (5) to read as follows:

"(5) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(4)(D) of this section. This paragraph shall not apply where the senior's household no longer qualifies for the deferral for any other reason.".

(b) Section 47-1806.06 is amended as follows:

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

(A) Paragraph (2)(C) is amended by striking the phrase "for all claimants" and inserting the phrase "for all claimants other than eligible senior claimants" in its place.

(B) A new paragraph (2A) is added to read as follows:

"(2A) For taxable years beginning after December 31, 2014, the percentage required under paragraph (1) of this subsection to be determined for eligible senior claimants shall be 100% of property tax or of rent constituting property taxes accrued exceeding 3.0% of adjusted gross income of the tax filing unit.".

(2) Subsection (b) is amended by adding a new paragraph (9) to read as follows:

"(9) The term "eligible senior claimant" means a claimant who is 70 years or older at any time during the tax year and whose adjusted gross income does not exceed $60,000.".

(3) Subsection (e) is amended by striking the phrase "§ 47-845" and inserting the phrase ""§§ 47-845, 47-845.02 and 47-845.03" in its place.

(4) Subsection (r) is amended by striking the phrase "$50,000 shall be" and inserting the phrase "$50,000 ($60,000 for eligible senior claimants) shall be" in its place.".

SUBTITLE G. WHITMAN-WALKER REAL PROPERTY TAX REBATE

Sec. 7061. Short title.

This subtitle may be cited as the "Whitman-Walker Tax Rebate Second Congressional Review Emergency Act of 2014".

Sec. 7062. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-4662. Whitman-Walker Clinic, Inc.; Lot 129, Square 241.".

(b) A new section 47-4662 is added to read as follows:

"§ 47-4662. Whitman-Walker Clinic, Inc.; Lot 129, Square 241."

"(a) Real property taxes paid with respect to Lot 129, Square 241 shall be rebated to the Whitman-Walker Clinic, Inc. ("WWC"), to the extent of WWC's proportionate share of the real property tax incurred if:

"(1) The WWC is liable under the lease for its proportionate share of the real property tax;

"(2) The WWC applies for the rebate of real property tax by September 15 of the calendar year in which the tax was payable as provided under § 47-811; and

"(3) The real property tax was paid.

"(b) The rebate shall be the amount of the real property tax passed through to WWC under a lease with the lessor that was paid, directly or indirectly, by WWC.

"(c) The application for the rebate shall include:

"(1) A copy of the lease with lessor; and

"(2) Documentation that the real property tax has been paid.

"(d) If a proper application as required by this section has been submitted, the Chief Financial Officer shall rebate the real property tax on or before December 31 of the same calendar year.

"(e) The rebate provided pursuant to this section shall apply beginning with tax year 2015.

"(f) The rebate provided pursuant to this section shall be in addition to, and not in lieu of, any other tax, financial, or development incentive, or tax credit, or any other type of incentive provided to WWC under any District or federal program.".

SUBTITLE H. ENCOURAGING ALTERNATIVE FUEL VEHICLES AND INFRASTRUCTURE INSTALLATION THROUGH TAX INCENTIVES

Sec. 7071. Short title.

This subtitle may be cited as the "Alternative Fuel Vehicle and Infrastructure Installation Through Tax Incentives Second Congressional Review Emergency Act of 2014".

Sec. 7072. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended as follows:

(1) New section designations 47-1806.12 and 47-1806.13 are added to Subchapter VI to read as follows:

"47-1806.12. Tax on residents and non-residents — Credits — Alternative fuel infrastructure credit.

"47-1806.13. Tax on residents and non-residents – Credits – Alternative fuel vehicle conversion credit.”.

(2) New section designations 47-1807.10 and 47-1807.11 are added to Subchapter VII to read as follows:

"47-1807.10. Tax on corporations — Credits — Alternative fuel infrastructure credit.

"47-1807.11. Tax on corporations – Credits – Alternative fuel vehicle conversion credit.”.

(3) New section designations 47-1808.10 and 47-1808.11 are added to Subchapter VIII to read as follows:

"47-1808.10. Tax on unincorporated businesses — Credits — Alternative fuel infrastructure credit.

"47-1808.11. Tax on unincorporated businesses – Credits – Alternative fuel vehicle conversion credit.".

(b) New sections 47-1806.12 and 47-1806.13 are added to read as follows:

"§ 47-1806.12. Tax on residents and non-residents — Credits — Alternative fuel infrastructure credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed on an eligible applicant by § 47-1806.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the purchase and installation of alternative fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle refueling property or in a qualified private residence; provided, that the credit shall not exceed:

"(1) For a qualified private residence, $1,000 per vehicle charging station; or

"(2) For a qualified alternative fuel vehicle refueling property, $10,000 per qualified alternative fuel vehicle refueling property or vehicle charging station.

"(b) The equipment and labor costs for which a tax credit may be claimed under this section shall not include costs associated with the:

"(1) Purchase of land, or access to land, to be used as a qualified alternative fuel vehicle refueling property;

"(2) Purchase of an existing qualified alternative fuel vehicle refueling property; or

"(3) Construction or purchase of any structure.

"(c) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1806.03 for that year.

"(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise due under § 47-1806.03, the amount of the credit not used may be carried forward for up to 2 tax years. The credit shall not be refundable.

"(e) If the alternative fuel storage and dispensing equipment or charging equipment on a qualified alternative fuel vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not claim a tax credit for the portion of the tax year after the date on which the alternative fuel storage and dispensing equipment or charging equipment was no longer used to dispense or sell alternative fuel to the public.

"(f) For the purposes of this section, the term:

"(1) "Alternative fuel" means a fuel used to power a motor vehicle that consists of one or more of the following:

"(A) At least 85% ethanol;

"(B) Natural gas;

"(C) Compressed natural gas;

"(D) Liquefied natural gas;

"(E) Liquefied petroleum gas;

"(F) Biodiesel, excluding kerosene;

"(G) Electricity provided by a vehicle-charging station; or

"(H) Hydrogen.

"(2) "Eligible applicant" means a resident who is an owner or lessee of a qualified alternative fuel vehicle refueling property or a qualified private residence.

"(3) "Qualified alternative fuel vehicle refueling property" means a property in the District that contains equipment available for use by the public for storing and dispensing alternative fuel, including charging electrically.

"(4) "Qualified private residence" means a property that is the dwelling of a person that has a vehicle-charging station.

"§ 47-1806.13. Tax on residents and non-residents – Credits – Alternative fuel vehicle conversion credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1806.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum derived gasoline to a motor vehicle that operates on an alternative fuel, not to exceed $19,000 per vehicle.

"(b) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1806.03 for that year. The credit shall not be refundable.

"(c) For the purposes of this section, the term "alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).".

(c) New sections 47-1807.10 and 47-1807.11 are added to read as follows:

"§ 47-1807.10. Tax on corporations — Credits — Alternative fuel infrastructure credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed on an eligible applicant by § 47-1807.02 a credit in the amount of 50% of the equipment and labor costs directly attributable to the purchase and installation of alternative fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle refueling property.

"(b) The equipment and labor costs for which a tax credit may be claimed under this section shall not include costs associated with the:

"(1) Purchase of land, or access to land, to be used as a qualified alternative fuel vehicle refueling property;

"(2) Purchase of an existing qualified alternative fuel vehicle refueling property; or

"(3) Construction or purchase of any structure.

"(c) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1807.02 for that year.

"(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise due under § 47-1807.02, the amount of the credit not used may be carried forward for up to 2 tax years. The credit shall not be refundable.

"(e) If the alternative fuel storage and dispensing equipment or charging equipment on a qualified alternative fuel vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not

claim a tax credit for the portion of the tax year after the date on which the alternative fuel storage and dispensing equipment was no longer used to dispense or sell alternative fuel to the public.

"(f) For the purposes of this section, the term:

"(1) "Alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).

"(2) "Eligible applicant" means a corporation that is the owner or lessee of a qualified alternative fuel vehicle refueling property.

"(3) "Qualified alternative fuel vehicle refueling property" shall have the same meaning as provided in § 47-1806.12(f)(3).

"§ 47-1807.11. Tax on corporations – Credits – Alternative fuel vehicle conversion credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1807.02 a credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum derived gasoline to a motor vehicle that operates on an alternative fuel, not to exceed $19,000 per vehicle.

"(b) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1807.02 for that year. The credit shall not be refundable.

"(c) For the purposes of this section, the term "alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).".

(d) New sections 47-1808.10 and 47-1808.11 are added to read as follows:

"§ 47-1808.10. Tax on unincorporated business — Credits — Alternative fuel infrastructure credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed on an eligible applicant by § 47-1808.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the purchase and installation of alternative fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle refueling property, not to exceed $10,000 per qualified alternative fuel vehicle refueling property or per vehicle-charging station.

"(b) The equipment and labor costs for which a tax credit may be claimed under this section shall not include costs associated with the:

"(1) Purchase of land, or access to land, to be used as a qualified alternative fuel vehicle refueling property;

"(2) Purchase of an existing qualified alternative fuel vehicle refueling property; or

"(3) Construction or purchase of any structure.

"(c) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1808.03 for that year.

"(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise due under § 47-1808.03, the amount of the credit not used may be carried forward for up to 2 tax years. The credit shall not be refundable.

"(e) If the alternative fuel storage and dispensing equipment or charging equipment on a qualified alternative fuel vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not claim a tax credit for the portion of the tax year after the date on which the alternative fuel storage and dispensing equipment was no longer used to dispense or sell alternative fuel to the public.

"(f) For the purposes of this section, the term:

"(1) "Alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).

"(2) "Eligible applicant" means an unincorporated business that is the owner or lessee of a qualified alternative fuel vehicle refueling property.

"(3) "Qualified alternative fuel vehicle refueling property" shall have the same meaning as provided in § 47-1806.12(f)(3).

"§ 47-1808.11. Tax on unincorporated businesses – Credits – Alternative fuel vehicle conversion credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1808.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum derived gasoline to a motor vehicle that operates on an alternative fuel.

"(b) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1808.03 for that year. The credit shall not be refundable.

"(c) For the purposes of this section, the term "alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).".

SUBTITLE I. REAL PROPERTY TAX CALCULATED RATE CLARITY

Sec. 7081. Short title.

This subtitle may be cited as the "Real Property Tax Calculated Rate Clarity Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7082. Section 47-812 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b-8) is amended as follows:

(1) Paragraph (1)(A)(iv) is amended as follows:

(A) Sub-sub-subparagraph (I) is amended by striking the phrase ", as certified in the latest revenue estimate,".

(B) Sub-sub-subparagraph (II) is amended to read as follows:

"(II) By January 5 of the tax year, the Mayor shall submit to the Council the real property tax rate computed under sub-sub-subparagraph (I) of this sub-subparagraph.".

(2) Paragraph (2) is repealed.

(b) Subsection (b-9) is amended as follows:

(1) Paragraph (1)(A) is amended to read as follows:

"(A) For the first $3 million of assessed value, $1.65 of each $100 of assessed value; and".

(2) Paragraph (2) is amended as follows:

(A) Subparagraph (A)(i) is amended to read as follows:

"(i) For the first $3 million of assessed value, the rate as established in subparagraph (B) of this paragraph; provided, that for the tax year beginning October 1, 2011, the tax rate shall be $1.65 of each $100 of assessed value; and".

(B) Subparagraph (B) is amended as follows:

(i) Sub-subparagraph (ii) is amended as follows:

(I) Sub-sub-subparagraph (I) is amended by striking the word "received" and inserting the phrase "estimated to be received" in its place.

(II) Sub-sub-subparagraph (II) is amended by striking the phrase "for Class 2 Properties based upon a rate of $1.85 of each $100 of assessed value" and inserting the phrase "in the tax year based upon the applicable rates in effect for Class 2 Properties during the prior tax year" in its place.

(ii) Sub-subparagraph (iii) is amended by striking the phrase "Before September 16 of each year" and inserting the phrase "By January 5 of each tax year" in its place.

(c) A new subsection (f) is added to read as follows:

"(f)(1) When the last day prescribed under this section for performing any act falls on Saturday, Sunday, or a legal holiday, the performance of the act shall be considered timely if it is performed on the next succeeding day that is not a Saturday, Sunday, or a legal holiday.

"(2) The last day for the performance of any act shall be determined by including any authorized extension of time.

"(3) For the purposes of this subsection, the term "legal holiday" means a legal holiday in the District of Columbia.".

SUBTITLE J. CARVER 2000 SENIOR MANSION REAL PROPERTY TAX ABATEMENT

Sec. 7091. Short title.

This subtitle may be cited as the "Carver 2000 Senior Mansion Real Property Tax Abatement Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7092. Section 47-4605(d) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (2) is amended by striking the number "16".
(b) Paragraph (3) is repealed.

SUBTITLE K. RESIDENTIAL REAL PROPERTY EQUITY AND TRANSPARENCY AMENDMENT

Sec. 7101. Short title.

This subtitle may be cited as the "Residential Real Property Equity and Transparency Revised Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7102. Title 47 of the District of Columbia Official Code is amended as follows:
(a) Chapter 8 is amended as follows:
(1) The table of contents is amended by adding a new section designation to read as follows:
"47-805. Office of Real Property Tax Ombudsman.".
(2) Section 47-802(5) is amended as follows:
(A) Subparagraph (D) is amended by striking the word "or" at the end.
(B) Subparagraph (E) is amended by striking the period and inserting the phrase "; or" in its place.
(C) A new subparagraph (F) is added to read as follows:
"(F) For purposes of appealing the assessment of real property sold under § 47-1353(b), the tax sale purchaser or the purchaser's assignee, as applicable; provided, that the Mayor shall not be required to mail notices or bills issued under this chapter to the tax sale purchaser or assignee; provided further, that the owner of record is not appealing the assessment for the same tax year.".
(3) A new section 47-805 is added to read as follows:
"§ 47-805. Office of Real Property Tax Ombudsman.
"(a) There is created within the Office of the Mayor the Office of the Real Property Tax Ombudsman ("Office"), which shall be headed by the Real Property Tax Ombudsman ("Ombudsman"), who shall be appointed by the Mayor pursuant to § 1-523.01(a), as a statutory employee in the Excepted Service pursuant to § l-609.08. The Ombudsman shall serve for a term of 5 years. The Ombudsman shall serve at the pleasure of the Mayor.
"(b) The Ombudsman shall appoint staff and additional personnel as provided for in an approved budget and financial plan for the District.
"(c) The Ombudsman shall:
"(1) Consult with and advise Class 1 real property owners on any real property tax matter arising under Chapter 8 or 13A of this title or under Chapter 31A of Title 42;
"(2) Receive and investigate concerns and complaints from Class 1 real property owners related to real property tax matters;
"(3) Provide counsel and assistance to Class 1 real property owners relating to real property taxes, including referring Class 1 real property owners to appropriate:
"(A) Legal service providers;

"(B) Public interest organizations; and

"(C) Government offices;

"(4) Maintain a list of organizations that provide free or reduced-price legal services to District of Columbia residents and a list of housing counseling agencies approved by the U.S. Department of Housing and Urban Development;

"(5) Protect the confidentiality of records and comply with all applicable confidentiality provisions, including § 47-821(d)(2); and

"(6) Prepare and submit to the Council and the Mayor an annual report on the activities of the Office that the Mayor shall make available to the public on the Mayor's website.

"(d) The Ombudsman may assist an owner with matters concerning an abutting lot where the abutting lot and the Class 1 property are owned by the same owner.

"(e) The Ombudsman shall not appear on behalf of Class 1 real property owners in any court, administrative, or quasi-judicial proceeding.

"(f) The Office of the Chief Financial Officer may share confidential tax information with the Ombudsman.

"(g) For purposes of this section, the term "Class 1 real property owner" shall have the same meaning as provided in § 47-813(c-3)(1); provided, that the term owner as used in § 47-813(c-3)(1) shall be construed broadly and include the persons defined as owners in § 47-802 as well as other persons with an equitable interest in the property, and any other persons the Ombudsman determines to be appropriate representatives of the property owner (or, if applicable, the property owner's estate), or any other persons the Ombudsman determines to be consistent with the purposes of this section.".

(4) Section 47-811(c) is amended by striking the phrase "plus interest on the unpaid amount" and inserting the phrase "plus simple interest on the unpaid amount" in its place.

(5) Section 47-845.03 is amended as follows:

(A) Subsection (c) is amended to read as follows:

"(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than $12,500 of household interest and dividend income, and has owned a residence in the District for at least the immediately preceding 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section.".

(B) Subsection (g) is amended to read as follows:

"(g) If a properly completed and approved application is filed, the applicant may choose to have the deferral apply to past years; provided, that the amount deferred shall comply with subsection (d) of this section and the periods of applicability are stated in the application; provided further, that the applicant is responsible for accrued attorneys' fees.".

(C) Subsection (p) is repealed.

(6) Section 47-895.31(8) is amended to read as follows:

"(8) "Lot" means real property as defined in § 47-802(1) where such real property

for billing and collection purposes under this subchapter shall be further described with the letters "PC" preceding the sequence of square, suffix and lot, or parcel and lot numbers under § 47-802(1).".

(7) Section 47-895.33 is amended by adding a new subsection (b-1) to read as follows:

"(b-1) A notice, bill, or other correspondence under this subchapter or § 47-1336 shall be mailed to the owner's specifically designated mailing address as provided in the energy efficiency loan closing documents and as may be updated from time to time by the Chief Financial Officer, which may be different from the general mailing address provided pursuant to § 42-405, or as provided in the transfer and recordation tax return.".

(b) Section 47-902 is amended by adding a new paragraph (26) to read as follows:

"(26) Transfers of property transferred to a named beneficiary of a revocable transfer on death deed under Subchapter IV of Chapter 6 of Title 19, by reason of the death of the grantor of the revocable transfer on death deed.".

(c) Chapter 13A is amended as follows:

(1) The table of contents is amended as follows:

(A) A new section designation is added to read as follows:

"47-1353.01. Post-sale notice.".

(B) A new section designation is added to read as follows:

"47-1382.01. Equity distribution post-judgment – owner-occupant properties.".

(2) Section 47-1330 is amended as follows:

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

"(2) "Tax" means unpaid real property tax and vault rent owing as of October 1, and unpaid business improvement district tax owing as of September 1, including penalties, interest, and costs, as calculated by the Mayor. The term "tax" includes an assessment or charge due at any time to the District and certified to the Mayor for collection under this chapter in the same manner as a real property tax, along with permitted penalties, interest, and costs, as calculated by the Mayor.".

(B) A new paragraph (2A) is added to read as follows:

"(2A) "Tax sale date" or "date of the tax sale" means for purposes of the tax sale held under § 47-1346 the date when the tax sale during which the real property was sold concluded.".

(C) A new paragraph (4A) is added to read as follows:

"(4A) "Premises address" means the address, if any, for the square, suffix, and lot numbers, or parcel and lot numbers, of real property as reflected in the records in the Office of Tax and Revenue.".

(3) Section 47-1332 is amended to read as follows:

"§ 47-1332. Sale of properties by Mayor; exemptions from sale.

"(a) Except as provided in subsections (c) and (d) of this section or as provided in other law, the Mayor shall sell all real property on which the tax is in arrears.

"(b) The Mayor shall designate a single agency to conduct tax sales.

"(c) The Mayor shall not sell any real property if:

"(1) A forbearance authorization has been approved in writing by the Mayor for the applicable tax sale;

"(2) For improved Class 1 Property, the tax amount to be sold is less than $2,500; or

"(3) The real property is a Class 1 Property that is receiving a homestead deduction, with respect to which there is an outstanding non-void certificate of sale; provided, that no real property shall be excluded from sale solely pursuant to this paragraph if the non-void certificate of sale has been outstanding for 3 years or more.

"(d) The Mayor, in the Mayor's discretion, may decline to sell any Class 1 Property or any real property for a delinquency in the payment of a non-real property tax that does not have to be certified.

"(e)(1) An application for a forbearance authorization, utilizing the form of application as shall be devised by the Mayor, may be submitted to the Mayor up to 30 days before the first day of the tax sale.

"(2) The Mayor shall review and approve or deny the application within 90 days of receipt of the application.

"(3)(A) The Mayor shall approve an application if the real property receives a homestead deduction and the tax amount to be sold is less than or equal to $7,500.

"(B) The Mayor, in the Mayor's discretion, may approve an application that does not meet the criteria for demonstrated hardship set forth in subparagraph (A) of this paragraph.

"(4) Upon approving an application for forbearance authorization, the Mayor shall remove the real property from the tax sale to which the forbearance corresponds or, if the tax sale has occurred with respect to the real property, cancel the tax sale pursuant to § 47-1366.".

(4) Section 47-1334 is amended to read as follows:

"§ 47-1334. Interest rate.

"(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid, excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

"(b) The purchaser shall receive simple interest of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following when the real property was sold or the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no interest for expenses or the reasonable value of improvements.".

(5) Section 47-1336 is amended as follows:

(A) Subsection (a) is amended by adding a new sentence at the end to read as follows:

"The special assessment shall be collectible under this chapter notwithstanding any provision of law to the contrary granting a tax exemption, and the real property formerly described under § 47-895.31(8) shall revert to its description under § 47-802(1) for purposes of collection under this chapter.".

(B) Subsection (b)(2) is amended as follows:

(i) Strike the word "transaction" and insert the word "sale" in its place.

(ii) Strike the phrase "§§ 47-1341 and 47-1342" and insert the phrase "§§ 47-1341, 47-1342, and 47-1353.01" in its place.

(C) Subsection (e) is amended as follows:

(i) Paragraph (1) is amended by striking the phrase "contrary," and inserting the phrase "contrary, provisions in this section excepted," in its place.

(ii) Paragraph (2) is amended as follows:

(I) The lead-in language is amended by striking the phrase "record owner" and inserting the phrase "record owner at the mailing address provided in § 47-895.33(b-1)" in its place.

(II) Subparagraph (C) is amended by striking the word "and".

(III) Subparagraph (D) is amended to read as follows:

"(D) Once the complaint is filed, expenses under § 47-1377 shall be owed; and".

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

"(E) The real property described under § 47-895.31(8) and billed as such (with account number) for purposes of Subchapter IX of Chapter 8 of this title and the correlating description under § 47-802(1) (with square, suffix, and lot numbers, or parcel and lot numbers, as applicable) is under which the complaint shall be filed.".

(6) Section 47-1340 is amended as follows:

(A) Subsection (a) is amended as follows:

(i) Strike the phrase "Each of the taxing" and insert the phrase "Subject to the limitation set forth in § 34-2407.02, each of the taxing" in its place.

(ii) Strike the phrase "notice of delinquency required by § 47-1341" and insert the phrase "notices required by § 47-1341 and § 47-1353.01" in its place.

(B) Subsection (c) is amended to read as follows:

"(c) If a taxing agency does not certify a tax that is due to the District as of the date of the Mayor's notice under subsection (a) of this section, the tax shall not be collected through such tax sale.".

(C) Subsection (d) is amended by striking the phrase "Unpaid real property taxes" and inserting the phrase "Unpaid real property taxes, business improvement district taxes, and vault rents" in its place.

(D) Subsection (f) is amended to read as follows:

"(f)(1) If a taxing agency certifies taxes (for which real property is offered for sale) to the Mayor under subsection (a) of this section, and the payment of taxes to the Mayor as specified in § 47-1361(a) or by a purchaser under § 47-1382(c) has occurred for the real property, or the amount in the notices under § 47-1341 is paid before the tax sale, the taxing agency may submit an accounting to the designated agency under § 47-1332(b) in the form that the Mayor requires.

"(2) Upon receipt of the accounting and verification of the payment of taxes to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by a purchaser under § 47-1382(c), or the amount in the notices under § 47-1341 is paid before the tax sale, the amount of taxes collected that are not imposed under Chapter 8 of this title shall be disbursed regardless of lien priority from the General Fund for the purpose designated by, and in accordance with, the law creating the obligation for such taxes; provided, that, in the case of a sale under § 47-1353(b), the disbursement shall be limited to the amount available after application of lien priorities to such taxes before certification.".

(7) Section 47-1341 is amended as follows:

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

"(a)(1) On or before May 1, the Mayor shall send a notice of tax delinquency by first class mail, postage prepaid, bearing a postmark from the United States Postal Service, to the person who last appears as the owner of the real property on the tax roll, at the last mailing address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form and may include a payment coupon or enclosed bill:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by May 31, 20__)

“The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com or at any District branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.
"If payment is not made before May 31, 20__, the amount listed on this notice may no longer be accurate. In that case, you must contact the Office of Tax and Revenue at …….. to obtain an updated payoff amount.
"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.
"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).
"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA
"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……
"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.
"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….
"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.
"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.
"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).
"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

(B) Subsection (b) is amended by striking the phrase "Failure of the Mayor to mail the notice of delinquency as provided in subsection (a) of this section, or to

include" and inserting the phrase "Subject to the Mayor's authority to cancel the sale under § 47-1366(b)(3)(A) and (B), the failure of the Mayor to mail the notices of delinquency as provided in subsections (a) and (b-1) of this section, or to include" in its place.

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

"(b-1)(1) At least 2 weeks before real property is offered at a tax sale under this chapter, the Mayor shall send a final notice of delinquency, by first class mail, postage prepaid, bearing a postmark from the United States Postal Service, to the person who last appears as the owner of the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form and may include a payment coupon or enclosed bill:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by [Last Business Day before tax sale begins]

“The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com, at any District branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is made less than 10 calendar days before [the last business day before tax sale], you must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure that your property is removed from the tax sale.

• "You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the Customer Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.
• "Do not mail your paid receipt.
"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.
"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).
"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA
"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……
"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.
"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….
"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.
"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.
"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).
"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

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

"(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section.".

(8) Section 47-1342 is amended as follows:

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

"(a) At any time after 30 days from the mailing of the notice of delinquency required by § 47-1341(a), the Mayor shall, simultaneously:

"(1) Cause to be advertised, at least once in not less than 2 newspapers of general circulation in the District that are published at least once every 2 weeks, a public notice stating that listed real property will be sold at public auction because of taxes on the date and at the place named in the public notice; and

"(2) Post the list of real property in the public notice on the Office of Tax and Revenue's website.".

(B) Subsection (b)(1)(A) is amended by striking the phrase "by taxation square," and inserting the phrase "by premises address, taxation square," in its place.

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

"(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section.".

(9) Section 47-1343 is amended to read as follows:

"§ 47-1343. Real property to be sold in its entirety.

"Subject to § 47-1345, each real property for sale shall be sold in its entirety, which shall be the parcel of real property as assessed in the assessment records under § 47-802(1) or as described under § 47-895.31(8) as related to a sale under § 47-1336.".

(10) Section 47-1345 is amended to read as follows:

"§ 47-1345. Sale of real property subject to possessory interest.

"(a) Whether or not any real property subject to sale under this chapter is subject to an estate for life, or a lease or ground rent for a term (with renewals) that is at least 30 years, the Mayor shall sell the entire fee simple estate; provided, that after the judgment of foreclosure of the right of redemption, no claim for rent unpaid, due, or accruing before the date of the judgment of foreclosure of the right of redemption shall be made by the purchaser (or assignee).

"(b) Notwithstanding subsection (a) of this section or any other provision to the contrary, when a real property subject to sale under this chapter is subject to a ground lease and the ground lessor is the District of Columbia, or an instrumentality of the District, the Washington Metropolitan Area Transit Authority, or an entity whose real property is exempt from real property taxation or the enforced collection thereof under the laws of the United States of America, the Mayor shall sell the real property's improvements only. Any additional representation related to what is being sold shall be ineffectual and shall not affect the validity of the sale.

"(c) The termination of claims on real property sold under this section shall not foreclose any personal claims against previous holders of the interest sold for any damages including rent unpaid, due, or accruing before the date of the judgment of foreclosure.".

(11) Section 47-1346(a)(5) is amended to read as follows:

"(5)(A) A potential purchaser, including a natural person or business entity, who is delinquent in payment of in rem taxes to the District or who has been convicted of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior may not bid on real

property offered at a sale held under this chapter or otherwise acquire an interest in real property sold under this chapter.

"(B) A potential purchaser, including a natural person or business entity, shall certify under oath, subject to the penalties of perjury, that the potential purchaser is not more than one year in arrears in any jurisdiction in payment of in rem taxes not being contested in good faith and has not been convicted in any jurisdiction of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior.

"(C) A certificate of sale held by a purchaser that willfully and materially violates the provisions of this paragraph shall be voidable at the discretion of the Mayor; provided, that after the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption, the certificate is no longer voidable. A certificate that is voided by the Mayor pursuant to this subparagraph shall be subject to the provisions of § 47-1355(b).

"(D) The intent of this paragraph shall not be circumvented by a purchaser through the use of one or more business entities to avoid its intended application.

"(E) For the purposes of this paragraph, a potential purchaser shall include a person owning a 10% or more equity interest in, or an officer of, an entity that owns a 10% or more equity interest in real property on which taxes are delinquent.".

(12) Section 47-1348 is amended as follows:

“(A) Subsection (a) is amended as follows:

“(i) Paragraph (3) is amended by striking the phrase "date of the original public tax sale" and inserting the phrase "date of the tax sale" in its place.

“(ii) Paragraph (4) is amended by striking the phrase "purchaser;" and inserting the phrase "purchaser, which shall be the same date as in paragraph (3) of this subsection, if the purchaser purchased the real property at the tax sale held under § 47-1346;" in its place.

“(iii) Paragraph (10) is amended to read as follows:

"(10)(A) A statement that the rate of simple interest, upon redemption, shall be 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.

"(B) This paragraph shall apply upon its fiscal effect being included in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.".

(B) Subsection (b) is repealed.

(C) Subsection (c) is amended as follows:

(i) Strike the phrase "telephone number." and insert the phrase "telephone number. If notice is not provided within 30 days of the assignment, the certificate shall be voidable at the discretion of the Mayor." in its place.

(ii) Strike the phrase "On redemption, the purchaser will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 18% per annum from the date the real property was sold to the date of redemption; provided, that the purchaser shall not receive interest on any surplus." and insert the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus." in its place.

(13) Section 47-1349(c) is amended by adding a new sentence at the end to read as follows:

"If notice is not provided within 30 days of the assignment, the certificate shall be voidable at the discretion of the Mayor; provided, that after the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption, the certificate shall no longer be voidable. A certificate that is voided by the Mayor pursuant to this subsection shall be subject to the provisions of § 47-1355(b).".

(14) Section 47-1352(a) is amended by striking the phrase "from the date the real property was bid off," and inserting the phrase "thereon accruing from the first day of the month following the date of the tax sale where the real property was bid off," in its place.

(15) Section 47-1353 is amended as follows:

(A) Subsection (a)(1)(B) is amended by striking the word "May" both times it appears and inserting the word "Mayor" in its place.

(B) Subsection (b)(1)(G) is amended by striking the phrase "by square," and inserting the phrase "by premises address, taxation square," in its place.

(C) Subsection (c)(2) is amended by striking the phrase "date of the original tax sale" and inserting the phrase "applicable date of the tax sale" in its place.

(D) Subsection (d) is amended to read as follows:

"(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the day of the tax sale to the purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.".

(16) A new section 47-1353.01 is added to read as follows:

"§ 47-1353.01. Post-sale notice.

"(a) Within 30 days after the date of the tax sale, the Mayor shall send notice of the sale by first class mail, postage prepaid, bearing a postmark from the United States Postal Service to the last known address of the owner. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(b) The notice required pursuant to subsection (a) of this section shall be in substantively the following form:

“[Date]

"ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address]

"Tax Sale Date: [July __, 20__]

“If you do not pay all amounts due, the purchaser will have the right to file a lawsuit to foreclose on the property and you may lose title.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Please follow the below instructions to redeem your property from tax sale and prevent a foreclosure lawsuit.

- "To redeem your property from the tax sale, you must pay all taxes owed, as well as any legal fees and expenses that may become due.
- "A tax bill is mailed to you during the month of August. You should pay the bill in full and on time.
- "If you are receiving this notice after October 31, 20__, or if you have not already paid your tax bill in full, you should contact the Office of Tax and Revenue ("OTR") at …….. for a current tax bill and up-to-date payoff amount.
- "After you have paid your taxes, you should call OTR to confirm that you have redeemed your property. Keep a copy of your proof of payment in case there is a later dispute about the payment.
- "If you have not paid all taxes within four months after the Tax Sale Date stated above, an additional $381.50 may be added to reimburse the purchaser for some costs.
- "If you do not redeem the property within six months of the Tax Sale Date stated above, the tax sale purchaser may file a lawsuit against you to obtain title to the property.
- "If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees and expenses that may total thousands of dollars. You may also lose title to the property.
- "For further information on how to redeem, please read our Real Property Owner's Guide to the Tax Sale Redemption Process, available on our Web site at www.taxpayerservicecenter.com by clicking on "Real Property." You may also request a copy by visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

"YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE. SEE THE NEXT PAGE FOR MORE INFORMATION.

"Should you have additional questions, please call OTR's Customer Service Center at (202) 727-4TAX (4829).
"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA
"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……
"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.
"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….
"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.
"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.
"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).
"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).

"(c) The tax sale purchaser shall cause a copy of the notice referred to in subsection (b) of this section to be posted on a place on the premises of the real property where it may be conveniently read. The copy of the notice shall be posted no sooner than 4 months after the date of the tax sale but at least 45 days before the filing of a complaint under § 47-1370.

"(d) Subject to the Mayor's authority to cancel the sale under § 47-1366(b)(3)(A) and (B), the failure of the Mayor to mail the notice as provided in subsections (a) and (b) of this section, or to include any tax amounts in the notice, shall not:

"(1) Invalidate or otherwise affect a tax;

"(2) Invalidate or otherwise affect a sale made under this chapter to enforce payment of taxes;

"(3) Prevent or stay any proceedings under this chapter; or

"(4) Affect the title of a purchaser.

"(e) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section.".

(17) Section 47-1354(b) is amended to read as follows:

"(b) Upon payment as specified in § 47-1361(a) or by another purchaser under § 47-1382(c), the purchaser shall receive a refund of its payment made under this section, with interest as required to be paid by the redeemer or such other purchaser. The purchaser shall receive interest only on the principal tax amount paid and not on the interest or penalties paid. The purchaser is entitled to the refund only if the purchaser's certificate of sale is not void and the purchaser provides proof satisfactory to the Mayor that the purchaser made the payment.".

"(18) Section 47-1355(a)(2) is repealed.

"(19) Section 47-1361 is amended as follows:

"(A) Subsection (a) is amended as follows:

(i) The lead-in text is amended by striking the phrase "the Mayor, for deposit" and inserting the phrase "the Mayor, except as set forth in paragraph (6A) of this subsection, for deposit" in its place.

"(ii) Paragraphs (2) and (3) are amended to read as follows:

"(2) If the real property was bid off to the District, the sale amount with interest thereon beginning on the first day of the month following the date of the tax sale where the real property was bid off;

"(3) If the real property was bid off to the District and subsequently sold or the certificate of sale assigned to a purchaser:

"(A) The original sale amount with interest thereon beginning on the first day of the month following the date of the tax sale where the real property was bid off; plus

"(B) Interest accruing thereafter on the sale amount in subparagraph (A) of this paragraph from the first day of the month following the date the real property was subsequently sold or the certificate of sale assigned to the purchaser;".

"(iii) Paragraph (4) is amended by striking the phrase "taxes provided, that the certificate of sale of the purchaser is not void;" and inserting the phrase "taxes;" in its place.

"(iv) Paragraph (5) is amended to read as follows:

"(5) All other real property taxes, business improvement district taxes, and vault rents to bring the real property current; provided, that any such amounts that become due and owing after receipt of the payment that permits a refund to issue to the purchaser under subsection (e) of this section shall not be required to be paid to redeem the real property;".

"(v) A new paragraph (5A) is added to read as follows:

"(5A) Any delinquent special assessment owed pursuant to an energy efficiency loan agreement under Subchapter IX of Chapter 8 of Title 47; provided, that any such assessment that becomes due and owing after receipt of the payment that permits a refund to issue to the purchaser under subsection (e) of this section shall not be required to be paid to redeem the real property;".

"(vi) Paragraph (6) is amended to read as follows:

"(6) All expenses for which each purchaser is entitled to reimbursement under § 47-1377(a)(1)(A); and".

“(vii) A new paragraph (6A) is added to read as follows:

"(6A) Where an action to foreclose the right of redemption has been properly filed, the person redeeming shall pay directly to the applicable purchaser all expenses to which the purchaser is entitled to reimbursement under § 47-1377(a)(1)(B); and".

“(viii) Paragraph (7) is repealed.

“(B) New subsections (b-1) and (b-2) are added to read as follows:

"(b-1) The redeeming party shall not be required to pay any tax that is required to be certified by § 47-1340 unless the tax has been certified by a taxing agency and sold as a lien at a tax sale.

"(b-2) Notwithstanding subsection (a) of this section, the remaining amounts that are payable to the Mayor, including tax, interest, penalties, and expenses, for the real property shall be deemed to have been brought current for purposes of redemption if, at any time, the balance falls below $100; provided, that the remaining balance shall remain due and owing and any remaining expense shall be thereafter deemed a real property tax.".

“(C) Subsection (c) is amended by striking the second sentence.

“(D) Subsection (d) is amended to read as follows:

"(d)(1) Subject to the liability threshold set forth in subsection (b-2) of this section, after receipt of the payment set forth in subsection (a)(1) through (6) of this section, the Mayor shall notify the purchaser of the payment. The purchaser shall receive from the Mayor the refund to which the purchaser is entitled, subject to the purchaser's compliance with all procedures for issuance of the refund, as may be established by the Mayor.

"(2) If a complaint under § 47-1370 has been properly filed, a purchaser may continue to prosecute the complaint until receipt of the expenses owed to the purchaser and payable to the purchaser by the redeeming party as set forth in subsection (a)(6A) of this section, but shall dismiss the complaint upon receipt thereof.

"(3) A complaint to foreclose the right of redemption shall not be maintained solely to await the administrative refund under this subsection.

"(4) Notification by the Mayor under this subsection may be accomplished by making the information publicly available through an electronic medium, including by posting on a website.".

“(E) Subsection (e) is amended as follows:

“(i) Strike the phrase "Upon request and subject to the payment of a fee," and insert the phrase "Upon request, within 60 days of the request," in its place.

“(ii) Add a new sentence at the end to read as follows:

"The Recorder of Deeds shall waive all fees relating to the recordation of a certificate of redemption.".

“(F) A new subsection (f) is added to read as follows:

"(f) The Mayor may abate interest or penalties or compromise taxes, whether arising before or after the tax sale, in the same manner as set forth in § 47-811.04; provided, that the abatement or compromise shall not affect the refund due to the purchaser.".

"(20) Section 47-1362 is amended as follows:

"(A) Subsection (a) is amended by striking the phrase "If the real property is redeemed after an action to foreclose the right of redemption is filed and there is a dispute regarding redemption, the" and inserting the phrase "If there is a dispute regarding redemption after an action to foreclose the right of redemption is filed, the" in its place.

"(B) Subsection (c) is repealed.

"(21) Section 47-1363(a) is amended by striking the phrase "date of the sale" and inserting the phrase "date of the tax sale" in its place.

"(22) Section 47-1366 is amended to read as follows:

"§ 47-1366. Cancellation of sale by Mayor.

"(a) The Mayor, in the Mayor's discretion, may cancel a sale before the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption to prevent an injustice to the owner or person with an interest in the real property.

"(b) The Mayor shall cancel a sale before the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption where:

"(1) The record owner or other interested party timely pays the amount set forth in the notice of delinquency to avoid the tax sale as required under § 47-1341(a) or otherwise pays the outstanding taxes before the tax sale;

"(2) The real property meets the qualifications to be exempt from sale under § 47-1332(c);

"(3) In a sale involving Class 1 property with 5 or fewer units that a record owner (or a person with an interest in the property as heir or beneficiary of the record owner, if the record owner is deceased) occupies as his or her principal residence, the record owner or other interested person proves:

"(A) A failure of the Mayor to mail any of the notices required by §§ 47-1341(a), 47-1341(b), or 47-1353.01; or

"(B) That the mailing address of the person who last appears as the record owner of the real property on the tax roll, as properly updated by the record owner by the filing of a change of address with the Office of Tax and Revenue in accordance with § 42-405, was not correctly or substantively updated by the Office of Tax and Revenue notwithstanding proper filing; or

"(4) A properly filed application for a forbearance authorization was filed at least 30 days before the sale and was approved within 60 days after the sale.

"(c) Subject to the limitations set forth in § 47-1377(b), (c), (d), and (e), if the Mayor cancels a sale pursuant to this section, the Mayor shall pay to the purchaser the amount that the purchaser would have received if the real property had been redeemed, but no part of the amount shall be considered a payment of tax on behalf of the real property. A certificate of redemption, if necessary, shall be executed and filed by the Mayor with the Recorder of Deeds for no fee.".

"(23) Section 47-1370 is amended as follows:

"(A) Subsection (a) is amended by striking the phrase "date of sale" and inserting the phrase "date of the tax sale" in its place.

"(B) Subsection (c) is amended by adding a new paragraph (4) to read as follows:

"(4) Proof of the posting required under § 47-1353.01 shall be attached to and made part of the complaint. The posting shall be held to the same standard as the proof of posting required under § 47-1372(f).".

"(C) A new subsection (e) is added to read as follows:

"(e) The purchaser shall immediately notify the Chief Financial Officer and the Real Property Tax Ombudsman, established by § 47-805, upon the filing of a complaint under this section.".

"(24) Section 47-1371(b) is amended by adding a new paragraph (2A) to read as follows:

"(2A) The plaintiff shall certify to the Superior Court of the District of Columbia, under penalties of perjury, that a search was conducted for the record owner in bankruptcy records.".

"(25) Section 47-1372(a)(1)(C) is amended by striking the phrase "date of sale" and inserting the phrase "date of the tax sale" in its place.

"(26) Section 47-1374 is amended as follows:

"(A) Subsection (c) is amended to read as follows:

"(c) This subsection applies only if a last known address for a defendant is obtained as provided under subsections (a) and (b) of this section. The plaintiff shall cause a copy of the order of publication to be mailed by first class, certified mail, postage prepaid, to each defendant's address as determined by the provisions of subsections (a) and (b) of this section.".

"(B) Subsection (e) is amended to read as follows:

"(e)(1) A final judgment may not be entered earlier than the later of:

"(A) One year following the initial scheduling conference in the foreclosure action; or

"(B) Four months following the completion of service on the owner and all parties identified as defendants in § 47-1371.

"(2) Paragraph (1) of this subsection shall not apply to any final judgment in which all interested parties have disclaimed any interest in the property subject to the judgment or in a case where a real property was sold under § 47-1353(a)(3) or (b).".

(27) Section 47-1377 is amended to read as follows:

"§ 47-1377. Purchaser reimbursed by redeeming party for expenses.

"(a)(1) Except as provided in subsection (b) of this section, upon redemption, a purchaser is entitled to be reimbursed by the redeeming person for the following expenses incurred in an action, or in preparation for an action, to foreclose the right of redemption:

"(A) If an action to foreclose the right of redemption has not been filed

and the property is redeemed more than 4 months after the applicable tax sale's tax sale date, the purchaser may be reimbursed for the following pre-complaint legal expenses:

"(i) The cost of $50 for any posting required by § 47-1353.01;

"(ii) Costs for recording the certificate of sale; and

"(iii) The cost of a title search, not to exceed $300.

"(B) If an action to foreclose the right of redemption has been filed, the purchaser may also be reimbursed for:

"(i) Reasonable attorneys' fees as follows:

"(I) In a case in which the property is redeemed before the 5th status hearing, reasonable attorneys' fees not to exceed $1,500;

"(II) In a case requiring 5 or more status hearings, reasonable attorneys' fees not to exceed $1,500, plus $75 for the 5th status hearing and each additional status hearing thereafter; and

"(III) In a case in which a motion for judgment is filed with the court, additional attorneys' fees in the amount of $300;

"(ii) Notwithstanding sub-subparagraph (i) of this subparagraph, in cases requiring prolonged or complex representation not typically necessary to resolve an action filed under this chapter, including cases in which the purchaser incurs attorneys' fees and expenses under § 47-1382.01(a), other reasonable attorneys' fees incurred and specifically requested by the purchaser and approved by the court, on a case-by-case basis; provided, that additional attorneys' fees shall not be awarded if a tax sale is cancelled by the Mayor under § 47-1366, or where a purchaser is required to show good cause under subsection (c) of this section; and

"(iii) Expenses actually incurred as follows:

"(I) Filing fee charged by the Superior Court of the District of Columbia;

"(II) Service of process fee, including fees incurred attempting to serve process;

"(III) If a 2nd title search is conducted more than 6 months after the initial title search, a title search update fee, not to exceed $75;

"(IV) Publication fee charged by a newspaper of general circulation in the District;

"(V) Posting fees;

"(VI) Postage and certified mail costs;

"(VII) Substantial repair order fee, not to exceed the fee charged by the government agency issuing the certificate of substantial repair; and

"(VIII) Any court approved expense for stabilization or conversion of, or to make safe and compliant with Chapter 31A of Title 42, the property under § 47-1363 or to comply with an action taken against the property by the Mayor in accordance with the applicable building, fire, health, or safety code.

"(2)(A) In calculating the number of hearings in a case for the purposes of paragraph (1)(B)(i) of this subsection, any status hearing held before the redeeming party was served shall be excluded from the calculation.

"(B) For purposes of paragraph (1)(B)(i) of this subsection, an initial scheduling conference shall be deemed a status hearing.

"(C) Nothing in paragraph (1) of his subsection shall be construed as prohibiting the purchaser from settling attorneys' fees in a lesser amount than the purchaser may be eligible for under this section.

"(b) No purchaser of a certificate of sale shall be reimbursed for expenses incurred within 4 months after the date of the tax sale. A purchaser other than the District shall not be reimbursed for any expenses if the certificate becomes void under this chapter.

"(c) The purchaser shall not be entitled to be reimbursed for any expenses or attorney's fees not included in this section. Expenses or attorneys' fees incurred by a purchaser who appeals the assessment or the vacant status of the property are not reimbursable.

"(d) If the purchaser fails to satisfy the requirements for posting under § 47-1353.01 or fails to provide proof of posting required under § 47-1370(c)(4), the purchaser shall not be entitled to collect the legal expenses set forth in subsection (a) of this section; provided, that upon a showing to the Superior Court of the District of Columbia of good cause for the failure to meet the posting requirements of § 47-1353.01 or § 47-1370(c)(4), the purchaser shall be entitled to collect those expenses, not to exceed the amounts set forth in subsection (a) of this section, that the Superior Court of the District of Columbia considers reasonable.

"(e) Notwithstanding subsection (d) of this section, if the tax sale is cancelled by the Mayor under § 47-1366, the purchaser shall not be entitled to reimbursement of the expenses permitted under subsection (a)(1)(B) of this section if the purchaser fails to specifically disclose to the Mayor, at least 45 days before the filing of a complaint to foreclose the right of redemption, information that is obtained or should have been obtained from the pre-complaint investigation, including the title examination and review of bankruptcy records under § 47-1371(b)(2) and § 47-1371(b)(2A), that evidences a violation of § 47-1332(c), a violation of a bankruptcy stay, or errors, as prescribed by the Mayor through regulation.".

(28) Section 47-1380(d) is amended by striking the phrase "the sale." and inserting the phrase "the sale and the purchaser shall not receive any amounts otherwise due under this chapter." in its place.

(29) Section 47-1382(a) is amended as follows:

(A) The lead-in text is amended by striking the phrase "A final" and inserting the phrase "Except as provided in § 47-1382.01, a final" in its place.

(B) Paragraph (1) is amended to read as follows:

"(1) A taxing agency lien that is recorded in the Office of the Recorder of Deeds;".

(C) Paragraph 4 is amended by striking the word "and".

(D) Paragraph (5) is amended by striking the period and inserting the phrase "; and" in its place.

(E) A new paragraph (6) is added to read as follows:

"(6) A ground lease described in § 47-1345(b), any recorded covenant, agreement, or other instrument, and any other document incorporated by reference into a recorded covenant, agreement, or other instrument, to which a ground lessor as described in § 47-1345(b) is a party or beneficiary.".

(30) A new section 47-1382.01 is added to read as follows:

"§ 47-1382.01. Equity distribution post-judgment – owner-occupant properties.

"(a) This section shall apply to any Class 1 property with 5 or fewer units in which a record owner (or a person with an interest in the property as heir or beneficiary of the record owner, if deceased), was occupying as his or her principal residence when the complaint to foreclose the right of redemption was filed. The purchaser shall bear the burden of establishing that this section is not applicable to the real property.

"(b) Upon issuing a final judgment foreclosing the right of redemption, the Superior Court of the District of Columbia shall appoint a trustee and shall order that the trustee sell the property pursuant to Rule 308 of the Superior Court of the District of Columbia Rules of Civil Procedure, or its equivalent.

"(c) The trustee shall sell a fee simple interest in the property, subject to the encumbrances set forth in § 47-1382(a).

"(d) The court shall order the trustee to distribute the proceeds of the sale in priority order as follows:

"(1) Reasonable compensation and reasonable expenses due to the trustee or to any other person (including an auctioneer) who provided services relating to the sale of the property, and all other payments the court deems to have been necessary to effect the sale of the real property, including recordation and transfer taxes;

"(2) Payment to the Mayor of:

"(A) All amounts payable to the Mayor for deposit into the General Fund of the District of Columbia under § 47-1361 as of the date of the court's order regarding distribution;

"(B) Any promissory note executed pursuant to § 47-1353(a)(3); and

"(C) Any lien certified under § 47-1340;

"(3) Payment to the purchaser of all amounts provided for in § 47-1377, as fixed by the court; and

"(4) Any remaining amounts as follows:

"(A) Ten percent or $20,000, whichever is less, to the purchaser; and

"(B) The remainder to the person or persons (including, when appropriate, a decedent's estate) entitled to the balance, in proper proportion as determined by the trustee, or, when necessary, a court.

"(e)(1) The trustee shall notify the purchaser once payment is made to the Mayor pursuant to subsection (d)(2) of this section, at which time the purchaser shall surrender the certificate of sale and receive from the Mayor the amount to which the purchaser would have been entitled had redemption occurred in accordance with § 47-1361.

"(2) For purposes of calculating the refund due to the purchaser, the date of the court's order providing for distribution or the sale proceeds in accordance with subsection (d) of this section shall be deemed the date of redemption.

"(f)(1) If the trustee in the trustee's best judgment determines that a sale of the real property will not generate proceeds sufficient to fund the distributions required under subsection (d)(1) and (2) of this section, the trustee shall timely inform the court of that determination.

"(2) Upon receipt of the trustee's determination as described in paragraph (1) of this subsection, the court shall:

"(A) Rescind the trustee's appointment and the order to sell the real property;

"(B) Issue a final judgment foreclosing the right of redemption in accordance with the provisions of § 47-1382; and

"(C) Require the purchaser to pay such fees and expenses of the trustee as the court determines appropriate.".

(31) Section 47-1384 is amended by striking the phrase "Notwithstanding any other law, the provisions of this chapter" and inserting the phrase "Notwithstanding any other law, if a court determines that any provision of this chapter is ambiguous, the provision" in its place.”.

Sec. 7103. Conforming amendments.

(a) Section 908 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § l-609.08), is amended as follows:

(1) Paragraph (15) is amended by striking the word "and" at the end.

(2) Paragraph (16) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (17) is added to read as follows:

"(17) The Real Property Tax Ombudsman of the Office of the Real Property Tax Ombudsman.".

(b) Section 15(f) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11–134; D.C. Official Code § 2–1215.15(f)), is amended by striking the phrase "plus interest on the unpaid amount at the rate of 1 1/2%" and inserting the phrase "plus simple interest on the unpaid amount at the rate of 1%" in its place.

(c) Section 499d of An Act To establish a code of law for the District of Columbia, effective October 23, 1997 (D.C. Law 12-34; D. C. Official Code § 42-405), is amended to read as follows:

"Sec. 499d. Notice of address and name change.

"(a) Any owner, as defined under D.C. Official Code § 47-802(5), of real property entitled to receive notices under Chapter 8 of Title 47 shall notify the Office of Tax and Revenue of a name change or address change within 30 days.

"(b) Any name change shall be evidenced by the recording of a confirmatory deed with the Recorder of Deeds and submission of supporting documents with and as required by the Recorder of Deeds relating to the applicable property.

"(c) Any address change shall be filed with the Office of Tax and Revenue on the form and in the manner as may be prescribed.

"(d) The Chief Financial Officer may issue rules to implement the provisions of this section.".

(d) The District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq.*), is amended as follows:

(1) Section 302 (D.C. Official Code § 42-1102) is amended by adding a new paragraph (34) to read as follows:

"(34) Deeds to property transferred to a named beneficiary of a revocable transfer on death deed under the Uniform Real Property Transfer of Death Act of 2012, effective March 19, 2013 (D.C. Law 19-230; D.C. Official Code § 19-604.01 *et seq.*), by reason of the death of the grantor of the revocable transfer on death deed.".

(2) Section 303(a-4) (D.C. Official Code § 42-1103(a-4)) is amended by striking the word “transferred” and inserting the phrase “transferred by deed of title” in its place.

(e) Section 5(4) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3131.05(4)), is amended by striking the phrase "Office of Tax and Revenue" and inserting the phrase "Office of Tax and Revenue, and a tax sale purchaser under D.C. Official Code § 47-1353(b) or the purchaser's assignee, as applicable, except where the owner of record is challenging or appealing the vacant status of the real property for the same period" in its place.

Sec. 7104. Repealer.

The Residential Real Property Equity and Transparency Amendment Act of 2014, enacted on July 15, 2014 (D.C. Act 20-378; 61 DCR 7763), is repealed.

SUBTITLE L. KELSEY GARDENS REDEVELOPMENT

Sec. 7111. Short title.

This subtitle may be cited as the "Kelsey Gardens Redevelopment Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7112. Section 47-4625(a)(2) of the District of Columbia Official Code is amended to read as follows:

"(2) Contain approximately 13,363 square feet of ground-level retail space; and".

SUBTITLE M. UNDERPAYMENT OF ESTIMATED TAX

Sec. 7121. Short title.

This subtitle may be cited as the "Underpayment of Estimated Tax Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7122. Chapter 42 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new subchapter designation to read as follows:

"Subchapter I-A. Underpayment

"47-4203. Underpayment of estimated tax by individuals.

"47-4204. Underpayment of estimated tax by corporations, financial institutions, and unincorporated businesses.".

(b) A new Subchapter I-A is added to read as follows:

"Subchapter I-A. Underpayment.

"§ 47-4203. Underpayment of estimated tax by individuals.

"(a) An individual shall pay 4 installments of estimated tax on the dates as provided in § 47-1812.08(i)(4) in the amounts provided under subsection (b) of this section.

"(b)(1) The amount of each installment of estimated tax shall be the lesser of:

"(A) The amount required under the annualized income method under paragraph (2) of this subsection, or

"(B) Twenty-five percent of the lesser of:

"(i) Ninety percent of the tax shown on the return for the taxable year (or, if no return is filed, 90% of the tax for the taxable year);

"(ii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-subparagraph, 100% of the tax shown on the return of the individual for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(II) For tax years beginning after December 31, 2011, 110% of the tax shown on the return of the individual for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(iii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-subparagraph, 100% of the tax computed on the basis of the facts shown on the individual's return for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(II) For tax years beginning after December 31, 2011, 110% of the tax computed on the basis of the facts shown on the individual's return for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months.

"(2)(A) The required payments under the annualized income method shall be, on a cumulative basis, as follows:

"(i) On the first installment date, 22.5% of the tax for the taxable year based upon the annualized income of the individual for the first 3 months of the taxable year;

"(ii) On the second installment date, 45% of the tax for the taxable year based upon the annualized income of the individual for the first 5 months of the taxable year;

"(iii) On the third installment date, 67.5% of the tax for the taxable year based upon the annualized income of the individual for the first 8 months of the taxable year; and

"(iv) On the fourth installment date, 90% of the tax for the taxable year.

"(B) The annualized income method shall not apply to individuals filing a return for part of a taxable year except under regulations as the Mayor may prescribe.

"(c)(1) Except as otherwise provided in this section, in the case of an underpayment of estimated tax by an individual, there shall be added to the tax imposed under § 47-1806.03(a) an amount of interest determined by applying the underpayment rate set forth in § 47-4201 to the amount of the underpayment for the period of the underpayment.

"(2) For the purposes of this subsection:

"(A) The amount of the underpayment shall be the excess of the required installment, over the amount, if any, of the installment paid on or before the due date for the installment; and

"(B) The period of the underpayment shall run from the due date for the installment to the earlier of the 15th day of the 4th month following the close of the taxable year or the date on which the amount of the underpayment is made; provided, that an underpayment that is unpaid during part of a month shall be considered to be paid at the end of the month.

"(d) For the purposes of this section:

"(1) A payment of estimated tax shall be credited against unpaid required installments in the order in which the installments are required to be paid.

"(2) The term "tax" means the tax imposed by § 47-1806.03, less the amount of credit allowed against the tax (other than the credit under § 47-1806.04(b) for withholding of wages).

"(3) The amount of the credit allowed under § 47-1806.04(b) for withholding of wages shall be deemed a payment of estimated tax. An equal part of such amount shall be deemed paid on each due date for the payment of estimated tax for the taxable year unless the taxpayer establishes the dates on which all amounts were actually withheld, in which case the amounts withheld shall be deemed payments of estimated tax on the dates on which such amounts were actually withheld.

"(4) The amount of a refund of a prior year's tax applied against the tax during the taxable year shall be deemed a payment of estimated tax.

"(e) Interest shall not be imposed under subsection (c) of this section for a taxable year if:

"(1) The tax shown on the return for the taxable year (or, if no return is filed, the tax), reduced by applicable credits and payments of estimated tax that are timely made, is less than $ 100;

"(2) The individual did not have any liability for tax for the preceding taxable year;

"(3) The Mayor determines that:

"(A) The taxpayer retired after having attained 62 years of age or developed a disability in the taxable year for which estimated payments were required to be made or in the taxable year preceding such taxable year; and

"(B) The underpayment was due to reasonable cause and not to willful neglect;

"(4) The Mayor determines that, by reason of casualty, disaster, or other unusual circumstances, the imposition of the addition to tax would be against equity and good conscience; or

"(5) The taxpayer dies during the taxable year.

"§ 47-4204. Underpayment of estimated tax by corporations, financial institutions, and unincorporated businesses.

"(a) A corporation, financial institution, or unincorporated business shall pay 4 installments of estimated tax as provided in § 47-1812.14 in the amount provided under subsection (b) of this section.

"(b)(1) The amount of each installment of estimated tax shall be the lesser of:

"(A) The amount required under the annualized income method under paragraph (2) of this subsection; or

"(B) Twenty-five percent of the lesser of:

"(i) Ninety percent of the tax shown on the return of the entity for the taxable year (or, if no return is filed, 100% of the tax for the taxable year); or

"(ii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-subparagraph, 100% of the tax shown on the return of the entity for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(II) For tax years beginning after December 31, 2011, 110% of the tax shown on the return of the entity for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months.

"(2) (A) The required payments under the annualized income method shall be, on a cumulative basis, as follows:

"(i) On the first installment date, 22.5% of the tax for the taxable year based upon the annualized income of the entity for the first 3 months of the taxable year;

"(ii) On the second installment date, 45% of the tax for the taxable year based upon the annualized income of the entity for the first 5 months of the taxable year;

"(iii) On the third installment date, 67.5% of the tax for the taxable year based upon the annualized income of the entity for the first 8 months of the taxable year; and

"(iv) On the fourth installment date, 90% of the tax for the taxable year based upon the annualized income of the entity for the first 9 months of taxable year.

"(B) The annualized income method shall not apply to entities filing a return for part of a taxable year except under regulations as the Mayor may prescribe.

"(c)(1) Except as otherwise provided in this section, in the case of an underpayment of estimated tax by a corporation, financial institution, or unincorporated business, there shall be added to the tax imposed under Chapter 18 of this title an amount of interest determined by applying the underpayment rate set forth in § 47-4201 to the amount of the underpayment for the period of the underpayment.

"(2) For the purposes of this subsection:

"(A) The amount of the underpayment shall be the excess of the required installment over the amount, if any, of the installment paid on or before the due date for the installment; and

"(B) The period of the underpayment shall run from the due date for the installment to the earlier of the 15th day of the 3rd month following the close of the taxable year or the date on which the amount of the underpayment is made; provided, that an underpayment that is unpaid during part of a month shall be considered to be paid at the end of the month.

“(d) For the purposes of this section:

“(1) A payment of estimated tax shall be credited against unpaid required installments in the order in which the installments are required to be paid.

“(2) The term "tax" means the tax imposed by § 47-1807.02 or § 47-1808.03, less the amount of credit allowed against the tax (other than the credit with respect to payments of tax).

“(3) The amount of a refund of a prior year's tax applied against the tax during the taxable year shall be deemed a payment of estimated tax.

“(e) Interest shall not be imposed under subsection (c) of this section for a taxable year if:

“(1) The tax shown on the return for the taxable year (or, if no return is filed, the tax) reduced by applicable credits and estimated payments that are made timely, is less than $1,000; or

“(2) The preceding taxable year was a taxable year of 12 months, and the entity did not have any liability for tax for the preceding taxable year.".

(c) Sections 47-4214 and 47-4215 are repealed.

Sec. 7123. Applicability.

This subtitle shall be applicable for tax years beginning after December 31, 2014.

SUBTITLE N. TAX TRANSPARENCY AND EFFECTIVENESS

Sec. 7131. Short title.

This subtitle may be cited as the "Tax Transparency and Effectiveness Second Congressional Review Emergency Act of 2014".

Sec. 7132. Definitions.

For the purposes of this subtitle, the term:

(1) "Categorical preference" means a tax preference that sets eligibility criteria and is potentially available to all entities that meet the criteria, subject to any funding limitations.

(2) "CFO" means the Chief Financial Officer of the District of Columbia.

(3) "Economic development purpose" means a goal to increase or retain business activity, including attracting new businesses or retaining existing ones, encouraging business expansion or investment, increasing or maintaining hiring, or increasing sales.

(4) "Individual preference" means a tax preference, such as a tax abatement, applied to one entity, project, or associated projects.

(5) "On-cycle tax preference" means a tax preference being reviewed in a current year.

(6) "Tax preference" shall have the same meaning as the phrase “tax expenditures” as defined in D.C. Official Code § 47-318(6).

Sec. 7133. Tax preference review.

(a) The CFO shall review all locally adopted tax expenditures on a 5-year cycle and publish annually a report complying with the requirements of this section.

(b) By October 1, 2015, and by October 1 of every year thereafter, the CFO shall submit for publication in the District of Columbia Register a report for on-cycle tax preferences that complies with the requirements of this section.

(d) An on-cycle individual preference shall be analyzed and reported in the following manner:

(1) An individual preference shall be analyzed and reported in groupings of similarly purposed preferences, with the report focusing on collective effects or trends that emerge.

(2) The report shall include the stated purpose of the of tax preferences within the grouping, if clarified in the authorizing legislation.

(3) The report shall include the amount of lost revenue due to the tax preferences within the grouping.

(4) The report shall include an assessment of the general effects on the District resulting from the preferences.

(5) The report on groupings of individual preferences shall include recommendations on how to improve similar preferences in the future.

(6) For groupings of individual tax preferences with an economic development purpose, the analysis shall consider the economic impact of the preferences, and where sufficient data are available, take into account factors including:

(A) Whether the economic impact of the tax preferences would have been expected without the preferences;

(B) The extent to which the economic impact of the tax preferences was offset by economic losses elsewhere;

(C) The average economic impact for a level of direct expenditures equal to the cost of the tax preferences;

(D) The indirect economic impact of the tax preferences;

(E) The number of jobs created by the preference;

(F) The wages of the jobs created;

(G) The percentage of jobs filled by District residents; and

(H) Whether any terms of the tax preferences have been or are being satisfied.

(e) Except as provided in subsection (f) of this section, on-cycle categorical preferences shall receive a full review that, where sufficient data are available, includes:

(1) The purpose of the tax preference, if clarified in the authorizing legislation;

(2) The tax preference's cost in terms of lost revenue;

(3) An assessment of whether the tax preference is meeting its goals;

(4) An assessment of whether the tax preference is achieving other goals;

(5) Recommendations for improving the effectiveness of the tax preference;

(6) Recommendations for whether the tax preference should be modified, discontinued, or remain in its existent state; and

(7) For tax preferences with an economic development purpose, an analysis that measures the economic impact of the preference, including:

(A) Whether the economic impact of the tax preference would have been expected without the preference;

(B) The extent to which the economic impact of the tax preference was offset by economic losses elsewhere;

(C) The average economic impact for a level of direct expenditures equal to the cost of the tax preference; and

(D) The indirect economic impact effect of the tax preference.

(f) For on-cycle categorical tax preferences that the CFO determines do not merit a full review, the CFO shall instead perform a summary review. In determining which tax preferences are appropriate for a summary review, the CFO shall consider factors including, at a minimum:

(1) The revenue lost due to the tax preference and the number of potential or actual claimants;

(2) Whether the revenue lost due to the preference has increased or decreased since the preference was last reviewed;

(3) Whether the preference has been included in legislative or administrative proposals to modify or repeal; and

(4) Whether the preference is required by the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code §1-201.01 *et seq*.).

(g) A report on a categorical preference designated for summary review shall include:

(1) A narrative summary of the preference, including its purpose;

(2) The source and year of statutory authorization;

(3) The fiscal impact of the preference; and

(4) A description of the beneficiaries of the tax preference.

(h) All District agencies, offices, and instrumentalities shall cooperate with the CFO and shall provide any records, information, data, and data analysis needed to complete the reviews and reports required by this section.

SUBTITLE O. LOW-INCOME HOUSING TAX CREDIT

Sec. 7141. Short title.

This subtitle may be cited as the "Low-Income Housing Tax Credit Second Congressional Review Emergency Act of 2014".

Sec. 7142. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new chapter designation to read as follows:

"48. District of Columbia Low-Income Housing Tax Credit.".

(b) A new Chapter 48 is added to read as follows:

"CHAPTER 48. DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX CREDIT.

Sec.

"47-4801. Definitions.

"47-4802. Credit established.

"47-4803. Eligibility.

"47-4804. Recapture.

"47-4805. Additional filings.

"47-4806. Transfer, sale or assignment.

"47-4807. Compliance.

"47-4808. Expiration of credits.

"47-4809. Efficiency.

"47-4810. Fees.

“47-4811. Look-back requirement.

"47-4812. Rules.

"§ 47-4801. Definitions.

"For the purposes of this chapter, the term:

"(1) "Administrative costs" means the costs of the Department to administer, manage, and monitor the Low-Income Housing Tax Credit Program, including personnel costs.

"(2) "Department" means the Department of Housing and Community Development, or its successor agency.

"(3) "Developer" means a person or entity that proposes to cause the construction of affordable housing using tax credits provided under the District of Columbia’s Low-Income Housing Tax Credit Program.

"(4) "Director" means the Director of the Department.

"(5) "District of Columbia low-income housing tax credit" means the tax credit established by § 47-4802 pursuant to the Low-Income Housing Tax Credit Program.

"(6) "Low-Income Housing Tax Credit Program" means the program authorized by section 42 of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 42) ("1986 Internal Revenue Code").

"(7) "Pilot period" means the initial year of the credit program established under this chapter.

"(8) "Qualified project" means a rental housing development that receives an allocation of federal Low-Income Housing Tax Credits from the Department.

"(9) "User fee" means a fee charged by the Department to a developer in connection with the District of Columbia's Low-Income Housing Tax Credit Program, including application, reservation, allocation, and monitoring fees.

"§ 47-4802. Credit established.

"(a)(1) There is established a District of Columbia low-income housing tax credit. Subject to available funds, the Department may authorize annually under this chapter total tax credits equal to the credit ceiling allocated to the District of Columbia by the federal Internal Revenue Service in accordance with 26 U.S.C. § 42(h)(3)(c).

"(2) For the pilot period, the Department shall make available $1 million in credits in tax year 2015.

"(b) Unless otherwise provided in this section, the Department shall authorize, allocate, administer, and determine eligibility for the District of Columbia low-income housing tax credit and allocate the credit in accordance with the standards and requirements as set forth in section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year; provided, that the combined federal and District of Columbia low-income housing tax credit shall be the least amount necessary to ensure financial feasibility of a project.

"(c) The Department shall allocate the total available District of Columbia low-income housing tax credit among as many qualified District of Columbia projects as fiscally feasible, with the goal of increasing the stock of affordable housing units.

"(d) Only qualified projects are eligible for a District of Columbia low-income housing tax credit award.

"§ 47-4803. Eligibility.

"(a) A taxpayer may receive a District of Columbia low-income housing tax credit with respect to a qualified project; provided, that the Department issues an eligibility statement for that qualified project.

"(b) The total District of Columbia low-income housing tax credit available to a qualified District of Columbia project shall be authorized and allocated by the Department based on the qualified project's need for the credit for economic feasibility.

"(c) The District of Columbia low-income housing tax credit shall be taken against the income, insurance premium, or franchise taxes imposed under this title, claimed equally for 10 years, subtracted from the amount of District of Columbia tax otherwise due for each taxable period and shall not be refundable; provided, that the credit may not be taken against any tax that

is dedicated in whole or in part to the Healthy DC and Health Care Expansion Fund established by § 31-3514.02. Any amount of the low-income housing tax credit that exceeds the tax due for a taxable year may be carried forward to any of the 10 remaining subsequent taxable years.

"(d)(1) All or any portion of District of Columbia tax credits issued in accordance with the provisions of this section may be allocated to parties who are eligible under the provisions of subsection (a) of this section.

"(2) An owner of a qualified project shall certify to the Chief Financial Officer the amount of credit allocated to the owner. The owner of the qualified project shall provide to the Chief Financial Officer appropriate information so that the low-income housing tax credit can be properly allocated.

"(e) If the recapture of District of Columbia low-income housing tax credits is required pursuant to § 47-4804(a) or (b), any statement submitted to the Chief Financial Officer as provided in this section shall include the:

"(1) Proportion of the District of Columbia credit required to be recaptured;

"(2) Identity of each taxpayer subject to the recapture; and

"(3) Amount of credit previously allocated to such taxpayer.

"(f)(1) A tax credit allowed under this section shall not be denied to the taxpayer with respect to any qualified project merely by reason of a right of first refusal held by the tenants, in cooperative form or otherwise, or resident management corporation of such building or by a qualified nonprofit organization, as defined in section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, or government agency to purchase the qualified District of Columbia project after the close of the compliance period for a price which is not less than the minimum purchase price determined under paragraph (2) of this subsection.

"(2) The minimum purchase price shall be an amount equal to the sum of the principal amount of outstanding indebtedness secured by the building, other than indebtedness incurred within the 5-year period ending on the date of the sale pursuant to paragraph (1) of this subsection, and all federal and District taxes attributable to the sale.

"§ 47-4804. Recapture.

"(a) The owner of a qualified project eligible for the District of Columbia low-income housing tax credit shall submit a copy of the eligibility statement issued by the Department with respect to the qualified project at the time of filing the project owner's state tax return. In the case of failure to attach the eligibility statement, a credit under this section shall not be allowed with respect to such qualified project for that year until the copy is provided to the Office of Tax and Revenue.

"(b) If under section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, a portion of any federal low-income housing tax credits taken on a low-income qualified project is required to be recaptured, the District of Columbia low-income housing tax credit authorized by this chapter with respect to such qualified District of Columbia project shall also be recaptured. The District of Columbia recapture amount shall be equal to the amount of the District of Columbia low-income housing tax credits previously claimed times a fraction, the numerator of which shall be the amount of recaptured federal low-income housing tax credits

and the denominator of which shall be the amount of federal low-income housing tax credits previously claimed.

"§ 47-4805. Additional filings.

"The Chief Financial Officer or the Department may require the filing of additional documentation necessary to determine the eligibility or accuracy of a tax credit claimed under the provisions of this chapter through the promulgation of regulations.

"§ 47-4806. Transfer, sale, or assignment.

"(a) All or any portion of tax credits issued in accordance with the provisions of this section may be transferred, sold, or assigned.

"(b) An owner or transferee desiring to make a transfer, sale, or assignment shall submit to the Chief Financial Officer a statement that describes the amount of District of Columbia low-income housing tax credit for which such transfer, sale, or assignment of District of Columbia low-income housing tax credit is eligible. The owner shall provide to the Chief Financial Officer appropriate information so that the low-income housing tax credit can be properly allocated.

"(c) If the recapture of District of Columbia low-income housing tax credits is required pursuant to§ 47-4804, any statement submitted to the Chief Financial Officer as required in subsection (b) of this section shall include the:

"(1) Proportion of the District of Columbia low-income housing tax credit required to be recaptured;

"(2) Identity of each transferee subject to recapture; and

"(3) Amount of credit previously transferred to such transferee.

"§ 47-4807. Compliance.

"(a) The Department, in consultation with the Chief Financial Officer, shall monitor and oversee compliance with the District of Columbia's Low-Income Housing Tax Credit Program and may promulgate regulations requiring the filing of additional documentation considered necessary to determine continuing eligibility for the District of Columbia low-income housing tax credit.

"(b) The Department or the Chief Financial Officer shall report specific occurrences of noncompliance to appropriate state, federal, and local authorities.

"§ 47-4808. Expiration of credits.

"Except for unused credits carried forward pursuant to § 47-4803(c) and for credits claimed under regulations promulgated by the Department consistent with the special rule set forth in section 42(f)(2) of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, a qualified District of Columbia project shall not be eligible for any District of Columbia low-income housing tax credits for more than 11 taxable years.

"§ 47-4809. Efficiency.

"The Department may pursue methods of enhancing the efficiency of the District of Columbia low-income housing tax credit program, including,

"(1) Pursuing opinions from the United States Department of Treasury's Internal Revenue Service in the form of:

"(A) General Counsel memoranda;

"(B) Private letter rulings and other notices,:

"(C) Rulings; or

"(D) Guidelines; and

"(2) Reviewing other state low-income housing tax programs that have an option for taxpayers to receive such tax credit in the form of a loan generated by transferring the credit to a designated state entity.

"§ 47-4810. Fees.

"The Department may charge a user fee equal to up to 1% of the District of Columbia low-income housing tax credits awarded to a qualified project to pay for the administrative costs associated with the establishment of a District of Columbia low-income housing tax credit. The user fee shall be deposited into the Low-Income Housing Tax Credit Fund, as established in § 42-2853.02.

"47-4811. Look-back requirement.

"As soon as practicable after the first tranche of credits is sold during the pilot period, the Department shall provide a report to the Mayor and the Council on the credit program, including:

"(1) A list of projects financed with the low-income housing tax credits;

"(2) The number of affordable units per transaction and the level of affordability per unit;

"(3) Copies of the basic development budget or budgets, also known as the "DHCD 202"; and

"(4) The syndication rate for each credit sold.

"§ 47-4812. Rules.

"(a) The Mayor shall issue rules to implement the provisions of this chapter.

"(b) The Chief Financial Officer shall issue rules to implement § 47-4805.".

SUBTITLE P. IPW FUND, DESTINATION DC MARKETING FUND, AND WMATA MOMENTUM FUND ESTABLISHMENT

Sec. 7151. Short title.

This subtitle may be cited as the "IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Support Fund Establishment Second Congressional Review Emergency Act of 2014".

Sec. 7152. IPW Fund.

(a) There is established as a special fund the IPW Fund ("Fund"), which shall be administered by Destination DC in accordance with subsection (c) of this section.

(b) The following funds shall be deposited into the Fund:

(1) Upon approval of the settlement by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc.*, et al., Nos. 14-CV-308, 14-CV-309 and subject to subsection (d) of this section,$3.5 million from the $60.9 million settlement the District obtained; and

(2) In private-sector matching funds, $3.5 million to be raised by Destination DC.

(c) Money in the Fund shall be used to pay for the costs associated with hosting the U.S. Tourism Association's annual international tourism conference, known as the IPW.

(d) The portion of the Fund described in subsection (b)(1) of this section shall be available for expenditure only if Destination DC raises private-sector matching funds on a one-to-one basis. Destination DC shall return to the District any settlement funds for which a private-sector match is not secured.

(e) Destination DC shall submit an annual report by the end of each fiscal year to the Mayor and Council, which shall include the amount of private-sector matching funds raised and the amount expended from the Fund.

(f)(1)The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 7153. Destination DC Marketing Fund.

(a) There is established as a special fund the Destination DC Marketing Fund ("Fund"), which shall be established under the auspices of and administered by Destination DC, and which shall be used by Destination DC for the purposes of marketing the District.

(b) The amount of $1.5 million shall be deposited into the Fund from the $60.9 million settlement the District obtained with online travel companies to recover unpaid hotel-room taxes, only upon approval of the settlement by the District of Columbia Court of Appeals, *District of Columbia v. Expedia, Inc.*, et al., Nos. 14-CV-308, 14-CV-309.

(c)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 7154. WMATA Momentum Support Fund.

(a) There is established as a special fund the WMATA Momentum Support Fund ("Fund"), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

(b) Upon approval of the settlement by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc.*, et al., Nos. 14-CV-308, 14-CV-309, $55.9 million from the $60.9 million settlement the District obtained shall be deposited in the Fund.

(c) Upon execution of an inter-jurisdiction funding agreement for implementation of the Washington Metropolitan Area Transit Authority Momentum Strategic Plan ("Momentum"), any monies in the Fund shall be made available to finance the District's share of the implementation costs of Momentum.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE Q. LAHDO ESTOPPELS

Sec. 7161. Short title.

This subtitle may be cited as the "LAHDO Estoppels Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7162. Section 47-1005.01(c-1) of the District of Columbia Official Code is amended to read as follows:

"(c-1)(1) Effective June 9, 2001, an existing or future lease entered into under the provisions of the Land Acquisition for Housing Development Opportunities Program, set forth in Chapter 45 of Title 10 of the District of Columbia Municipal Regulations (10 DCMR § 45) ("LAHDO"), shall be exempt from all taxes, assessments, and public charges related to the leased land, including any possessory interest tax, for periods for which the Department of Housing and Community Development ("DHCD") certifies in writing to the lessee and the Chief Financial Officer that the lessee is in compliance with its LAHDO lease and the lessee is in good standing with DHCD.

"(2) As to any property for which a written certification of compliance is issued, DHCD shall notify the lessee and the Chief Financial Officer if the lessee no longer is in compliance with its lease or is not in good standing with DHCD.

"(3) The exemption provided in this subsection shall end at the beginning of the first month following the date that the lessee did not comply with its lease or was not in good standing with DHCD, whichever occurs first.".

SUBTITLE R. QUALIFIED HIGH TECHNOLOGY CLARIFICATION

Sec. 7171. Short title.

This subtitle may be cited as the "Qualified High Technology Clarification Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7172. Section 47-1817.01(5) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (A) is amended as follows:

(1) Sub-subparagraph (i) is amended by striking the phrase "maintaining an office, headquarters, or base of operations" and inserting the phrase "leasing or owning an office" in its place.

(2) Sub-subparagraph (ii) is amended by striking the word "employees" and inserting the phrase "qualified employees" in its place.

(3) Sub-subparagraph (iii) is amended as follows:

(A) Sub-sub-subparagraph (II) is amended by striking the phrase "digital media. Such technologies shall include" and inserting the phrase "digital media, including" in its place.

(B) Sub-sub-subparagraph (III) is amended by striking the phrase "medical processes. Such materials and technologies shall include" and inserting the phrase "medical processes, including" in its place.

(C) Sub-sub-subparagraph (IV) is amended as follows:

(i) Strike the word "biotechnology" and insert the phrase "biotechnology," in its place.

(ii) Strike the phrase "or propulsion" and insert the word "propulsion" in its place.

(iii) Strike the phrase "equipment. Such technologies shall include" and insert the phrase "equipment, including" in its place.

(D) Sub-sub-subparagraph (V) is amended by striking the phrase "media content. Such technologies shall include" and inserting the phrase "media content, including" in its place.

(b) Subparagraph (B)(i) is amended as follows:

(1) Sub-sub-subparagraph (I) is amended to read as follows:

"(I) An on-line or brick and mortar retail store;".

(2) Sub-sub-subparagraph (II) is amended by striking the phrase "facility;" and inserting the phrase "facility; or" in its place.

(3) A new sub-sub-subparagraph (III) is added to read as follows:

"(III) A building or construction company.".

Sec. 7173. Applicability.

This subtitle shall be applicable for tax years beginning after December 31, 2014.

SUBTITLE S. EMERGING BUSINESS DISTRICT DEMONSTRATION

Sec.7181. Short title.

This subtitle may be cited as the "Emerging Business District Demonstration Second Congressional Review Emergency Act of 2014".

Sec. 7182. Emerging Business District Demonstration Projects.

(a) The Mayor shall authorize the creation of Emerging Business District Demonstration Projects for business development purposes and provide financial assistance, beginning in Fiscal Year 2016, for up to 5 years while a business tax base is further established. These funds shall be distributed through a grant program by the Office of the Deputy Mayor for Planning and Economic Development.

(b)(1) To be eligible for these funds, applicants must demonstrate property owner commitment to the program through matching grants of at least 25% of the proposed program's total budget.

(2) Business Improvement Districts with budgets under $1 million as well as eligible 501(c)(3) and 501(c)(6) organizations may apply and be awarded these funds.

(c) Within 45 days of the effective date of this subtitle, the Mayor shall publish draft regulations regarding the criteria and awarding of grants; provided, that if no regulations are published, organizations will be entitled to apply as of November 1, 2015.

(d) Regulations shall include:

(1) The ability to establish and assemble a panel of reviewers for applications;

(2) A formula to determine what level of seed funding is sufficient to establish operations and allows the pursuit of matching funds from the private sector or otherwise;

(3) The ability for applicants to be eligible for technical assistance, training, and mentoring opportunities; and

(4) Eligible uses of funds, which shall include:

(A) Economic research; or

(B) Community or business outreach.

Sec. 7183. The grant program established by this subtitle shall not prevent an entity or a neighborhood from receiving any other form of District or federal assistance, including loans or other grants.

Sec. 7184. The Howard Town Center Real Property Tax Abatement Act of 2012, effective April 20, 2013 (D.C. Law 19-257; 60 DCR 992), is amended by adding a new section 3a to read as follows:

"Sec. 3a. Applicability.

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

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

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

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

Sec. 7185. The grant program established by this subtitle shall be funded by the savings realized from section 7184.

SUBTITLE T. SOUTHWEST WATERFRONT PROJECT CLARIFICATION

Sec. 7191. Short title.

This subtitle may be cited as the "Southwest Waterfront Project Clarification Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7192. Section 101(3) of the Southwest Waterfront Bond Financing Act of 2008, effective October 22, 2008 (D.C. Law 17-252, D.C. Official Code § 2-1217.131(3)), is amended to read as follows:

"(3) "Available Sales Tax Revenues" means the revenues in excess of $208,549generated in the Southwest Waterfront PILOT/TIF Area in any fiscal year of the District commencing on the Commencement Date resulting from the imposition of the sales tax under Chapter 20 of Title 47, including penalty and interest charges, exclusive of the portion required to be deposited in the Washington Convention Center Fund established pursuant to the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.08). The term "Available Sales Tax Revenues" includes sales tax revenues from any business existing in the Southwest Waterfront PILOT/TIF Area on October 22, 2008, only after the business has re-opened as a result of the development of any portion of the project.".

SUBTITLE U. NON-DEPARTMENTAL FUND ADMINISTRATION

Sec, 7201. Short title.

This subtitle may be cited as the "Non-Departmental Fund Administration Second Congressional Review Emergency Act of 2014".

Sec. 7202. In Fiscal Year 2015, of the funds allocated to the Non-Departmental agency, an amount up to $1 million shall be transferred to the University of the District of Columbia ("UDC") if, by January 1, 2015, UDC raises the amount of $1 million from private donations for the purpose of meeting accreditation standards. The amount transferred under this section shall be matched dollar-for-dollar from the amount raised up to $1 million.

Sec. 7203. In Fiscal Year 2015, and beginning no later than the effective date of the Transportation Reorganization Act of 2014, as introduced on April 8, 2014 (Bill 20-759) ("Act"), the City Administrator shall convene and lead a multi-agency working group to plan for and implement the agency restructuring required by the Act. The City Administrator may use up to $500,000 from the Non-Departmental agency for this process.

SUBTITLE V. UNITED HOUSE OF PRAYER FOR ALL PEOPLE EQUITABLE REAL PROPERTY TAX RELIEF

Sec. 7211. Short title.

This subtitle may be cited as the "United House of Prayer for All People Equitable Real Property Tax Relief Second Congressional Review Emergency Act of 2014".

Sec. 7212. United House of Prayer for All People equitable real property tax relief.

The Council orders that:

(1) Real property taxes, interest, penalties, fees, or other related charges assessed against the real property formerly designated as Lots 88 and 982, Square 5861, and paid by the United House of Prayer for All People, for tax years 2001 through 2013, shall be forgiven and refunded; and

(2) Real property taxes, interest, penalties, fees, or other related charges assessed against the real property formerly designated as Lot 988, Square 5861, for the first 2 months of tax year 2014, shall be forgiven and any payments by the United House of Prayer for All People shall be refunded.

SUBTITLE W. MERIDIAN INTERNATIONAL CENTER REAL PROPERTY TAX EXEMPTION ACT

Sec. 7221. Short title.

This subtitle may be cited as the "Meridian International Center Real Property Tax Exemption Second Congressional Review Emergency Act of 2014".

Sec. 7222. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1092. Meridian International Center.".

(b) A new section 47-1092 is added to read as follows:

"§ 47-1092. Meridian International Center.

"(a)(1) Beginning on the effective date of this section, the real property designated as Lots 806, 808, and 809 in Square 2568, known as the Meridian House and the White-Meyer House, and Lots 2369 through 2401, 2413 through 2417, 2423, 2441, and 2442 in Square 2567, together with any improvements and furnishings ("Property") shall be exempt from all taxation; provided, that the Property is:

"(A) Owned by the Meridian International Center, a District of Columbia nonprofit corporation;

"(B) Used for the purposes and activities of the Meridian International Center; and

"(C) Not used for any commercial purposes, except as provided in subsection (b) of this section.

"(2) Use of the premises by agencies of the United States of America or by any organization exempt from federal income taxation shall not affect the exemption from taxation provided for in this section.

"(b) Section 47-1005 shall apply with respect to the Property; provided, that a portion of the Property may be rented out to another person or entity as long as the rent or other income generated shall be used for the maintenance and preservation of the Property.

"(c) Meridian International Center shall comply with the reporting requirement of § 47-1007 and have the appeal rights provided by § 47-1009.".

Sec. 7223. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the Property for the period beginning with tax year 2006 through the effective date of this subtitle be forgiven and that any payments made be refunded.

SUBTITLE X. SCOTTISH RITE TEMPLE REAL PROPERTY TAX ACT

Sec. 7231. Short title.

This subtitle may be cited as the "Scottish Rite Temple Real Property Tax Second Congressional Review Emergency Act of 2014".

Sec. 7232. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1094. Supreme Council of Scottish Rite Free Masonry of the Southern Jurisdiction of the United States; Lot 108, Square 192.".

(b) A new section 47-1094 is added to read as follows:

"§ 47-1094. Supreme Council of Scottish Rite Free Masonry of the Southern Jurisdiction of the United States; Lot 108, Square 192.

"The real property described as Lot 108 in Square 192 shall be exempt from real property taxation so long as the real property is owned by The Supreme Council (Mother Council of the World) of the Inspectors General Knights Commanders of the House of the Temple of Solomon of the Thirty-Third Degree of the Ancient and Accepted Scottish Rite of Free Masonry of the Southern Jurisdiction of the United States of America ("Supreme Council") or its subsidiaries, including the House of the Temple Historic Preservation Foundation, Inc., and is used by the Supreme Council or its subsidiaries to carry on their purposes and activities, and is not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009 as if the exemption had been granted administratively under this chapter.".

SUBTITLE Y. AMERICAN ACADEMY OF ACHIEVEMENT REAL PROPERTY TAX EXEMPTION ACT

Sec. 7241. Short title.

This subtitle may be cited as the "American Academy of Achievement Real Property Tax Exemption Second Congressional Review Emergency Act of 2014".

Sec. 7242. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1093. American Academy of Achievement.".

(b) A new section 47-1093 is added to read as follows:

"§ 47-1093. American Academy of Achievement.

"(a)(1) Beginning on the effective date of this section, the real property designated as Lot 0829 in Square 0182, known as the American Academy of Achievement building, together with any improvements and furnishings ("Property") shall be exempt from all taxation; provided, that the Property is:

"(A) Owned by the American Academy of Achievement, a nonprofit corporation;

"(B) Used for the purposes and activities of the American Academy of Achievement; and

"(C) Not used for any commercial purposes, except as provided in subsection (b) of this section.

"(2) Use of the premises by agencies of the United States of America or by any organization exempt from federal income taxation shall not affect the exemption from taxation provided for in this section.

"(b) Section 47-1005 shall apply with respect to the Property; provided, that a portion of the Property may be rented out to another person or entity as long as the rent or other income generated shall be used for the maintenance and preservation of the Property.

"(c) The American Academy of Achievement shall comply with the reporting requirement of § 47-1007 and have the appeal rights provided by § 47-1009.".

Sec. 7243. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the Property for the period beginning with tax year 2006 through the effective date of this subtitle be forgiven and that any payments made be refunded.

SUBTITLE Z. AFFORDABLE HOUSING REAL PROPERTY TAX RELIEF

Sec. 7251. Short title.

This subtitle may be cited as the "Affordable Housing Real Property Tax Relief Second Congressional Review Emergency Act of 2014".

Sec. 7252. Section 47-1002(20)(A)(ii) of the District of Columbia Official Code is amended by striking the phrase "and for which an exemption was granted;" and inserting a semicolon in its place.

Sec. 7253. Applicability.

This subtitle shall apply with respect to renewal contracts entered into before, on, or after the effective date of the Fiscal Year 2015 Budget Support Emergency Act of 2014, effective July 14, 2014 (D.C. Act 20-377; 61 DCR 7598).

SUBTITLE AA. TANF CONTINGENCY APPROPRIATION

Sec. 7261. Short title.

This subtitle may be cited as the "TANF Contingency Appropriation Second Congressional Review Emergency Amendment Act of 2014".

Sec. 7262. Pursuant to the Fiscal Year 2015 Budget Request Act of 2014, passed on final reading on May 28, 2014 (Enrolled version of Bill 20-749), $5,771,880.64 of local revenues certified in the June 2014 revenue estimate that exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2015 shall be allocated to the Department of Human Services to expand POWER eligibility, for Fiscal Year 2015, to include families who have been on TANF longer than 60 months, are enrolled with a TANF Employment Program vendor, and are not the subject of a sanction as of October 1, 2014, pursuant to section 7263.

Sec. 7263. (a) Section 572a(a)(6) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.72a(A)(6)), is amended to read as follows:

"(6) Is the head of an assistance unit who is meeting the full requirements of his or her Individual Responsibility Plan and can show that he or she is enrolled in an accredited postsecondary education program or a Department of Employment Services approved job training program in which he or she is working towards the attainment of a degree, certificate, or official credential, or for fiscal year 2015, has been on TANF over 60 months, is enrolled with a TANF Employment Program vendor, and is not the subject of a sanction as of October 1, 2014.".

(b) Subsection (a) of this section shall apply upon an allocation of $5,771,880.64 made pursuant to section 7262.

TITLE VIII. CAPITAL BUDGET

SUBTITLE A. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY

Sec. 8001. Short title.

This subtitle may be cited as the "Department of Transportation Capital Budget Allocation Authority Second Congressional Review Emergency Amendment Act of 2014".

Sec. 8002. Section 3(e) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)), is amended by adding a new paragraph (3) to read as follows:

"(3) The Director may submit requests to OBP to re-allocate funds from any Related Project to the applicable capital project created in Fiscal Year 2012 or later funded from the District of Columbia Highway Trust Fund. The Director, following re-allocation of funds by OBP from a Related Project to its applicable capital project, shall have the authority to submit requests to OBP to allocate these funds to another Related Project.".

SUBTITLE B. DDOT CAPITAL PROJECT REVIEW AND RECONCILIATION

Sec. 8011. Short title.

This subtitle may be cited as the "Department of Transportation Capital Project Review and Reconciliation Second Congressional Review Emergency Amendment Act of 2014".

Sec. 8012. Section 11j(a) of Title IV of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.53(a)), is amended to read as follows:

"(a) Funds resulting from the closure of a capital project pursuant to section 11i(a) shall be allocated to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund, established by section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), up to an annual level of $1.5 million and then equally among the Local Streets Ward-based capital projects; provided, that funds specific to non-participating costs shall be allocated to the non-participating Highway Trust Fund Support project.".

SUBTITLE C. FISCAL YEAR 2015 CAPITAL PROJECT FINANCING REALLOCATION APPROVAL

Sec. 8021. Short title.

This subtitle may be cited as the "Fiscal Year 2015 Capital Project Reallocation Approval Second Congressional Review Emergency Act of 2014".

Sec. 8022. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate $84,463,423 in general obligation bond proceeds from District capital projects listed in Table A to the District capital projects, in the amounts specified, listed in Table B.

(b) The current allocations were made pursuant to the Fiscal Year 2009 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2009, effective March 3, 2009 (Res. 18-0034; 56 DCR 2082), the Fiscal Year 2010 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of 2009, effective December 4, 2009 (D.C. Act 18-240; 56 DCMR 9265), the Fiscal Year 2011 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of 2010, effective November 17, 2010 (D.C. Act 18-607; 57 DCR 11054), and the Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011, effective December 6, 2011 (Res. 19-0315; 58 DCR 10556).

TABLE A.

Owner Agency Title	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Department of General Services	EA7	DGS	Neighborhood Revitalization	2009E	9,629
Office of the Attorney General	EN2	OAG	Child Support Enforcement System - CSED	2009D	20,885
Metropolitan Police Department	FRI	MPD	Base Building Renovation	2009D	4,848,843
Metropolitan Police Department	ITI	MPD	Information Technology Initiative - MPD	2010A	11,039
Department of General Services	AA9	DGS	Procurement of 225 Virginia Avenue	2011A - IT	13,792
DC Public Library	CWM	DCPL	African American Civil War Memorial	2011A - IT	1,118,561
Deputy Mayor for Economic Development	AWT	DMPED	Walter Reed Redevelopment	2011A - IT	402,214
Fire and Emergency Medical Services	LC7	FEMS	Engine Company 25 Renovation	2009D	4,066
Fire and Emergency Medical Services	LC7	FEMS	Engine Company 25 Renovation	2010A	787
Fire and Emergency Medical Services	LE3	FEMS	Engine Company 5 Renovation	2010A	6,321
Fire and Emergency Medical Services	LE3	FEMS	Engine Company 5 Renovation	2011A - IT	7,337
District of Columbia Public Schools	GM0	DGS	Woodrow Wilson Natatorium/Pool	2009E	4,039,764
University of the District of Columbia	ET9	UDC	Higher Education Back Office - Banner	2011A - IT	302,363
Department of Parks and Recreation	QK1	DPR	Renovation Of The S & T St NW Park	2010A	425,476
Department of Parks and Recreation	QS6	DPR	Renovation Of The S & T St NW	2009D	73,312

			Park		
Department of Human Services	SH1	DGS	Oak Hill Youth Facility	2010A	501
District Department of Transportation	GFL	DDOT	SE Salt Dome	2010A	21,288
District Department of Transportation	BRI	DDOT	Pedestrian Bridge	2010A	4,987,554
Office of the Chief Technology Officer	N16	OCTO	District Reporting System	2010A	472,381
Office of the Chief Technology Officer	N16	OCTO	District Reporting System	2011A - IT	3,351
DC Public Library	NL6	DCPL	Reconstruction/Renovation Neighborhood Libraries	2012 FG	3,955,680
Fire and Emergency Medical Services	LC4	FEMS	Engine Company 22 Replacement	2012 FG	1,525,115
Fire and Emergency Medical Services	LE5	FEMS	Engine Company 27 Renovation	2012 FG	1,956,335
Fire and Emergency Medical Services	LE7	FEMS	Engine Company 27 Renovation	2012 FG	1,000,000
District of Columbia Public Schools	PR3	DGS	Ron Brown ES Modernization	2012 FG	4,050,000
Department of Parks and Recreation	QJ8	DPR	Friendship Park	2012 FG	1,629,830
Mass Transit Subsidies	SA4	WMATA	Metrorail Construction	2012 FG	53,577,000
TOTAL					**$84,463,423**

TABLE B.

Agency	**Project Number**	**Implementing Agency**	**Project Title**	**Bond Issuance Series**	**Amount**
Mass Transit Subsidies	TOP	WMATA	Transit Operations & Dedicated Facilities	N/A	25,787,055
District of Columbia Public	MH1	DGS	Dunbar SHS Modernization	N/A	29,453,153

Schools					
District of Columbia Public Schools	NX3	DGS	Cardozo HS Modernization	N/A	29,223,215
TOTAL					**$84,463,423**

SUBTITLE D. H STREET STREETCAR PRIORITY

Sec. 8031. Short title.

This subtitle may be cited as the “H Street Streetcar Priority Second Congressional Review Emergency Act of 2014”.

Sec. 8032. (a) The Mayor shall include the full replacement of the H Street Bridge in the region’s Transportation Improvement Program for completion before Fiscal Year 2018.

(b) The Mayor and the District Department of Transportation (“DDOT”) shall prioritize the full replacement of the H Street Bridge under DDOT capital project SA306C, H Street/Benning/K Street Line. The full replacement of the bridge shall be completed before Fiscal Year 2018.

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS

SUBTITLE A. LOCAL AND O-TYPE FUND AMENDMENTS

Sec. 9001. Short title.

This title may be cited as the "Local and Special Purpose Revenue Fund Second Congressional Review Emergency Amendment Act of 2014".

Sec. 9002. RFK & DC Armory Maintenance Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 1440 within the Department of General Services shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9003. Facilities Service Request Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 1500 within the Department of General Services shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9004. Distribution Fees.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 1243 within the Office of the Secretary shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9005. Copy Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0651 within the Public Service Commission shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9006. DCPS PEPCO.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0604 within the District of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9007. DCPS Security.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0609 within the District of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9008. DCPS Custodial.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0607 within the District of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9009. DPR Enterprise Fund.

Notwithstanding any other law, the fund which is designated for accounting purposes by the Office of the Chief Financial Officer as fund 0602 within the Department of Parks and Recreation shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9010. Pedestrian and Bicycle Safety and Enhancement Fund.

Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "nonlapsing" and inserting the phrase "lapsing" in its place.

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

"(c)(1) All funds deposited into the Fund but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 9011. DMV Out-of State Vehicle Registration Fee.

Section 3a(a) of the District of Columbia Revenue Act of 1937, effective March 28, 2008 (D.C. Law 17-130; D.C. Official Code § 50-1501.03a(a)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "nonlapsing" and inserting the phrase "lapsing" in its place.

(b) Paragraph (3) is amended to read as follows:

"(3) All funds deposited into the Fund but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 9012. OCTO SERVUS Program.

Section 1004(d) of the Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-1433(d)), is amended to read as follows:

"(d) All funds deposited into the Fund but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 9013. Healthcare Forfeiture.

Notwithstanding any other law, the fund which is designated for accounting purposes by the Office of the Chief Financial Officer as the Healthcare Forfeiture fund shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9014. Child SPT – Title IV Incentive Fees.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Child SPT – Title IVC Incentive Fees fund within the Office of the Attorney General shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9015 Adult Training Fund.

Section 2261 of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 32-1671), is repealed.

Sec. 9016. Youth Jobs Fund.

Section 1009 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 2-1516.01), is repealed.

Sec. 9017. Neighborhood Investment Fund.

(a) The Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071 *et seq*.), is repealed

(b) Section 2375(d)(2) of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 2-218.75(d)(2)), is amended as follows:

(1) Subparagraph (A) is amended by adding the word "or" at the end.

(2) Subparagraph (B) is repealed.

(c) Section 2(16)(C)(i) of the Certified Capital Companies Act of 2003, effective March 10, 2004 (D.C. Law 15-87; D.C. Official Code § 31-5231(16)(C)(i)), is repealed.

(d) Section 2172 of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 38-1011.02), is repealed.

Sec. 9018. Senior Citizens Housing Modernization Grant Fund.

The Senior Housing Modernization Grant Fund Act of 2010, effective August 12, 2010 (D.C. Law 18-218; D.C. Official Code § 1-325.161 *et seq*.), is repealed

Sec. 9019. Shaw Community Development Fund.

Section 204(l) of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.04(l)), is repealed.

Sec. 9020. AWC Integration.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0626 within the Deputy Mayor for Planning and Economic Development shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9021. Commercial Revitalization Assistance Fund.

(a) Section 2376 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 2-218.76), is repealed.

(b) Section 20(b) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20(b)), is repealed.

Sec. 9022. TDL Career Cluster.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the TDL Career Cluster fund within the District of Columbia Public Schools shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9023. Pre-k for All.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Pre-k for All fund within the Office of the State Superintendent of Education shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9024. Air Quality Construction Permits.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Air Quality Construction Permits fund within the Department of Health shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9025. DDOT Operating (Unified) Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 6900 within the District Department of Transportation shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9026. Parking Meter Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 6906 within the District Department of Transportation shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9027. Prison Diversion.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Prison Diversion fund within the Department of Behavioral Health shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9028. Integrated Service Fund.

The Integrated Funding and Services for At-Risk Children, Youth, and Families Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 4-1345.01 *et seq.*), is repealed.

SUBTITLE B. LOCAL AND O-TYPE FUND TRANSFERS

Sec. 9031. Short title.

This subtitle may be cited as the "Local and Special Purpose Revenue Fund Transfer Second Congressional Review Emergency Act of 2014".

Sec. 9032. Before the end of Fiscal Year 2014, the Chief Financial Officer shall transfer the following amounts from the accounts listed below to the Contingency Cash Reserve Fund, established by section 450A(b) of the District of Columbia Home Rule Act, approved November 22, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a(b)):

Agency Code	Agency	Fund Name	Amount
AM0	DGS	Fixed Cost Commodity Reserve	$22,288,649
CF0	DOES	Adult Training Fund	$10,156,624
CF0	DOES	Youth Jobs Fund	$6,431,374
EB0	DMPED	Neighborhood Investment Fund	$60,226
EB0	DMPED	Senior Housing Modernization grant Fund Act of 2010	$100,000
EB0	DMPED	AWC Integration	-$6,146
EN0	DSLBD	Commercial Revitalization Assistance Fund	$1,245,199
HT0	DHCF	Hospital Assessment Tax	$715,707

KA0	DDOT	DDOT Operating (Unified) Fund	$65,084
KA0	DDOT	Parking Meter Fund	$534,282
RM0	DBH	Prison Diversion	$128,000
XXX	OCFO	Integrated Service Fund	$4,576,805
GD0	OSSE	Healthy Schools Act	$4,349,170
XXX	OCFO	Healthcare Forfeiture	$1,176,069
TOTAL			$51,821,042

Sec. 9033. Notwithstanding any other provision of law, for Fiscal Year 2015, the Chief Financial Officer shall transfer to the unrestricted fund balance of the General Fund of the District of Columbia and recognize as local funds revenue $3 million of fund balance from the Recorder of Deeds Automation and Infrastructure Improvement Fund.

TITLE X. REPORTING REQUIREMENTS

Sec. 10001. Short title.

This title may be cited as the "Council Reporting Requirements Second Congressional Review Emergency Act of 2014".

Sec. 10002. For purposes of this title, unless otherwise provided, reports made to the Council shall be made to the Secretary to the Council.

PUBLIC EDUCATION

Sec. 10003. State Board of Education reporting requirements.

By October 1, 2014, the State Board of Education shall submit to the Council:

(1) An implementation plan for the establishment of the Office of the Student Advocate, which is to be fully operational by January 1, 2015;

(2) A report on the accomplishments of the Office of the Ombudsman for Public Education during Fiscal Year 2014 and a strategic plan for the Office for Fiscal Year 2015; and

(3) A report on the status of development and approval of high school graduation requirements for District of Columbia students, including the proposed standard diploma, diploma of distinction, a career credential aligned with CTE standards, and an achievement diploma for students with severe cognitive disabilities.

Sec. 10004. Office of the State Superintendent of Education reporting requirements.

By October 1, 2014, the Office of the State Superintendent of Education ("OSSE") shall submit to the Council:

(1) A report on the status of the opening the Youth Re-Engagement Center ("Center"). The report shall include, at a minimum:

(A) A summary of activities undertaken during Fiscal Year 2014 in support of the Center;

(B) A description of Center programs and activities underway or planned for Fiscal Year 2015 that will support re-engagement of youth; and

(C) The name of the staff members working at the Center and their qualifications;

(2) A report on OSSE's efforts to improve access to college entrance exams for District of Columbia students. The report shall include, at a minimum:

(A) The number of District public school students who took the Scholastic Aptitude Test ("SAT") and the ACT test during school year ("SY") 2013-2014, by school and local education agency ("LEA"), and whether or not those students took advantage of free or reduced-price vouchers;

(B) The average and median score for District public school students on the SAT and ACT in SY2013-2014 by LEA;

(C) The type of preparation courses offered to students free of charge for both the SAT and ACT and the number of students who participated during SY2013-2014; and

(D) Information regarding planned efforts for Fiscal Year 2015, including the projected number of students who will participate in test preparation courses and who will utilize free or reduced vouchers for college entrance exams, and the projected cost;.

(3) A report on the development of an information management system to ensure that the District is able to provide necessary services to homeless students;

(4) A report on the identification of at-risk students for the purposes of developing the Fiscal Year 2016 budget, including the methodology that will be used to project the number of at-risk students at each LEA and school and an update on OSSE's at-risk early warning system, including a timetable for its implementation;

(5) A plan to increase Medicaid reimbursement for services rendered to students with individualized education Programs ("IEP"), including:

(A) A list of all services provided to students with IEPs that the District does not currently include under its Medicaid state plan as an eligible service;

(B) For each of the services identified in subparagraph (A) of this paragraph, the actual Fiscal Year 2014 local expenditures, projected Fiscal Year 2015 local expenditures, and estimated local savings available to the District if the services were included in the Medicaid state plan; and

(C) Recommended amendments to the District Medicaid state plan and other policy options to expand federal reimbursement for services provided to students with IEPs;

(6) A report on the status of centralizing non-resident student investigations within OSSE, including the status of transferring nonresident tuition funds from DCPS to OSSE, as part of the implementation of sections 15a, 15b, and 15c of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.01 *et seq.*); and

(7) The status of the development of a memorandum of understanding with the Department of Employment Services to provide adult workforce training.

Sec. 10005. District of Columbia Public Schools reporting requirements.

By October 1, 2014, the District of Columbia Public Schools ("DCPS") shall submit to the Council:

(1) A report on efforts to work with youth educators, including the Young Women's Project, to supplement health-education services, along with a delineation of Fiscal Year 2015 funding dedicated to supporting youth educators;

(2) A report on implementation of a restorative justice pilot program, including a list of participating schools and a Fiscal Year 2015 spending plan;

(3) A report on DCPS' summer school program, including:

(A) The number of students served in Fiscal Year 2014 and total program expenditures;

(B) Projected number of students to be served in Fiscal Year 2015, and the total program budget;

(4) A report on efforts undertaken in Fiscal Year 2014 and planned for Fiscal Year 2015 to ensure full implementation of the Focused Student Achievement Act of 2013, effective February 22, 2014 (D.C. Law 20-84; 61 DCR 178);

(5) All student promotion and attendance data by school and grade for school year 2013-2014;

(6) A report on the current inventory of DCPS library collections and resources available at each DCPS school, and efforts planned for Fiscal Year 2015 to expand access to library materials and resources, including efforts to:

(A) Provide at least 20 library items per student in each DCPS school;

(B) Balance the collections at DCPS Libraries between content areas; and

(C) Ensure that the average age of materials in each DCPS Library is less than 10 years old;

(7) A report on fixed costs, including:

(A) A comparison of projected and actual Fiscal Year 2014 fixed-costs expenditures by DCPS facility;

(B) Projected Fiscal Year 2015 fixed-costs expenditures by DCPS facility and actual fixed-costs expenditures incurred during school year 2014-2015;

(C) Implementation of the Sustainable DC Initiative; and

(D) Efforts to coordinate with the Department of General Services on a regular basis to review fixed costs projections and actual expenditures;

(8) A plan to ensure full implementation of the Fair Funding and Student-Based Budgeting Act of 2013, effective February 22, 2014 (D.C. Law 20-87; 61 DCR 3742) ("Fair Funding Act"), for the Fiscal Year 2016 budget;

(9) A report on the effort undertaken and planned for Fiscal Year 2015 related to the re-opening of Van Ness elementary school and the opening of an application middle school east of the Anacostia River;

(10) A report on implementation of the budget recommendations included in the Committee on Education budget report for Fiscal Year 2015, including detailed information by school of the services or programs each of the allocations supported:

(A) The $2,563,500 to be used to supplement those schools most impacted by the budgetary discrepancy between DCPS' allocation of at-risk funds and the requirements set forth in the Fair Funding Act; and

(B) The $236,500 to augment the at-risk allocation at Anacostia High School, which has the highest percentage of special education students among those schools that did not receive their estimated at-risk allotment pursuant to the Fair Funding Act.

Sec. 10006. Public Charter School Board reporting requirements.

By October 1, 2014, the Public Charter School Board ("PCSB") shall submit to the Council:

(1) Recommendations on how the PCSB will incorporate students' educational and programmatic needs as part of its application review for new and expanding public charter schools in school year 2014-2015. The recommendations may include how the agency and potential applicants are collaborating with the Deputy Mayor for Education, other appropriate agencies, and incorporating school enrollment, demand, and need as part of the application process; and

(2) A report on the current inventory of library collections and resources available at District public charter schools.

Sec. 10007. Deputy Mayor for Education reporting requirements.

By October 1, 2014, the Deputy Mayor for Education shall submit to the Council:

(1) A report on its continued implementation of the South Capitol Street Memorial Amendment Act of 2012, effective June 7, 2012 (D.C. Law 19-141; D.C. Official Code § 2-1517.01 *et seq*.), including a Fiscal Year 2015 spending plan;

(2) Recommendations on expanding transportation subsidies to students between the ages of 21-24 years old enrolled in DCPS or a public charter school;

(3) An update on the activities and Fiscal Year 2015 goals of the State Early Childhood Development Coordinating Council; and

(4) A report on implementation of the Graduation Pathways Project and how it will identify students who are off-track, assess current programs, and create or expand programs in both sectors that have demonstrated success at reducing truancy and keeping students on track to graduate on time.

HEALTH AND HUMAN SERVICES

Sec. 10008. Feasibility and assessment study.

(a) The Department of Human Services shall commission a feasibility and assessment study to determine the housing and space needs for the residents and service providers within the building located at 425 2nd Street, N.W.

(b) The study shall be conducted by a policy, planning, or design firm.

(c) In keeping with the recommendations of the CCNV Task Force, the study shall:

(1) Consider and address the existence of a need for new facilities to replace the existing building;

(2) Identify the service and support needs of current residents;

(3) Develop and design shelter for the newly homeless and housing options for current residents based on identified service needs of the population;

(4) Identify opportunities for funding for shelter for the newly homeless and housing options for current residents;

(5) Propose a timeline for development and provision of shelter for the newly homeless and housing options for current residents;

(6) Provide specific recommendations regarding shelter for the newly homeless and housing options for current residents; and

(7) Estimate capital and operational costs of completing the recommendations.

(d) The study shall be completed no later than 180 days from the date that the contract is awarded.

Sec. 10009. Department of Health reporting requirements.

By October 1, 2014, the Department of Health ("DOH") shall submit to the Council:

(1) A quarterly report on all grants administered by the DOH, which shall include, at a minimum, the:

(A) Grant title and number;
(B) Source of the funding;
(C) Approved budget authority;
(D) Expenditures, including encumbrances and pre-encumbrances;
(E) Purpose of the grant;
(F) Name of grantees and subgrantees for each grant;
(G) Date of grant funding expiration; and
(H) DOH employees responsible for overseeing the grant;

(2) An annual report on all federal grants for health services that DOH is aware of being in jeopardy of being cut at the conclusion of that fiscal year, when that funding has supported 3 or more community organizations that have history of providing services in the District;

(3) A biannual report on how existing District teenage pregnancy prevention programs are evaluated. The report should include information regarding the following:

(A) The rate of teen pregnancy in the wards that the program services;

(B) The number of girls served;

(C) The number of girls that have successfully completed the program; and

(D) Any other information DOH deems critical to critiquing the success of the program; and

(4) A bi-monthly report regarding the efficiency of the medical marijuana program in the District, the number of medical marijuana applications received from patients and doctors, the time it took to process each application, the names of the individuals in charge of processing the application, the average overall wait time for processing doctor and patient applications, and any other information critical to analyzing the program's efficiency.

Sec. 10010. Department of Health Care Finance reporting requirements.

(a) By October 1, 2014, the Department of Health Care Finance ("DHCF") shall submit to the Council a report on:

(1) DHCF’s reevaluation of the Alliance recertification process and recommendation for whether recertification rules need to be modified; and

(2) Description and timeline for implementation of DHCFs coordination of care plan.

(b) Starting on October 1, 2014 and ending on September 31, 2015, DHCF shall submit to the Council a quarterly report on:

(1) The progress of Early and Periodic Screening, Diagnostic, and Treatment ("EPSDT") coding changes and provider compliance with EPSDT screens and reporting;

(2) The eligibility and enrollment in the Elderly and Persons with Disabilities ("EPD") waiver including the:

(A) Number of people currently enrolled in the EPD waiver;

(B) Number of people currently on the waitlist;

(C) Number of people who lost the benefit because they did not timely recertify;

(D) Community engagement activities that are planned for that quarter; and

(E) Status of implementation of EPD waiver state plan amendments;

(3) Emergency and acute care utilization in the managed care and fee-for-service populations;

(4) Assessing the performance of the long term care contractor, including data on its reduction of fraud and abuse of the Personal Care Aid ("PCA") benefit;

(5) Reflecting PCA benefit utilization and enrollment; and

(6) The performance of each Managed Care Organization ("MCO"), which shall include, at a minimum, the following information:

(A) A listing of the provider network for each MCO identifying each provider by name;

(B) The number of newly eligible beneficiaries auto-assigned to each MCO that quarter, along with the total number of members enrolled in each MCO;

(C) An assessment of each MCO's compliance with each contractual network adequacy requirement and performance objective, including a description of any threatened or assessed corrective action plans or penalties; and

(D) EPSDT data for each MCO, including the following:

(i) Number of EPSDT providers in each MCO network;

(ii) Number of screens and percentage of children screened per quarter;

(iii) Number of mental health screens and percentage of children receiving mental health screens per quarter; and

(iv) Plans to address unsatisfactory screening rates in the next quarter.

Sec. 10011. Not-For-Profit Hospital Corporation reporting requirements.

By October 1, 2014, the Not-For-Profit Hospital Corporation ("NFPHC") shall submit to the Council a bi-monthly report on the progress made by Huron Healthcare at the NFPHC, including the:

(1) Milestones completed;

(2) Scheduled work and the expected completion date of such work;

(3) Unexpected issues that have arose and plans to address those issues;

(4) Issues that were scheduled to be completed before the due date of the next report, but were not, and the plan to complete them; and

(5) Answers to any documented questions sent over by the Council to the NFPHC.

Sec. 10012. Health Benefit Exchange Authority reporting requirements.

(a) By October 1, 2014, the Health Benefit Exchange Authority ("Authority") shall submit to the Council a report on the effectiveness of the In-Person Assistor program, including:

(1) The number of individuals enrolled by each grantee organization; and

(2) Recommendations for continuing the program, including potential costs and sources of funding, in Fiscal Year 2015.

(b) By December 31, 2014, the Authority shall submit to the Council a report on the reduction of the uninsured population in the District through enrollment in plans offered through the Authority, including:

(1) The estimated number of uninsured individuals in the District as of October 1, 2014;

(2) The number of uninsured individuals who purchased plans between October 1, 2013 and April 30, 2014;

(3) A comprehensive plan to conduct outreach and enroll the uninsured population in the District in Fiscal Year 2015 and Fiscal Year 2016; and

(4) A comprehensive plan to monitor fluctuations in uninsured populations in the District in Fiscal Year 2015 and Fiscal Year 2016.

TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

Sec. 10013. Department of Parks and Recreation reporting requirements.

By October 1, 2014, the Department of Parks and Recreation ("DPR") shall submit to the Council a detailed report on:

(1) The agency's workforce strategic plan to address the number of critical vacancies within DPR, including a timeline for implementation, recruitment actions, benchmark goals, and strategies for retention;

(2) The development of a comprehensive complaint in-take database system, which shall include, at a minimum:

(A) A detailed description of the compliant in-take database system;

(B) A timeline for development and the estimated launch date;

(C) A recommendation for a data governance policy; and

(D) A detailed explanation on how the complaint in-take database system will interact with existing systems; and

(3) The development of a comprehensive system for performance metrics that tracks quantitative performance measures, including, at a minimum a timeline for development and the estimated launch date.

FINANCE AND REVENUE

Sec. 10014. Office of the Chief Financial Officer reporting requirements.

By October 1, 2014, the Office of the Chief Financial Officer ("OFCO") shall submit to the Council a report on recommendations for improving transparency of the OCFO agency budget, including a plan for implementing improvements by the submission of the Fiscal Year 2016 budget to the Council.

TITLE XI. APPLICABILITY, FISCAL IMPACT STATEMENT, AND EFFECTIVE DATE

Sec. 11001. Applicability.

Retroactive Applicability Date

This act shall apply as of December 30, 2014.

Sec. 11002. Fiscal impact statement.

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

Sec. 11003. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 20-1002

Emergency Declaration Res. 20-764 21 DCStat 951

Not Codified

To approve, on an emergency basis, Purchase Orders PO461297, PO461297-V2, PO485974, PO485974-V2, and PO485974-V3 issued pursuant to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS between the Department of Behavioral Health and Clean and Sober Streets, Inc., and to authorize payment for the services received under the purchase orders.

Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS Approval and Payment Authorization Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS Approval and Payment Authorization Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02) and section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.46), the Council approves Purchase Orders PO461297, PO461297-V2, PO485974, PO485974-V2, and PO485974-V3 issued pursuant to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS between the Department of Behavioral Health and Clean and Sober Streets, Inc., and authorizes the payment of $1,101,375.55 for Level III non-hospital residential substance abuse treatment services received under the purchase orders from May 2, 2013 through May 1, 2014.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 20-1003

Emergency Declaration Res. 20-765 21 DCStat 952

Not Codified

To approve, on an emergency basis, Purchase Orders PO461288, PO461288-V2, PO461288-V3, PO461288-V4, PO485889, PO485889-V2, PO485889-V3, and PO485889-V4 to Human Care Provider Agreement No. RM-14-HCPA-036-BY4-CPS between the Department of Behavioral Health and United Planning Organization, Inc., and to authorize payment for the services received under the purchase orders.

Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-036-BY4-CPS Approval and Payment Authorization Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-036-BY4-CPS Approval and Payment Authorization Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02) and section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.46), the Council approves Purchase Orders PO461288, PO461288-V2, PO461288-V3, PO461288-V4, PO485889, PO485889-V2, PO485889-V3, and PO485889-V4 issued pursuant to Human Care Provider Agreement No. RM-14-HCPA-036-BY4-CPS between the Department of Behavioral Health and United Planning Organization, Inc., and authorizes the payment of $2,005,914.81 for Level I narcotic/opioid outpatient substance abuse treatment services received under the purchase orders from May 2, 2013 through May 1, 2014.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-569, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1006

Emergency Declaration Res. 20-768 21 DCStat 955

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to clarify that the posting requirement in section 5a is satisfied by posting the initial vacant or blight determination.

Nuisance Abatement Notice Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nuisance Abatement Notice Emergency Amendment Act of 2014".

Note, § 42-3131.05a

Sec. 2. Section 5a of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective August 15, 2008 (D.C. Law 17-216; D.C. Official Code § 42–3131.05a), is amended by striking the phrase "Notice shall also be posted on the vacant building" and inserting the phrase "Notice of the initial vacant or blighted property determination shall also be posted on the vacant building" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-204.12(a)).

D.C. Act 20-570, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1023

Emergency Declaration Res. 20-739 21 DCStat 931

Not Codified

To approve, on an emergency basis, an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-008A with So Others Might Eat, Inc., for Local Rent Supplement Program units at the Benning Road Project, located at 4414-4430 Benning Road, N.E.

Local Rent Supplement Program Contract No. 2013-008A Approval Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Contract No. 2013-008A Approval Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the Agreement to Enter into a Long Term Subsidy Contract with So Others Might Eat, Inc., for an annual subsidy amount of $943,116.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-571, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1024

Emergency Declaration Res. 20-738 21 DCStat 929

Not Codified

To approve, on an emergency basis, an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-007A with Phyllis Wheatley Residential, LP, for Local Rent Supplement Program units at Phyllis Wheatley YWCA, located at 901 Rhode Island Avenue, N.W.

Local Rent Supplement Program Contract No. 2013-007A Approval Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Contract No. 2013-007A Approval Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the Agreement to Enter into a Long Term Subsidy Contract with Phyllis Wheatley Residential, LP, for an annual subsidy amount of $827,568.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-572, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1025

Emergency Declaration Res. 20-737 21 DCStat 927

Not Codified

To approve, on an emergency basis, an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-LRSP-005A with Open Arms Housing, Inc., for Local Rent Supplement Program units at the Owen House, located at 1256 Owen Place, N.E.

Local Rent Supplement Program Contract No. 2013-LRSP-005A Approval Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Contract No. 2013-LRSP-005A Approval Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the Agreement to Enter into a Long Term Subsidy Contract with Open Arms Housing, Inc., for an annual subsidy amount of $52,512.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-573, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1026

Emergency Declaration Res. 20-736 21 DCStat 925

Not Codified

To approve, on an emergency basis, an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-LRSP-04A with Beacon Center Housing, LLC, for Local Rent Supplement Program units at The Beacon Center, located at 6100 and 6104 Georgia Avenue, N.W.

Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the Agreement to Enter into a Long Term Subsidy Contract with Beacon Housing Center, LLC, for an annual subsidy amount of $215,352.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)) .

D.C. Act 20-574, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1027

Emergency Declaration Res. 20-740 21 DCStat 933

Codification District of Columbia Official Code 2001 Edition

Local Rent Supplement Program Contract No. 2013-009A Approval Emergency Act of 2014

To approve, on an emergency basis, an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-009A with Jubilee Housing, Inc., for Local Rent Supplement Program units at the Maycroft, located at 1474 Columbia Road, N.W.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Contract No. 2013-009A Approval Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the Agreement to Enter into a Long Term Subsidy Contract with Jubilee Housing, Inc., for an annual subsidy amount of $472,788.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-575, effective January 13, 2015 (Expiration date April 5, 2015)

AN ACT

Bill 20-1029

Emergency Declaration Res. 20-776 21 DCStat 969

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Rental Housing Act of 1985 to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, and to require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.

Rent Control Hardship Petition Limitation Congressional Review Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rent Control Hardship Petition Limitation Congressional Review Emergency Amendment Act of 2014".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3500 *et seq.*), is amended as follows:

Note, § 42-3502.06

(a) Section 206(c) (D.C. Official Code § 42-3502.06(c)) is amended to read as follows:

"(c)(1) At the housing provider's election, instead of any adjustment authorized by subsection (b) of this section, the rent charged for an accommodation may be adjusted through a hardship petition under section 212. The petition shall be clearly identified as an election instead of the general adjustments authorized by subsection (b) of this section. The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this subsection as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing

provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

Note, § 42-3502.12

(b) Section 212(c) (D.C. Official Code § 42-3502.12(c)) is amended to read as follows:

"(c)(1) At the housing provider's election, instead of any adjustment authorized by section 206(b), the rent charged for an accommodation may be adjusted through a hardship petition under this section. The petition shall be clearly identified as an election instead of the general adjustments authorized by section 206(b). The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this subsection as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

Retroactive Applicability Date

Sec. 3. Applicabiilty.

This act shall apply as of January 5, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-576, effective January 13, 2015 (Expiration date April 6, 2015)

AN ACT

Bill 20-1030

Emergency Declaration Res. 20-777 21 DCStat 971

Not Codified

To amend, on an emergency basis, due to congressional review, the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007 to clarify the boundaries of the Ward 4 Georgia Avenue Priority Area.

Georgia Avenue Great Streets Neighborhood Retail Priority Area Congressional Review Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Georgia Avenue Great Streets Neighborhood Retail Priority Area Congressional Review Emergency Amendment Act of 2014".

Sec. 2. Section 2(4) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended to read as follows:

"(4) Ward 4 Georgia Avenue Priority Area, consisting of the parcels, squares, and lots within and along the boundary of the following area: beginning at the intersection of Kenyon Street, N.W., and Sherman Avenue, N.W.; continuing north along Sherman Avenue, N.W., to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W., to Spring Road, N.W.; then continuing northwest along Spring Road, N.W., to 14th Street, N.W.; then continuing north along 14th Street, N.W., to Longfellow Street, N.W.; then continuing east along Longfellow Street, N.W., to Georgia Avenue, N.W.; then continuing north along Georgia Avenue, N.W., to Eastern Avenue, N.W.; then continuing southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E., to Blair Road, N.W.; then continuing south along Blair Road, N.W., to North Capitol Street, N.E.; then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W.; then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W.; then continuing southwest along Kansas Avenue, N.W., to Varnum Street, N.W.; then continuing east along Varnum Street, N.W., to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then continuing further south along Warder Street, N.W., to Kenyon Avenue, N.W.; and then continuing west along Kenyon Avenue, N.W., to the beginning point;"."

Retroactive Applicability Date

Sec. 3. Applicability.

This act shall apply as of January 6, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-577, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1031

Emergency Declaration Res. 20-749 21 DCStat 940

Not Codified

To amend, on an emergency basis, the Fiscal Year 2015 Budget Support Act of 2014 to extend the deadline for the University of the District of Columbia to raise $1 million in private donations for the purpose of meeting accreditation standards.

UDC Fundraising Extension Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "UDC Fundraising Extension Emergency Amendment Act of 2014".

Sec. 2. Section 7202 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended by striking the phrase "January 1" and inserting the phrase "April 10" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-578, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1033

Emergency Declaration Res. 20-735 21 DCStat 924

Codification District of Columbia Official Code 2001 Edition

Classroom Animal for Educational Purposes Clarification Second Emergency Amendment Act of 2014

Note, § 8-1808

To amend, on an emergency basis, the Animal Control Act of 1979 to clarify that an educational institution is permitted to have animals for educational and instructional purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Classroom Animal for Educational Purposes Clarification Second Emergency Amendment Act of 2014".

Sec. 2. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to read as follows:

"(6) Paragraph (1) of this subsection shall not apply to educational institutions that possess animals for educational and instructional purposes and that otherwise comply with humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law 17-281; D.C. Official Code § 8-1851.02).".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-579, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1037

Emergency Declaration Res. 20-769 21 DCStat 956

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, An Act To provide for voluntary apprenticeship in the District of Columbia and the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978 to make technical and conforming amendments to allow the District of Columbia to continue to be recognized by the U.S. Department of Labor as a State Apprenticeship Agency.

Apprenticeship Modernization Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Apprenticeship Modernization Emergency Amendment Act of 2014".

Sec. 2. An Act To provide for voluntary apprenticeship in the District of Columbia, approved May 21, 1946 (60 Stat. 204; D.C. Official Code § 32-1401 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 32-1401) is amended to read as follows:

Note, § 32-1401

"It is the purpose of this act to:

"(1) Open to District of Columbia residents the opportunity to obtain training that will equip them for profitable employment and citizenship;

"(2) Establish, as a means to this end, a program of voluntary apprenticeship under approved apprenticeship agreements providing facilities for the training and guidance of apprentices in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education;

"(3) Promote employment opportunities for young people under conditions providing adequate training and reasonable earnings;

"(4) Relate the supply of skilled workers to employment demands;

"(5) Establish standards for apprentice training;

"(6) Establish an Apprenticeship Council;

"(7) Provide for the establishment of local joint trade apprenticeship committees and non-joint committees to assist in effectuating the purposes of this act;

"(8) Provide for an associate of apprenticeship within the District of Columbia;

"(9) Provide that reports be submitted to the Council of the District of Columbia and to the public regarding the status of apprenticeship in the District of Columbia;

"(10) Establish a procedure for the determination of apprenticeship agreement controversies; and

"(11) Accomplish related purposes.".

(b) Section 2 (D.C. Official Code § 32-1402) is amended as follows: **Note, § 32-1402**

(1) Strike the phrase "Superintendent of Schools" and insert the phrase "Chancellor of District of Columbia Public Schools" in its place.

(2) Strike the phrase "appointed for a term of three years. Any member" and insert the phrase "appointed for a term of 3 years. At the end of a term, a member shall continue to serve until a successor is appointed and sworn into office. Any member" in its place.

(3) Strike the sentence "The compensation of each member not otherwise compensated by public money shall be paid not more than $ 25 per day for each day spent in attendance at meetings of the Apprenticeship Council; provided, however, that any applicable laws passed by the Council of the District of Columbia shall supersede the provisions of this section.".

(c) Section 3 (D.C. Official Code § 32-1403) is amended to read as follows: **Note, § 32-1403**

"Sec. 3. Associate Director of Apprenticeship.

"(a) The Director of the Department of Employment Services shall appoint an Associate Director of Apprenticeship whose office shall have responsibility and accountability for the apprenticeship system in the District of Columbia. The Office of Apprenticeship, Information and Training, which shall be known as the Registration Agency, shall have the authority to approve apprenticeship registration for federal purposes.

"(b) The Associate Director of Apprenticeship shall be chosen from among the employees of the Apprenticeship Training Service actually engaged in formulating and promoting standards of apprenticeship under the provisions of An Act To enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards, approved August 16, 1937 (50 Stat. 664; 29 U.S.C. §§ 50, 50a, and 50b).

"(c) The Office of Apprenticeship, Information and Training is authorized to supply the Associate Director of Apprenticeship or the Apprenticeship Council with the clerical, technical, and professional assistance considered essential to effectuate the purposes of this act.".

(d) Section 4 (D.C. Official Code § 32-1404) is amended as follows: **Note, § 32-1404**

(1) Strike the word "Director" and insert the phrase "Associate Director of Apprenticeship" in its place.

(2) Strike the phrase "Secretary of Labor" and insert the phrase "Director of the Department of Employment Services" in its place.

(3) Strike the sentence "Not less than once every two years the Apprenticeship Council shall make a report through the Mayor of its activities and findings to Congress and to the public.".

(4) Add the following sentence at the end:

"Once every year the Registration Agency shall make a report through the Mayor of its findings and activities to the Council of the District of Columbia and to the public.".

(e) Section 5 (D.C. Official Code § 32-1405) is amended to read as follows: **Note, § 32-1405**

"The Associate Director of Apprenticeship, under the supervision of the Director of the Department of Employment Services and with the advice and guidance of the Apprenticeship Council, shall:

"(1) Administer the provisions of this act in cooperation with the Apprenticeship Council, local joint apprenticeship committees, and non-joint apprenticeship committees to develop criteria and training standards for apprentices, which shall in no case be lower than those required by this act;

"(2) Act as secretary of the Apprenticeship Council;

"(3) Approve, if approval is in the best interest of the apprentice, any apprentice agreement that meets the standards established by or in accordance with this act;

"(4) Terminate or cancel any apprenticeship agreement in accordance with the provisions of the apprenticeship agreement;

"(5) Engage with the State Board of Education and area community colleges on the administration and supervision of related and supplemental instruction for apprentices to ensure coordination of the instruction with job experiences; and

"(6) Perform such other duties necessary to carry out the intent of this act.".

(f) Section 6 (D.C. Official Code § 32-1406) is amended to read as follows: **Note, § 32-1406**

"(a) Local joint apprenticeship committees and non-joint apprenticeship committees in any trade or group of trades may be submitted to the Registration Agency for approval. Such apprenticeship committees shall be composed of an equal number of employer and employee representatives appointed by the groups or organizations they represent, or the committee may consist of the employer and not less than 2 representatives from the recognized bargaining agency.

"(b) In a trade or group of trades in which there is no bona fide employee organization, the Registration Agency, with the advice and guidance of the Apprenticeship Council, may approve a joint trade apprenticeship committee and a non-joint apprenticeship committee (also referred to as a unilateral or group non-joint committee).

"(c) Subject to the approval of the Registration Agency, and in accordance with standards established by or under authority of this act, joint trade apprenticeship committees and non-joint apprenticeship committees may develop standards to govern the training of apprentices and give such aid as may be necessary to effectuate the standards.".

(g) Section 7 (D.C. Official Code § 32-1407) is amended to read as follows: **Note, § 32-1407**

"For the purposes of this act, the term "apprentice" means a worker at least 16 years of age, except when a higher minimum age standard age is otherwise fixed by law, who is employed to learn an apprenticeable occupation meeting the criteria approved by the Registration Agency and who has entered into a written apprenticeship agreement, which contains the terms and conditions of the employment and training of the apprentice, with either the apprentice's program sponsor or an apprenticeship committee acting as agent for the program sponsor.".

(h) Section 8 (D.C. Official Code § 32-1408) is amended to read as follows: **Note, § 32-1408**

"Every apprenticeship agreement entered into pursuant to this act shall contain:

"(1) The names and signatures of the contracting parties, including the apprentice's parent or guardian, if the apprentice is a minor, and the contact information of the program sponsor and the Registration Agency;

"(2) The date of birth of the apprentice and social security number, given on a voluntary basis;

"(3) A statement of the craft or occupation that the apprentice is to be taught and the time period at which the apprenticeship will begin and end;

"(4) A statement showing:

"(A) The number of hours to be spent by the apprentice in on-the-job learning in a time-based program;

"(B) A description of the skill sets to be attained by completion of a competency-based program, including the on-the-job learning component; or

"(C) The minimum number of hours to be spent by the apprentice and a description of the skill sets to be attained by completion of a hybrid program; and

"(D) Provisions for related and supplemental instruction;

"(5) A statement setting forth a schedule of the processes in the occupation or industry division in which the apprentice is to be trained and the approximate time to be spent in each process;

"(6) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated;

"(7) A statement providing for a period of probation without adverse impact on the sponsor during which time the apprenticeship agreement shall be terminated by the Associate Director of Apprenticeship at the request, in writing, of the apprentice or suspended or cancelled by the sponsor for good cause with due notice to the apprentice and a reasonable opportunity for corrective action with due notice to the Associate Director of Apprenticeship, and providing that after a probationary period, the apprenticeship may be cancelled by the Associate Director of Apprenticeship by mutual agreement of all parties or canceled by the Associate Director of Apprenticeship for good and sufficient reasons;

"(8) Contact information (name, address, phone, and e-mail, if appropriate) of the person in the Registration Agency designated under the program to receive, process, and make disposition of a controversy or difference arising out of the apprenticeship agreement when the controversy or difference cannot be adjusted locally or resolved in accordance with the established procedure or applicable collective bargaining provisions.

"(9) A provision that a sponsor who is unable to fulfill the obligations under the apprenticeship agreement may, with the approval of the Associate Director of Apprenticeship or under the direction of the joint trade apprenticeship committee or non-joint apprenticeship committee or individual sponsor, transfer the apprenticeship agreement to another sponsor; provided, that:

"(A) The apprentice consents and that the other sponsor agrees to assume the obligations of the apprenticeship agreement;

"(B) The transferring apprentice is provided a transcript of related instruction and on-the-job learning by the program sponsor;

"(C) The transfer is to the same occupation; and

"(D) A new apprenticeship agreement is executed when the transfer between program sponsors occurs; and

"(10) Such additional terms and conditions as may be prescribed or approved by the Registration Agency with the advice and guidance of the Apprenticeship Council, if not inconsistent with the provisions of this act.".

(i) Section 9 (D.C. Official Code § 32-1409) is amended by striking the word "Director" both times it appears and inserting the phrase "Associate Director of Apprenticeship" in its place. **Note, § 32-1409**

(j) Section 10 (D.C. Official Code § 32-1410) is amended as follows: **Note, § 32-1410**

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

(A) Strike the word "Director" and insert the phrase "Associate Director of Apprenticeship" in its place.

(B) Strike the phrase "under this act, and he may hold" and insert the phrase "under this act and may hold" in its place.

(C) Strike the phrase "Secretary of Labor" and insert the phrase "Registration Agency" in its place.

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

"(b)(1) The determination of the Associate Director of Apprenticeship shall be filed with the Apprenticeship Council. If no appeal is filed with the Apprenticeship Council within 10 days after the date of filing the appeal, the determination of the Associate Director of Apprenticeship shall become the order of the Apprenticeship Council.

"(2) Any person aggrieved by a determination or action of the Associate Director of Apprenticeship may appeal to the Apprenticeship Council, which shall hold a hearing after due notice to the interested parties.

"(3) Any person aggrieved by the action of the Apprenticeship Council may appeal as provided in Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).".

(k) Section 12 (D.C. Official Code § 32-1412) is repealed. **Note, Repeal § 32-1412**

Sec. 3. Section 5(c)(2) of the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1431(c)(2)), is amended by striking the phrase "Contracting Officer" wherever it appears and inserting the phrase "Department of Employment Services" in its place. **Note, § 32-1431**

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 20-1046

Emergency Declaration Res. 20-727 21 DCStat 912

To amend, on an emergency basis, due to congressional review, the District of Columbia Administrative Procedure Act to exempt from disclosure certain critical infrastructure information.

Codification District of Columbia Official Code 2001 Edition

Critical Infrastructure Freedom of Information Third Congressional Review Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Critical Infrastructure Freedom of Information Third Congressional Review Emergency Amendment Act of 2014".

Sec. 2. Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D. C. Official Code § 2-531 *et seq.*), is amended as follows:

(a) Section 204(a) (D.C. Official Code § 2-534(a)) is amended as follows:

Note, § 2-534

(1) Paragraph (13) is amended by striking the word "and".

(2) Paragraph (14) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (15) is added to read as follows:

"(15) Any critical infrastructure information or plans that contain critical infrastructure information for the critical infrastructures of companies that are regulated by the Public Service Commission of the District of Columbia.".

(b) The text of section 209 (D.C. Official Code § 2-539) is amended to read as follows:

Note, § 2-539

"(a) For the purposes of this title, the following terms shall have the same meanings as provided in section 102:

"(1) "Adjudication";
"(2) "Agency";
"(3) "Council";
"(4) "District";
"(5) "Mayor";
"(6) "Order";
"(7) "Party";
"(8) "Person";
"(9) "Proceedings";
"(10) "Public record";
"(11) "Relief";

"(12) "Rule"; and

"(13) "Rulemaking".

"(b) For the purposes of this title, the term:

"(1) "Critical infrastructure" means existing and proposed infrastructure systems and assets, whether physical or virtual, so vital to the District of Columbia or the United States that the incapacity or destruction of the infrastructure system or asset could jeopardize the physical security, economic security, health, safety, or welfare of the public.

"(2) "Critical infrastructure information" means information not customarily in the public domain that is related to the security of critical infrastructure of companies that are regulated by the Public Service Commission of the District of Columbia, including information regarding:

"(A) Actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates federal or District of Columbia laws, harms interstate commerce of the United States or the economy of the District of Columbia, or threatens public health or safety;

"(B) The ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation, risk-management planning, or risk audit; or

"(C) Any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.".

Note, § 34-902

Sec. 3. Paragraph 32 of section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 982; Official Code § 34-902), is amended as follows:

(a) The existing text is designated as subsection (a).

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

"(b) The Commission shall publish rules and regulations for the administration of the provisions of section 204(a)(15) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)(15)).".

Retroactive Applicability Date

Sec. 4. Applicability.

This act shall apply as of January 1, 2015.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Critical Infrastructure Freedom of Information Amendment Act of 2014, enacted on October 6, 2014

(Enrolled version of Bill 20-505), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-581, effective January 13, 2015 (Expiration date April 5, 2015)

AN ACT

Bill 20-1047

Emergency Declaration Res. 20-724 21 DCStat 909

Codification District of Columbia Official Code 2001 Edition

Tenant Opportunity to Purchase Congressional Review Emergency Amendment Act of 2014

Note, § 42-3404.02

To amend, on an emergency basis, due to congressional review, the Tenant Opportunity to Purchase Act of 1980 to clarify the tenant opportunity to purchase in the case of the sale of multi-unit housing for the purposes of demolition or a notice of discontinuance of housing use.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tenant Opportunity to Purchase Congressional Review Emergency Amendment Act of 2014".

Sec. 2. Section 402(a) of the Tenant Opportunity to Purchase Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.02(a)), is amended to read as follows:

"(a)(1) Beginning January 1, 2014, before an owner of a housing accommodation may sell the accommodation, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use the owner shall give the tenant an opportunity to purchase the accommodation at a price and terms that represent a bona fide offer of sale.

"(2) If within 360 days of the date of the issuance of a bona fide offer of sale pursuant to this subsection, an owner has neither sold, or is in the process of selling, the property pursuant to that bona fide offer of sale nor taken possession of the property, the owner shall comply anew with the requirements of this subsection before the owner may again act to sell the housing, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use.

"(3) For the purposes of this subsection, in the case of multi-unit housing, the term:

"(A)(i) "A bona fide offer of sale" means a sales price that is less than or equal to the appraised value of the real property, multi-unit housing, and any other appurtenant improvements ("property") plus, except as provided in sub-subparagraph (ii) of this subparagraph, the amount of liens existing before the sale or transfer; provided, that the liens shall be satisfied by the seller in the sale or transfer transaction.

"(ii) If the seller and the purchaser agree that the purchaser shall assume the liens, if any, a bona fide offer of sale means a sale price that is less than or equal to the appraised value of the property less the amount of any lien assumed by the purchaser.

"(B)(i) "Appraised value" means an objective property valuation based on current state of the property and existing zoning, building, or occupancy permits, that is no more than 6 months older than the date of issuance of the offer of sale that has been determined by 2 independent appraisals performed by 2 appraisers qualified to perform multi-unit appraisals.

"(ii) Of the 2 appraisers required by sub-subparagraph (i) of this subparagraph, one shall be selected by the owner and one to be selected by the Tenant. If the appraisers fail to agree upon a fair market value, the owner and the Tenant shall jointly select and pay a third appraiser whose appraisal shall be binding or agree to take an average of the 2 appraisals.

"(C) "Multi-unit housing" means housing with 5 or more units.".

Retroactive Applicability Date

Sec. 3. Applicability.

This act shall apply as of January 5, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-582, effective January 13, 2015 (Expiration date April 5, 2015)

AN ACT

Bill 20-1048

Emergency Declaration Res. 20-726 21 DCStat 911

Codification District of Columbia Official Code 2001 Edition

Business Improvement Districts Congressional Review Emergency Amendment Act of 2014

For codification of this act see Act 20-435 20 DCR 4154

To amend, on an emergency basis, due to congressional review, the Business Improvement Districts Act of 1996 to update the laws concerning business improvement districts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Business Improvement Districts Congressional Review Emergency Amendment Act of 2014".

Sec. 2. The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

(a) Section 2(a)(4) (D.C. Official Code § 2-1215.01(a)(4)) is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

(b) Section 3 (D.C. Official Code § 2-1215.02) is amended as follows:

(1) Paragraph (8) is amended to read as follows:

"(8) "BID tax" means an additional real property tax or possessory interest tax assessed and levied by the District on, and payable by, the owners of taxable properties or holders of a possessory interest in a Business Improvement District subject to the BID certification processes of this act. ".

(2) Paragraph (10) is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

(3) Paragraph (16) is amended to read as follows:

"(16) "Member" means a member of the BID Corporation, the membership of which shall be comprised of each owner of taxable property and each commercial tenant in the BID area, and each owner who becomes a member pursuant to section 22.".

(4) Paragraph (18) is repealed.

(5) Paragraph (19) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(6) Paragraph (20) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(7) Paragraph (23) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(8) A new paragraph (24) is added to read as follows:

"(24) "Taxable property" means real property subject to real property taxation or real property for which a holder of a possessory interest is subject to possessory interest taxation, including:

"(A) Class 2, Class 3, and Class 4 Property, as defined in D.C. Official Code § 47-813, located within any BID, excluding the properties exempt from real property taxes pursuant to Chapters 10 or 46 of Title 47;

"(B) Class 1 Property, as defined in D.C. Official Code § 47-813, for the Mount Vernon Triangle, NoMa, and Capitol Riverfront BIDs, excluding:

"(i) Real property improved by a residential building where 90% or more of the leased units are households with at least one member who is 62 years of age or older and all members are 55 years of age or older;

"(ii) Real property improved by a residential building where 20% or more of the units are subject to a contract for project-based assistance under section 8 of the United States Housing Act of 1937, approved August 22, 1974 (88 Stat. 662; 42 U.S.C. § 1437f);

"(iii) Real property improved by a residential building with fewer than 10 dwelling units, as defined in D.C. Official Code § 47-813(d)(3); and

"(iv) Real property exempt from paying real property taxes pursuant to Chapters 10 or 46 of Title 47 of the District of Columbia Official Code; or

"(C) Real property belonging to government and international organizations, including a leasehold interest, possessory interest, beneficial interest, or beneficial use of real property, as provided in D.C. Official Code § 47-1005.01(b), for periods beginning after September 30, 2014, where the real property would be taxable under subparagraphs (A) or (B) of this paragraph if not exempt or immune from real property taxation resulting in the possessory interest being taxable under D.C. Official Code § 47-1005.01, except where a payment in lieu of tax agreement has been negotiated and payments related to the agreement are current.".

(c) Section 4 (D.C. Official Code § 2-1215.03) is amended by striking the phrase "Each owner and" and inserting the phrase "Each owner of a taxable property and" in its place.

(d) Section 5 (D.C. Official Code § 2-1215.04) is amended as follows:

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

(A) The lead-in text is amended by striking the phrase "Deputy City Administrator for Business Services and Economic Development" and inserting the phrase "Department of Small and Local Business Development, or a successor thereto," in its place.

(B) Paragraph (1) is amended as follows:

(i) Strike the phrase "nonexempt real property" and insert the phrase "taxable property" in its place.

(ii) Strike the phrase "nonexempt real properties" and insert the phrase "taxable properties" in its place.

(iii) Strike the phrase "nonexempt properties" wherever it appears and insert the phrase "taxable properties" in its place.

(iv) Strike the phrase "assessing and levying any BID" and insert the phrase "assessing BID" in its place.

(C) Paragraph (6) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(2) Subsection (b) is repealed.

(e) Section 6(a) (D.C. Official Code § 2-1215.05(a)) is amended by striking the phrase "Deputy City Administrator for Business Services and Economic Development" and inserting the phrase "Department of Small and Local Business Development, or a successor thereto," in its place.

(f) Section 7 (D.C. Official Code § 2-1215.06) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Deputy City Administrator for Business Services and Economic Development" and inserting the phrase "Department of Small and Local Business Development, or a successor thereto," in its place.

(2) Subsection (c) is amended to read as follows:

"(c) The Mayor shall advertise the notice of the public hearing along with the notice of preliminary finding in the District of Columbia Register.".

(3) Subsection (d) is amended to read as follows:

"(d) No fewer than 21 days before the public hearing, the applicant shall send, by first class mail or electronically, notice of the Mayor's preliminary determination, notice of the public hearing, including the date, time, and place and availability of the BID application for review, and a summary of the application stating the borders of the proposed BID, the BID plan, and the BID taxes to the following, to the extent reasonably ascertainable:

"(1) The Secretary to the Council;

"(2) Each owner of taxable property within the proposed BID area at the address shown in the most recent real property tax assessment records or, at the election of the applicant, another address if it is reasonably determined that the information in the District's records is dated;

"(3) Each commercial tenant within the proposed BID area;

"(4) Each advisory neighborhood commission in which the proposed BID is located; and

"(5) Each major citizens association covering the area in which the proposed BID is located.".

(4) Subsection (e) is amended by striking the phrase "by the applicant, and" and inserting the phrase "by the applicant on a publicly accessible web site and" in its place.

(g) Section 9(b) (D.C. Official Code § 2-1215.08(b)) is amended as follows:

(1) Designate the undesignated text as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the phrase "present and voting" and inserting the phrase "present or voting or voting by proxy, to the extent not otherwise provided for in BID bylaws," in its place.

(3) Designate existing paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively.

(4) The newly designated paragraph (3) is amended by striking the phrase "Deputy City Administrator for Business Services and Economic Development" and inserting the phrase "Department of Small and Local Business Development, or a successor thereto," in its place.

(h) Section 10 (D.C. Official Code § 2-1215.09) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase "An established BID" and inserting the phrase "Except as provided in section 10a, an established BID" in its place.

(B) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended as follows:

(I) Strike the phrase "nonexempt real properties" and insert the phrase "taxable properties" in its place.

(II) Strike the word "or" at the end.

(ii) Subparagraph (B) is repealed.

(C) Paragraph (3A)(C) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(2) Subsection (c) is amended by striking the phrase "nonexempt properties" wherever it appears and inserting the phrase "taxable BID properties" in its place.

(i) New sections 10a, 10b, and 10c are added to read as follows:

"Sec. 10a. Adjacent or abutting properties.

"(a) An owner of an adjacent or abutting property may petition to join an existing BID if the owner sends a letter requesting to be added to a BID to the BID Board and to the Mayor, listing the address, square and lot number, owner, and owner's contact information. The BID board must vote to approve the addition. If the BID Board votes to approve adding the additional property, the BID Board shall send a letter to the Mayor with the results of the vote ("results letter").

"(b)(1) The Mayor shall have 30 days after receiving the results letter from the BID Board to review the proposed addition and determine if the addition is an adjacent or abutting property not currently located in another BID. If the Mayor finds that the proposed addition is not an adjacent or abutting property or that the proposed addition is currently located in another BID, the Mayor may issue an order rejecting the addition.

"(2) If the Mayor does not issue an order approving or rejecting the addition within the 30-day review period, the addition shall be deemed approved.

"(3) If the addition is approved or deemed approved, the property shall be added to the BID at the next regularly scheduled billing pursuant to section 16.

"(c) The proposed addition shall be subject to section 10(c).

"Sec. 10b. Expanding the taxable real property within a BID.

"(a) An established BID may only expand categories of taxable real property if:

"(1) Owners of at least 51% interest in the assessed value of the taxable real properties and at least 25% in number of individual real properties, consisting of a new type of

taxable real property of record within the BID's geographic area, petition the existing BID to join the BID;

"(2) The petition is accepted by a majority vote of the existing BID Board;

"(3) The petition is submitted to the Mayor with:

"(A) The name and address of the BID Corporation and a copy of the resolution adopted by the Board of Directors of the BID Corporation accepting the petition;

"(B) A description by lot, square, and street address of the property of each owner of the proposed new taxable real property type, to the extent reasonably ascertainable; provided, that a property subdivided into separate condominium units shall constitute a single property for purposes of this subparagraph;

"(C) The most recent assessed value of each taxable real property of the proposed new taxable real property type, to the extent reasonably ascertainable from District property tax records or a final determination of the Real Property Tax Appeals Commission for the District of Columbia; provided, that a property subdivided into separate condominium units shall constitute a single real property for purposes of this subparagraph;

"(D) A business plan for including the petition area in the operations of the BID; which business plan shall contain, at a minimum:

"(i) The specific goals and objectives for the inclusion of the petitioning real property class in the BID consistent with the BID activity, as defined in section 3(6); and

"(ii) The applicable BID taxes;

"(E) A list of the current members of the Board of Directors of the BID; and

"(F) The current articles of incorporation and the bylaws of the BID; and

"(4) The petition is approved by the Mayor in accordance with the procedures set forth in sections 6 and 7; provided, that wherever the word "application" or the phrase "BID application" appears in sections 6 or 7, the word or phrase shall be considered to refer to the expansion petition, and wherever reference is made to the registration of the BID and the nonprofit corporation in section 7, the reference shall be considered to refer to registration of the expanded BID.

"(b) The Mayor shall approve a petition if the Mayor determines that the petition was properly filed and adoption of the petition is consistent with the purposes of this act and the BID activity, as defined in section 3(6). An expansion of a BID's taxable real property pursuant to this section shall become effective on the effective date of an act of Council approving the BID's taxable real property expansion. Initial BID taxes for the area shall be collected at the next practicable regularly scheduled billing pursuant to section 16.

"(c)(1) For the purposes of this section, individual taxable properties shall mean properties identified by separate lot and square numbers to the extent reasonably ascertainable from the records of the Office of Tax and Revenue or Office of Recorder of Deeds; provided, that any property subdivided into separate condominium units shall constitute a single property for the purpose of determining the number of taxable properties referred to in subsection (a) of

this section; provided further, that the condominium units shall constitute separate properties for purposes of assessing and levying any BID charges.

"(2) Changes in the assessed values occurring after submission of a BID application, whether through regular reassessment, appeals, or otherwise, shall not affect the validity of the BID application to be taken into account in the Mayor's review of the BID application.

"(d) The Mayor may designate the Department of Small and Local Business Development, or a successor thereto, to perform the review functions described by this section.

"Sec. 10c. Expanding the taxable real property within a BID for newly enacted BIDs.

"(a) A BID established after the effective date of the Business Improvement Districts Amendment Act of 2014, passed on 2nd reading on September 23, 2014 (Enrolled version of Bill 20-203), may only expand categories of taxable real property to include Class I residential property if:

"(1) Owners of at least 51% interest in the assessed value of the taxable real properties and at least 25% in number of individual real properties, consisting of a new type of taxable real property of record within the BID's geographic area, petition the existing BID to join the BID;

"(2) The petition is accepted by a majority vote of the existing BID Board; and

"(3) The petition is submitted to the Mayor with:

"(A) The name and address of the BID Corporation and a copy of the resolution adopted by the Board of Directors of the BID Corporation accepting the petition;

"(B) A description by lot, square, and street address of the property of each owner of the proposed new taxable real property type, to the extent reasonably ascertainable; provided, that a property subdivided into separate condominium units shall constitute a single property for purposes of this subparagraph;

"(C) The most recent assessed value of each taxable real property of the proposed new taxable real property type, to the extent reasonably ascertainable from District property tax records or a final determination of the Real Property Tax Appeals Commission for the District of Columbia;

"(D) A business plan for including the petition area in the operations of the BID; which business plan shall contain, at a minimum:

"(i) The specific goals and objectives for the inclusion of the petitioning real property class in the BID consistent with the BID activity as defined insection 3(6); and

"(ii) The applicable BID taxes;

"(E) A list of the current members of the Board of Directors of the BID; and

"(F) The current articles of incorporation and the bylaws of the BID; and

"(4) The petition is approved by the Mayor in accordance with the procedures set forth in sections 6 and 7; provided, that wherever the word "application" or phrase "BID application" appears in sections 6 and 7, the word or phrase shall be considered to refer to the

expansion petition, and wherever reference is made to the registration of the BID and the nonprofit corporation in section 7, the reference shall be considered to refer to registration of the expanded BID.

"(b) The Mayor shall approve a petition if the Mayor determines that the petition was properly filed and adoption of the petition is consistent with the purposes of this act and the definition of BID activity in section 3(6)(b). An expansion of a BID's taxable real property pursuant to this section shall become effective on the effective date of an act of Council that approves such BID's taxable real property expansion. Initial BID taxes for such area shall be collected at the next practicable regularly scheduled billing pursuant to section 16.

"(c)(1) For the purposes of this section, individual taxable properties shall mean properties identified by separate lot and square numbers to the extent reasonably ascertainable from the records of the Office of Tax and Revenue or Office of Recorder of Deeds.

"(2) Changes in the assessed values occurring after submission of a BID application, whether through regular reassessment, appeals, or otherwise, shall not affect the validity of the BID application to be taken into account in the Mayor's review of the BID application.

"(d) The Mayor may designate the Department of Small and Local Business Development, or a successor thereto, to perform the review functions described by this section.".

(j) Section 11 (D.C. Official Code § 2-1215.10) is amended as follows:

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

"(a) Except as otherwise provided by this act, meetings of the members shall be held in accordance with the provisions of the bylaws but shall occur at least once each year after the formation of the BID. The bylaws shall specify an officer who shall send each member notice of the time, place, and purposes of the meeting. Notice shall be given at least 21 days in advance of any annual or regularly scheduled meeting and at least 7 days in advance of any other meeting, in one of the following ways:

"(1) First class mail to all members of record at the address of their respective properties and to such other address as may have been designated to the officer;

"(2) Hand delivered by the officer, or the officer's agent; provided, that the officer certifies in writing that notice was actually delivered to the member; or

"(3) Electronically to the member's email address of record as may have been designated to the officer.".

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

"(c) Meetings may be held by telephone, electronically, or by other means of communication; provided, that all participants can hear or read the proceeding, vote on the matters discussed, and make comments.".

(k) Section 13 (D.C. Official Code § 2-1215.12) is amended by adding a new subsection (f) to read as follows:

"(f) BIDs are exempt from the records requirement of D.C. Official Code § 29-413.01.".

(l) Section 14(d) (D.C. Official Code § 2-1215.13(d)) is amended by striking the phrase "mail or by personal delivery." and inserting the phrase "mail, personal delivery, or electronically. Annual reports shall also be posted on BID websites." in its place.

(m) Section 16 (D.C. Official Code § 2-1215.15) is amended as follows:

(1) Subsection (d) is amended by striking the last sentence and inserting the following sentence in its place:

"BID taxes related to real properties affected by a geographic or taxable real property tax base expansion of the BID shall be effective as of the date the expansion becomes effective." .

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

"(g-1)(1) Notwithstanding subsection (g) of this section, a BID tax resulting from a possessory interest shall be collected in accordance with Chapter 44 of Title 47 and the holder of the possessory interest shall be liable.

"(2) The BID tax resulting from the possessory interest shall be in proportion to the pro rata share of the real property, as determined by the Chief Financial Officer, occupied by holder of the possessory interest where the BID tax is based on assessed value, net rentable area, gross building area, square footage, or number of hotel rooms. BID taxes based on a per unit basis shall not be apportioned.

"(3) This subsection shall apply as of March 31, 2015.".

(n) Section 19 (D.C. Official Code § 2-1215.18) is amended as follows:

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

"(a)(1) Each BID shall have an initial term that shall end on the last day of the 5th full fiscal year of the District during which the BID has been registered pursuant to section 7(h). A BID may be extended for successive 5-year terms if:

"(A) The BID notifies the Mayor at least 180 days before the end of the BID's term that it desires to extend its status as a registered BID for a subsequent 5-year term;

"(B) The Board and membership approve a BID plan for the next 5 years of BID operations and submit that plan to the Mayor; and

"(C) The Mayor holds a public hearing in accordance with this subsection and subsequently issues a notice of BID re-registration.

"(2) Notice to the public shall be made no fewer than 21 days before the hearing.

"(3) The Mayor shall:

"(A) Publish the notice of the public hearing along with the notice of preliminary finding in the District of Columbia Register;

"(B) Ensure that the notices are published in at least 2 sources of local general interest print or electronic media; and

"(C) Hold the public hearing no earlier than 120 days before the end of the fiscal year, and no later than 30 days before the end of the fiscal year.".

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

"(a-1) If, at the end of the fiscal year, the BID has requested an extension and the Mayor has not issued an order revoking the registration or denying an extension, the BID shall be deemed to be re-registered for a subsequent 5-year term.".

(3) Subsection (b)(2) is amended by striking the phrase "nonexempt real" wherever it appears and inserting the word "taxable" in its place.

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

"(d) The Mayor may designate the Department of Small and Local Business Development to perform the functions described by this section.".

(o) Section 22 (D.C. Official Code § 2-1215.21) is amended by striking the phrase "located in the BID, may" and inserting the phrase "located in the BID, or adjacent to or abutting BID boundaries, may" in its place.

(p) Section 201 (D.C. Official Code § 2-1215.51) is amended by striking the phrase "nonexempt real" wherever it appears and inserting the word "taxable" in its place.

(q) Section 202 (D.C. Official Code § 2-1215.52) is amended by striking the phrase "nonexempt real" both times it appears and inserting the word "taxable "in its place.

(r) Section 203 (D.C. Official Code § 2-1215.53) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(2) Subsection (b) is amended by striking the phrase "nonexempt real property" and inserting the phrase "taxable property" in its place.

(3) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) The lead-in language is amended by striking the phrase "nonexempt real properties" and inserting the phrase "taxable properties" in its place.

(ii)_ Subparagraph (A) is amended by sriking the word "nonexempt" wherever it appears and inserting the word "taxable" in its place.

(ii) Subparagraph (B) is amended as follows:

(I) The lead-in language is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

(II) Sub-subparagraph (i) is amended by striking the word "Nonexempt" and inserting the word "Taxable" in its place.

(III) Sub-subparagraph (ii) is amended as follows:

(aa) Strike the word "nonexempt" and insert the word "taxable" in its place.

(bb) Strike the word "Nonexempt" wherever it appears and insert the word "Taxable" in its place.

(IV) Sub-subparagraph (iii) is amended by striking the word "Nonexempt" and inserting the word "Taxable" in its place.

(B) Paragraph (2) is amended by striking the word "nonexempt" wherever it appears and inserting the word "taxable" in its place.

(s) Section 204 (D.C. Official Code § 2-1215.54) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(2) Subssection (c)(1) is amended by striking the word "nonexempt" both times it appears and inserting the word "taxable" in its place.

(t) Section 205 (D.C. Official Code § 2-1215.55) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(2) Subsection (c)(1) is amended as follows:

(A) The lead-in text is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(B) Subparagraph (D)(i) is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

(u) Section 206 (D.C. Official Code § 2-1215.56) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(2) Subsection (c) is amended as follows:

(A) Strike the phrase "nonexempt real" and insert the word "taxable" in its place.

(B) Strike the phrase "nonexempt properties" and insert the phrase "taxable properties" in its place.

(v) Section 207 (D.C. Official Code § 2-1215.57) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(2) Subsection (c)(1) is amended as follows:

(A) The lead-in text is amended by striking the phrase "nonexempt real" and inserting the word "taxable" in its place.

(B) Subparagraph (D) is amended by striking the word "nonexempt" and inserting the word "taxable" in its place.

(w) Section 208 (D.C. Official Code § 2-1215.58) is amended by striking the phrase "nonexempt real" wherever it appears and inserting the word "taxable" in its place.

(x) Section 209 (D.C. Official Code § 2-1215.59) is amended by striking the phrase "nonexempt real" wherever it appears and inserting the word "taxable" in its place.

Sec. 3. Applicability.

Retroactive Applicability Date

This act shall apply as of January 5, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Business Improvement Districts Amendment Act of 2014, signed by the Mayor on October 8, 2014 (D.C. Act 20-441; 61 DCR 10741), as the fiscal impact statement required by section 602(c)(3) of the

District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code **§** 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 20-1049

Emergency Declaration Res. 20-725 21 DCStat 910

Codification District of Columbia Official Code 2001 Edition

To standardize, on an emergency basis, due to congressional review, licensing and registration application requirements using the Nationwide Mortgage Licensing System and Registry for all non-depository financial institutions regulated through the administration of the District of Columbia Banking Code, to require each applicant obtain a unique identifier from and apply through the Nationwide Mortgage Licensing System, to authorize the Commissioner to waive or modify any of the requirements of this act or other application requirements in the Banking Code and to establish new requirements as needed to participate in the Nationwide Mortgage Licensing System, to authorize use of the Nationwide Mortgage Licensing System for criminal history background checks and credit checks as necessary, to allow the Commissioner to share confidential information with specified third parties including the Nationwide Mortgage Licensing System, to authorize the Commissioner to contract with third parties to collect fees and share information and maintain records, to authorize license renewal and reinstatement periods, to provide for the payments of non-refundable application fees, to provide that the Commissioner shall report Banking Code violations and enforcement actions to the Nationwide Mortgage Licensing System, to require the Commissioner to establish an information challenge process for data entered into the Nationwide Mortgage Licensing System, and to provide that the Commissioner may promulgate regulations to implement the act.

Nationwide Mortgage Licensing System Conformity Second Congressional Review Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nationwide Mortgage Licensing System Conformity Second Congressional Review Emergency Act of 2014".

Note, New § 26-1161.01

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Applicant" means a person filing an initial or renewal application for licensure or registration under the Banking Code.

(2) "Application" means an initial or renewal application for licensure or registration under the Banking Code processed through the Department or its designee such as the NMLS or any other person or third party prescribed by the Commissioner.

(3) "Banking Code" means the statutory provisions concerning banking and financial institutions that are codified in Title 26 of the District of Columbia Official Code, laws administered by the Commissioner, and rules and regulations promulgated under those statutory provisions and laws.

(4) "Commissioner" means the Commissioner of the Department of Insurance, Securities, and Banking.

(5) "Conference of State Bank Supervisors" or "CSBS" means the professional association of state officials responsible for chartering, regulating, and supervising state-chartered commercial and savings banks and state-licensed branches and agencies of foreign banks.

(6) "Department" means the Department of Insurance, Securities, and Banking.

(7) "Nationwide Mortgage Licensing System and Registry" or "NMLS" means a mortgage licensing system developed and maintained by the Conference of State Bank Supervisors, the American Association of Residential Mortgage Regulators, or their successors for the licensing and registration of persons engaged in the state-regulated financial service industries.

(8) "State Regulatory Registry, LLC" or "SRR" means the entity which owns and operates the NMLS, or its successors.

(9) "Unique identifier" means a number or other identifier assigned by protocols established by the NMLS.

Sec. 3. Unique identifier required. **Note, New § 26-1161.02**

Each licensee and registrant under the Banking Code shall register with, and maintain, a valid unique identifier issued by the NMLS.

Sec. 4. Form and contents of application. **Note, New § 26-1161.03**

(a) An application shall be filed on a form prescribed by the Commissioner, including all information required by the Commissioner as set forth by statute or regulation.

(b) For purposes of participating in the NMLS, the Commissioner is authorized to waive or modify in whole or by part any statutory or regulatory requirements for applications in any provision of the Banking Code, and to establish new requirements as are reasonably necessary to participate in NMLS.

Sec. 5. Background checks. **Note, New § 26-1161.04**

The Commissioner may use the NMLS as an agent for requesting information from, and distributing information to, the Federal Bureau of Investigation, the Department of Justice, any governmental agency, or any source as directed by the Commissioner.

Sec. 6. Confidential information. **Note, New § 26-1161.05**

To assist in the performance of the Commissioner's duties under this act, the Commissioner may:

(1) Share documents, materials, or other information, including confidential and privileged documents, materials, or information subject to this act, with state, federal, and international regulatory agencies and law enforcement authorities, and with the CSBS, SRR, NMLS, and their affiliates or subsidiaries; provided, that the recipient agrees to maintain the confidentiality and privileged status of the documents, materials, or other information;

(2) Receive documents, materials, or information, including confidential and privileged documents, materials, or other information, including confidential and privileged documents, materials, or other information, from state, federal, or international regulatory agencies or law enforcement authorities or from the CSBS, SRR, NMLS or their affiliates or subsidiaries, and shall maintain as confidential or privileged any documents, materials, or other information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the documents, materials, or other information;

(3) Enter into agreements for sharing and using confidential information consistent with this act;

(4) Authorize a national criminal background check and submission of fingerprints and other identifying information, submitted through the NMLS, and receive criminal history record information from NMLS, the Metropolitan Police Department, and the Federal Bureau of Investigation for the purposes of facilitating determinations regarding eligibility for licensure or registration under the Banking Code; and

(5) Contract with a third party, including the SRR, the CSBS, or their affiliates or subsidiaries, to perform any functions, including the collection of licensing, registration and processing fees, collection of contact information and other identifying information, fingerprints, written consent to a criminal background check, personal history and experience, and conduct of examinations-related activities covered under the Banking Code, that the Commissioner may consider appropriate.

Sec. 7. Renewal. **Note, New § 26-1161.06**

(a) A license or registration issued under this act shall expire on a date to be determined by the Commissioner. A license or registration may thereafter be renewed for one-year term extensions as provided by this section.

(b) Before a license expires, the applicant may renew the license or registration for additional one-year terms, if the applicant:

(1) Demonstrates that the applicant continues to meet the standards for licensing or registration under this act and under all relevant provisions of the Banking Code;

(2) Pays all applicable fees as prescribed by the Commissioner and all third-party fees; and

(3) Submits to the Commissioner a renewal application on the form that the Commissioner requires.

Sec. 8. Application fees. **Note, New § 26-1161.07**

(a) When filing an application, each applicant shall pay the applicable fees prescribed by the Commissioner and any third-party fees. Any fees paid in connection with the processing of an application shall be non-refundable.

(b) The Commissioner may, from time to time, increase or decrease the fees set forth in this section. The fees shall be fixed at such rates, and computed on such bases and in such manner as may, in the judgment of the Commissioner, be necessary to defray the approximate

costs of carrying out the regulatory functions set forth in this act and the Banking Code. These fees shall not be abated or refunded by surrender, suspension, cancellation, or revocation of a registration.

Note, New § 26-1161.08

Sec. 9. NMLS reporting requirements.

The Commissioner shall regularly report violations of the Banking Code, as well as enforcement actions and other relevant information, to the NMLS. The reports shall be subject to the provisions of section 6t.

Note, New § 26-1161.09

Sec. 10. NMLS information challenge process.

The Commissioner shall establish a process whereby applicants, licensees, and registrants may challenge information entered into the NMLS by the Commissioner.

Note, New § 26-1161.10

Sec. 11. Rules.

The Commissioner may issue rules to implement the provisions of this act.

Retroactive Applicability Date

Sec. 12. Applicability.

This act shall apply as of January 6, 2015.

Sec. 13. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Nationwide Mortgage Licensing System Conformity Act of 2014, passed on 2nd reading on November 18, 2014 (Enrolled version of Bill 20-802), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 14. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-584, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1053

Emergency Declaration Res. 20-752 21 DCStat 942

Codification District of Columbia Official Code 2001 Edition

Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Act of 2014

Note, § 16-1311

To authorize, on an emergency basis, the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Act of 2014".

Sec. 2. Findings.

The Council finds that:

(1) The District of Columbia Water and Sewer Authority ("DC Water") currently operates a site south of N Place, S.E., north of the Anacostia River and between 1st and Canal Streets, S.E. ("DC Water Site").

(2) Pursuant to the Anacostia Waterfront Framework Plan, the District of Columbia plans to dispose of and develop a portion of the DC Water Site so as to leverage other large-scale District investments in the Capitol Riverfront/Near Southeast neighborhood, such as the South Capitol Street Bridge project and Nationals Park, thereby serving to accelerate and promote economic vitality as well as enhance economic development in the District of Columbia.

(3) For the planned disposition and development to proceed, it is necessary for DC Water to relocate the functions currently at the DC Water Site.

(4) The District of Columbia and DC Water have entered into a Memorandum of Understanding for DC Water to relocate a portion of the uses from the DC Water Site to a site in Prince Georges County, Maryland.

(5) The District desires to relocate the current DC Water Site uses not being relocated to the Prince Georges County site, including customer care and sewer service operations, to Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 ("W Street Site").

(6) The W Street Site is currently occupied by a private trash transfer station.

(7) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(8) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin

and have complained that there is an increased incidence of health concerns.

(9) The W Street Site trash transfer station continues to operate as an open air trash transfer station, which allows its pungent odors to reach much farther than they would if the facility were closed.

(10) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

(11) The W Street Site will provide an opportunity to construct and establish an updated customer care and sewer service operation for DC Water that is more centrally located within the District of Columbia.

(12) The relocation of DC Water to the W Street Site shall not be considered as a permanent solution to the future use of the site. The permanent future use of the W Street Site should include sustainable economic development and be made in consultation with the surrounding community.

Sec. 3. Exercise of eminent domain.

The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots 36, 41 and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in section 2.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-585, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1055

Emergency Declaration Res. 20-751 21 DCStat 941

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, Title 47 of the District of Columbia Official Code and the Fiscal Year 2015 Budget Support Act of 2014 to clarify the applicability date of the market-based sourcing legislation and the tax sale interest rate to be paid to certain purchasers; and to amend the Fiscal Year 2015 Budget Support Act of 2014 to provide grant-making authority for a specified purpose to the Deputy Mayor for Planning and Economic Development for Fiscal Year 2015.

Market-based Sourcing Inter Alia Clarification Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Market-based Sourcing Inter Alia Clarification Emergency Amendment Act of 2014".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1334 is amended to read as follows:

Note, § 47-1334

"§ 47-1334. Interest rate.

"(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid, excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

"(b) The purchaser shall receive simple interest of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following when the real property was sold or the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no interest for expenses or the reasonable value of improvements.".

(b) Section 47-1348 is amended as follows:

Note, § 47-1348

(1) Subsection (a)(10) is amended to read as follows:

"(10) A statement that the rate of simple interest, upon redemption, shall be 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.".

(2) Subsection (c) is amended by striking the phrase "On redemption, the purchaser will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 18% per annum from the date the real property was sold to the date of

redemption; provided, that the purchaser shall not receive interest on any surplus." and inserting the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus." in its place.

Note, § 47-1353

(c) Section 47-1353(d) is amended to read as follows:

"(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the day of the tax sale to the purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.".

Note, § 47-1810.02

(d) Section 47-1810.02(g)(3) is amended to read as follows:

"(3)(A) For the tax years beginning after December 31, 2014, sales, other than sales of tangible personal property, are in the District if the taxpayer's market for the sales is in the District. The taxpayer's market for sales is in the District:

"(i) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in the District;

“(ii) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in the District;

"(iii) In the case of the sale of a service, if and to the extent the service is delivered to a location in the District; and

"(iv) In the case of intangible property:

"(I) That is rented, leased, or licensed, if and to the extent the property is used in the District; provided, that intangible property utilized in marketing a good or service to a consumer is used in the District if that good or service is purchased by a consumer who is in the District; and

"(II) That is sold, if and to the extent the property is used in the District; provided, that:

"(aa) A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is used in the District if the geographic area includes all or part of the District;

"(bb) Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated

as receipts from the rental, lease, or licensing of such intangible property under sub-sub-subparagraph (I) of this sub-subparagraph; and

"(cc) All other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the sales factor.

"(B) If the state or states of assignment under subparagraph (A) of this paragraph cannot be determined, the state or states of assignment shall be reasonably approximated.

"(C) If the taxpayer is not taxable in a state in which a sale is assigned under subparagraph (A) or (B) of this paragraph, or if a state of assignment cannot be determined under subparagraph (A) of this paragraph or reasonably approximated under subparagraph (B) of this paragraph, the sale shall be excluded from the denominator of the sales factor.

"(D) The Chief Financial Officer may prescribe regulations as necessary or appropriate to carry out the purposes of this subsection.

"(E) This paragraph shall apply as of October 1, 2014.".

Sec. 3. The Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended as follows:

(a) Section 6089 is amended to read as follows: **NA**

"Sec. 6089. Notwithstanding section 6088 or the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.), in Fiscal Year 2015, the Deputy Mayor for Planning and Economic Development shall award a grant of $5 million for the improvement of facilities and operations of the Animal Care and Control Agency selected pursuant to section 3 of the Animal Control Act of 1979, effective October 17, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1802), and a grant of $1 million for economic development to the Washington, DC Economic Partnership.".

(b) Section 7012 (c)(10)(D) is amended by striking the phrase " "(3)(A) Sales, other than sales of tangible" and inserting the phrase " "(3)(A) For tax years beginning after December 31, 2014, sales, other than sales of tangible" in its place. **Note, § 47-1810.02**

(c) Section 7102(c) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase "simple interest of 1%" and inserting the phrase "simple interest of 1.5%" in its place. **Note, § 47-1806.02**

(2) Paragraph (12) is amended as follows: **Note, § 47-1348**

(A) Subparagraph (A)(iii) is amended to read as follows:

"(iii) Paragraph (10) is amended to read as follows:

" "(10) A statement that the rate of simple interest, upon redemption, shall be 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.". ".

(B) Subparagraph (C)(ii) is amended by striking the phrase "1%" and inserting the phrase "1.5%" in its place.

(3) Paragraph (15)(D) is amended by striking the phrase "1%" and inserting the phrase "1.5%" in its place.

Note, § 47-1353

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-586, effective January 13, 2015 (Expiration date April 13, 2015)

AN ACT

Bill 20-1057

Emergency Declaration Res. 20-748 21 DCStat 939

To amend, on an emergency basis, Chapter 5 of Title 24 of the District of Columbia Municipal Regulations to regulate the sale of tickets from public space.

Not Codified in D.C. Official Code

Ticket Sale Regulation Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ticket Sale Regulation Emergency Amendment Act of 2014".

DCMR

Sec. 2. Chapter 5 of Title 24 of the District of Columbia Municipal Regulations is amended by adding a new section 573.8 to read as follows:

"573.8 No person shall sell or offer to sell any ticket from the sidewalks, streets, or public spaces anywhere in the District of Columbia for any excursion, musical or theatrical performance, opera, sporting event, circus, or any entertainment of any kind; provided, that sales of tickets on public space for sightseeing bus excursions shall comply with the provisions of §§ 573.5, 573.6, 573.7.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 20-587, effective January 13, 2015 (Expiration date March 30, 2015)

AN ACT

Bill 20-1062

Emergency Declaration Res. 20-779 21 DCStat 974

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Fiscal Year 2015 Budget Support Act of 2014 to clarify provisions supporting the Fiscal Year 2015 budget.

Fiscal Year 2015 Budget Support Clarification Congressional Review Emergency Amendment Act of 2014

For codification of this act see Act 20-461 20 DCR 4368

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Budget Support Clarification Congressional Review Emergency Amendment Act of 2014".

Sec. 2. The Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended as follows:

(a) Section 1043(d) is amended by striking the phrase "to the Capital Fund as Paygo" and inserting the phrase "equally among the Local Streets Ward-Based Capital Projects. For the purposes of this paragraph, the term Local Streets Ward Based Capital Projects shall have the same meaning as provided in § 50-921.51(4)" in its place.

(b) Section 1052(b) is amended by striking the phrase "(2) "Eligible employee" means a District government employee eligible to accrue annual leave who has experienced a qualifying event." and inserting the following in its place:

"(2) "Eligible employee" means a District government employee; provided, that the term "eligible employee" does not include:

"(A) A temporary employee appointed for less than 90 days; or

"(B) An intermittent employee.".

(c) Section 1053 is repealed.

(c-1) Section 2012(a)(3) is amended by striking the phrase "§ 28-3905" and inserting the phrase "Chapter 18 of Title 2" in its place.

(d) Section 2094(c) is amended by striking the phrase "within the following area" and inserting the phrase "abutting the following line" in its place.

(e) Section 3052(b) is amended to read as follows:

"(b) Paragraph (4)(A) is amended as follows:

"(1) The existing text is designated as sub-subparagraph (i).

"(2) A new sub-subparagraph (ii) is added read as follows:

""(ii) For Fiscal Year 2015, and except as provided in subparagraph (B) of this paragraph, no officer or member of the Fire and Emergency Medical Services Department who

is authorized to receive overtime compensation under this subsection may earn overtime in excess of $ 30,000 in a fiscal year.”.”.

(f) A new section 4073a is added to read as follows:

“Sec. 4073a. Child development facility requirements.

“(a) If 50 % or more children in a licensed child development facility are eligible to participate in the CACF Program, the facility shall participate in the program unless OSSE grants it an exemption pursuant to subsection (b) of this section.

“(b) To be eligible for an exemption, a child development facility must provide OSSE with a written statement describing why participation in the CACF Program constitutes a hardship. OSSE will determine whether good cause exists and provide notice to the child development facility that it is excused from participating in the CACF Program for one year from the date of the notice. To the extent possible, OSSE shall work with excused child development facilities to address barriers to participating in the CACF Program.”.

(g) Section 4074(a) is amended as follows:

(1) Paragraph (2) is amended by striking the word “and” at the end.

(2) Paragraph (3) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (4) is added to read as follows:

"(4) Provide to the Mayor, the Council, and the Healthy Schools and Youth Commission, no later than June 30 of each year, a report listing the names and locations of licensed child development facilities with 50 % or more eligible children enrolled, whether the facility participates in the CACF Program, and whether and why the facility was excused from participation.”.

(h) Section 5072(b) is amended as follows:

(1) Strike the phrase “October 1, 2015” and insert the phrase “October 1, 2014” in its place.

(2) Strike the phrase “section (c) of this subsection” and insert the phrase “subsection (c) of this section” in its place.

(i) Section 6002 is amended as follows:

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

“(2) A new subsection (b) is added to read as follows:

“(b) Notwithstanding the requirements of subsection (a) of this section, the District shall not charge a fee to an organization for occupying public space to operate a farmers market; provided, that it participates in the Supplemental Nutritional Assistance Program and the Women, Infants and Children Farmers Market Nutrition Program.”.

(2) Subsection (c) is amended to read as follows:

“(c) Section 303 (D.C. Official Code § 10-1103.02) is amended to read as follows:

"Sec. 303. (a)(1) The Chief Financial Officer shall assess and collect rent and charges from the owner or owners of abutting property for any vault located in the public space abutting such property, unless such vault has been removed, filled, sealed, or otherwise rendered unusable in a manner satisfactory to the Mayor.

"(2) Bills and notices shall be deemed to be properly served when mailed via first class mail to the abutting property owner's mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(b)(1) Notwithstanding section 104 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision of law that imposes liability for vault rent that is contrary to this subsection, vault rent shall be assessed against a responsible condominium unit owners' association.

"(2) The responsible condominium unit owners' association shall be billed for vault rent as a separate and distinct taxable entity with its own vault rent account, as designated by the Chief Financial Officer, and, unless the context requires otherwise, for purposes of this title shall be deemed to be the owner of the property abutting public space in which any vault is located.

"(3) A notice of proposed land assessment relating to the vault rent account shall be given to the responsible condominium unit owners' association by March 1st before the beginning of the applicable vault rent year. Only the land values of comparable multi-family residential properties shall only be used in determining land values for vault rent purposes of residential condominiums.

"(4) The assessed value of the land derived for purposes of billing the vault rent may be appealed as provided under D.C. Official Code § 47-825.01a(d), (e), and (g); except, that for the purposes of this section any references in that section to an owner shall be deemed to be references to a responsible condominium unit owners' association.

"(5) The Chief Financial Officer may correct or change any land assessment relating to the vault rent account for which a responsible condominium unit owners' association is responsible as under the circumstances and subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to:

"(A) Tax years shall be deemed to be a reference to vault rent years;

"(B) Owner shall be deemed to be a reference to a responsible condominium unit owners' association; and

"(C) The owner's address of record shall be deemed to be a reference to the responsible condominium unit owners' mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(c) Where vault rent is assessed against any owner other than a responsible condominium owners' association, the Mayor may adjust any utilization factor or area of the vault level under the circumstances, subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to tax years shall be deemed to be a reference to vault rent years .".".

(j) Section 7002 is amended by striking the phrase "3-year period" and inserting the phrase "4-year period" in its place.

(k) New sections 7010a, 7010b, 7010c, 7010d, and 7010e are added to read as follows:

"Sec. 7010a. The Retail Incentive Amendment Act of 2012, effective April 27, 2013 (D.C. Law 19-288; 60 DCR 2325), is repealed.

"Sec. 7010b. Section 701 of the Raising Expectations for Education Outcomes Omnibus Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-757.01), is repealed.

"Sec. 7010c. The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2201.01 *et seq*.), is amended as follows:

"(a) Section 206g(d) (D.C. Official Code § 34-2202.06g(d)) is repealed.

"(b) Section 206h(e) (D.C. Official Code § 34-2202.06h(e)) is repealed.

"Sec. 7010d. The Senior Citizen Real Property Tax Relief Act of 2013, effective May 28, 2014 (D.C. Law 20-105; 61 DCR 5897), is repealed.

"Sec. 7010e. Section 601(m) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1164.01(m)), is repealed.".

(l) Section 7012 is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Strike the phrase "approved, any recurring revenues in a quarterly revenue estimate" and insert the phrase "approved by the District, any recurring revenues in a February revenue estimate" in its place.

(B) Strike the phrase "$6,650 for Head of Household" and insert the phrase "$6,500 for Head of Household" in its place.

(2) Subsection (c) is amended as follows:

(A) Paragraph (1)(C) is amended to read as follows:

"(C) Paragraph (44) is amended to read as follows:

"(44) "Standard deduction" means:

"(A) In the case of a return filed by a single individual or married individual filing a separate return:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50) for a single individual and one-half of the amount that may be taken by a single individual for a married individual filing a separate return;

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $5,200 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $5,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the amount of the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(B) In the case of a return filed by a head of household:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $6,500 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $7,800 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(C) In the case of a return filed by married individuals filing a joint return, or a surviving spouse:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $8,350 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $10,275 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) The standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986; and

"(D) In the case of an individual who is a resident, as defined in paragraph (42) of this section, for less than a full 12-month taxable year, the amounts specified in subparagraph (A), (B), or (C) of this paragraph prorated by the number of months that the individual was a resident.".".

(B) Paragraph (2) is amended to read as follows:

"(2) Section 47-1803.02(a)(2)(N) is amended to read as follows:

"(N)(i) Pension, military retired pay, or annuity income received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year, except that the exclusion shall not exceed the lesser of $3,000 or the actual amount of the pension, military retired pay, or annuity received during the taxable years; provided, that the pension, military retired pay, or annuity is otherwise subject to taxation under this chapter;

provided further, that this sub-subparagraph shall apply for taxable years beginning before January 1, 2015.

"(ii) Survivor benefits received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year.".

(C) Paragraph (4) is amended as follows:

(i) Subparagraph (A) is amended to read as follows:

"(A) Subsection (c) is amended to read as follows:

"(c) There shall be allowed an additional exemption for a taxpayer who qualifies as a head of household; provided, that this subsection shall not apply for a tax year in which the deduction amount for personal exemptions under subsection (i) of this section is $2,200 or more.".

(ii) Subparagraph (E) is amended by striking the phrase "and subject to § 47-1806.04(e)".

(iii) Subparagraph (F) is amended by striking the phrase "The amount" and inserting the phrase "For tax years beginning after December 31, 2014, the amount" in its place.

(D) Paragraph (6)(B) is amended by striking the phrase "40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986" and inserting the phrase "40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986; provided, that the credit shall not be allowed to a resident who has elected to claim the low income tax credit provided for in subsection (e) of this section" in its place.

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

"(d-1) Section 47-2002(a) is amended as follows:

"(1) Paragraph (5) is repealed.

"(2) Paragraph (6) is repealed.".

(4) Subsection (f)(2)(A) and (C) is amended by striking the phrase "before January 1, 2015" both times it appears and inserting the phrase "before January 1, 2016" in its place.

(m) Section 7052 is amended to read as follows:

"Sec. 7052. Title 47 of the District of Columbia Official Code is amended as follows:

"(a) Chapter 8 is amended as follows:

"(1) Section 47-845(c) is amended by striking the phrase "interest at the rate of 8% per annum" and inserting the phrase "simple interest at the rate of 1/2% per month or portion of a month until paid" in its place.

"(2) Section 47-845.02 is amended as follows:

"(A) Subsection (a)(2) is amended to read as follows:

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year ending immediately before the beginning of the real property tax year during which application is made under subsection (e) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.".

"(B) Subsection (c) is amended by striking the phrase "interest at the rate of 8% per annum" and inserting the phrase "simple interest at the rate of 1/2% per month or portion of a month until paid" in its place.

"(C) Subsection (d) is amended by striking the phrase "and § 47-845" and insert the phrase ", § 47-845, and § 47-845.03" in its place.

"(D) Subsection (h) is amended by adding a new paragraph (5) to read as follows:

"(5)(A) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(1)(B) of this section.

"(B) This paragraph shall not apply if the senior's household no longer qualifies for the deferral for any other reason.".

"(3) Section 47-845.03 is amended as follows:

"(A) Subsection (a)(2) is amended to read as follows:

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year ending immediately before the beginning of the real property tax year during which application is made under subsection (f) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.".

"(B) Subsection (c) is amended to read as follows:

"(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than $12,500 of household interest and dividend income, and has owned a residence in the District for at least the immediately preceding 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section.".

"(C) Subsection (d) is amended by striking the phrase "and § 47-845" and inserting the phrase ", §47-845, and § 47-845.02" in its place.

"(D) Subsection (i) is amended by adding a new paragraph (5) to read as follows:

"(5) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(4)(D) of this section. This paragraph shall not apply where the senior's household no longer qualifies for the deferral for any other reason.".

"(b) Section 47-1806.06 is amended as follows:

"(1) Subsection (a) is amended as follows:

"(A) Paragraph (2)(C) is amended by striking the phrase "for all claimants" and inserting the phrase "for all claimants other than eligible senior claimants" in its place.

"(B) A new paragraph (2A) is added to read as follows:

"(2A) For taxable years beginning after December 31, 2014, the percentage required under paragraph (1) of this subsection to be determined for eligible senior claimants shall be 100% of property tax or of rent constituting property taxes accrued exceeding 3.0% of adjusted gross income of the tax filing unit.".

"(2) Subsection (b) is amended by adding a new paragraph (9) to read as follows:

"(9) The term "eligible senior claimant" means a claimant who is 70 years or older at any time during the tax year and whose adjusted gross income does not exceed $60,000.".

"(3) Subsection (e)(1) is amended by striking the phrase "§ 47-845" and inserting the phrase ""§§ 47-845, 47-845.02, and 47-845.03" in its place.

"(4) Subsection (r) is amended by striking the phrase "$50,000 shall be" and inserting the phrase "$50,000 ($60,000 for eligible senior claimants) shall be" in its place.".

(q) Section 7102 is amended to read as follows:

"Sec. 7102. Title 47 of the District of Columbia Official Code is amended as follows:

"(a) Chapter 8 is amended as follows:

"(1) The table of contents is amended by adding a new section designation to read as follows:

"47-805. Office of Real Property Tax Ombudsman.".

"(2) Section 47-802(5) is amended as follows:

"(A) Subparagraph (D) is amended by striking the word "or" at the end.

"(B) Subparagraph (E) is amended by striking the period and inserting the phrase "; or" in its place.

"(C) A new subparagraph (F) is added to read as follows:

"(F) For purposes of appealing the assessment of real property sold under § 47-1353(b), the tax sale purchaser or the purchaser's assignee, as applicable; provided, that the Mayor shall not be required to mail notices or bills issued under this chapter to the tax sale purchaser or assignee; provided further, that the owner of record is not appealing the assessment for the same tax year.".

"(3) A new section 47-805 is added to read as follows:

"§ 47-805. Office of Real Property Tax Ombudsman.

"(a) There is created within the Office of the Mayor the Office of the Real Property Tax Ombudsman ("Office"), which shall be headed by the Real Property Tax Ombudsman ("Ombudsman"), who shall be appointed by the Mayor pursuant to § 1-523.01(a), as a statutory employee in the Excepted Service pursuant to § l-609.08. The Ombudsman shall serve for a term of 5 years. The Ombudsman shall serve at the pleasure of the Mayor.

"(b) The Ombudsman shall appoint staff and additional personnel as provided for in an approved budget and financial plan for the District.

"(c) The Ombudsman shall:

"(1) Consult with and advise Class 1 real property owners on any real property tax matter arising under Chapter 8 or 13A of this title or under Chapter 31A of Title 42;

"(2) Receive and investigate concerns and complaints from Class 1 real property owners related to real property tax matters;

"(3) Provide counsel and assistance to Class 1 real property owners relating to real property taxes, including referring Class 1 real property owners to appropriate:

"(A) Legal service providers;

"(B) Public interest organizations; and

"(C) Government offices;

"(4) Maintain a list of organizations that provide free or reduced-price legal services to District of Columbia residents and a list of housing counseling agencies approved by the U.S. Department of Housing and Urban Development;

"(5) Protect the confidentiality of records and comply with all applicable confidentiality provisions, including § 47-821(d)(2); and

"(6) Prepare and submit to the Council and the Mayor an annual report on the activities of the Office that the Mayor shall make available to the public on the Mayor's website.

"(d) The Ombudsman may assist an owner with matters concerning an abutting lot where the abutting lot and the Class 1 property are owned by the same owner.

"(e) The Ombudsman shall not appear on behalf of Class 1 real property owners in any court, administrative, or quasi-judicial proceeding.

"(f) The Office of the Chief Financial Officer may share confidential tax information with the Ombudsman.

"(g) For purposes of this section, the term "Class 1 real property owner" shall have the same meaning as provided in § 47-813(c-3)(1); provided, that the term owner as used in § 47-813(c-3)(1) shall be construed broadly and include the persons defined as owners in § 47-802 as well as other persons with an equitable interest in the property, and any other persons the Ombudsman determines to be appropriate representatives of the property owner (or, if applicable, the property owner's estate), or any other persons the Ombudsman determines to be consistent with the purposes of this section.".

“(4) Section 47-811(c) is amended by striking the phrase "plus interest on the unpaid amount” and inserting the phrase "plus simple interest on the unpaid amount" in its place.

“(5) Section 47-845.03 is amended as follows:

“(A) Subsection (c) is amended to read as follows:

"(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than $12,500 of household interest and dividend income, and has owned a residence in the District for at least the immediately preceding 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section.".

“(B) Subsection (g) is amended to read as follows:

"(g) If a properly completed and approved application is filed, the applicant may choose to have the deferral apply to past years; provided, that the amount deferred shall comply with

subsection (d) of this section and the periods of applicability are stated in the application; provided further, that the applicant is responsible for accrued attorneys' fees.".

"(C) Subsection (p) is repealed.

"(6) Section 47-895.31(8) is amended to read as follows:

"(8) "Lot" means real property as defined in § 47-802(1) where such real property for billing and collection purposes under this subchapter shall be further described with the letters "PC" preceding the sequence of square, suffix and lot, or parcel and lot numbers under § 47-802(1).".

"(7) Section 47-895.33 is amended by adding a new subsection (b-1) to read as follows:

"(b-1) A notice, bill, or other correspondence under this subchapter or § 47-1336 shall be mailed to the owner's specifically designated mailing address as provided in the energy efficiency loan closing documents and as may be updated from time to time by the Chief Financial Officer, which may be different from the general mailing address provided pursuant to § 42-405, or as provided in the transfer and recordation tax return.".

"(b) Section 47-902 is amended by adding a new paragraph (26) to read as follows:

"(26) Transfers of property transferred to a named beneficiary of a revocable transfer on death deed under Subchapter IV of Chapter 6 of Title 19, by reason of the death of the grantor of the revocable transfer on death deed.".

"(c) Chapter 13A is amended as follows:

"(1) The table of contents is amended as follows:

"(A) A new section designation is added to read as follows:

"47-1353.01. Post-sale notice.".

"(B) A new section designation is added to read as follows:

"47-1382.01. Equity distribution post-judgment – owner-occupant properties.".

"(2) Section 47-1330 is amended as follows:

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

"(2) "Tax" means unpaid real property tax and vault rent owing as of October 1, and unpaid business improvement district tax owing as of September 1, including penalties, interest, and costs, as calculated by the Mayor. The term "tax" includes an assessment or charge due at any time to the District and certified to the Mayor for collection under this chapter in the same manner as a real property tax, along with permitted penalties, interest, and costs, as calculated by the Mayor.".

"(B) A new paragraph (2A) is added to read as follows:

"(2A) "Tax sale date" or "date of the tax sale" means for purposes of the tax sale held under § 47-1346 the date when the tax sale during which the real property was sold concluded.".

" (C) A new paragraph (4A) is added to read as follows:

"(4A) "Premises address" means the address, if any, for the square, suffix, and lot numbers, or parcel and lot numbers, of real property as reflected in the records in the Office of Tax and Revenue.".

"(3) Section 47-1332 is amended to read as follows:

"§ 47-1332. Sale of properties by Mayor; exemptions from sale.

"(a) Except as provided in subsections (c) and (d) of this section or as provided in other law, the Mayor shall sell all real property on which the tax is in arrears.

"(b) The Mayor shall designate a single agency to conduct tax sales.

"(c) The Mayor shall not sell any real property if:

"(1) A forbearance authorization has been approved in writing by the Mayor for the applicable tax sale;

"(2) For improved Class 1 Property, the tax amount to be sold is less than $2,500; or

"(3) The real property is a Class 1 Property that is receiving a homestead deduction, with respect to which there is an outstanding non-void certificate of sale; provided, that no real property shall be excluded from sale solely pursuant to this paragraph if the non-void certificate of sale has been outstanding for 3 years or more.

"(d) The Mayor, in the Mayor's discretion, may decline to sell any Class 1 Property or any real property for a delinquency in the payment of a non-real property tax that does not have to be certified.

"(e)(1) An application for a forbearance authorization, utilizing the form of application as shall be devised by the Mayor, may be submitted to the Mayor up to 30 days before the first day of the tax sale.

"(2) The Mayor shall review and approve or deny the application within 90 days of receipt of the application.

"(3)(A) The Mayor shall approve an application if the real property receives a homestead deduction and the tax amount to be sold is less than or equal to $7,500.

"(B) The Mayor, in the Mayor's discretion, may approve an application that does not meet the criteria for demonstrated hardship set forth in subparagraph (A) of this paragraph.

"(4) Upon approving an application for forbearance authorization, the Mayor shall remove the real property from the tax sale to which the forbearance corresponds or, if the tax sale has occurred with respect to the real property, cancel the tax sale pursuant to § 47-1366.".

"(4) Section 47-1334 is amended to read as follows:

"§ 47-1334. Interest rate.

"(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid, excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

"(b) The purchaser shall receive simple interest of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following when the real property was sold or the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no interest for expenses or the reasonable value of improvements.".

"(5) Section 47-1336 is amended as follows:

"(A) Subsection (a) is amended by adding a new sentence at the end to read as follows:

"The special assessment shall be collectible under this chapter notwithstanding any provision of law to the contrary granting a tax exemption, and the real property formerly described under § 47-895.31(8) shall revert to its description under § 47-802(1) for purposes of collection under this chapter.".

"(B) Subsection (b)(2) is amended as follows:

"(i) Strike the word "transaction" and insert the word "sale" in its place.

"(ii) Strike the phrase "§§ 47-1341 and 47-1342" and insert the phrase "§§ 47-1341, 47-1342, and 47-1353.01" in its place.

"(C) Subsection (e) is amended as follows:

"(i) Paragraph (1) is amended by striking the phrase "contrary," and inserting the phrase "contrary, provisions in this section excepted," in its place.

"(ii) Paragraph (2) is amended as follows:

"(I) The lead-in language is amended by striking the phrase "record owner" and inserting the phrase "record owner at the mailing address provided in § 47-895.33(b-1)" in its place.

"(II) Subparagraph (C) is amended by striking the word "and".

"(III) Subparagraph (D) is amended to read as follows:

"(D) Once the complaint is filed, expenses under § 47-1377 shall be owed; and".

"(IV) A new subparagraph (E) is added to read as follows:

"(E) The real property described under § 47-895.31(8) and billed as such (with account number) for purposes of Subchapter IX of Chapter 8 of this title and the correlating description under § 47-802(1) (with square, suffix, and lot numbers, or parcel and lot numbers, as applicable) is under which the complaint shall be filed.".

"(6) Section 47-1340 is amended as follows:

"(A) Subsection (a) is amended as follows:

"(i) Strike the phrase "Each of the taxing" and insert the phrase "Subject to the limitation set forth in § 34-2407.02, each of the taxing" in its place.

"(ii) Strike the phrase "notice of delinquency required by § 47-1341" and insert the phrase "notices required by § 47-1341 and § 47-1353.01" in its place.

"(B) Subsection (c) is amended to read as follows:

"(c) If a taxing agency does not certify a tax that is due to the District as of the date of the Mayor's notice under subsection (a) of this section, the tax shall not be collected through such tax sale.".

"(C) Subsection (d) is amended by striking the phrase "Unpaid real property taxes" and inserting the phrase "Unpaid real property taxes, business improvement district taxes, and vault rents" in its place.

"(D) Subsection (f) is amended to read as follows:

"(f)(1) If a taxing agency certifies taxes (for which real property is offered for sale) to the Mayor under subsection (a) of this section, and the payment of taxes to the Mayor as specified in § 47-1361(a) or by a purchaser under § 47-1382(c) has occurred for the real property, or the amount in the notices under § 47-1341 is paid before the tax sale, the taxing agency may submit an accounting to the designated agency under § 47-1332(b) in the form that the Mayor requires.

"(2) Upon receipt of the accounting and verification of the payment of taxes to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by a purchaser under § 47-1382(c), or the amount in the notices under § 47-1341 is paid before the tax sale, the amount of taxes collected that are not imposed under Chapter 8 of this title shall be disbursed regardless of lien priority from the General Fund for the purpose designated by, and in accordance with, the law creating the obligation for such taxes; provided, that, in the case of a sale under § 47-1353(b), the disbursement shall be limited to the amount available after application of lien priorities to such taxes before certification.".

"(7) Section 47-1341 is amended as follows:

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

"(a)(1) On or before May 1, the Mayor shall send a notice of tax delinquency by first class mail, postage prepaid, bearing a postmark from the United States Postal Service, to the person who last appears as the owner of the real property on the tax roll, at the last mailing address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form and may include a payment coupon or enclosed bill:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by May 31, 20__)

"The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com or at any District branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is not made before May 31, 20__, the amount listed on this notice may no longer be accurate. In that case, you must contact the Office of Tax and Revenue at …….. to obtain an updated payoff amount.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on

buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

"(B) Subsection (b) is amended by striking the phrase "Failure of the Mayor to mail the notice of delinquency as provided in subsection (a) of this section, or to include" and inserting the phrase "Subject to the Mayor's authority to cancel the sale under § 47-1366(b)(3)(A) and (B), the failure of the Mayor to mail the notices of delinquency as provided in subsections (a) and (b-1) of this section, or to include" in its place.

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

"(b-1)(1) At least 2 weeks before real property is offered at a tax sale under this chapter, the Mayor shall send a final notice of delinquency, by first class mail, postage prepaid, bearing a postmark from the United States Postal Service, to the person who last appears as the owner of the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form and may include a payment coupon or enclosed bill:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by [Last Business Day before tax sale begins]

"The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com, at any District branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is made less than 10 calendar days before [the last business day before tax sale], you must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure that your property is removed from the tax sale.

• "You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the Customer Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

• "Do not mail your paid receipt.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

"(D) A new subsection (d) is added to read as follows:

"(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section.".

"(8) Section 47-1342 is amended as follows:

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

"(a) At any time after 30 days from the mailing of the notice of delinquency required by § 47-1341(a), the Mayor shall, simultaneously:

"(1) Cause to be advertised, at least once in not less than 2 newspapers of general circulation in the District that are published at least once every 2 weeks, a public notice stating that listed real property will be sold at public auction because of taxes on the date and at the place named in the public notice; and

"(2) Post the list of real property in the public notice on the Office of Tax and Revenue's website.".

"(B) Subsection (b)(1)(A) is amended by striking the phrase "by taxation square," and inserting the phrase "by premises address, taxation square," in its place.

"(C) A new subsection (d) is added to read as follows:

"(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section.".

"(9) Section 47-1343 is amended to read as follows:

"§ 47-1343. Real property to be sold in its entirety.

"Subject to § 47-1345, each real property for sale shall be sold in its entirety, which shall be the parcel of real property as assessed in the assessment records under § 47-802(1) or as described under § 47-895.31(8) as related to a sale under § 47-1336.".

"(10) Section 47-1345 is amended to read as follows:

"§ 47-1345. Sale of real property subject to possessory interest.

"(a) Whether or not any real property subject to sale under this chapter is subject to an estate for life, or a lease or ground rent for a term (with renewals) that is at least 30 years, the Mayor shall sell the entire fee simple estate; provided, that after the judgment of foreclosure of the right of redemption, no claim for rent unpaid, due, or accruing before the date of the judgment of foreclosure of the right of redemption shall be made by the purchaser (or assignee).

"(b) Notwithstanding subsection (a) of this section or any other provision to the contrary, when a real property subject to sale under this chapter is subject to a ground lease and the ground lessor is the District of Columbia, or an instrumentality of the District, the Washington Metropolitan Area Transit Authority, or an entity whose real property is exempt from real property taxation or the enforced collection thereof under the laws of the United States of America, the Mayor shall sell the real property's improvements only. Any additional representation related to what is being sold shall be ineffectual and shall not affect the validity of the sale.

"(c) The termination of claims on real property sold under this section shall not foreclose any personal claims against previous holders of the interest sold for any damages including rent unpaid, due, or accruing before the date of the judgment of foreclosure.".

"(11) Section 47-1346(a)(5) is amended to read as follows:

"(5)(A) A potential purchaser, including a natural person or business entity, who is delinquent in payment of in rem taxes to the District or who has been convicted of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior may not bid on real property

offered at a sale held under this chapter or otherwise acquire an interest in real property sold under this chapter.

"(B) A potential purchaser, including a natural person or business entity, shall certify under oath, subject to the penalties of perjury, that the potential purchaser is not more than one year in arrears in any jurisdiction in payment of in rem taxes not being contested in good faith and has not been convicted in any jurisdiction of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior.

"(C) A certificate of sale held by a purchaser that willfully and materially violates the provisions of this paragraph shall be voidable at the discretion of the Mayor; provided, that after the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption, the certificate is no longer voidable. A certificate that is voided by the Mayor pursuant to this subparagraph shall be subject to the provisions of § 47-1355(b).

"(D) The intent of this paragraph shall not be circumvented by a purchaser through the use of one or more business entities to avoid its intended application.

"(E) For the purposes of this paragraph, a potential purchaser shall include a person owning a 10% or more equity interest in, or an officer of, an entity that owns a 10% or more equity interest in real property on which taxes are delinquent.".

“(12) Section 47-1348 is amended as follows:

“(A) Subsection (a) is amended as follows:

“(i) Paragraph (3) is amended by striking the phrase "date of the original public tax sale" and inserting the phrase "date of the tax sale" in its place.

“(ii) Paragraph (4) is amended by striking the phrase "purchaser;" and inserting the phrase "purchaser, which shall be the same date as in paragraph (3) of this subsection, if the purchaser purchased the real property at the tax sale held under § 47-1346;" in its place.

“(iii) Paragraph (10) is amended to read as follows:

"(10)(A) A statement that the rate of simple interest, upon redemption, shall be 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.

"(B) This paragraph shall apply upon its fiscal effect being included in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.".

“(B) Subsection (b) is repealed.

“(C) Subsection (c) is amended as follows:

“(i) Strike the phrase "telephone number." and insert the phrase "telephone number. If notice is not provided within 30 days of the assignment, the certificate shall be voidable at the discretion of the Mayor." in its place.

“(ii) Strike the phrase "On redemption, the purchaser will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of

18% per annum from the date the real property was sold to the date of redemption; provided, that the purchaser shall not receive interest on any surplus." and insert the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus." in its place.

"(13) Section 47-1349(c) is amended by adding a new sentence at the end to read as follows:

"If notice is not provided within 30 days of the assignment, the certificate shall be voidable at the discretion of the Mayor; provided, that after the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption, the certificate shall no longer be voidable. A certificate that is voided by the Mayor pursuant to this subsection shall be subject to the provisions of § 47-1355(b).".

"(14) Section 47-1352(a) is amended by striking the phrase "from the date the real property was bid off," and inserting the phrase "thereon accruing from the first day of the month following the date of the tax sale where the real property was bid off," in its place.

"(15) Section 47-1353 is amended as follows:

"(A) Subsection (a)(1)(B) is amended by striking the word "May" both times it appears and inserting the word "Mayor" in its place.

"(B) Subsection (b)(1)(G) is amended by striking the phrase "by square," and inserting the phrase "by premises address, taxation square," in its place.

"(C) Subsection (c)(2) is amended by striking the phrase "date of the original tax sale" and inserting the phrase "applicable date of the tax sale" in its place.

"(D) Subsection (d) is amended to read as follows:

"(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the day of the tax sale to the purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.".

"(16) A new section 47-1353.01 is added to read as follows:

"§ 47-1353.01. Post-sale notice.

"(a) Within 30 days after the date of the tax sale, the Mayor shall send notice of the sale by first class mail, postage prepaid, bearing a postmark from the United States Postal Service to the last known address of the owner. If the premises address is different from the address of record of the

owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(b) The notice required pursuant to subsection (a) of this section shall be in substantively the following form:

"[Date]

"ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address]

"Tax Sale Date: [July __, 20__]

"If you do not pay all amounts due, the purchaser will have the right to file a lawsuit to foreclose on the property and you may lose title.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Please follow the below instructions to redeem your property from tax sale and prevent a foreclosure lawsuit.

- "To redeem your property from the tax sale, you must pay all taxes owed, as well as any legal fees and expenses that may become due.
- "A tax bill is mailed to you during the month of August. You should pay the bill in full and on time.
- "If you are receiving this notice after October 31, 20__, or if you have not already paid your tax bill in full, you should contact the Office of Tax and Revenue ("OTR") at …….. for a current tax bill and up-to-date payoff amount.
- "After you have paid your taxes, you should call OTR to confirm that you have redeemed your property. Keep a copy of your proof of payment in case there is a later dispute about the payment.
- "If you have not paid all taxes within four months after the Tax Sale Date stated above, an additional $381.50 may be added to reimburse the purchaser for some costs.
- "If you do not redeem the property within six months of the Tax Sale Date stated above, the tax sale purchaser may file a lawsuit against you to obtain title to the property.
- "If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees and expenses that may total thousands of dollars. You may also lose title to the property.
- "For further information on how to redeem, please read our Real Property Owner's Guide to the Tax Sale Redemption Process, available on our Web site at www.taxpayerservicecenter.com by clicking on "Real Property." You may also request a copy by visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

"YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE. SEE THE NEXT PAGE FOR MORE INFORMATION.

"Should you have additional questions, please call OTR's Customer Service Center at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).

"(c) The tax sale purchaser shall cause a copy of the notice referred to in subsection (b) of this section to be posted on a place on the premises of the real property where it may be conveniently read. The copy of the notice shall be posted no sooner than 4 months after the date of the tax sale but at least 45 days before the filing of a complaint under § 47-1370.

"(d) Subject to the Mayor's authority to cancel the sale under § 47-1366(b)(3)(A) and (B), the failure of the Mayor to mail the notice as provided in subsections (a) and (b) of this section, or to include any tax amounts in the notice, shall not:

"(1) Invalidate or otherwise affect a tax;

"(2) Invalidate or otherwise affect a sale made under this chapter to enforce payment of taxes;

"(3) Prevent or stay any proceedings under this chapter; or

"(4) Affect the title of a purchaser.

"(e) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section.".

“(17) Section 47-1354(b) is amended to read as follows:

"(b) Upon payment as specified in § 47-1361(a) or by another purchaser under § 47-1382(c), the purchaser shall receive a refund of its payment made under this section, with interest as required

to be paid by the redeemer or such other purchaser. The purchaser shall receive interest only on the principal tax amount paid and not on the interest or penalties paid. The purchaser is entitled to the refund only if the purchaser's certificate of sale is not void and the purchaser provides proof satisfactory to the Mayor that the purchaser made the payment.".

"(18) Section 47-1355(a)(2) is repealed.

"(19) Section 47-1361 is amended as follows:

"(A) Subsection (a) is amended as follows:

(i) The lead-in text is amended by striking the phrase "the Mayor, for deposit" and inserting the phrase "the Mayor, except as set forth in paragraph (6A) of this subsection, for deposit" in its place.

"(ii) Paragraphs (2) and (3) are amended to read as follows:

"(2) If the real property was bid off to the District, the sale amount with interest thereon beginning on the first day of the month following the date of the tax sale where the real property was bid off;

"(3) If the real property was bid off to the District and subsequently sold or the certificate of sale assigned to a purchaser:

"(A) The original sale amount with interest thereon beginning on the first day of the month following the date of the tax sale where the real property was bid off; plus

"(B) Interest accruing thereafter on the sale amount in subparagraph (A) of this paragraph from the first day of the month following the date the real property was subsequently sold or the certificate of sale assigned to the purchaser;".

"(iii) Paragraph (4) is amended by striking the phrase "taxes provided, that the certificate of sale of the purchaser is not void;" and inserting the phrase "taxes;" in its place.

"(iv) Paragraph (5) is amended to read as follows:

"(5) All other real property taxes, business improvement district taxes, and vault rents to bring the real property current; provided, that any such amounts that become due and owing after receipt of the payment that permits a refund to issue to the purchaser under subsection (e) of this section shall not be required to be paid to redeem the real property;".

"(v) A new paragraph (5A) is added to read as follows:

"(5A) Any delinquent special assessment owed pursuant to an energy efficiency loan agreement under Subchapter IX of Chapter 8 of Title 47; provided, that any such assessment that becomes due and owing after receipt of the payment that permits a refund to issue to the purchaser under subsection (e) of this section shall not be required to be paid to redeem the real property;".

"(vi) Paragraph (6) is amended to read as follows:

"(6) All expenses for which each purchaser is entitled to reimbursement under § 47-1377(a)(1)(A); and".

"(vii) A new paragraph (6A) is added to read as follows:

"(6A) Where an action to foreclose the right of redemption has been properly filed, the person redeeming shall pay directly to the applicable purchaser all expenses to which the purchaser is entitled to reimbursement under § 47-1377(a)(1)(B); and".

"(viii) Paragraph (7) is repealed.

"(B) New subsections (b-1) and (b-2) are added to read as follows:

"(b-1) The redeeming party shall not be required to pay any tax that is required to be certified by § 47-1340 unless the tax has been certified by a taxing agency and sold as a lien at a tax sale.

"(b-2) Notwithstanding subsection (a) of this section, the remaining amounts that are payable to the Mayor, including tax, interest, penalties, and expenses, for the real property shall be deemed to have been brought current for purposes of redemption if, at any time, the balance falls below $100; provided, that the remaining balance shall remain due and owing and any remaining expense shall be thereafter deemed a real property tax.".

"(C) Subsection (c) is amended by striking the second sentence.

"(D) Subsection (d) is amended to read as follows:

"(d)(1) Subject to the liability threshold set forth in subsection (b-2) of this section, after receipt of the payment set forth in subsection (a)(1) through (6) of this section, the Mayor shall notify the purchaser of the payment. The purchaser shall receive from the Mayor the refund to which the purchaser is entitled, subject to the purchaser's compliance with all procedures for issuance of the refund, as may be established by the Mayor.

"(2) If a complaint under § 47-1370 has been properly filed, a purchaser may continue to prosecute the complaint until receipt of the expenses owed to the purchaser and payable to the purchaser by the redeeming party as set forth in subsection (a)(6A) of this section, but shall dismiss the complaint upon receipt thereof.

"(3) A complaint to foreclose the right of redemption shall not be maintained solely to await the administrative refund under this subsection.

"(4) Notification by the Mayor under this subsection may be accomplished by making the information publicly available through an electronic medium, including by posting on a website.".

"(E) Subsection (e) is amended as follows:

"(i) Strike the phrase "Upon request and subject to the payment of a fee," and insert the phrase "Upon request, within 60 days of the request," in its place.

"(ii) Add a new sentence at the end to read as follows:

"The Recorder of Deeds shall waive all fees relating to the recordation of a certificate of redemption.".

"(F) A new subsection (f) is added to read as follows:

"(f) The Mayor may abate interest or penalties or compromise taxes, whether arising before or after the tax sale, in the same manner as set forth in § 47-811.04; provided, that the abatement or compromise shall not affect the refund due to the purchaser.".

"(20) Section 47-1362 is amended as follows:

"(A) Subsection (a) is amended by striking the phrase "If the real property is redeemed after an action to foreclose the right of redemption is filed and there is a dispute regarding redemption, the" and inserting the phrase "If there is a dispute regarding redemption after an action to foreclose the right of redemption is filed, the" in its place.

"(B) Subsection (c) is repealed.

"(21) Section 47-1363(a) is amended by striking the phrase "date of the sale" and inserting the phrase "date of the tax sale" in its place.

"(22) Section 47-1366 is amended to read as follows:

"§ 47-1366. Cancellation of sale by Mayor.

"(a) The Mayor, in the Mayor's discretion, may cancel a sale before the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption to prevent an injustice to the owner or person with an interest in the real property.

"(b) The Mayor shall cancel a sale before the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption where:

"(1) The record owner or other interested party timely pays the amount set forth in the notice of delinquency to avoid the tax sale as required under § 47-1341(a) or otherwise pays the outstanding taxes before the tax sale;

"(2) The real property meets the qualifications to be exempt from sale under § 47-1332(c);

"(3) In a sale involving Class 1 property with 5 or fewer units that a record owner (or a person with an interest in the property as heir or beneficiary of the record owner, if the record owner is deceased) occupies as his or her principal residence, the record owner or other interested person proves:

"(A) A failure of the Mayor to mail any of the notices required by §§ 47-1341(a), 47-1341(b), or 47-1353.01; or

"(B) That the mailing address of the person who last appears as the record owner of the real property on the tax roll, as properly updated by the record owner by the filing of a change of address with the Office of Tax and Revenue in accordance with § 42-405, was not correctly or substantively updated by the Office of Tax and Revenue notwithstanding proper filing; or

"(4) A properly filed application for a forbearance authorization was filed at least 30 days before the sale and was approved within 60 days after the sale.

"(c) Subject to the limitations set forth in § 47-1377(b), (c), (d), and (e), if the Mayor cancels a sale pursuant to this section, the Mayor shall pay to the purchaser the amount that the purchaser would have received if the real property had been redeemed, but no part of the amount shall be considered a payment of tax on behalf of the real property. A certificate of redemption, if necessary, shall be executed and filed by the Mayor with the Recorder of Deeds for no fee.".

"(23) Section 47-1370 is amended as follows:

"(A) Subsection (a) is amended by striking the phrase "date of sale" and inserting the phrase "date of the tax sale" in its place.

"(B) Subsection (c) is amended by adding a new paragraph (4) to read as follows:

"(4) Proof of the posting required under § 47-1353.01 shall be attached to and made part of the complaint. The posting shall be held to the same standard as the proof of posting required under § 47-1372(f).".

"(C) A new subsection (e) is added to read as follows:

"(e) The purchaser shall immediately notify the Chief Financial Officer and the Real Property Tax Ombudsman, established by § 47-805, upon the filing of a complaint under this section.".

"(24) Section 47-1371(b) is amended by adding a new paragraph (2A) to read as follows:

"(2A) The plaintiff shall certify to the Superior Court of the District of Columbia, under penalties of perjury, that a search was conducted for the record owner in bankruptcy records.".

"(25) Section 47-1372(a)(1)(C) is amended by striking the phrase "date of sale" and inserting the phrase "date of the tax sale" in its place.

"(26) Section 47-1374 is amended as follows:

"(A) Subsection (c) is amended to read as follows:

"(c) This subsection applies only if a last known address for a defendant is obtained as provided under subsections (a) and (b) of this section. The plaintiff shall cause a copy of the order of publication to be mailed by first class, certified mail, postage prepaid, to each defendant's address as determined by the provisions of subsections (a) and (b) of this section.".

"(B) Subsection (e) is amended to read as follows:

"(e)(1) A final judgment may not be entered earlier than the later of:

"(A) One year following the initial scheduling conference in the foreclosure action; or

"(B) Four months following the completion of service on the owner and all parties identified as defendants in § 47-1371.

"(2) Paragraph (1) of this subsection shall not apply to any final judgment in which all interested parties have disclaimed any interest in the property subject to the judgment or in a case where a real property was sold under § 47-1353(a)(3) or (b).".

"(27) Section 47-1377 is amended to read as follows:

"§ 47-1377. Purchaser reimbursed by redeeming party for expenses.

"(a)(1) Except as provided in subsection (b) of this section, upon redemption, a purchaser is entitled to be reimbursed by the redeeming person for the following expenses incurred in an action, or in preparation for an action, to foreclose the right of redemption:

"(A) If an action to foreclose the right of redemption has not been filed and the property is redeemed more than 4 months after the applicable tax sale's tax sale date, the purchaser may be reimbursed for the following pre-complaint legal expenses:

"(i) The cost of $50 for any posting required by § 47-1353.01;

"(ii) Costs for recording the certificate of sale; and

"(iii) The cost of a title search, not to exceed $300.

"(B) If an action to foreclose the right of redemption has been filed, the purchaser may also be reimbursed for:

"(i) Reasonable attorneys' fees as follows:

"(I) In a case in which the property is redeemed before the 5th status hearing, reasonable attorneys' fees not to exceed $1,500;

"(II) In a case requiring 5 or more status hearings, reasonable attorneys' fees not to exceed $1,500, plus $75 for the 5th status hearing and each additional status hearing thereafter; and

"(III) In a case in which a motion for judgment is filed with the court, additional attorneys' fees in the amount of $300;

"(ii) Notwithstanding sub-subparagraph (i) of this subparagraph, in cases requiring prolonged or complex representation not typically necessary to resolve an action filed under this chapter, including cases in which the purchaser incurs attorneys' fees and expenses under § 47-1382.01(a), other reasonable attorneys' fees incurred and specifically requested by the purchaser and approved by the court, on a case-by-case basis; provided, that additional attorneys' fees shall not be awarded if a tax sale is cancelled by the Mayor under § 47-1366, or where a purchaser is required to show good cause under subsection (c) of this section; and

"(iii) Expenses actually incurred as follows:

"(I) Filing fee charged by the Superior Court of the District of Columbia;

"(II) Service of process fee, including fees incurred attempting to serve process;

"(III) If a 2nd title search is conducted more than 6 months after the initial title search, a title search update fee, not to exceed $75;

"(IV) Publication fee charged by a newspaper of general circulation in the District;

"(V) Posting fees;

"(VI) Postage and certified mail costs;

"(VII) Substantial repair order fee, not to exceed the fee charged by the government agency issuing the certificate of substantial repair; and

"(VIII) Any court approved expense for stabilization or conversion of, or to make safe and compliant with Chapter 31A of Title 42, the property under § 47-1363 or to comply with an action taken against the property by the Mayor in accordance with the applicable building, fire, health, or safety code.

"(2)(A) In calculating the number of hearings in a case for the purposes of paragraph (1)(B)(i) of this subsection, any status hearing held before the redeeming party was served shall be excluded from the calculation.

"(B) For purposes of paragraph (1)(B)(i) of this subsection, an initial scheduling conference shall be deemed a status hearing.

"(C) Nothing in paragraph (1) of his subsection shall be construed as prohibiting the purchaser from settling attorneys' fees in a lesser amount than the purchaser may be eligible for under this section.

"(b) No purchaser of a certificate of sale shall be reimbursed for expenses incurred within 4 months after the date of the tax sale. A purchaser other than the District shall not be reimbursed for any expenses if the certificate becomes void under this chapter.

"(c) The purchaser shall not be entitled to be reimbursed for any expenses or attorney's fees not included in this section. Expenses or attorneys' fees incurred by a purchaser who appeals the assessment or the vacant status of the property are not reimbursable.

"(d) If the purchaser fails to satisfy the requirements for posting under § 47-1353.01 or fails to provide proof of posting required under § 47-1370(c)(4), the purchaser shall not be entitled to collect the legal expenses set forth in subsection (a) of this section; provided, that upon a showing to the Superior Court of the District of Columbia of good cause for the failure to meet the posting requirements of § 47-1353.01 or § 47-1370(c)(4), the purchaser shall be entitled to collect those expenses, not to exceed the amounts set forth in subsection (a) of this section, that the Superior Court of the District of Columbia considers reasonable.

"(e) Notwithstanding subsection (d) of this section, if the tax sale is cancelled by the Mayor under § 47-1366, the purchaser shall not be entitled to reimbursement of the expenses permitted under subsection (a)(1)(B) of this section if the purchaser fails to specifically disclose to the Mayor, at least 45 days before the filing of a complaint to foreclose the right of redemption, information that is obtained or should have been obtained from the pre-complaint investigation, including the title examination and review of bankruptcy records under § 47-1371(b)(2) and § 47-1371(b)(2A), that evidences a violation of § 47-1332(c), a violation of a bankruptcy stay, or errors, as prescribed by the Mayor through regulation.".

“(28) Section 47-1380(d) is amended by striking the phrase "the sale." and inserting the phrase "the sale and the purchaser shall not receive any amounts otherwise due under this chapter." in its place.

“(29) Section 47-1382(a) is amended as follows:

“(A) The lead-in text is amended by striking the phrase "A final" and inserting the phrase "Except as provided in § 47-1382.01, a final" in its place.

“(B) Paragraph (1) is amended to read as follows:

"(1) A taxing agency lien that is recorded in the Office of the Recorder of Deeds;".

“(C) Paragraph 4 is amended by striking the word "and".

“(D) Paragraph (5) is amended by striking the period and inserting the phrase "; and" in its place.

“(E) A new paragraph (6) is added to read as follows:

"(6) A ground lease described in § 47-1345(b), any recorded covenant, agreement, or other instrument, and any other document incorporated by reference into a recorded covenant, agreement, or other instrument, to which a ground lessor as described in § 47-1345(b) is a party or beneficiary.".

“(30) A new section 47-1382.01 is added to read as follows:

"§ 47-1382.01. Equity distribution post-judgment – owner-occupant properties.

"(a) This section shall apply to any Class 1 property with 5 or fewer units in which a record owner (or a person with an interest in the property as heir or beneficiary of the record owner, if

deceased), was occupying as his or her principal residence when the complaint to foreclose the right of redemption was filed. The purchaser shall bear the burden of establishing that this section is not applicable to the real property.

"(b) Upon issuing a final judgment foreclosing the right of redemption, the Superior Court of the District of Columbia shall appoint a trustee and shall order that the trustee sell the property pursuant to Rule 308 of the Superior Court of the District of Columbia Rules of Civil Procedure, or its equivalent.

"(c) The trustee shall sell a fee simple interest in the property, subject to the encumbrances set forth in § 47-1382(a).

"(d) The court shall order the trustee to distribute the proceeds of the sale in priority order as follows:

"(1) Reasonable compensation and reasonable expenses due to the trustee or to any other person (including an auctioneer) who provided services relating to the sale of the property, and all other payments the court deems to have been necessary to effect the sale of the real property, including recordation and transfer taxes;

"(2) Payment to the Mayor of:

"(A) All amounts payable to the Mayor for deposit into the General Fund of the District of Columbia under § 47-1361 as of the date of the court's order regarding distribution;

"(B) Any promissory note executed pursuant to § 47-1353(a)(3); and

"(C) Any lien certified under § 47-1340;

"(3) Payment to the purchaser of all amounts provided for in § 47-1377, as fixed by the court; and

"(4) Any remaining amounts as follows:

"(A) Ten percent or $20,000, whichever is less, to the purchaser; and

"(B) The remainder to the person or persons (including, when appropriate, a decedent's estate) entitled to the balance, in proper proportion as determined by the trustee, or, when necessary, a court.

"(e)(1) The trustee shall notify the purchaser once payment is made to the Mayor pursuant to subsection (d)(2) of this section, at which time the purchaser shall surrender the certificate of sale and receive from the Mayor the amount to which the purchaser would have been entitled had redemption occurred in accordance with § 47-1361.

"(2) For purposes of calculating the refund due to the purchaser, the date of the court's order providing for distribution or the sale proceeds in accordance with subsection (d) of this section shall be deemed the date of redemption.

"(f)(1) If the trustee in the trustee's best judgment determines that a sale of the real property will not generate proceeds sufficient to fund the distributions required under subsection (d)(1) and (2) of this section, the trustee shall timely inform the court of that determination.

"(2) Upon receipt of the trustee's determination as described in paragraph (1) of this subsection, the court shall:

"(A) Rescind the trustee's appointment and the order to sell the real property;

"(B) Issue a final judgment foreclosing the right of redemption in accordance with the provisions of § 47-1382; and

"(C) Require the purchaser to pay such fees and expenses of the trustee as the court determines appropriate.".

"(31) Section 47-1384 is amended by striking the phrase "Notwithstanding any other law, the provisions of this chapter" and inserting the phrase "Notwithstanding any other law, if a court determines that any provision of this chapter is ambiguous, the provision" in its place.".

(n) Section 7103(d) is amended to read as follows:

"(d) The District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq*.), is amended as follows:

"(1) Section 302 (D.C. Official Code § 42-1102) is amended by adding a new paragraph (34) to read as follows:

"(34) Deeds to property transferred to a named beneficiary of a revocable transfer on death deed under the Uniform Real Property Transfer of Death Act of 2012, effective March 19, 2013 (D.C. Law 19-230; D.C. Official Code § 19-604.01 *et seq*.), by reason of the death of the grantor of the revocable transfer on death deed.".

"(2) Section 303(a-4) (D.C. Official Code § 42-1103(a-4)) is amended by striking the word "transferred" and inserting the phrase "transferred by deed of title" in its place.".

(o) A new section 7173 is added to read as follows:

"Sec. 7173. Applicability.

"This subtitle shall be applicable for tax years beginning after December 31, 2014.".

(p) A new section 7185 is added to read as follows:

"Sec. 7185. The grant program established by this subtitle shall be funded by the savings realized from section 7184.".

(q) Section 8032(a) is amended by striking the phrase "Regional Transportation Improvement Program" and inserting the phrase "region's Transportation Improvement Program" in its place.

Sec. 3. Applicability.

Retroactive Applicability Date

This act shall apply as of December 30, 2014.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-612, effective January 26, 2015 (Expiration date April 26, 2015)

AN ACT

Bill 20-1039

Emergency Declaration Res. 20-731 21 DCStat 916

Not Codified

To approve, on an emergency basis, Task Order Nos. T0002 and T0003 for Human Care Agreement No. DCRL-2013-H-0039H to provide case management and traditional family-based foster care services for children and youth and to authorize payment for the services received and to be received under the contract.

Task Orders for Human Care Agreement No. DCRL-2013-H-0039H Approval and Payment Authorization Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Task Orders for Human Care Agreement No. DCRL-2013-H-0039H Approval and Payment Authorization Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Task Order Nos. T0002 and T0003 for Human Care Agreement No. DCRL-2013-H-0039H with Foundations for Home and Community, Inc., to provide case management and traditional family-based foster care services for children and youth and authorizes payment in an amount not to exceed $1,003,636.64for services received and to be received under Human Care Agreement No. DCRL-2013-H-0039H for the first option year, from October 1, 2014 through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-613, effective January 26, 2015 (Expiration date April 26, 2015)

AN ACT

Bill 20-1040

Emergency Declaration Res. 20-732 21 DCStat 917

Not Codified

To approve, on an emergency basis, Modification No. 2 and Proposed Modification No. 4 to Contract No. CW22520 with Holder Enterprises, Inc., to provide temporary support services and authorize payment for the services received and to be received under the contract.

Modifications to Contract No. CW22520 Approval and Payment Authorization Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW22520 Approval and Payment Authorization Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 2 and Proposed Modification No. 4 to Contract No. CW22520 with Holder Enterprises, Inc., and authorizes payment in the aggregate not-to-exceed amount of $10,000,000.00 for services received and to be received under the contract for option year one.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-614, effective January 26, 2015 (Expiration date April 26, 2015)

AN ACT

Bill 20-1041

Emergency Declaration Res. 20-733 21 DCStat 918

Not Codified

To approve, on an emergency basis, Modification No. 1 and Proposed Modification No. 4 to Contract No. CW22523 with Digidoc Inc. dba Document Managers to provide temporary support services and authorize payment for the services received and to be received under the contract.

Modifications to Contract No. CW22523 Approval and Payment Authorization Emergency Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW22523 Approval and Payment Authorization Emergency Act of 2014".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 1 and Proposed Modification No. 4 to Contract No. CW22523 with Digidoc Inc. dba Document Managers and authorizes payment in the aggregate not-to-exceed amount of $10,000,000.00 for services received and to be received under the contract for option year one.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-616, effective January 28, 2015 (Expiration date April 28, 2015)
[Delayed Applicability]

AN ACT

Bill 20-1035

Emergency Declaration Res. 20-728 21 DCStat 913

To amend, on an emergency basis, the District of Columbia Election Code of 1955 to require a digital voter service system that may be executed by electronic signatures, to require the Department of Motor Vehicles to transmit to the District of Columbia Board of Elections the electronic signatures of those individuals who possess current Department of Motor Vehicles-issued identification and who submit registration applications through the digital voter service system to the Board, and to make conforming amendments.

Codification District of Columbia Official Code 2001 Edition

Voter Registration Access and Modernization Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Voter Registration Access and Modernization Emergency Amendment Act of 2014".

Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

Note, § 1-1001.02

(a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding new paragraphs (27) and (28) to read as follows:

"(27) The term "digital voter service system" means a website or mobile application that allows an individual to do the following:

"(A) Apply to become a registered voter;

"(B) Change the individual's name, address, or party affiliation in the individual's existing voter registration record; and

"(C) Request an absentee ballot.

"(28) The term "DMV" means the Department of Motor Vehicles.".

Note, § 1-1001.07

(b) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

(1) Subsection (a-1) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase "driver's license" and inserting the phrase "DMV-issued identification" in its place.

(ii) Subparagraph (B) is amended by striking the phrase "driver's license" and inserting the phrase "DMV-issued identification" in its place.

(B) Paragraph (2) is amended by striking the phrase "driver's license" and inserting the phrase "DMV-issued identification" in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended by striking the word "mailed" and inserting the word "mailable" in its place.

(B) A new paragraph (2A) is added to read as follows:

"(2A) No later than 180 days following the effective date of the Voter Registration Access and Modernization Amendment Act of 2014, enacted on October 7, 2014 (D.C. Act 20-437; 61 DCR 10730), the Board shall implement a digital voter service system that includes a voter registration application form that may be executed by either:

"(A) An electronic signature provided by the applicant directly to the Board; or

"(B) An electronic signature provided to the Board by the DMV in accordance with paragraph (5) of this subsection.".

(C) A new paragraph (5) is added to read as follows:

"(5) For each individual who submits a voter registration application using the Board's digital voter service system required by paragraph (2A) of this subsection, the Board shall request, and the DMV shall furnish, an electronic copy of the applicant's signature for the purpose of executing the application submitted for acceptance and approval; provided, that the applicant provides the applicant's DMV-issued identification number and affirmatively consents to the use of that signature as the signature for the application submitted.".

(3) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(ii) Subparagraph (B) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(iii) Subparagraph (D) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(iv) Subparagraph (H) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(v) Subparagraph (I) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(vi) Subparagraph (K) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

(B) Paragraph (2) is repealed.

(4) Subsection (g) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "in person at the Board's office" and inserting the phrase "in person at the Board's office, using the digital voter service system required by subsection (b)(2A) of this section," in its place.

(B) Paragraph (2) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(ii) Subparagraph (B) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(C) Voter registration applications and registration update notifications submitted through the digital voter service system required by subsection (b)(2A) of this section not later than the 30th day preceding any election.".

(5) Subsection (i)(6)(A) is amended by striking the phrase "driver's license" and inserting the phrase "DMV-issued identification" in its place.

(6) Subsection (j)(1)(D) is amended by striking the phrase "Bureau of Motor Vehicle Services" and inserting the acronym "DMV" in its place.

Sec. 3. Applicability. **Delayed Applicability**

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

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

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

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

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Voter Registration Access and Modernization Amendment Act of 2014, enacted on October 7, 2014 (D.C. Act 20-437; 61 DCR 10730), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 20-617, effective January 28, 2015 (Expiration date April 28, 2015)

AN ACT

Bill 20-1036

Emergency Declaration Res. 20-729 21 DCStat 914

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the District of Columbia Election Code of 1955 to permit the District of Columbia Board of Elections to hold special elections to fill vacancies in the offices of the Delegate to the House of Representatives from the District of Columbia and an elected member of the State Board of Education on a Tuesday occurring at least 70 days but not more than 174 days after the date on which the vacancy occurs.

Special Election Reform Emergency Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Special Election Reform Emergency Amendment Act of 2014".

Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

Note, § 1-1001.01

(a) Section 1 (D.C. Official Code § 1-1001.01) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

Note, § 1-1001.02

(b) Section 2 (D.C. Official Code § 1-1001.02) is amended as follows:

(1) Paragraph (5) is amended to read as follows:

"(5) The term "State Board of Education" means the State Board of Education established by section 402 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2651).".

(2) Paragraph (13) is amended by striking the phrase "the President and members of the Board of Education" and inserting the phrase "members of the State Board of Education" in its place.

Note, § 1-1001.08

(c) Section 8 (D.C. Official Code § 1-1001.08) is amended as follows:

(1) The heading is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

(2) Subsection (m) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

(3) Subsection (n) is amended by striking the phrase "Board of Education" wherever it appears and inserting the phrase "State Board of Education" in its place.

Note, § 1-1001.10

(d) Section 10 (D.C. Official Code § 1-1001.10) is amended as follows:

(1) Subsection (a)(5) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

(2) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

(B) Paragraph (2)(A) is amended by striking the phrase "first Tuesday that occurs more than 114 days after the date on which the vacancy is certified by the Board unless the Board determines that the vacancy could be filled more practicably in a special election held on the same day as the next District-wide special, primary, or general election that is to occur within 60 days of the date on which the special election would otherwise have been held under the provisions of this subsection" and inserting the phrase "Tuesday occurring at least 70 days and not more than 174 days after the date on which the vacancy occurs which the Board determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation" in its place.

(3) Subsection (e) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Strike the phrase "Board of Education" both times it appears and insert the phrase "State Board of Education" in its place.

(ii) Strike the phrase "1st Tuesday that occurs more than 114 days after the date on which the vacancy is certified by the Board of Elections, unless the Board determines that the vacancy could be filled more practicably in a special election held on the same day as the next special, primary, or general election that is to occur within 60 days of the date on which a special election would otherwise have been held under the provisions of this subsection" and insert the phrase "Tuesday occurring at least 70 days and not more than 174 days after the date on which the vacancy occurs which the Board determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation" in its place.

(B) Paragraph (2) is repealed.

(4) Subsection (f) is amended by striking the phrase "Board of Education" both times it appears and inserting the phrase "State Board of Education" in its place.

Note, § 1-1001.11

(e) Section 11(a)(2) (D.C. Official Code § 1-1001.11(a)(2)) is amended by striking the phrase "President of the Board of Education, or member of the Board of Education" and inserting the phrase "or member of the State Board of Education" in its place.

Note, § 1-1001.15

(f) Section 15 (D.C. Official Code § 1-1001.15) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Board of Education" both times it appears and inserting the phrase "State Board of Education" in its place.

(2) Subsection (b) is amended by striking the phrase "Board of Education" and inserting the phrase "State Board of Education" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Special Election Reform Amendment Act of 2014, enacted on October 7, 2014 (D.C. Act 20-440; 61 DCR 10738), as the fiscal impact statement required by section 602(c)(3) of the District of

Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-41

Emergency Declaration Res. 21-8 21 DCStat 1121

Codification District of Columbia Official Code 2001 Edition

Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Act of 2015

Note, § 2-1212.21

To establish, on an emergency basis, due to congressional review, that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Act of 2015".

Sec. 2. (a) It shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction in a contract for the sale, or other transfer, or lease of real property being used as a grocery store that prohibits the subsequent use of the real property as a grocery store.

(b) Any contract, including a private agreement, that includes a restrictive land covenant or use restriction on real property as described in subsection (a) of this section shall be void and unenforceable.

(c) The prohibition imposed by this section shall not apply to an owner or operator of a grocery store or food retail store that terminates operations at a site for purposes of relocating the grocery or food retail store into a comparable or larger store located within the District of Columbia within one-half mile of the site where the prior operation was terminated; provided, that relocation and commencement of the operation of the new grocery store or food retail store at the new site occurs within 2 years of the sale, transfer, or lease of the prior site, and the restrictive covenant imposed on the prior site does not have a term in excess of 3 years. If the new grocery store or food retail store is not relocated within the District within one-half mile of the prior site within 2 years, the restrictive land covenant or use restriction shall not be enforceable.

(d) For the purposes of this act, the term:

(1) "Grocery store" means a retail establishment with a primary business of selling grocery products and includes a selling area that is used for a general line of food and nonfood grocery products.

(2) "Private agreement" means a mutually agreed upon and entered into exchange of promises.

Sec. 3. Applicability.

Retroactive Applicability Date

This act shall apply as of January 21, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-2, effective February 19, 2015 (Expiration date May 5, 2015)

AN ACT

Bill 21-43

Emergency Declaration Res. 21-7 21 DCStat 1120

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the District of Columbia Procurement Practices Act of 1985 to align minimum qualifications for the position of Inspector General with federal standards.

Inspector General Qualifications Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Inspector General Qualifications Congressional Review Emergency Amendment Act of 2015".

Note, § 1-301.115

Sec. 2. Section 208(a)(1) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1-301.115a(a)(1)), is amended as follows:

(a) Subparagraph (D) is amended to read as follows:

"(D) The Inspector General shall be appointed:

"(i) Without regard to party affiliation;

"(ii) On the basis of integrity;

"(iii) With demonstrated supervisory and management experience; and

"(iv) With demonstrated experience and ability, in the aggregate, in law, accounting, auditing, financial management analysis, public administration, or investigations.".

(b) Subparagraph (D-i) is repealed.

Retroactive Applicability Date

Sec. 3. Applicability.

This act shall apply as of February 4, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Inspector General Qualifications Amendment Act of 2014, enacted on January 6, 2015 (D.C. Act 20-562; 62 DCR 489), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-3, effective February 19, 2015 (Expiration date May 10, 2015)

AN ACT

Bill 21-44

Emergency Declaration Res. 21-9 21 DCStat 1123

To amend, on an emergency basis, due to congressional review, the Legalization of Marijuana for Medical Treatment Initiative of 1998 to expand the definition of a qualifying medical condition to allow physicians to determine whether a patient would benefit from medical marijuana treatment and to increase the number of living plants a medical marijuana cultivation center can possess at any time.

Codification District of Columbia Official Code 2001 Edition

Medical Marijuana Expansion Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Expansion Congressional Review Emergency Amendment Act of 2015".

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

(a) Section 2(17) (D.C. Official Code § 7-1671.01(17)) is amended to read as follows:

Note, § 7-1671.01

"(17) "Qualifying medical condition" means any condition for which treatment with medical marijuana would be beneficial, as determined by the patient's physician.".

(b) Section 7(e)(2) (D.C. Official Code § 7-1671.06(e)(2)) is amended by striking the number "95" and inserting the number "500" in its place.

Note, § 7-1671.06

Sec. 3. Applicability.

Retroactive Applicability Date

This act shall apply as of February 9, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Medical Marijuana Expansion Amendment Act of 2014, enacted on November 12, 2014 (D.C. Act 20-474; 61 DCR 12119), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-49

Emergency Declaration Res. 21-12 21 DCStat 1128

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater.

Extension of Time to Dispose of the Strand Theater Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Time to Dispose of the Strand Theater Congressional Review Emergency Amendment Act of 2015".

Note, § 10-801

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-6) to read as follows:

"(d-6) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of the property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater, for which disposition was approved by the Council pursuant to the Strand Theater Disposition Approval Resolution of 2009, effective October 6, 2009 (Res. 18-0263; 56 DCR 8410), and extended by the Strand Theater Disposition Extension Approval Resolution of 2011, effective September 20, 2011 (Res. 19-246; 58 DCR 8477), is extended to October 6, 2015.".

Retroactive Applicability Date

Sec. 3. Applicability.

This act shall apply as of February 10, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-42

Emergency Declaration Res. 21-13 21 DCStat 1129

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Recreation Act of 1994 to clarify that the Department of Parks and Recreation's implementation of its nutritional requirements is not contingent upon the agency's promulgation of unrelated regulations concerning field and facility permitting.

Department of Parks and Recreation Fee-based Use Permit Authority Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Parks and Recreation Fee-based Use Permit Authority Clarification Emergency Amendment Act of 2015".

Note, § 10-307

Sec. 2. Section 7a(b)(2) of the Recreation Act of 1994, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-307(b)(2)), is amended by striking the phrase "section 3(b-1) and (d), section 3a, and section 3b" and inserting the phrase "section 3(b-1) and (d) and section 3a" in its place.

Retroactive Applicability Date

Sec. 3. Applicability

This act shall apply as of February 1, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Department of Parks and Recreation Fee-based Use Permit Authority Clarification Amendment Act of 2014, enacted on December 18, 2014 (D.C. Act 20-520; 61 DCR 13104), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-50

Emergency Declaration Res. 21-15 21 DCStat 1132

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Fiscal Year 2015 Budget Support Act of 2014 and section 4 of the Retail Incentive Act of 2004 to modify the boundaries of the Bladensburg Road, N.E., Retail Priority Area; to repeal the H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014; and to amend section 4 of the H Street, N.E., Retail Priority Area Incentive Act of 2010 to clarify that restaurants whose annual alcohol sales exceed 20% are not eligible for retail development project grants and to clarify the location of businesses that are eligible to receive retail development project grants.

H Street, N.E., Retail Priority Area Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "H Street, N.E., Retail Priority Area Clarification Emergency Amendment Act of 2015".

Sec. 2. Section 2094(a) of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended to read as follows:

"(a) Subsection (g) is amended to read as follows:

""(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E., to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.; thence south on 19th Street, N.E., to Benning Road, N.E.; thence east on Benning Road, N.E. to Oklahoma Avenue, N.E.; continuing southwest along Oklahoma Avenue, N.E., to the center line of E Street, N.E.; continuing west on E Street, N.E., to the center line of 21st Street, N.E.; continuing north on 21st Street, N.E., to the center line of Gales Street, N.E.; thence northwest on Gales Street, N.E., to 15th Street, N.E.; thence west on G Street, N.E., to 14th Street, N.E.; thence north on 14th Street, N.E., to Florida Avenue, N.E.; thence west on Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the point of beginning."."

Sec. 3. Section 4(g) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(g)), is amended to read as follows:

"(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E., to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence

south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.; thence south on 19th Street, N.E., to Benning Road, N.E.; thence east on Benning Road, N.E., to Oklahoma Avenue, N.E.; continuing southwest along Oklahoma Avenue, N.E., to the center line of E Street, N.E.; continuing west on E Street, N.E., to the center line of 21st Street, N.E.; continuing north on 21st Street, N.E., to the center line of Gales Street, N.E.; thence northwest on Gales Street, N.E., to 15th Street, N.E.; thence west on G Street, N.E., to 14th Street, N.E.; thence north on 14th Street, N.E., to Florida Avenue, N.E.; thence west on Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the point of beginning.".

Sec. 4. Section 4 of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.173), is amended as follows:

(a) Subsection (b)(2) is amended by striking the word "restaurants" and inserting the phrase "restaurants whose annual alcohol sales exceed 20%" in its place.

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

"(2) Frontage on a commercial corridor within the H Street, N.E., Retail Priority Area;".

Sec. 5. The H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014, enacted on November 10, 2014 (D.C. Act 20-475; 61 DCR 12121), is repealed.

Retroactive Applicability Date

Sec. 6. Applicability.

Section 4(a) shall apply as of January 22, 2015.

Sec. 7. Fiscal impact statement.

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

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-46

Emergency Declaration Res. 21-11 21 DCStat 1126

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the District of Columbia Statehood Constitutional Convention Initiative of 1979 to repeal the Statehood Commission, repeal the Statehood Compact Commission, to establish the Office of the Statehood Delegation, and to establish the New Columbia Statehood Commission and New Columbia Statehood Fund; to repeal the 51st State Commission Establishment Act of 2010; to amend section 47-1812.11c of the District of Columbia Official Code to reflect the establishment of the New Columbia Statehood Fund; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish personnel authority for the Statehood Delegation over the Office of the Statehood Delegation; to amend the District of Columbia Health Occupations Revision Act of 1985 to repeal the Health Occupation Advisory Committees; to amend the Department of Health Functions Clarification Act of 2001 to re-establish the Health Occupation Advisory Committees under the Department of Health; to amend the Retail Service Station Act of 1976 to modify the membership and scope of the Gas Station Advisory Board; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to modify the personnel authority for the District of Columbia Law Revision Commission; to amend the District of Columbia Law Revision Commission Act of 1980 to modify the membership of the commission and provide that members shall not be compensated for service; to amend section 47-355.07 of the District of Columbia Official Code to codify the role and responsibilities of the Board of Review for Anti-Deficiency Violations, and to revise the membership of the board; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify the compensation provisions for various boards and commissions, and to increase the statutory compensation cap for certain boards and commissions; to abolish certain boards and commissions; to amend Chapter 24 of Title 17 of the District of Columbia Municipal Regulations to repeal the authority for the Notary Public Board of Review; to make conforming amendments; and to provide for the orderly transition of duties and responsibilities to the newly elected Mayor and Attorney General.

New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Congressional Review Emergency Amendment Act of 2015".

TITLE I – THE NEW COLUMBIA STATEHOOD INITIATIVE

Sec. 101. The District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Official Code § 1-121 *et seq*.), is amended as follows:

(a) Sections 6 and 7 (D.C. Official Code §§ 1-125 and 1-126) are repealed.

Note, Repeal §§ 1-125, 1-126

(b) Title II (D.C. Official Code § 1-129.01 *et seq*.) is amended to read as follows:

"TITLE II -- NEW COLUMBIA STATEHOOD INITIATIVE

"SUBTITLE A. DEFINITIONS.

"Sec. 11. Definitions. **Note, § 1-129.01**

"For the purposes of this title, the term:

"(1) "Commission" means the New Columbia Statehood Commission established pursuant to section 31.

"(2) "Fund" means the New Columbia Statehood Fund established pursuant to section 32.

"(3) "Statehood Delegation" means, collectively, the United States Representative and the 2 United States Senators holding office pursuant to section 4.

"(4) "Statehood Fund" means the fund established by each United States Senator and United States Representative pursuant to section 4(g), and overseen by the Office of Campaign Finance.

"(5) "United States Representative" means the District of Columbia public official elected pursuant to section 4 to the office of Representative.

"(6) "United States Senator" means either of the 2 District of Columbia public officials elected pursuant to section 4 to the office of Senator.

"SUBTITLE B. DISTRICT OF COLUMBIA STATEHOOD DELEGATION

"Sec. 21. Office of the Statehood Delegation. **Note, § 1-129.11**

"(a) The Office of the Statehood Delegation ("Office") is established as an independent agency within the District of Columbia government, consistent with the meaning of the term independent agency as provided in section 301(13) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)).

"(b) The Office shall provide support to the Statehood Delegation in promoting statehood and voting rights for the citizens of the District of Columbia.

"(c) The Office shall be headed by an Executive Director who shall be appointed by the Statehood Delegation. The Executive Director shall support the members of the Statehood Delegation and provide administrative support to the Commission.

"(d) The Executive Director shall devote his or her full time to the duties of the Office. The salary of the Executive Director shall be determined by the Statehood Delegation, but shall not exceed 75% of the compensation for a Member of the Council as determined by section 1109(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.09(b)).

"(e) For Fiscal Year 2015, the compensation for the Executive Director shall be paid from funds budgeted for Statehood Initiatives under section 1112 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990). Beginning in Fiscal Year 2016, the salary for the Executive Director shall be paid from the New Columbia Statehood Fund, subject to the availability of funds.

"SUBTITLE C. NEW COLUMBIA STATEHOOD COMMISSION AND NEW COLUMBIA STATEHOOD FUND

Note, New § 1-129.21

"Sec. 31. Establishment of the New Columbia Statehood Commission.

"(a) The New Columbia Statehood Commission is established as an independent agency within the District of Columbia government, consistent with the meaning of the term independent agency as provided in section 301(13) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)).

"(b) The Commission shall:

"(1) Educate regarding, advocate for, promote, and advance the proposition of statehood and voting rights for the District of Columbia to District residents and citizens of the 50 states;

"(2) Solicit financial and in-kind contributions, grants, allocations, gifts, bequests, and appropriations from public and private sources to be deposited in the New Columbia Statehood Fund established pursuant to section 32 and used for the purposes of promoting statehood and voting rights; and

"(3) Develop an annual budget for, and oversee expenditures from, the New Columbia Statehood Fund.

"(c) The Commission shall be comprised of 5 voting members ("Commissioners") as follows:

"(1) The Mayor, or his or her alternate;

"(2) The Chairman of the Council, or his or her alternate;

"(3) The United States Representative for the District of Columbia; and

"(4) The 2 United States Senators for the District of Columbia.

"(d) The Mayor and the Chairman of the Council shall serve as co-chairs of the Commission.

"(e) By March 1, 2015, the Commission shall adopt bylaws, and may adopt guidelines, rules, and procedures for the governance of its affairs and the conduct of its business.

"(f) The Commission shall meet, at a minimum, on a semiannual basis. A majority of the Commissioners shall constitute a quorum for the conduct of business.

"(g) The Commission, in carrying out its duties, may utilize pro bono services; provided, that such services are reported pursuant to section 33.

"(h) The Commission may recruit honorary members based on criteria the Commission shall determine. The honorary members shall have no vote on the operation of the Commission.

Note, New § 1-129.22

"Sec. 32. Establishment of the New Columbia Statehood Fund.

"(a) There is established as a special fund the New Columbia Statehood Fund, which shall be administered in accordance with subsections (b), (c), and (d) of this section.

"(b)(1) All revenues from the following sources shall be deposited into the Fund:

"(A) An annual appropriation;

"(B) Any contributions to, and grants for, the benefit of the New Columbia Statehood Fund received from public and private sources;

"(C) Net receipts pursuant to the income tax check-off provided in D.C. Official Code § 47-1812.11c.

"(2) For Fiscal Year 2015, all funds not expended pursuant to section 21(e) from the funds budgeted for Statehood Initiatives under section 1112 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), shall be deposited into the Fund.

"(c) The Fund shall be used to support the Statehood Delegation, each of the members thereof, the Commission, and efforts to promote statehood and voting rights for the citizens of the District of Columbia.

"(d)(1) To the extent that disbursements are to be made to the Statehood Fund of each member of the Statehood Delegation, the disbursements, as decided by the Commission, shall be equal to each member, except as provided in this subsection.

"(2) No disbursement shall be made under this subsection to a member of the District of Columbia Statehood Delegation who is out of compliance with the filing and disclosure requirements of this title and applicable District or federal law, or who has used funds in violation of section 35, until such time as the violation has been corrected. In this instance, the 1/3 disbursement held back shall become part of the corpus from which the next disbursement pursuant to this subsection may be made.

"(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"(f) The Mayor shall submit to the Council, as part of the annual budget, a requested appropriation for expenditures from the Fund. The Mayor's submission shall be based on a budget prepared by the Commission, and shall include the rationale for any variance from the Commission's request.

"(g) The Chief Financial Officer shall transmit to the Mayor and the Council, at least annually, a report summarizing the revenues and expenditures of the Fund.

"(h) All revenues and expenses of the Fund shall be audited annually by the Chief Financial Officer, who shall transmit the audit to the Mayor and the Council. The expenses of the annual audit shall be defrayed by the Fund.

"Sec. 33. Annual reporting requirements. **Note, New § 1-129.23**

"(a) The Commission shall submit to the Mayor and the Chairman of the Council by September 1, 2015, and on a biannual basis thereafter, a detailed report including:

"(1) The Commission's activities, revenues, and expenditures;

"(2) The full name, value, and form of each gift, grant, bequest, or appropriation to the New Columbia Statehood Fund; and

"(3) Any other information considered appropriate by the Commission.

"(b) The Commission shall make each report available to the general public upon request.

"Sec. 34. Tax-exempt status. **Note, New § 1-129.24**

"Contributions to the New Columbia Statehood Fund shall be tax deductible.

"Sec. 35. Use of funds by Statehood Delegation members. **Note, New § 1-129.25**

"(a) Except as provided in subsection (b) of this section, members of the Statehood Delegation shall use New Columbia Statehood Fund monies for any expense closely and directly related to the operation of their offices.

"(b)(1) Fund monies shall not be used by members of the Statehood Delegation for:

"(A) Campaign expenses related to any election, local or national;

"(B) To influence the outcome of any election, local or national;

"(C) Any contributions or loans to any political party or candidate for federal or non-federal office;

"(D) Any personal expenses, or travel expenses not closely and directly related to the office the member holds; or

"(E) Any personal salary or stipend for the member.

"(2) The prohibition in paragraph (1)(E) of this subsection shall not limit the ability of a member of the Statehood Delegation to pay salaries to employees other than the member, or to pay vendors providing services closely and directly related to the office the member holds.

"(c) Upon request, but at least annually, each Statehood Delegation member shall provide the Chief Financial Officer with an accounting of the expenditures made with the money received from the Fund. The date by which the accounting is due shall be set by the Chief Financial Officer. Information submitted by members of the Statehood Delegation shall be included in the report required by section 33.".

Sec. 102. The 51st State Commission Establishment Act of 2010, effective March 23, 2010 (D.C. Law 18-127; D.C. Official Code § 1-136.01 *et seq*.), is repealed. **Note, Repeal § 1-136.01 – 1-136.03**

Sec. 103. Section 47-1812.11c of the District of Columbia Official Code is amended as follows: **Note, § 47-1812.11c**

(a) Subsection (a) is amended by striking the phrase "the Statehood Delegation Fund ("Fund"), established by § 1-129.08" and inserting the phrase "the New Columbia Statehood Fund ("Fund"), established by section 32 of the New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Emergency Amendment Act of 2014, passed on emergency basis on October 28, 2014 (Enrolled version of Bill 20-986)" in its place.

(b) Subsection (c) is repealed.

Sec. 104. Section 406(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)), is amended as follows: **Note, § 1-604.06**

(a) Paragraph (21) is amended by striking the phrase "Administration; and" and inserting the phrase "Administration;" in its place.

(b) Paragraph (22) is amended by striking the phrase "Education." and inserting the phrase "Education; and" in its place.

(c) A new paragraph (23) is added to read as follows:

"(23) For the Executive Director of the Office of the Statehood Delegation, the personnel authority is the Statehood Delegation as defined in section 11(3) of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 16, 2005 (D.C. Law 15-226; D.C. Official Code § 1-209.01(3).".

Note, § 1-129.21

Sec. 105. Within 60 days of the effective date of the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, passed on 2nd reading on October 28, 2014 (Enrolled version of Bill 20-71), the Commission shall issue a report with findings as to whether the Statehood Delegation should receive compensation in the form of a salary or stipend and, if so, the appropriate amount of such compensation.

TITLE II -- OMNIBUS BOARDS AND COMMISSIONS REFORM

SUBTITLE A. STRUCTURAL REVISIONS TO CERTAIN BOARDS AND COMMISSIONS

PART 1. HEALTH OCCUPATIONS ADVISORY COMMITTEES

Note, § 3-1202.03

Sec. 201. Section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), is amended by repealing subsections (b), (c-1), (c-2), (d), (d-1), (d-2), (d-3), (e), and (f).

Sec. 202. The Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 *et seq.*), is amended as follows:

(a) Redesignate Part A, Part B, and Part C as Subtitle A, Subtitle B, and Subtitle C, respectively.

(b) A new Subtitle D is added to read as follows:

Note, New § 7-743.01

"Subtitle D. Health Occupation Advisory Committees.

"Sec. 4941. Generally.

"(a) The Department of Health shall oversee the Health Occupation Advisory Committees established under this subtitle.

"(b) All appointments to the Health Occupation Advisory Committees shall be made by the Director of the Department of Health.

"(c) The Department of Health shall provide facilities and other administrative support for the Health Occupation Advisory Committees, as determined by the Director.

"(d) The Health Occupation Advisory Committees shall review applications for licensure to practice upon request of the Board of Medicine. The Health Occupation Advisory Committees shall submit their respective recommendations to the Board of Medicine for action.

"(e) For the purposes of this subtitle, the term:

(1) "Board of Medicine" means the Board of Medicine established pursuant to section 203(a) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03(a)).

(2) "Health Occupation Advisory Committees" means the advisory committees established pursuant to this subtitle.

"Sec. 4942. Advisory Committee on Acupuncture. **Note, New § 7-743.02**

"(a) There is established an Advisory Committee on Acupuncture to consist of 5 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) Three non-physician acupuncturists licensed in the District;

"(3) A consumer member.

"(b) Of the appointees to the Advisory Committee on Acupuncture other than the Director, 2 shall serve an initial term of 2 years and 2 shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Acupuncture shall develop and submit to the Board of Medicine guidelines for licensing acupuncturists and regulating the practice of acupuncture in the District.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Acupuncture shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Acupuncture shall meet at least annually to review guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4943. Advisory Committee on Anesthesiologist Assistants. **Note, New § 7-743.03**

"(a) There is established an Advisory Committee on Anesthesiologist Assistants to consist of 3 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) An anesthesiologist licensed in the District with experience working with anesthesiologist assistants; and

"(3) An anesthesiologist assistant licensed in the District.

"(b) Of the appointees to the Advisory Committee on Anesthesiologist Assistants other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Anesthesiologist Assistants shall develop and submit to the Board of Medicine guidelines for licensing and regulating anesthesiologist assistants in the District. The guidelines shall set forth the actions that anesthesiologist assistants may perform under the direct supervision of a licensed anesthesiologist, who shall be responsible for the overall medical direction of the care and treatment of patients.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Anesthesiologist Assistants shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Anesthesiologist Assistants shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4944. Advisory Committee on Naturopathic Medicine. **Note, New § 7-743.04**

"(a) There is established an Advisory Committee on Naturopathic Medicine to consist of 3 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) A licensed physician with experience in naturopathic medicine or in working with naturopathic physicians; and

"(3) A licensed naturopathic physician.

"(b) Of the appointees to the Advisory Committee on Naturopathic Medicine other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Naturopathic Medicine shall develop and submit to the Board of Medicine guidelines for licensing naturopathic physicians and regulating the practice of naturopathic medicine in the District.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Naturopathic Medicine shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Naturopathic Medicine shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4945. Advisory Committee on Physician Assistants. **Note, New § 7-743.05**

"(a) There is established an Advisory Committee on Physician Assistants to consist of 3 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) A physician or osteopath licensed in the District with experience working with physician assistants; and

"(3) A physician assistant licensed in the District.

"(b) Of the appointees to the Advisory Committee on Physician Assistants other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Physician Assistants shall develop and submit to the Board of Medicine guidelines for licensing and regulating physician assistants in the District. The guidelines shall set forth the actions that physician assistants may perform in collaboration with a licensed physician or osteopath, who shall be responsible for the overall medical direction of the care and treatment of patients and the level of collaboration required for each action.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Physician Assistants shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Physician Assistants shall meet at least annually to review guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4946. Advisory Committee on Polysomnography. **Note, New § 7-743.06**

"(a) There is established an Advisory Committee on Polysomnography to consist of 3 members as follows:

"(1) The Director of the Department of Health, or his or her designee; and

"(2) Two polysomnographic technologists licensed in the District.

"(b) Of the appointees to the Advisory Committee on Polysomnography other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Polysomnography shall develop and submit to the Board of Medicine guidelines for licensing, registration, and regulation of polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees in the District. The guidelines shall set forth the education and experience requirements for registration and licensure and the actions that polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees may perform.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Polysomnography shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Polysomnography shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4947. Advisory Committee on Surgical Assistants. **Note, New § 7-743.07**

"(a) There is established an Advisory Committee on Surgical Assistants to consist of 5 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) A surgeon licensed in the District with experience working with surgical assistants; and

"(3) Three surgical assistants licensed in the District.

"(b) Of the appointees to the Advisory Committee on Surgical Assistants other than the Director, 2 shall serve an initial term of 2 years and 2 shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Surgical Assistants shall develop and submit to the Board of Medicine guidelines for licensing and regulating surgical assistants in the District. The guidelines shall set forth the actions that surgical assistants may perform in collaboration with a licensed surgeon, who shall be responsible for the overall medical direction of the care and treatment of patients.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Surgical Assistants shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Surgical Assistants shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.".

PART 2. GAS STATION ADVISORY BOARD

Note, § 36-304.01

Sec. 211. Section 5-301 of the Retail Service Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-304.01), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Strike the phrase "structurally altered" and insert the phrase "discontinued, nor may be structurally altered" in its place.

(2) Strike the phrase "nonfull service facility" and insert the phrase "nonfull service facility or into any other use" in its place.

(b) Subsection (d) is amended to read as follows:

"(d)(1) An exemption may be granted to the prohibitions contained in subsections (b) and (c) of this section if:

"(A) A petition for exemption has been filed with the Gas Station Advisory Board ("Board"), established pursuant to subsection (e) of this section, by both a distributor and a retail dealer (collectively referred to as "petitioners") that complies with the requirements of paragraph (2) of this subsection;

"(B) The Board makes a determination, pursuant to paragraph (3) of this subsection, that an exemption should be granted and makes a recommendation to the Mayor to grant the exemption; and

"(C) The Mayor, in agreement with the Board, grants the exemption.

"(2) To be considered for an exemption under this subsection, petitioners must file a petition with the Board that includes:

"(A) Plans and a certification by petitioners that the station will be improved in the following ways:

"(i) By improving or increasing the lighting of the facility (to a reasonable level);

"(ii) By improving customer accessibility to the gasoline dispensers; and

"(iii) By improving customer conveniences, including separate restroom facilities for men and women, a working air hose for automobile and bicycle tires, and water for windshield cleaning equipment;

"(B) Any existing site market studies that justify the conversion;

"(C) Certification that petitioners have notified the Advisory Neighborhood Commission ("ANC") in which the station is located and any ANC within one-quarter mile of the station, and has met or offered to meet with any affected ANC before submission of the petition for exemption regarding their plans for the station and its impact on the neighborhood; and

"(D) Certification by petitioners that, should the application be granted, any later changes to the building design or lighting will be submitted to any affected ANC before the application for building permits.

"(3)(A) The Board shall only make a recommendation to grant an exemption if the Board finds that:

"(i) The operator of the full service retail service station is experiencing extreme financial hardship; and

"(ii) Another full service retail service station exists within one mile of the station which provides equivalent service facilities.

"(B) In addition to the requirements in subparagraph (A) of this paragraph, the Board shall give due weight to the views of the community and the affected ANC.

"(4) If the Board makes a recommendation to the Mayor that an exemption should be granted under this subsection, the Mayor shall issue a determination on the petition not less than 45 days, nor more than 60 days, after the date the petition is submitted, deemed complete, and notice of thereof has been published in the District of Columbia Register. If the Mayor does not issue a determination within the 60 days, the petition shall be deemed approved.".

(b) Subsection (e) is amended to read as follows:

"(e)(1) There is established a Gas Station Advisory Board to consider petitions for exemption from the requirements contained in subsections (b) and (c) of this section.

"(2) The Board shall consist of 5 members as follows:

"(A) One member representing the retail service station dealers, appointed by the Mayor;

"(B) One member representing the oil companies, appointed by the Mayor;

"(C) One member representing the community interest, appointed by the Mayor;

"(D) One member representing the community interest, appointed by the Council;

"(E) One member representing the Mayor.

"(3) Members of the Board appointed under this subsection shall continue to serve until their successors are appointed.

"(4) The Board shall establish and publish, for 30 days comment, the rules and procedures which shall govern its conduct. The Board may establish and publish, for 30 days comment, additional criteria which shall be used in reviewing the petitions for exemptions.".

PART 3. LAW REVISION COMMISSION

Note, § 1-604.06

Sec. 221. Section 406(b)(11) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(11)), is amended by striking the phrase "the personnel authority is the District of Columbia Law Revision Commission" and inserting the phrase "the personnel authority is the Chairman of the Council" in its place.

Note § 45-301

Sec. 222. Section 2 of the District of Columbia Law Revision Commission Act of 1980, effective February 26, 1981 (D.C. Law 3-119; D.C. Official Code § 45-301), is amended as follows:

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

"(a) There is established as an advisory body to the Council of the District of Columbia the District of Columbia Law Revision Commission ("Commission"), which shall be composed of 9 members, as follows:

"(1) Four members appointed by the Council of the District of Columbia;

"(2) Two members appointed by the Mayor of the District of Columbia;

"(3) Two members appointed by Joint Committee on Judicial Administration in the District of Columbia; and

"(4) The Attorney General of the District of Columbia, or his or her designee.".

(b) Subsection (b) is repealed.

(c) Subsection (c) is amended by striking the phrase "Except as provided in subsection (d) of this section, no" and inserting the phrase "No" in its place.

(d) Subsection (d) is repealed.

(e) Subsection (h) is amended to read as follows:

"(h) Each member of the Commission shall serve without compensation; provided, that each member may be reimbursed for actual expenses pursuant to section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08).".

(f) Subsection (j) is repealed.

PART 4. BOARD OF REVIEW FOR ANTI-DEFICIENCY VIOLATIONS

Sec. 231. Section 47-355.07 of the District of Columbia Official Code is amended to read as follows:

"Sec. 47-355.07. Board of Review for Anti-Deficiency Violations.

Note, § 47-355.07

"(a) The Board of Review for Anti-Deficiency Violations ("Review Board") is established as an independent agency within the District of Columbia government, consistent with the meaning of the term independent agency, as provided in section 301(13) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)).

"(b) The Review Board shall:

"(1) Advise and make recommendations to the Mayor, Council, Chief Financial Officer, and Inspector General on issues relative to anti-deficiency law violations in the District of Columbia; and

"(2) Convene within 30 days of learning of an alleged violation of § 47-355.02 to determine whether a violation occurred.

"(c)(1) The Review Board shall be comprised of 5 members of the District of Columbia government appointed as follows:

"(A) Two representatives who serve at the pleasure of the Chief Financial Officer, one of whom shall be appointed by the Chief Financial Officer to serve as Chairperson of the Review Board;

"(B) One representative who serves at the pleasure of the Mayor;

"(C) One representative of the Council, who shall be an employee of the Council and shall be appointed by the Chairman of the Council; and

"(D) One representative who serves at the pleasure of the Inspector General.

"(2) Members shall be appointed to a term of 3 years. Each member may serve beyond the end of their term until reappointed or replaced by the appropriate appointing authority.

"(3) Members shall serve without compensation; provided, that a member may be reimbursed for expenses incurred in the authorized execution of official duties of the Review Board if those expenses are approved in advance by the Chief Financial Officer.

"(d) If the Review Board determines that a violation of § 47-355.02 has occurred, it shall:

"(1) Assess the responsibility of culpable employees;

"(2) Except as provided in subsection (e) of this section, recommend an appropriate disciplinary action; and

"(3) Present a report to the Council within 30 days of the determination of a violation that includes all relevant facts, including:

"(A) The violation;

"(B) The name and title of the employees who were responsible for the violation;

"(C) Any justification; and

"(D) A statement of the action taken or proposed to be taken.

"(e)(1) A finding by the Review Board that a violation of § 47-355.02 has occurred shall not be a prerequisite for adverse personnel action under § 47-355.06.

"(2) In recommending appropriate disciplinary action under subsection (d) of this section, the Review Board may make a recommendation that no action be taken where it finds justification for the violation. Justification may include overspending as a result of court orders, entitlements, or explicit authorization in an appropriations act.

"(f) The Review Board is authorized to establish subcommittees as needed. A subcommittee may include District government employees who are not members of the Review Board; provided, that each subcommittee is chaired by a member of the Review Board.

"(g) The Review Board may establish its own bylaws and rules of procedure, subject to the approval of the Chief Financial Officer or his or her designee.

"(h) The Office of the Chief Financial Officer shall provide administrative and staff support to the Review Board.".

PART 5. COMMISSION ON THE ARTS AND HUMANITIES

Sec. 232. Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), is amended as follows: **Note, § 1-523.01**

(a) Subsection (e) is amended as follows:

(1) Paragraph 31 is amended by striking the period and inserting the phrase "; and" in its place.

(2) A new paragraph (32) is added to read as follows:

"(32) Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203).".

(b) Subsection (f)(11) is repealed.

SUBTITLE B. COMPENSATION FOR SERVICE ON CERTAIN BOARDS AND COMMISSIONS

Sec. 241. Section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08), is amended as follows: **Note, § 1-611.08**

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

"(a-1) Except as provided in subsection (a) of this section, members of boards and commissions shall not be compensated for time expended in the performance of official duties except as authorized by subsections (b), (c), (c-1), (c-2), and (c-3) of this section.".

(b) Subsection (c) is amended to read as follows:

"(c) Members of the following boards and commissions shall be entitled to compensation in the form of a salary as currently authorized by law:

"(1) Public Service Commission;

"(2) Contract Appeals Board;

"(3) Rental Housing Commission;

"(4) The Chairperson of the District of Columbia Taxicab Commission;

"(5) District of Columbia Board of Ethics and Government Accountability; and

"(6) Full-time members of the Real Property Tax Appeals Commission.".

(c) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

"(c-1) Members of the following boards and commissions shall be entitled to compensation in the form of an hourly rate of pay as follows:

"(1) Board of Zoning Adjustment members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $12,000 for each board member per year;

"(2) Office of Employee Appeals members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $3,000 for each member per year;

"(3) District of Columbia Retirement Board Members shall be entitled to compensation as provided in section 121(c) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711(c));

"(4) Police and Firefighters Retirement and Relief Board members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $8,000 for each board member per year;

"(5) Public Employee Relations Board members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings , not to exceed $3,000 for each board member per year;

"(6) Zoning Commission members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $12,000 for each commission member per year;

"(7) Historic Preservation Review Board members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $3,000 for each board member per year;

"(8) Alcoholic Beverage Control Board members shall be entitled to compensation at the hourly rate of $40 for time spent in performance of duties at meetings, not to exceed $18,000 for each board member per year;

"(9) Part-time members of the Real Property Tax Appeals Commission shall be entitled to compensation at the hourly rate of $50 for time spent in performance of duties at meetings;

"(10) District of Columbia Board of Elections members shall be entitled to compensation at the hourly rate of $40 while actually in the service of the board, not to exceed the $12,500 for each member per year and $26,500 for the Chairman per year.

"(c-2) Members of the following boards and commissions shall be entitled to compensation in the form of stipend as follows:

"(1) Each Commissioner, other than the ex officio Commissioner and the Chairperson, of the Board of Commissioners of the District of Columbia Housing Authority shall be entitled to a stipend of $3,000 per year for their service on the board; the Chairperson shall be entitled to a stipend of $5,000 per year. Each Commissioner also shall be entitled to reimbursement of actual travel and other expenses reasonably related to attendance at board meetings and fulfillment of official duties. Stipends and reimbursements shall be made at least quarterly;

"(2) Each member of the Education Licensure Commission shall be entitled to a stipend of $4,000 per year for their service on the commission. Each member also shall be entitled to reimbursement of actual travel and other expenses reasonably related to the performance of the duties of the commission while away from their homes or regular places of business; and

"(3)(A) Public and industry members of the District of Columbia Taxicab Commission shall be entitled to compensation of $25 per meeting or work session, not to exceed $1,350 for each public or industry member per year.

"(B) Total compensation for all Commission members shall not exceed $10,800, for all meetings and work sessions.

"(c-3) Chairpersons of the boards and commissions specified in subsections (c-1) and (c-2) of this section who are public members shall be entitled to an additional compensation of 20% above the annual maximum.".

(d) Subsection (d) is amended to read as follows:

"(d) Members of boards and commissions shall not be entitled to reimbursement for expenses unless specifically authorized by law; except, that transportation, parking, or mileage expenses incurred in the performance of official duties may be reimbursed, not to exceed $15 per meeting or currently authorized amounts, whichever is less.".

SUBTITLE C. ABOLISHMENT OF CERTAIN BOARDS AND COMMISSIONS

Sec. 251. The Emerging Technology Opportunity Development Task Force Act of 2006, effective March 2, 2007 (D.C. Law 16-190; D.C. Official Code § 2-1221.31 *et seq.*), is repealed.

Note, Repeal §§ 2-1221.31 – 2-1221.34

Sec. 252. The Litter and Solid Waste Act of 1985, effective February 21, 1986 (D.C. Law 6-84; D.C. Official Code § 3-1001 *et seq.*), is repealed.

Note, Repeal §§ 3-1001 – 3-1005

Sec. 253. Section 101 of the Enhanced Professional Security Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-187; D.C. Official Code § 5-129.21), is repealed.

Note, Repeal § 5-129.21

Sec. 254. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 2(2) (D.C. Official Code § 6-201(2)) is repealed. **Note, § 6-201, § 6-211**

(b) Section 12 (D.C. Official Code § 6-211) is amended as follows:

(1) Subsection (b)(1) is amended by striking the phrase "Advisory Committee" and inserting the phrase "Executive Director" in its place.

(2) Subsection (c) is amended by striking the phrase "Advisory Committee" and inserting the phrase "Executive Director" in its place.

(3) Subsection (s) is amended to read as follows:

"(s) Commissioners shall be entitled to compensation as provided in section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08).".

(c) Section 13 (D.C. Official Code § 6-212) is repealed. **Note, Repeal § 6-212**

Sec. 255. The Tobacco Settlement Trust Fund Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 7-1811.01 *et seq*.), is amended as follows:

(a) Section 2302(b) (D.C. Official Code § 7-1811.01(b)) is amended by striking the phrase "Board of Trustees of the Tobacco Settlement Trust Fund established under section 2302a" and inserting the phrase "Office of the Chief Financial Officer" in its place. **Note § 7-1811.01**

(b) Section 2302a (D.C. Official Code § 7-1811.02) is repealed. **Note, Repeal § 7-1811.02**

Sec. 256. Section 15 of the Choice in Drug Treatment Act of 2000, effective July 18, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3014), is repealed. **Note, Repeal § 7-3014**

Sec. 257. Section 7 of the District of Columbia Soil and Water Conservation Act of 1982, effective September 14, 1982 (D.C. Law 4-143; D.C. Official Code § 8-1706), is repealed. **Note, Repeal § 8-1706**

Sec. 258. The Make a Difference Selection Committee Establishment Act of 1998, effective April 30, 1998 (D.C. Law 12-98; D.C. Official Code § 9-1215.01 *et seq.*), is repealed. **Note, Repeal §§ 9-1215.01 – 9-1215.08**

Sec. 259. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq*.), is amended as follows:

(a) Section 4(d) (D.C. Official Code § 10-303(d)) is amended by striking the phrase "with recommendations from the Recreation Assistance Board established by section 7". **Note, § 10-303**

(b) Section 7 (D.C. Official Code § 10-306) is repealed. **Note, Repeal § 10-306**

Sec. 260. Section 501 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 22-4251), is repealed. **Note, Repeal § 22-4251**

Sec. 261. Section 802 of the Securities Act of 2000, effective October 26, 2000 (D.C. Law 13-203; D.C. Official Code § 31-5608.02), is repealed. **Note, Repeal § 31-5608.02**

Sec. 262. The Cable Television Communications Act of 1981, effective August 21, 1982 (D.C. Law 4-142; D.C. Official Code § 34-1251.01 *et seq.*), is amended as follows:

(a) Section 103(1) (D.C. Official Code § 34-1251.03(1)) is amended repealed.

(b) Section 202(17) (D.C. Official Code § 34-1252.02(17)) is repealed.

(c) Section 301 (D.C. Official Code § 34-1253.01) is repealed.

Note, § 34-1251.03, § 34-1252.02, Note, Repeal § 34-1253.01

Sec. 263. The District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Official Code § 38-1208.01 *et seq.*), is amended as follows:

(a) Section 801(1) (D.C. Official Code § 38-1208.01(1)) is repealed.

(b) Section 803 (D.C. Official Code § 38-1208.03) is repealed.

(c) Section 804 (D.C. Official Code § 38-1208.04) is repealed.

Note, § 38-1208.01 Note, Repeal §§ 38-1208.03, 38-1208.04

Sec. 264. The School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2973.01 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Official Code § 38-2973.01) is repealed.

(b) Section 202 (D.C. Official Code § 38-2973.02) is repealed.

Note, Repeal §§ 38-2973.01 38-2973.02

Sec. 265. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-101 *et seq.*), is amended as follows:

(a) Section 9 (D.C. Official Code § 39-109) is repealed.

(b) Section 10 (D.C. Official Code § 39-110) is repealed.

(c) Section 11 (D.C. Official Code § 39-111) is repealed.

Note, Repeal §§ 38-109, 38-110, 38-111

Sec. 266. The Office of the Chief Tenant Advocate Establishment Act of 2005, effective October 20, 2005 (D.C. Law 16-33, D.C. Official Code § 42-3531.01 *et seq.*), is amended as follows:

(a) Section 2064(3) (D.C. Official Code § 42-3531.04(3)) is repealed.

(b) Section 2068 (D.C. Official Code § 42-3531.08) is repealed.

Note, § 42-3531.04 Note, Repeal § 42-3531.08

Sec. 267. Chapter 45 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-4501(3) is repealed.

(b) Section 47-4504 is repealed.

(c) Section 47-4512(b)(1) is amended by striking the phrase "and the Advisory Board".

Note, § 47-4501, Note, Repeal § 47-4504 Note, § 47-4512

Sec. 268. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 954; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Section 1(10) (D.C. Official Code § 51-101(10)) is repealed. **Note, § 51-101**

(b) Section 3 (D.C. Official Code § 51-103) is amended as follows: **Note, § 51-103**

(1) Subsection (d) is amended by striking the phrase "in accordance with such regulations as the Board may prescribe".

(2) Subsection (h) is amended as follows:

(A) Paragraph (1)(F) is amended by striking the phrase ", in accordance with such regulations as the Board may prescribe,".

(B) Paragraph (4) is amended by striking the word "Board" and inserting the word "Director" in its place.

(c) Section 7 (D.C. Official Code § 51-107) is amended as follows: **Note, § 51-107**

(1) Subsection (a) is amended by striking the phrase ", in accordance with such regulations as the Board may prescribe".

(2) Subsection (c)(2) is amended by striking the phrase ", under regulations prescribed by the Board,".

(3) Subsection (g) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase "as provided in the regulations of the Board,".

(B) Paragraph (6)(A) is amended by striking the phrase "as provided in the regulations of the Board".

(d) Section 9 (D.C. Official Code § 51-109) is amended by striking the phrase "in accordance with such regulations as the Board may prescribe". **Note, § 51-109**

(e) Section 10 (D.C. Official Code § 51-110) is amended as follows: **Note, § 51-110**

(1) Subsection (b)(3) is repealed.

(2) Subsection (e) is amended by striking the phrase "under regulations prescribed by the Board".

(f) Section 15 (D.C. Official Code § 51-115) is repealed. **Note, Repeal § 51-115**

Sec. 269. 17 DCMR § 2411 through 17 DCMR § 2422 are repealed. **DCMR**

TITLE III -- TECHNICAL, CONFORMING, AND OTHER AMENDMENTS

SUBTITLE A. DEPARTMENT OF PARKS AND RECREATION NAME CLARIFICATION

Sec. 301. An Act To vest in the Commissioners of the District of Columbia control of street parking in said District, approved July 1,1898 (30 Stat. 570; codified in scattered cites in the D.C. Official Code), is amended as follows:

(a) Section 6a (D.C. Official Code § 10-137.01) is amended by striking the phrase "Department of Recreation and Parks" in the title and inserting the phrase "Department of Parks and Recreation" in its place. **Note, § 10-137.01**

(b) A new section 8 is added to read as follows: **Note, New § 10-137.02**

"Sec. 8. Name change to Department of Recreation and Parks.

"The Department of Recreation and Parks, established by Organization Order No. 10, approved June 27, 1968, shall be renamed the Department of Parks and Recreation.".

Sec. 302. Section 2 of the Division of Park Services Act of 1988, effective March 16, 1989 (D.C. Law 7-209; D.C. Official Code § 10-166), is amended as follows: **Note, § 10-166**

(a) Subsection (a) is amended by striking the phrase "Department of Recreation" and inserting the phrase "Department of Parks and Recreation" in its place.

(b) Subsection (c) is amended by striking the phrase "Department of Recreation" and inserting the phrase "Department of Parks and Recreation" in its place.

(c) Subsection (f) is amended by striking the phrase "Department of Recreation and Parks" and inserting the phrase "Department of Parks and Recreation" in its place.

Sec. 303. Section 4a of Article II of An Act to create a Recreation Board for the District of Columbia, to define its duties and for other purposes, effective May 16, 1995 (D.C. Law 10-255; D.C. Official Code § 10-213.01), is amended by striking the phrase "Department of Recreation and Parks" and inserting the phrase "Department of Parks and Recreation" in its place. **Note, § 10-213.01**

Sec. 304. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 10-302) is amended by striking the phrase "Department of Recreation and Parks" in the section heading and inserting the phrase "Department of Parks and Recreation" in its place. **Note, § 10-302**

(b) Section 7(a)(7) (D.C. Official Code § 10-306(a)(7)) is amended by striking the phrase "Department of Recreation and Parks" and inserting the phrase "Department of Parks and Recreation" in its place. **Note, § 10-306**

SUBTITLE B. CONFORMING AMENDMENTS

Sec. 311. Section 2(f)(45) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(45)), is repealed. **Note, § 1-523.01**

Sec. 312. Section 103(b)(ii)(V)(ee) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.03(b)(ii)(V)(ee)), is amended by striking the phrase "in conjunction with the Environmental Planning Commission". **Note, § 8-151.03**

Sec. 313. The District of Columbia Solid Waste Management and Multi-Material Recycling Act of 1988, effective March 16, 1989 (D.C. Law 7-226; D.C. Official Code § 8-1001 *et seq.*), is amended as follows:

(a) Section 5(c) (D.C. Official Code § 8-1004(c)) is amended by striking the phrase "the Environmental Planning Commission established pursuant to section 2 of the Litter and Solid Waste Act of 1985, effective February 21, 1986 (D.C. Law 6-84; D.C. Official Code § 3-1001), and". **Note, § 8-1004**

(b) Section 8(b)(3) (D.C. Official Code § 8-1008(b)(3)) is amended by striking the phrase ", in conjunction with the Environmental Planning Commission,". **Note, § 8-1008**

Sec. 314. Section 4(f) of the Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1304(f)), is amended to read as follows: **Note, § 38-1304**

"(f) Members of the Commission shall be entitled to compensation as provided in section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08).".

Sec. 315. Section 2552 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1805.52), is amended by striking the phrase "representatives of public charter schools, and the Public School Modernization Advisory Committee" and inserting the phrase "and representatives of public charter schools" in its place. **Note, § 38-1805.52**

Sec. 316. Section 1104(c) of the School Based Budgeting and Accountability Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 38-2803(c)), is amended as follows: **Note, § 38-2803**

(a) Paragraph (4) is amended by striking the phrase "schools;" and inserting the phrase "schools; and" in its place.

(b) Paragraph (5) is repealed.

Sec. 317. Section 6(c) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-305(c)), is amended by striking the phrase "pursuant to section 1108(c)(2)(K) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c)(2)(K))" and inserting the phrase "pursuant to section 1108(c-2)(3) of the District of Columbia Government Comprehensive Merit Personnel Act of 1974, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(3))" in its place. **Note, § 50-305**

TITLE IV – MAYOR AND ATTORNEY GENERAL TRANSITION

Sec. 401. Definitions. **Note, § 1-204.22**

For the purposes of this title, the term

(1) "Attorney General-elect" means the person who is certified as the successful candidate for the office of Attorney General by the Board of Elections following the 2014 General election held to determine the Attorney General or, for the period of time between the general election and certification, the person announced and published by the Board of Elections as the unofficial winner of the general election for Attorney General with a margin of victory of at least 2% of the votes cast.

(2) "Mayor-elect" means the person who is certified as the successful candidate for the office of Mayor by the Board of Elections following the 2014 General election held to determine the Mayor or, for the period of time between the general election and certification, the person announced and published by the Board of Elections as the unofficial winner of the general election for Mayor with a margin of victory of at least 2% of the votes cast.

Sec. 402. Purpose.

This title authorizes the Mayor to take appropriate action to assure continuity in the execution of the laws and in the conduct of the executive affairs of the District of Columbia government. The purposes of this title are to provide for the orderly transfer of the:

(1) Executive duties and responsibilities of the Executive Office of the Mayor with the expiration of the term of office of a Mayor and the assumption of those duties and responsibilities by a new Mayor; and

(2) Legal duties and responsibilities of the Attorney General with the transition from an appointed Attorney General and the assumption of those duties and responsibilities by an elected Attorney General.

Sec. 403. Transition transfers.

The Mayor, in the discharge of his duties pursuant to section 422 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; D.C. Official Code § 1-204.22), may make available to the Mayor-elect and the Attorney General-elect the following:

(1) Office space, furniture, furnishings, office machines, and supplies, at whatever place or places within the District as the Mayor shall designate, at no cost to the Mayor-elect and Attorney General-elect and his or her transition staff;

(2) Compensation for the transition staff of the Mayor-elect and Attorney General-elect at a rate that does not exceed the rate prescribed pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.1 *et seq*.); provided, that any person who receives compensation as a member of the transition staff under this section does not hold a position in, nor is considered to be an employee of, the District government.

(3) Expenses for the procurement by the Mayor-elect and Attorney General-elect of services of any expert or consultant, or organization thereof;

(4) Expenses incurred by the Mayor-elect and Attorney General-elect for printing, binding, and duplicating;

(5) Postage or mailing expenses incurred by the Mayor-elect and Attorney General-elect consistent with the Official Correspondence Regulations, effective April 7, 1977 (D.C. Law 1-118; D.C. Official Code § 2-701 *et seq*.); and

(6) Expenses for communications equipment or service.

Sec. 404. Transition costs.

Upon certification by the Chief Financial Officer that appropriated funds are available and that the reprogramming of those funds has been approved by Council, there is hereby authorized the following amounts to be made available for transition costs:

(1) Up to $300,000 for the transition of the Mayor-elect; and

(2) Up to $150,000 for the transition of the Attorney General-elect.

Sec. 405. Reporting requirements.

(a)The Mayor-elect and Attorney General-elect shall each file a report, to be prepared with appropriate supporting documentation, accounting for the expenditure of funds pursuant to this title.

(b) Reports prepared pursuant to subsection (a) of this section shall be submitted to the Council and Chief Financial Officer by March 31, 2015.

TITLE V – APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

Sec. 501. Applicability.

Retroactive Applicability Date

This act shall apply as of February 16, 2015.

Sec. 502. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, passed on 2nd reading on October 28, 2014 (Enrolled version of Bill 20-71), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 503. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-8, effective February 26, 2015 (Expiration date May 27, 2015)

AN ACT

Bill 21-52

Emergency Declaration Res. 21-14 21 DCStat 1130

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Wage Theft Prevention Amendment Act of 2014 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees; to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer knows that second language to be the employee's primary language or the employee requests notice in that second language; and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend section 2 of An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month; provided, that the employer pays wages to such employees at least once per month.

Wage Theft Prevention Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Clarification Emergency Amendment Act of 2015".

Sec. 2. Section 3 of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157), is amended as follows:

Note, § 32-1008

(a) Subsection (c) is amended as follows:

(1) Paragraph (1)(B) is amended to read as follows:

"(B) Subparagraph (D) is amended to read as follows:

""(D) The precise time worked each day and each workweek by each employee, except for employees who are exempt from the minimum wage and overtime requirements under section 5(a); and".".

(2) Paragraph (2) is amended as follows:

(A) The new subsection (c) is amended by striking the phrase "shall furnish to each employee at the time of hiring a written notice, both in English and in the employee's primary language, containing the following information:" and inserting the phrase "shall furnish to each employee at the time of hiring a written notice in English in the form made available by the Mayor pursuant to subsection (e) of this section. If, pursuant to subsection (e) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the

employee requests, the employer also shall furnish written notice to the employee in that second language. The notice shall contain the following information:" in its place.

(B) The new subsection (e) is amended to read as follows:

"(e) The Mayor shall make available for employers a sample template of the notice required by subsection (c) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1008.01

(b) Subsection (d) is amended as follows:

(1) The new section 9a(a)(1) is amended by striking the phrase "containing the information required by section 9(c)" and inserting the phrase "containing the information required by section 9(c) and in the form of the sample template made available by the Mayor pursuant to section 9(e). The notice shall be provided in English and if, pursuant to section 9(e), the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in that second language." in its place.

(2) The new section 9a(b) is amended to read as follows:

"(b)(1) When a temporary staffing firm assigns an employee to perform work at, or provide services for another organization, the temporary staffing firm shall furnish the employee a written notice in English, in the form of the sample template made available by the Mayor pursuant to subsection (c) of this section, of:

"(A) The specific designated payday for the particular assignment;

"(B) The actual rate of pay for the assignment and the benefits, if any, to be provided;

"(C) The overtime rate of pay the employee will receive or, if applicable, inform the employee that the position is exempt from additional overtime compensation and the basis for the overtime exemption;

"(D) The location and name of the client employer and the temporary staffing firm;

"(E) The anticipated length of the assignment;

"(F) Whether training or safety equipment is required and who is obligated to provide and pay for the equipment;

"(G) The legal entity responsible for workers' compensation, should the employee be injured on the job; and

"(H) Information about how to contact the designated enforcement agency for concerns about safety, wage and hour, or discrimination.

"(2) If, pursuant to subsection (c) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in the second language.".

(3) The new section 9a(c) is amended to read as follows:

"(c) The Mayor shall make available for temporary staffing firms a sample template of the notice required by subsection (b) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1302

Sec. 3. Section 2 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat 976; D.C. Official Code § 32-1302), is amended by striking the phrase "Every employer shall pay all wages earned to his employees at least twice during each calendar month, on regular paydays designated in advance by the employer;" and inserting the phrase "Every employer shall pay all wages earned to his employees on regular paydays designated in advance by the employer and at least twice during each calendar month, except that all bona fide administrative, executive, and professional employees (those employees employed in a bona fide administrative, executive, or professional capacity, as defined in 7 DCMR § 999.1) shall be paid at least once per month;" in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-81

Emergency Declaration Res. 21-35 21 DCStat 1170

Not Codified

To approve, on an emergency basis, Contract No. CW31686 with Seagrave Fire Apparatus, LLC to provide ladder-truck refurbishment services, and to authorize payment for the services received and to be received under the contract.

Contract No. CW31686 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW31686 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Contract No. CW31686 with Seagrave Fire Apparatus, LLC to provide ladder-truck refurbishment services and authorizes payment in the estimated contract amount of $2,218,720 for services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-82

Emergency Declaration Res. 21-37 21 DCStat 1173

Not Codified

To approve, on an emergency basis, Contract No. CW31163 with Accenture Federal Services LLC for independent verification and validation of the District of Columbia Access System, and to authorize payment for services received and to be received under the task order.

Contract No. CW31163 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW31163 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW31163 with Accenture Federal Services LLC for independent verification and validation of the District of Columbia Access System in the estimated amount of $1,876,872 and authorizes payment for services to be received under the contract from October 1, 2014 through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-79

Emergency Declaration Res. 21-22 21 DCStat 1142

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, Title 47 of the District of Columbia Official Code to clarify the applicability date of the market-based sourcing legislation and the tax sale interest rate to be paid to certain purchasers; and to amend the Fiscal Year 2015 Budget Support Act of 2014 to provide grant-making authority for a specified purpose to the Deputy Mayor for Planning and Economic Development for Fiscal Year 2015.

Market-based Sourcing Inter Alia Clarification Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Market-based Sourcing Inter Alia Clarification Congressional Review Emergency Amendment Act of 2015".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1334 is amended to read as follows:

Note, § 47-1334

"§ 47-1334. Interest rate.

"(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid, excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

"(b) The purchaser shall receive simple interest of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following when the real property was sold or the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no interest for expenses or the reasonable value of improvements.".

(b) Section 47-1348 is amended as follows:

Note, § 47-1348

(1) Subsection (a)(10) is amended to read as follows:

"(10) A statement that the rate of simple interest, upon redemption, shall be 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.".

(2) Subsection (c) is amended by striking the phrase "On redemption, the purchaser will be refunded the sums paid on account of the purchase price, together with interest

thereon at the rate of 18% per annum from the date the real property was sold to the date of redemption; provided, that the purchaser shall not receive interest on any surplus." and inserting the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus." in its place.

Note, § 47-1353

(c) Section 47-1353(d) is amended to read as follows:

"(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the day of the tax sale to the purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.".

Note, § 47-1810.02

(d) Section 47-1810.02(g)(3) is amended to read as follows:

"(3)(A) For the tax years beginning after December 31, 2014, sales, other than sales of tangible personal property, are in the District if the taxpayer's market for the sales is in the District. The taxpayer's market for sales is in the District:

"(i) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in the District;

“(ii) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in the District;

"(iii) In the case of the sale of a service, if and to the extent the service is delivered to a location in the District; and

"(iv) In the case of intangible property:

"(I) That is rented, leased, or licensed, if and to the extent the property is used in the District; provided, that intangible property utilized in marketing a good or service to a consumer is used in the District if that good or service is purchased by a consumer who is in the District; and

"(II) That is sold, if and to the extent the property is used in the District; provided, that:

"(aa) A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is used in the District if the geographic area includes all or part of the District;

"(bb) Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated

as receipts from the rental, lease, or licensing of such intangible property under sub-sub-subparagraph (I) of this sub-subparagraph; and

"(cc) All other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the sales factor.

"(B) If the state or states of assignment under subparagraph (A) of this paragraph cannot be determined, the state or states of assignment shall be reasonably approximated.

"(C) If the taxpayer is not taxable in a state in which a sale is assigned under subparagraph (A) or (B) of this paragraph, or if a state of assignment cannot be determined under subparagraph (A) of this paragraph or reasonably approximated under subparagraph (B) of this paragraph, the sale shall be excluded from the denominator of the sales factor.

"(D) The Chief Financial Officer may prescribe regulations as necessary or appropriate to carry out the purposes of this subsection.

"(E) This paragraph shall apply as of October 1, 2014.".

Sec. 3. Section 6089 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended by striking the period at the end and inserting the phrase ", and a grant of $1 million for economic development to the Washington, DC Economic Partnership." in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-85

Emergency Declaration Res. 21-38 21 DCStat 1175

Not Codified

To approve, on an emergency basis, the exercise of the third option year of Contract No. DCPO-2011-T-0079 with Cellco d/b/a Verizon Wireless to supply the District with wireless telecommunications products and services related to enterprise communications and information technology, and to authorize payment for the services received and to be received under the contract.

Contract No. DCPO-2011-T-0079 Option Year Three Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCPO-2011-T-0079 Option Year Three Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the exercise of the third option year of Contract No. DCPO-2011-T-0079 with Cellco d/b/a Verizon Wireless to supply the District with wireless telecommunications products and services related to enterprise communications and information technology, and authorizes payment not to exceed $4,200,000 for services received and to be received under the contract from October 1, 2014 through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-13, effective March 26, 2015 (Expiration date June 24, 2015)

AN ACT

Bill 21-87

Emergency Declaration Res. 21-41 21 DCStat 1179

To amend, on an emergency basis, the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998 to modify guidelines for spending at-risk funds within the District of Columbia Public Schools.

Codification District of Columbia Official Code 2001 Edition

At-Risk Funding Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "At-Risk Funding Emergency Amendment Act of 2015".

Note, § 38-2907.01

Sec. 2. Section 108a(b) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective February 22, 2014 (D.C. Law 20-87; D.C. Official Code § 38-2907.01(b)), is amended as follows:

(a) Paragraph (1) is amended to read as follows:

"(1) Funds provided to schools pursuant to subsection (a)(3) of this section shall be available for school utilization at the direction of the Chancellor in consultation with the principal and local school advisory team, for the purpose of improving student achievement among at-risk students. The Chancellor shall make publicly available an annual report that explains the allocation of funds sorted by individual schools.".

(b) Paragraph (2) is repealed.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-14, effective March 26, 2015 (Expiration date June 24, 2015)

AN ACT

Bill 21-95

Emergency Declaration Res. 21-19 21 DCStat 1139

Not Codified in the D.C. Official Code

To amend, on an emergency basis, due to congressional review, Chapter 5 of Title 24 of the District of Columbia Municipal Regulations to regulate the sale of tickets from public space.

Ticket Sale Regulation Congressional Review Emergency Amendment Act of 2015

DCMR

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ticket Sale Regulation Congressional Review Emergency Amendment Act of 2015".

Sec. 2. Chapter 5 of Title 24 of the District of Columbia Municipal Regulations is amended by adding a new section 573.8 to read as follows:

"573.8 No person shall sell or offer to sell any ticket from the sidewalks, streets, or public spaces anywhere in the District of Columbia for any excursion, musical or theatrical performance, opera, sporting event, circus, or any entertainment of any kind; provided, that sales of tickets on public space for sightseeing bus excursions shall comply with the provisions of §§ 573.5, 573.6, 573.7.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

AN ACT

Bill 21-96

Emergency Declaration Res. 21-17 21 DCStat 1135

Codification District of Columbia Official Code 2001 Edition

Nuisance Abatement Notice Congressional Review Emergency Amendment Act of 2015

Note, § 42-3131.05a

To amend, on an emergency basis, due to congressional review, An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to clarify that the posting requirement in section 5a is satisfied by posting the initial vacant or blight determination.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nuisance Abatement Notice Congressional Review Emergency Amendment Act of 2015".

Sec. 2. Section 5a of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective August 15, 2008 (D.C. Law 17-216; D.C. Official Code § 42–3131.05a), is amended by striking the phrase "Notice shall also be posted on the vacant building" and inserting the phrase "Notice of the initial vacant or blighted property determination shall also be posted on the vacant building" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-204.12(a)).

AN ACT

Bill 21-97

Emergency Declaration Res. 21-18 21 DCStat 1137

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, An Act To provide for voluntary apprenticeship in the District of Columbia and the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978 to make technical and conforming amendments to allow the District of Columbia to continue to be recognized by the U.S. Department of Labor as a State Apprenticeship Agency.

Apprenticeship Modernization Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Apprenticeship Modernization Congressional Review Emergency Amendment Act of 2015".

Sec. 2. An Act To provide for voluntary apprenticeship in the District of Columbia, approved May 21, 1946 (60 Stat. 204; D.C. Official Code § 32-1401 *et seq.*), is amended as follows:

Note, § 32-1401

(a) Section 1 (D.C. Official Code § 32-1401) is amended to read as follows:

"It is the purpose of this act to:

"(1) Open to District of Columbia residents the opportunity to obtain training that will equip them for profitable employment and citizenship;

"(2) Establish, as a means to this end, a program of voluntary apprenticeship under approved apprenticeship agreements providing facilities for the training and guidance of apprentices in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education;

"(3) Promote employment opportunities for young people under conditions providing adequate training and reasonable earnings;

"(4) Relate the supply of skilled workers to employment demands;

"(5) Establish standards for apprentice training;

"(6) Establish an Apprenticeship Council;

"(7) Provide for the establishment of local joint trade apprenticeship committees and non-joint committees to assist in effectuating the purposes of this act;

"(8) Provide for an associate of apprenticeship within the District of Columbia;

"(9) Provide that reports be submitted to the Council of the District of Columbia and to the public regarding the status of apprenticeship in the District of Columbia;

"(10) Establish a procedure for the determination of apprenticeship agreement controversies; and

"(11) Accomplish related purposes.".

(b) Section 2 (D.C. Official Code § 32-1402) is amended as follows: **Note, § 32-1402**

(1) Strike the phrase "Superintendent of Schools" and insert the phrase "Chancellor of District of Columbia Public Schools" in its place.

(2) Strike the phrase "appointed for a term of three years. Any member" and insert the phrase "appointed for a term of 3 years. At the end of a term, a member shall continue to serve until a successor is appointed and sworn into office. Any member" in its place.

(3) Strike the sentence "The compensation of each member not otherwise compensated by public money shall be paid not more than $ 25 per day for each day spent in attendance at meetings of the Apprenticeship Council; provided, however, that any applicable laws passed by the Council of the District of Columbia shall supersede the provisions of this section.".

(c) Section 3 (D.C. Official Code § 32-1403) is amended to read as follows: **Note, § 32-1403**

"Sec. 3. (a) The Director of the Department of Employment Services shall appoint an Associate Director of Apprenticeship whose office shall have responsibility and accountability for the apprenticeship system in the District of Columbia. The Office of Apprenticeship, Information and Training, which shall be known as the Registration Agency, shall have the authority to approve apprenticeship registration for federal purposes.

"(b) The Associate Director of Apprenticeship shall be chosen from among the employees of the Apprenticeship Training Service actually engaged in formulating and promoting standards of apprenticeship under the provisions of An Act To enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards, approved August 16, 1937 (50 Stat. 664; 29 U.S.C. §§ 50, 50a, and 50b).

"(c) The Office of Apprenticeship, Information and Training is authorized to supply the Associate Director of Apprenticeship or the Apprenticeship Council with the clerical, technical, and professional assistance considered essential to effectuate the purposes of this act.".

(d) Section 4 (D.C. Official Code § 32-1404) is amended as follows: **Note, § 32-1404**

(1) Strike the word "Director" and insert the phrase "Associate Director of Apprenticeship" in its place.

(2) Strike the phrase "Secretary of Labor" and insert the phrase "Director of the Department of Employment Services" in its place.

(3) Strike the sentence "Not less than once every two years the Apprenticeship Council shall make a report through the Mayor of its activities and findings to Congress and to the public.".

(4) Add the following sentence at the end:

"Once every year the Registration Agency shall make a report through the Mayor of its findings and activities to the Council of the District of Columbia and to the public.".

(e) Section 5 (D.C. Official Code § 32-1405) is amended to read as follows: **Note, § 32-1405**

"The Associate Director of Apprenticeship, under the supervision of the Director of the Department of Employment Services and with the advice and guidance of the Apprenticeship Council, shall:

"(1) Administer the provisions of this act in cooperation with the Apprenticeship Council, local joint apprenticeship committees, and non-joint apprenticeship committees to develop criteria and training standards for apprentices, which shall in no case be lower than those required by this act;

"(2) Act as secretary of the Apprenticeship Council;

"(3) Approve, if approval is in the best interest of the apprentice, any apprentice agreement that meets the standards established by or in accordance with this act;

"(4) Terminate or cancel any apprenticeship agreement in accordance with the provisions of the apprenticeship agreement;

"(5) Engage with the State Board of Education and area community colleges on the administration and supervision of related and supplemental instruction for apprentices to ensure coordination of the instruction with job experiences; and

"(6) Perform such other duties necessary to carry out the intent of this act.".

(f) Section 6 (D.C. Official Code § 32-1406) is amended to read as follows: **Note, § 32-1406**

"(a) Local joint apprenticeship committees and non-joint apprenticeship committees in any trade or group of trades may be submitted to the Registration Agency for approval. Such apprenticeship committees shall be composed of an equal number of employer and employee representatives appointed by the groups or organizations they represent, or the committee may consist of the employer and not less than 2 representatives from the recognized bargaining agency.

"(b) In a trade or group of trades in which there is no bona fide employee organization, the Registration Agency, with the advice and guidance of the Apprenticeship Council, may approve a joint trade apprenticeship committee and a non-joint apprenticeship committee (also referred to as a unilateral or group non-joint committee).

"(c) Subject to the approval of the Registration Agency, and in accordance with standards established by or under authority of this act, joint trade apprenticeship committees and non-joint apprenticeship committees may develop standards to govern the training of apprentices and give such aid as may be necessary to effectuate the standards.".

(g) Section 7 (D.C. Official Code § 32-1407) is amended to read as follows: **Note, § 32-1407**

"For the purposes of this act, the term "apprentice" means a worker at least 16 years of age, except when a higher minimum age standard age is otherwise fixed by law, who is employed to learn an apprenticeable occupation meeting the criteria approved by the Registration Agency and who has entered into a written apprenticeship agreement, which contains the terms and conditions of the employment and training of the apprentice, with either the apprentice's program sponsor or an apprenticeship committee acting as agent for the program sponsor.".

(h) Section 8 (D.C. Official Code § 32-1408) is amended to read as follows: **Note, § 32-1408**

"Every apprenticeship agreement entered into pursuant to this act shall contain:

"(1) The names and signatures of the contracting parties, including the apprentice's parent or guardian, if the apprentice is a minor, and the contact information of the program sponsor and the Registration Agency;

"(2) The date of birth of the apprentice and social security number, given on a voluntary basis;

"(3) A statement of the craft or occupation that the apprentice is to be taught and the time period at which the apprenticeship will begin and end;

"(4) A statement showing:

"(A) The number of hours to be spent by the apprentice in on-the-job learning in a time-based program;

"(B) A description of the skill sets to be attained by completion of a competency-based program, including the on-the-job learning component; or

"(C) The minimum number of hours to be spent by the apprentice and a description of the skill sets to be attained by completion of a hybrid program; and

"(D) Provisions for related and supplemental instruction;

"(5) A statement setting forth a schedule of the processes in the occupation or industry division in which the apprentice is to be trained and the approximate time to be spent in each process;

"(6) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated;

"(7) A statement providing for a period of probation without adverse impact on the sponsor during which time the apprenticeship agreement shall be terminated by the Associate Director of Apprenticeship at the request, in writing, of the apprentice or suspended or cancelled by the sponsor for good cause with due notice to the apprentice and a reasonable opportunity for corrective action with due notice to the Associate Director of Apprenticeship, and providing that after a probationary period, the apprenticeship may be cancelled by the Associate Director of Apprenticeship by mutual agreement of all parties or canceled by the Associate Director of Apprenticeship for good and sufficient reasons;

"(8) Contact information (name, address, phone, and e-mail, if appropriate) of the person in the Registration Agency designated under the program to receive, process, and make disposition of a controversy or difference arising out of the apprenticeship agreement when the controversy or difference cannot be adjusted locally or resolved in accordance with the established procedure or applicable collective bargaining provisions.

"(9) A provision that a sponsor who is unable to fulfill the obligations under the apprenticeship agreement may, with the approval of the Associate Director of Apprenticeship or under the direction of the joint trade apprenticeship committee or non-joint apprenticeship committee or individual sponsor, transfer the apprenticeship agreement to another sponsor; provided, that:

"(A) The apprentice consents and that the other sponsor agrees to assume the obligations of the apprenticeship agreement;

"(B) The transferring apprentice is provided a transcript of related instruction and on-the-job learning by the program sponsor;

"(C) The transfer is to the same occupation; and

"(D) A new apprenticeship agreement is executed when the transfer between program sponsors occurs; and

"(10) Such additional terms and conditions as may be prescribed or approved by the Registration Agency with the advice and guidance of the Apprenticeship Council, if not inconsistent with the provisions of this act.".

(i) Section 9 (D.C. Official Code § 32-1409) is amended by striking the word "Director" both times it appears and inserting the phrase "Associate Director of Apprenticeship" in its place. **Note, § 32-1409**

(j) Section 10 (D.C. Official Code § 32-1410) is amended as follows: **Note, § 32-1410**

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

(A) Strike the word "Director" and insert the phrase "Associate Director of Apprenticeship" in its place.

(B) Strike the phrase "under this act, and he may hold" and insert the phrase "under this act and may hold" in its place.

(C) Strike the phrase "Secretary of Labor" and insert the phrase "Registration Agency" in its place.

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

"(b)(1) The determination of the Associate Director of Apprenticeship shall be filed with the Apprenticeship Council. If no appeal is filed with the Apprenticeship Council within 10 days after the date of filing the appeal, the determination of the Associate Director of Apprenticeship shall become the order of the Apprenticeship Council.

"(2) Any person aggrieved by a determination or action of the Associate Director of Apprenticeship may appeal to the Apprenticeship Council, which shall hold a hearing after due notice to the interested parties.

"(3) Any person aggrieved by the action of the Apprenticeship Council may appeal as provided in Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).".

(k) Section 12 (D.C. Official Code § 32-1412) is repealed. **Note, Repeal § 32-1412**

Sec. 3. Section 5(c)(2) of the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1431(c)(2)), is amended by striking the phrase "Contracting Officer" wherever it appears and inserting the phrase "Department of Employment Services" in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-100

Emergency Declaration Res. 21-44 21 DCStat 1184

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Health Benefit Exchange Authority Establishment Act of 2011 to provide for the financial sustainability of the Health Benefit Exchange Authority by adopting an annual broad- based assessment of all health insurance carriers that will support its annual budget.

Health Benefit Exchange Authority Financial Sustainability Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health Benefit Exchange Authority Financial Sustainability Emergency Amendment Act of 2015".

Sec. 2. The Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01 *et seq*.), is amended as follows:

(a) Section 2 (D.C. Official Code § 31-3171.01) is amended as follows:

Note, § 31-3171.01

(1) A new paragraph (3A) is added to read as follows:

"(3A) "Direct gross receipts" means all policy and membership fees and net premium receipts or consideration received in a calendar year on all health insurance carrier risks originating in or from the District of Columbia.".

(2) A new paragraph (8C) is added to read as follows:

"(8C) "Net premium receipts or consideration received" means gross premiums or consideration received less the sum of premiums received for reinsurance assumed and premiums or consideration returned on policies or contracts canceled or not taken.".

(b) Section 4 (D.C. Official Code § 31-3171.03) is amended by adding a new subsection (f) to read as follows:

Note, § 31-3171.03

"(f)(1) The Authority shall annually assess, through a "Notice of Assessment," each health carrier doing business in the District with direct gross receipts of $50,000 or greater in the preceding calendar year an amount based on a percentage of its direct gross receipts for the preceding calendar year. These assessments shall be deposited in the Fund.

"(2) The Authority shall adjust the assessment rate in each assessable year. The amount assessed shall not exceed reasonable projections regarding the amount necessary to support the operations of the Authority.

"(3) Each health carrier shall pay to the Authority the amount stated in the Notice of Assessment within 30 business days after receipt of the Notice of Assessment.

"(4) Any failure to pay the assessment in accordance with paragraph (3) of this subsection shall subject the health carrier to section 5 of the Insurance Regulatory Trust Fund

Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1204).".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-102

Emergency Declaration Res. 21-43 21 DCStat 1183

To amend, on an emergency basis, the Human Rights Act of 1977 to clarify that the prohibition of discrimination on the basis of sex shall not be construed to require an employer to provide insurance coverage related to a reproductive health decision; and to repeal a superseded provision of the Reproductive Health Non-Discrimination Amendment Act of 2014.

Codification District of Columbia Official Code 2001 Edition

Reproductive Health Non-Discrimination Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Reproductive Health Non-Discrimination Clarification Emergency Amendment Act of 2015".

Note, § 2-1401.05

Sec. 2. Section 105(a) of the Human Rights Act of 1977, effective July 17, 1985 (D.C. Law 6-8; D.C. Official Code § 2-1401.05(a)), is amended by striking the phrase "related medical conditions, or breastfeeding." and inserting the phrase "related medical conditions, breastfeeding, or reproductive health decisions. This act shall not be construed to require an employer to provide insurance coverage related to a reproductive health decision." in its place.

Note, § 2-1401.05

Sec. 3. Section 2(a) of the Reproductive Health Non-Discrimination Amendment Act of 2014, enacted on January 23, 2015 (D.C. Act 20-593; 62 DCR 1337), is repealed.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-105

Emergency Declaration Res. 21-48 21 DCStat 1191

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014; and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy, or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

Marijuana Possession Decriminalization Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marijuana Possession Decriminalization Clarification Emergency Amendment Act of 2015".

Note, § 48-911.01

Sec. 2. Section 301 of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01), is amended as follows:

(a) Subsection (a)(3) is amended to read as follows:

"(3) Any place to which the public is invited. For the purposes of this subsection, and notwithstanding any other provision of law, a private club, which includes any building, facility, or premises used or operated by an organization or association for a common avocational purpose, such as a fraternal, social, educational, or recreational purpose, is a place to which the public is invited; provided, that a private club does not include a private residence.".

(b) A new subsection (f) is added to read as follows:

"(f) No provision of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880), shall limit or be construed to limit the application of any provision of this section.".

Note, § 47-2844

Sec. 3. Section 47-2844(a-1)(1) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the phrase "Title 48; or" and inserting the phrase "Title 48;" in its place.

(b) Subparagraph (C) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) Conduct that violates section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)). In addition, the Mayor shall revoke any certificate of occupancy or permit associated with the specific address or unit, whichever is more specific, of the holder of a certificate of occupancy or permit who knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)), to occur at the specific address or unit identified in the certificate of occupancy or permit.".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-204.12(a)).

AN ACT

Bill 21-27

Emergency Declaration Res. 21-65 21 DCStat 1209

Not Codified

To approve, on an emergency basis, the award of an agreement to enter into a long-term subsidy contract for a multiyear term of 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-01A with Girard Street Community Partners, LLC, for Local Rent Supplement Program units at the Girard Street Senior Apartments located at 1545 Girard Street, N.E., and to authorize payment for housing services to be received under the contract.

Local Rent Supplement Program Contract No. 2014-LRSP-01A Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-01A Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 7, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the agreement to enter into a long-term subsidy contract between the District of Columbia Housing Authority and Girard Street Community Partners, LLC, for an annual subsidy amount of $393,000 and authorizes payment for services to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-62

Emergency Declaration Res. 21-47 21 DCStat 1189

Not Codified

To approve, on an emergency basis, the exercise of the second option year of Task Order No. CW15546 with AT&T Mobility National Accounts LLC to supply the District with wireless telecommunications products and services, and other wireless telecommunication solutions related to enterprise communications and information technology, and to authorize payment for the services received and to be received under the task order.

Task Order No. CW15546 Option Year Two Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Task Order No. CW15546 Option Year Two Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the exercise of the second option year of Task Order No. CW15546 with AT&T Mobility National Accounts LLC to supply the District with wireless telecommunications products and services, and other wireless telecommunication solutions related to enterprise communications and information technology, and authorizes payment not to exceed $2,000,000 for services received and to be received under the task order from October 1, 2014 through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-63

Emergency Declaration Res. 21-32 21 DCStat 1166

Not Codified

To approve, on an emergency basis, the modification to Contract No. CW25390 with Precision Truck Repair, Inc. for school-bus maintenance services to increase the not-to-exceed amount to $1,500,000, and to authorize payment for the services received and to be received under the contract.

Modification to Contract No. CW25390 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification to Contract No. CW25390 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the modification to Contract No. CW25390 with Precision Truck Repair, Inc. for school-bus maintenance services and authorizes payment in the not-to-exceed amount to $1,500,000 for services received and to be received under the contract from June 1, 2014 to May 31, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-23, effective March 27, 2015 (Expiration date June 25, 2015)

AN ACT

Bill 21-65

Emergency Declaration Res. 21-33 21 DCStat 1167

Not Codified

To approve, on an emergency basis, Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 with the BLOC-Atlantic, LLC/Shinberg/Levinas Architectural Design, Inc. Joint Venture for architectural and engineering services for the Hyde-Addison Elementary School Complex, and to authorize payment for the goods and services received and to be received under the contract and change orders.

Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 with BLOC-Atlantic, LLC/Shinberg/Levinas Architectural Design Inc. Joint Venture for architectural and engineering services for the Hyde-Addison Elementary School Complex, in the aggregate amount of $1,148,102, and authorizes payment for the goods and services received and to be received under the contract and change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-68

Emergency Declaration Res. 21-34 21 DCStat 1169

Not Codified

To approve, on an emergency basis, Change Orders Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 with Prince Construction Company/W.M. Schlosser Company, Inc. JV for the renovation and expansion of the inmate processing center at the District's Central Detention Facility, and to authorize payment in the aggregate amount of $2,930,168 for the goods and services received and to be received under these change orders.

Change Orders Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Orders Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 with Prince Construction Company/W.M. Schlosser Company, Inc. JV, for the renovation and expansion of the inmate processing center at the District's Central Detention Facility, in the aggregate amount of $2,930,168, and authorizes payment for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-25, effective March 27, 2015 (Expiration date June 25, 2015)

AN ACT

Bill 21-72

Emergency Declaration Res. 21-36 21 DCStat 1171

Not Codified

To approve, on an emergency basis, the exercise of the first option year of Contract No. CW25933 with Public Performance Management, LLC to provide mission oriented business integrated services, and authorize payment for the goods and services received and to be received under the contract.

Contract No. CW25933 Option Year One Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW25933 Option Year One Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the exercise of the first option year of Contract No. CW25933 with Public Performance Management, LLC, and authorizes payment not to exceed $10,000,000 for goods and services received and to be received under that contract from January 29, 2015 through January 28, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-77

Emergency Declaration Res. 21-42 21 DCStat 1181

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the District of Columbia School Reform Act of 1995 to allow a public charter school to offer priority in enrollment to any students who were previously enrolled in the facility where that charter school will operate in the succeeding school year; and to amend section 29-412.20 of the District of Columbia Official Code to grant the Attorney General the authority to dissolve a nonprofit corporation organized for the purpose of operating a public charter school if the charter for the public charter school has been revoked, non-renewed, or relinquished.

Public Charter School Priority Enrollment Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public Charter School Priority Enrollment Emergency Amendment Act of 2015".

Note, § 38-1802.06

Sec. 2. Section 2206 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.06), is amended by adding a new subsection (d-1) to read as follows:

"(d-1) *Admission to a successor public charter school.* – Notwithstanding subsection (c) of this section, a public charter school that operates in a facility where a public charter school whose charter has been lost through revocation, non-renewal, or voluntarily relinquishment previously operated, shall, for its first year of operation in that facility, admit students who were enrolled in the previous school during the school year preceding the loss of its charter. If the successor public charter school does not have sufficient capacity to admit all students who were enrolled in the previous school and who wish to enroll in the successor school, students who were enrolled in the previous school shall be admitted using a random selection process.".

Note, § 29-412.20

Sec. 3. Section 29-412.20(a)(1) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the word "or" at the end.

(b) Subparagraph (C) is amended by striking the semicolon and inserting the phrase "; or" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) The corporation was organized for the purpose of operating a public charter school pursuant to Chapter 18 of Title 38 and the charter for the public charter school has been revoked, has not been renewed, or has been voluntarily relinquished and the corporation has failed to voluntarily dissolve as required by § 38-1802.13a;".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-27, effective March 30, 2015 (Expiration date April 2, 2015)

AN ACT

Bill 21-83

Emergency Declaration Res. 21-49 21 DCStat 1193

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to approve the salary adjustment submitted by the Mayor for the position of the Chancellor of the District of Columbia Public Schools.

Codification District of Columbia Official Code 2001 Edition

Chancellor of the District of Columbia Public Schools Salary Adjustment Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Chancellor of the District of Columbia Public Schools Salary Adjustment Emergency Amendment Act of 2015".

Note, § 1-610.52

Sec. 2. Section 1052(b)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)(2)), is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($275,000)" and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($284,000)" in its place.

Retroactive Applicability Date

Sec. 3. Applicability.

This act shall apply as of January 2, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 193 (87 Stat. 88; D.C. Official Code § 204.12(a)).

AN ACT

Bill 21-89

Emergency Declaration Res. 21-21 21 DCStat 1140

Codification District of Columbia Official Code 2001 Edition

Classroom Animal for Educational Purposes Clarification Congressional Review Emergency Amendment Act of 2015

Note, § 8-1808

To amend, on an emergency basis, due to congressional review, the Animal Control Act of 1979 to clarify that an educational institution is permitted to have animals for educational and instructional purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Classroom Animal for Educational Purposes Clarification Congressional Review Emergency Amendment Act of 2015".

Sec. 2. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to read as follows:

"(6) Paragraph (1) of this subsection shall not apply to educational institutions that possess animals for educational and instructional purposes and that otherwise comply with humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law 17-281; D.C. Official Code § 8-1851.02).".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-91

Emergency Declaration Res. 21-23 21 DCStat 1143

Not Codified

To authorize, on an emergency basis, due to congressional review, the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Congressional Review Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Congressional Review Emergency Act of 2015".

Sec. 2. Findings.

The Council finds that:

(1) The District of Columbia Water and Sewer Authority ("DC Water") currently operates a site south of N Place, S.E., north of the Anacostia River and between 1st and Canal Streets, S.E. ("DC Water Site").

(2) Pursuant to the Anacostia Waterfront Framework Plan, the District of Columbia plans to dispose of and develop a portion of the DC Water Site so as to leverage other large-scale District investments in the Capitol Riverfront/Near Southeast neighborhood, such as the South Capitol Street Bridge project and Nationals Park thereby serving to accelerate and promote economic vitality as well as enhance economic development in the District of Columbia.

(3) For the planned disposition and development to proceed, it is necessary for DC Water to relocate the functions currently at the DC Water Site.

(4) The District of Columbia and DC Water have entered into a Memorandum of Understanding for DC Water to relocate a portion of the uses from the DC Water Site to a site in Prince Georges County, Maryland.

(5) The District desires to relocate the current DC Water Site uses not being relocated to the Prince Georges County site, including customer care and sewer service operations, to Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 ("W Street Site").

(6) The W Street Site is currently occupied by a private trash transfer station.

(7) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(8) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin and have complained that there is an increased incidence of health concerns.

(9) The W Street Site trash transfer station continues to operate as an open air trash transfer station which allows its pungent odors to reach much farther than they would if the facility were closed.

(10) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

(11) The W Street Site will provide an opportunity to construct and establish an updated customer care and sewer service operation for DC Water that is more centrally located within the District of Columbia.

(12) The relocation of DC Water to the W Street Site shall not be considered as a permanent solution to the future use of the site. The permanent future use of the W Street Site should include sustainable economic development and be made in consultation with the surrounding community.

Sec. 3. Exercise of eminent domain.

The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots 36, 41 and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in section 2.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-30, effective March 27, 2015 (Expiration date June 19, 2015)

AN ACT

Bill 21-92

Emergency Declaration Res. 21-40 21 DCStat 1178

To amend, on an emergency basis, the Vending Regulation Act of 2009 to maintain criminal penalty provisions for a violation of the act or a vending regulation.

Codification District of Columbia Official Code 2001 Edition

Vending Regulations Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vending Regulations Emergency Amendment Act of 2015".

Note, § 37-131.08

Sec. 2. Section 9 of the Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.08), is amended as follows:

(a) The existing text is designated as subsection (a).

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

"(b) Any person who violates any of the provisions of this act or any regulations issued pursuant to this act shall, upon conviction, be subject to a fine not to exceed the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or by imprisonment not to exceed 90 days, or both, for each violation.".

Retroactive Applicability Date

Sec. 3. Applicability.

This act shall apply as of March 21, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-204.12(a)).

AN ACT

Bill 21-98

Emergency Declaration Res. 21-25 21 DCStat 1145

Codification District of Columbia Official Code 2001 Edition

Not-for-Profit Hospital Corporation Certificate of Need Exemption Congressional Review Emergency Amendment Act of 2015

Note, § 44-407

To amend, on an emergency basis, due to congressional review, the Health Services Planning Program Re-establishment Act of 1996 to exempt the Not-for-Profit Hospital Corporation from the certificate of need requirements for a period of one year for the establishment of an ambulatory health care clinic in Ward 8, provided that it establishes 2 mobile health clinics to operate in Wards 7 and 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Not-for-Profit Hospital Corporation Certificate of Need Exemption Congressional Review Emergency Amendment Act of 2015".

Sec. 2. Section 8(b) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407(b)), is amended as follows:

(a) Paragraph (12) is amended by striking the phrase “service; and” and inserting the phrase “service;” in its place.

(b) Paragraph (13) is amended by striking the phrase “Hospital.” and inserting the phrase “Hospital; and” in its place.

(c) A new paragraph (14) is added to read as follows:

"(14)(A) Operation by the Not-for-Profit Hospital Corporation of an ambulatory care clinic located in Ward 8; provided, that the Not-for-Profit Hospital Corporation also establishes 2 mobile health clinics to operate in Wards 7 and 8 within 180 days after the effective date of the Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014, effective January 6, 2015 (D.C. Act 20-563; 62 DCR 491).

“(B) The mobile health clinics established pursuant subparagraph (A) of this paragraph shall also be exempt from the certificate of need review.

“(C)The exemptions provided in this paragraph shall expire one calendar year after the effective date of the Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014, effective January 6, 2015 (D.C. Act 20-563; 62 DCR 491).”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204(a)).

AN ACT

Bill 21-99

Emergency Declaration Res. 21-24 21 DCStat 1144

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Grandparent Caregivers Pilot Program Establishment Act of 2005 to allow the Grandparent Caregivers Program subsidy to be transferred to a relative caregiver when a grandparent is no longer able to care for the child.

Grandparent Caregivers Program Subsidy Transfer Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grandparent Caregivers Program Subsidy Transfer Congressional Review Emergency Amendment Act of 2015".

Sec. 2. The Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq*.), is amended as follows:

Note, § 4-251.01

(a) Section 101 (D.C. Official Code § 4-251.01) is amended as follows:

(1) A new paragraph (1A) is added to read as follows:

"(1A) "Godparent" means an individual identified by a relative of the child by blood, marriage, domestic partnership, or adoption, in a sworn affidavit, to have close personal or emotional ties with the child or the child's family, which pre-dated the child's placement with the individual.".

(2) A new paragraph (3A) is added to read as follows:

"(3A) "Relative" means an individual who is related to the child by blood, marriage, domestic partnership, or adoption or is a godparent of the child.".

Note, New § 4-251.03a

(b) A new section 103a is added to read as follows:

"Sec. 103a. Transfer of subsidy.

"(a) The Mayor may transfer subsidy payments to a relative caregiver upon the death or mental or physical incapacity of a grandparent if:

"(1) The relative caregiver files an application for a subsidy within 30 days of becoming the child's primary caregiver;

"(2) The relative caregiver has a strong commitment to caring for the child;

"(3) The child's parent does not reside in the relative caregiver's home; provided, that a parent may reside in the home without disqualifying the relative caregiver from receiving a subsidy if:

"(A) The parent has designated the relative caregiver to be the child's standby guardian pursuant to Chapter 48 of Title 16;

"(B) The parent is a minor enrolled in school; or

"(C) The parent is a minor with a medically verifiable disability under criteria prescribed by the Mayor pursuant to section 106;

"(4) The relative caregiver and all adults residing in the relative caregiver's home have submitted to criminal background checks;

"(5) The relative caregiver is a resident of the District as defined by section 503 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.03);

"(6) The relative caregiver has applied for Temporary Assistance for Needy Families benefits for the child;

"(7) The relative caregiver has entered into a subsidy agreement that includes a provision that no payments received under the agreement shall inure to the benefit of the child's parent but shall be solely for the benefit of the child;

"(8) The relative caregiver is not currently receiving a guardianship or adoption subsidy for the child;

"(9) The relative caregiver has provided a signed statement, sworn under penalty of perjury, that the information provided to establish eligibility pursuant to this section or rules promulgated pursuant to section 106 is true and accurate to the best belief of the relative caregiver applicant; and

"(10) The relative caregiver has met any additional requirements of rules promulgated pursuant to section 106.

"(b)(1) The Mayor shall recertify the eligibility of each relative caregiver receiving a subsidy on at least an annual basis.

"(2) For the purposes of the recertification, a relative caregiver may be required to provide a signed statement, sworn under penalty of perjury, that the information provided to establish continued eligibility pursuant to this section or any rules issued pursuant to section 106 remains true and accurate to the best belief of the relative caregiver.

"(c)(1) The Mayor shall terminate subsidy payments to a relative caregiver at any time if:

"(A) The Mayor determines the relative caregiver no longer meets the eligibility requirements established by this section or by rules issued pursuant to section 106; or

"(B) There is a substantiated finding of child abuse or neglect against the relative caregiver resulting in the removal of the child from the relative caregiver's home.

"(2) A relative caregiver whose subsidy payments are terminated as a result of the removal of the child from the relative caregiver's home may reapply if the child has been returned to the relative caregiver's home.

"(d) Eligibility for subsidy payments under this section may continue until the child reaches 18 years of age.

"(e) The determination of whether to transfer a subsidy is solely within the discretion of the Mayor.

"(f) An applicant whose application for a subsidy transfer has been denied shall not be entitled to a hearing under Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.).

"(g) A relative caregiver whose subsidy has been terminated shall be entitled to a fair hearing under the applicable provisions of Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.); provided, that a relative caregiver shall not be entitled to a hearing if the termination of a subsidy is based upon the unavailability of appropriated funds.

"(h) Any statement under this section made with knowledge that the information set forth in the statement is false shall be subject to prosecution as a false statement under section 404(a) of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2405(a)).".

Note, § 4-251.04

(c) Section 104 (D.C. Official Code § 4-251.04) is amended as follows:

(1) Subsection (b) is amended by striking the word "grandparent" and inserting the phrase "grandparent or relative caregiver" in its place.

(2) Subsection (c) is amended by striking the word "grandparent" and inserting the phrase "grandparent or relative caregiver" in its place.

Note, § 4-251.05

(d) Section 105 (D.C. Official Code § 4-251.05) is amended by adding a new paragraph (5A) to read as follows:

"(5A) The number of subsidies transferred to a relative caregiver pursuant to section 103a;".

Retroactive Applicability Date

Sec. 3. Applicability.

This act shall apply as of March 8, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-34, effective March 30, 2015 (Expiration date May 31, 2015)

AN ACT

Bill 21-108

Emergency Declaration Res. 21-45 21 DCStat 1186

To amend, on an emergency basis, the Testing Integrity Act of 2013 to permit the use of computers and cell phones solely during the administration of computer-based Districtwide assessments as outlined in guidance issued by the Office of the State Superintendent of Education.

Codification District of Columbia Official Code 2001 Edition

Testing Integrity Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Testing Integrity Emergency Amendment Act of 2015".

Sec. 2. The Testing Integrity Act of 2013, effective October 17, 2013 (D.C. Law 20-27; D.C. Official Code § 38-771.01 *et seq.*), is amended as follows:

(a) Section 103(a)(4)(K) (D.C. Official Code § 38-771.03(a)(4)(K)) is amended to read as follows:

Note, § 38-771.03

"(K) Using cell phones or unapproved electronics, including unapproved computers, during the administration of a Districtwide assessment; provided, that cell phones or approved computers may be used during the administration of a computer-based Districtwide assessment as outlined in guidance issued by OSSE.".

Sec. 3. Applicability.

This act shall apply as of March 2, 2015.

Retroactive Applicability Date

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-35, effective March 30, 2015 (Expiration date June 19, 2015)

AN ACT

Bill 21-110

Emergency Declaration Res. 21-46 21 DCStat 1188

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the State Education Office Establishment Act of 2000 to exempt individual educator evaluation data from public disclosure; and to amend the District of Columbia Administrative Procedure Act to exempt the educator evaluation data from public disclosure.

Educator Evaluation Data Protection Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Educator Evaluation Data Protection Emergency Amendment Act of 2015".

Note, New § 38-2614

Sec. 2. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code§ 38-2601 *et seq.*), is amended by adding a new section 7g to read as follows:

“Sec. 7g. Educator evaluations.

"(a) Individual educator evaluations and effectiveness ratings, observation, and value-added data collected or maintained by OSSE are not public records and shall not be subject to disclosure pursuant to section 202 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).

"(b) Nothing in this section shall prohibit OSSE from:

"(1) Using educator evaluations or effectiveness ratings to fulfill existing requirements of a state educational agency under applicable federal or local law; or

"(2) Publicly disclosing aggregate reports and analyses regarding the results of educator evaluation data.

"(c) For the purposes of this section, the term ”educator” means a principal, assistant principal, school teacher, assistant teacher, or a paraprofessional.”.

Note, § 2-534

Sec. 3. Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as follows:

(a) Paragraph (14) is amended by striking the word "and" at the end.

(b) Paragraph (15) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (16) is added to read as follows:

"(16) Information exempt from disclosure pursuant to section 7g of the State Education Office Establishment Act of 2000, passed on emergency basis on March 3, 2015 (Enrolled version of Bill 21-110).".

Retroactive Applicability Date

Sec. 4. Applicability.

This act shall apply as of March 21, 2015.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-36, effective March 30, 2015 (Expiration date June 28, 2015)

AN ACT

Bill 21-128

Emergency Declaration Res. 21-64 21 DCStat 1208

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to extend the time period that an applicant for a registration to operate a cultivation center whose application was pending as of June 20, 2012, shall be allowed to modify the application.

Medical Marijuana Cultivation Center Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Cultivation Center Emergency Amendment Act of 2015".

Note, § 7-1671.06

Sec. 2. Section 7(g-1)(2) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06(g-1)(2)), is amended by striking the phrase "within 180 days of the effective date of the Medical Marijuana Cultivation Center Temporary Amendment Act of 2013, effective May 1, 2013 (D.C. Law 20-1: 60 DCR 3962)" and inserting the phrase "within 90 days after the effective date of the Medical Marijuana Cultivation Center Emergency Amendment Act of 2015, passed on emergency basis on March 17, 2015 (Enrolled version of Bill 21-128)" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-90

Emergency Declaration Res. 21-16 21 DCStat 1134

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, section 47-4658 of the District of Columbia Official Code to clarify the real property tax abatement for Lot 808 in Square 5041 and Lot 811 in Square 5056.

Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Congressional Review Emergency Amendment Act of 2015".

Sec. 2. Section 47-4658 of the District of Columbia Official Code is amended as follows:

(a) The heading is amended by striking the phrase "Parkside Parcel E and J Mixed-Income Apartments;".

(b) Subsection (a) is amended to read as follows:

"(a) Subject to subsection (b) of this section, the real property described as Lot 808 in Square 5041 and Lot 811 in Square 5056 shall be allowed an annual real property tax abatement equal to the amount of the real property taxes assessed and imposed by Chapter 8 of this title of up to a total maximum amount for each lot of $300,000 per year for 10 property tax years commencing for Lot 808 and Lot 811 at the beginning of the first month following the date that specific lot is issued a final certificate of occupancy ("commencement date") and ending for each lot at the end of the 10th full real property tax year following the lot's commencement date.".

(b) Subsections (c) and (d) are amended to read as follows:

"(c) Notwithstanding any other provision of law and provided that the final certificate of occupancy is issued on or before September 20, 2018, upon the issuance of a final certificate for Lot 808 or Lot 811, any fees or deposits charged to and paid by the owner of that specific lot for the development of Lot 808 or Lot 811, including private space or building permit fees or public space permit fees ("related fees"), shall be refunded and any prospective related fees forgiven.

"(d) The tax abatements and fees and deposits exemptions provided pursuant to this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the development of Lot 808 or Lot 811.".

Retroactive Applicability Date

Sec. 3. Applicability.

This act shall apply as of March 18, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

A RESOLUTION

Proposed Resolution 20-1099

To confirm the appointment of Ms. Ann Hoffman to the Public Employee Relations Board.

Public Employee Relations Board Ann Hoffman Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Ann Hoffman Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Ann Hoffman
2810 McKinley Street, N.W.
Washington, D.C. 20015
(Ward 4)

as a neutral public member of the Public Employee Relations Board, established by section 501 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.0l), for a term to end December 12, 2016.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1100

To confirm the appointment of Ms. Yvonne T. Dixon to the Public Employee Relations Board.

Public Employee Relations Board Yvonne Dixon Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Yvonne Dixon Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Yvonne T. Dixon
4430 7th Street, N.E.
Washington, D.C. 20017
(Ward 5)

as an ad hoc management member of the Public Employee Relations Board, established by section 501 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01), for an unexpired term to end December 12, 2014, and for a new term to end December 12, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-895

To approve the proposed compensation system change submitted by the Mayor to establish an Excepted Service Schedule for medical officer and public safety positions.

Excepted Service Public Safety Compensation System Changes Approval Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Excepted Service Public Safety Compensation System Changes Approval Resolution of 2014."

Sec. 2. (a) Pursuant to sections 1105(d) and 1106 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.05(d) and 1-611.06) ("CMPA"), the Council approves the establishment of an Excepted Service Public Safety Schedule as recommended by the Mayor for Excepted Service positions that require a medical degree or positions that require another advanced health-related degree who perform senior supervisory public safety duties and responsibilities in an agency within the public safety cluster as defined in section 1052a(g) of the CMPA. The proposed compensation system changes include a salary increase of 3% for Fiscal Years 2016 and 2017.

(b) A salary of $200,000 or more may only be awarded following a national recruitment and when supported by professional compensation and labor market studies.

Sec. 3. The proposed compensation system changes referred to in section 2 are as follows:

District of Columbia Government Salary Schedule: PUBLIC SAFETY PAY EXCEPTED SCHEDULE

Public Safety and Justice Cluster (Medical Services)

Effective Date: ***October 5, 2014*** ***Fiscal Year:*** 2015
Nonunion: Nonunion ***% Increase:***
Service Code Definition:

CBU/Service Code: ***XAA/A80***

Resolution #:
Date of Resolution#
Peoplesoft Plan:

Level	Minimum	Midpoint	Maximum
PS 1	$164,800	$189,520	$214,240
PS 2	$192,816	$221,738	$250,661
PS 3	$225,595	$259,434	$293,273
PS 4	$263,946	$303,538	$343,130

The levels on this pay Schedule are 1, 2, 3, AND 4
Levels 1,2,3,and 4 = (fully trained and/or board eligible)/Supervisory Public Safety Positions
The following factors will be considered when making salary placements:
Area of Specialized Expertise and Education
As it pertains to Supervisory Medical Positions only:
Board Certified In Primary
Board certified in primary specialty and in a subspecialty or a second primary specialty
Each year spent in a fellowship related to the specialty area generally practiced for the employer shall be counted as one year of "post training experience"

District of Columbia Government Salary Schedule: PUBLIC SAFETY PAY EXCEPTED SCHEDULE

Public Safety and Justice Cluster (Medical Officers)

Effective Date:	***October 4, 2015***	***Fiscal Year:***	2016
Nonunion:	Nonunion	***% Increase:***	
Service Code Definition:			
CBU/Service Code:	***XAA/A80***		
Resolution #:			
Date of Resolution:			
Peoplesoft Plan:			

Level	Minimum	Midpoint	Maximum
PS 1	$169,744	$195,206	$220,667
PS 2	$198,600	$228,391	$258,181
PS 3	$232,363	$267,217	$302,071
PS 4	$271,864	$312,644	$353,423

The levels on this pay Schedule are 1, 2, 3, AND 4
Levels 1,2,3,and 4 = (fully trained and/or board eligible)/Supervisory Public Safety Positions
The following factors will be considered when making salary placements:
Area of Specialized Expertise and Education
As it pertains to Supervisory Medical Positions only:
Board Certified In Primary
Board certified in primary specialty and in a subspecialty or a second primary specialty
Each year spent in a fellowship related to the specialty area generally practiced for the employer shall be counted as one year of "post training experience"

District of Columbia Government Salary Schedule: PUBLIC SAFETY PAY EXCEPTED SCHEDULE

Public Safety and Justice Cluster (Medical Officers)

Effective Date:		***October 2, 2016***	***Fiscal Year:*** 2017
Nonunion:		Nonunion	***% Increase:***
Service Code Definition:			
CBU/Service Code:	***XAA/A80***		
Resolution #:			***:***
Date of Resolution:			
Peoplesoft Plan:			

Level	Minimum	Midpoint	Maximum
PS 1	$174,836	$201,062	$227,287
PS 2	$204,558	$235,242	$265,926
PS 3	$239,333	$275,233	$311,133
PS 4	$280,020	$322,023	$364,026

The levels on this pay Schedule are 1, 2, 3, AND 4
Levels 1,2,3,and 4 = (fully trained and/or board eligible)/Supervisory Public Safety Positions
The following factors will be considered when making salary placements:
Area of Specialized Expertise and Education
As it pertains to Supervisory Medical Positions only:
Board Certified In Primary
Board certified in primary specialty and in a subspecialty or a second primary specialty
Each year spent in a fellowship related to the specialty area generally practiced for the employer shall be counted as one year of "post training experience"

Sec. 4. The compensation system changes delineated in section 3 shall become effective October 5, 2014.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor.

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-846

To declare that the District-owned real property located on the 4200 block of Barnaby Road, S.E., between Bonini Road and Chesapeake Street, S.E., in Washington, D.C., known for tax and assessment purposes as Parcel 238/40, is no longer required for public purposes.

Barnaby Road Parcel 238/40 Surplus Property Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Barnaby Road Parcel 238/40 Surplus Property Declaration Resolution of 2014".

Sec. 2. Findings.

(a) The District is the owner of real property located on the 4200 block of Barnaby Road, S.E., in Washington, D.C., known for tax and assessment purposes as Parcel 238/40 ("Property"). The Property consists of 1.08 acres of unimproved land.

(b) The Property is no longer required for public purposes because the Property is an odd-shaped tract of land that is zoned R-5-A. The Property does not meet the size and zoning criteria for developing and establishing a government center or administrative offices at this location. The Property also does not meet the zoning criteria for developing office or retail buildings. Further, no requests or plans are forthcoming to develop the Property into a park or recreational site. Therefore, the District has determined that the highest and best use of the property is to assemble the property with the adjacent parcels, which are owned by the proposed buyer, for the purposes of completing a residential development for single family homes. A residential development will significantly increase the amount of new housing stock built within the neighborhood. Declaring that the Property is no longer required for public purposes and disposing of it by selling to a third party is the most expedient and cost effective solution to reactivate the property. This transaction will enable a local community development corporation to complete its plans to develop new workforce housing, thus providing new revenue for the District and removing blight from the community.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)(4)) ("Act"), by holding the required public hearings on July 9 and October 7, 2013.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-847

To approve the disposition of District-owned real property located in the 4200 block of Barnaby Road, S.E., between Bonini Road, S.E., and Chesapeake Street, S.E., in Washington, D.C., and known for tax and assessment purposes as Parcel 238/40.

Barnaby Road Parcel 238/40 Disposition Approval Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Barnaby Road Parcel 238/40 Disposition Approval Resolution of 2014".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "CBE Agreement" means an agreement governing certain obligations of the Purchaser or the Developer under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) ("CBE Act"), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

(2) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) "First Source Agreement" means an agreement with the District governing certain obligations of the Purchaser or the Developer of the Property pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(4) "Property" means the real property located in the 4200 block of Barnaby Road, S.E., in Washington, D.C., and known for tax and assessment purposes as Parcel 238/40.

(5) "Purchaser" means Way of the Word Community Development Corporation, which has a primary address of 700 Southern Avenue, S.E., c/o Temple of Praise, Washington, D.C., 20032, its successor, or one of its affiliates or assignees approved by the Mayor.

Sec. 3. Approval of disposition.

(a) Pursuant to subsections 1(b) and (b-1) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b) and (b-1)) ("Act"), the Mayor transmitted to the Council a request for approval to dispose of the Property through the sale of the Property to the Purchaser.

(b) The Property is adjacent to property owned by the Purchaser, a subsidiary of the Temple of Praise Church organization. The Purchaser is a faith-based not-for-profit organization and leader in development of workforce and transitional housing within Ward 8, and the sale to the Purchaser has been negotiated for the specifically designated purpose of such development.

(c) The proposed disposition shall include the following terms and conditions, in addition to such other terms and conditions as the Mayor deems necessary or appropriate:

(1) The Purchaser shall acquire the Property in its "as is" condition for the sum of $300,000.

(2) The Purchaser shall enter into an agreement requiring the Purchaser to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises.

(3) The Purchaser shall enter into a First Source Agreement with the District.

(d) All documents that are submitted with this resolution shall be consistent with the real property purchase agreement term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act (D.C. Official Code § 10-801(b-1)(2)) .

(e) The Council finds that the Property is no longer required for public purposes.

(f) The Council finds that the Mayor's analysis of economic and other policy factors supporting the disposition of the Property justifies the sale proposed by the Mayor.

(g) The Council approves the disposition of the Property.

Sec 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-906

To confirm the reappointment of Mr. Peter Szegedy-Maszak to the Rental Housing Commission.

Rental Housing Commission Peter Szegedy-Maszak Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rental Housing Commission Peter Szegedy-Maszak Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Peter Szegedy-Maszak
5050 MacArthur Boulevard, N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the Rental Housing Commission, established by section 201 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01), for a term to end July 18, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-917

To confirm the reappointment of Mr. Derek Ford to the District of Columbia Housing Finance Agency Board of Directors.

District of Columbia Housing Finance Agency Board of Directors Derek Ford Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Derek Ford Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Derek Ford
4508 B Street, S.E. #8
Washington, D.C. 20019
(Ward 7)

as a member, with experience in mortgage lending, of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), for a term to end June 28, 2016.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1093

To confirm the reappointment of Ms. Oramenta F. Newsome to the Housing Production Trust Fund Board.

Housing Production Trust Fund Board Oramenta F. Newsome Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Housing Production Trust Fund Board Oramenta F. Newsome Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Oramenta F. Newsome
9308 Spring Water Path
Jessup, Maryland 20794

as a member, representing an organization that advocates for the production, preservation, and rehabilitation of affordable housing for lower-income households, of the Housing Production Trust Fund Board, established by section 3a of the Housing Production Trust Fund Act of 1988, effective June 8, 1990 (D.C. Law 8-133; D.C. Official Code § 42-2802.01), for a term to end January 14, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1094

To confirm the reappointment of Mr. David J. Roodberg to the Housing Production Trust Fund Board.

Housing Production Trust Fund Board David J. Roodberg Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Housing Production Trust Fund Board David J. Roodberg Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. David J. Roodberg
9483 Coral Crest Lane
Vienna, Virginia 22182

as a member, representing the for-profit housing production industry, of the Housing Production Trust Fund Board, established by section 3a of the Housing Production Trust Fund Act of 1988, effective June 8, 1990 (D.C. Law 8-133; D.C. Official Code § 42-2802.01), for a term to end January 14, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1095

To confirm the reappointment of Ms. Sue Ann Marshall to the Housing Production Trust Fund Board.

Housing Production Trust Fund Board Sue Ann Marshall Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Housing Production Trust Fund Board Sue Ann Marshall Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Sue Ann Marshall
3426 16th Street, N.W. #104
Washington, D.C. 20010
(Ward 1)

as a member, representing the nonprofit housing production community, of the Housing Production Trust Fund Board, established by section 3a of the Housing Production Trust Fund Act of 1988, effective June 8, 1990 (D.C. Law 8-133; D.C. Official Code § 42-2802.01), for a term to end January 14, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1081

To declare that the District-owned real property located at 2501 1st Street, N.W., formerly the McMillan Sand Filtration Site, is no longer required for public purposes.

McMillan Surplus Property Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "McMillan Surplus Property Declaration Resolution of 2014".

Sec. 2. Findings.

(a) The District is the owner of the real property located at 2501 1st Street, N.W., known for tax and assessment purposes as Lot 0800 in Square 3128 ("McMillan site"). The McMillan site consists of approximately 1,075,496 square feet of land, of which approximately 453,614 square feet of land will be reserved by the District for a community center, open space, parks, and landscaped areas, as determined by the Mayor. The remaining 621,882 square feet of land ("Property") are the subject of this resolution.

(b) The Property is no longer required for public purposes because the Property's condition cannot viably accommodate a District agency use or other public use without cost prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code 10-801(a-1)(4)) ("Act"), by holding a public hearing on June 6, 2013, at the All Nations Baptist Church located at 2001 North Capitol Street, N.E.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.
This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1082

To approve the disposition of District-owned real property located at 2501 1st Street, N.W., formerly the McMillan Sand Filtration Site.

McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "CBE Act" means the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.).

(2) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the CBE Act.

(3) "First Source Agreement" means an agreement with the District governing certain obligations of the Purchaser pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Townhomes Parcel.

(4) "McMillan Sand Filtration Site" means the real property located at 2501 1st Street, N.W., known for tax and assessment purposes as Lot 0800 in Square 3128, that consists of approximately 1,075,496 square feet of land as shown in the documents submitted to the Council with this resolution.

(5) "Purchaser" means Vision McMillan Partners, LLC, a District of Columbia limited liability company with a business address of 4800 Hampden Lane, Suite 300, Bethesda, MD 20814, and comprised of Trammel Crow Company, with a business address of 1055 Thomas Jefferson Street, N.W., Suite 600, Washington, D.C. 20007, EYA, with a business address of 4800 Hampden Lane, Suite 300, Bethesda, MD 20814, and JAIR LYNCH Development Partners, with a business address of 1508 U Street, N.W., Washington, D.C., 20009, its successor, or one of its affiliates or assignees approved by the Mayor.

(6) "Townhomes Parcel" means the area that includes approximately 252,687 square feet of land located in the McMillan Sand Filtration Site that is planned for residential development, as may be further defined by the Mayor.

Sec. 3. Findings.

(a) The intended use of the McMillan Sand Filtration Site is a mixed-use redevelopment ("Project") that will include the Townhomes Parcel as one component.

(b) The Townhomes Parcel will be developed into approximately 350,000 square feet for residential townhomes and any ancillary uses allowed under applicable law.

(c) The Project's other components will be 1,030,000 square feet of healthcare facilities, 41,250 square feet of retail, 50,000 square feet of open space and landscaped areas, 52,920 square feet intended to be a full-service grocery store, and 566,930 square feet of gross floor area devoted to multi-family residential units.

(d) The remaining portion of the McMillan Sand Filtration Site will be retained by the District of Columbia government, as determined by the Mayor, and the proposed uses will include approximately 17,500 square feet of gross floor area devoted to a community center and approximately 444,056 square feet of land area devoted to parks and landscaped areas.

(e) The Project shall contain affordable housing as described in the term sheet submitted with this resolution.

(f) The Purchaser shall enter into an agreement that shall require the Purchaser to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises.

(g) The Purchaser shall enter into a First Source Agreement with the District.

(h) Pursuant to An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*) ("Act"), the proposed method of disposition is a public or private sale to the bidder providing the most benefit to the District under section 1(b)(8)(F) of the Act.

(i) All documents that are submitted with this resolution pursuant to section 1(b-1) of the Act shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act.

Sec. 4. Approval of disposition.

(a) Pursuant to the Act the Mayor transmitted to the Council a request for approval of the disposition of the Townhomes Parcel to the Purchaser.

(b) The Council approves the disposition of the Townhomes Parcel.

Sec. 5. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 6. Applicability.

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

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

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

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

Sec. 7. Fiscal impact statement.

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

Sec. 8. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1083

To approve the disposition of District-owned real property located at 2501 1st Street, N.W., formerly the McMillan Sand Filtration Site.

McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "CBE Act" means the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.).

(2) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the CBE Act.

(3) "First Source Agreement" means an agreement with the District governing certain obligations of the Purchaser pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Multifamily Parcel.

(4) "McMillan Sand Filtration Site" means the real property located at 2501 1st Street, N.W., known for tax and assessment purposes as Lot 0800 in Square 3128, that consists of approximately 1,075,496 square feet of land as shown in the documents submitted to the Council with this resolution.

(5) "Multifamily Parcel" means the area that includes approximately 162,638 square feet of land located in the McMillan Sand Filtration Site that is planned for residential and retail development, as may be further defined by the Mayor.

(6) "Purchaser" means Vision McMillan Partners, LLC, a District of Columbia limited liability company with a business address of 4800 Hampden Lane, Suite 300, Bethesda, MD 20814, and comprised of Trammel Crow Company, with a business address of 1055 Thomas Jefferson Street, N.W., Suite 600, Washington, D.C. 20007, EYA, with a business address of 4800 Hampden Lane, Suite 300, Bethesda, MD 20814, and JAIR LYNCH Development Partners, with a business address of 1508 U Street, N.W., Washington, D.C., 20009, its successor, or one of its affiliates or assignees approved by the Mayor.

Sec. 3. Findings.

(a) The intended use of the McMillan Sand Filtration Site is a mixed-use redevelopment ("Project") that will include the Multifamily Parcel as one component.

(b) The Multifamily Parcel will developed into approximately 566,930 square feet for multifamily residential properties, 52,920 square feet intended to be a full-service grocery store, and any ancillary uses allowed under applicable law.

(c) The Project's other components will be 1,030,000 square feet of healthcare facilities, 41,250 square feet of retail, 50,000 square feet of parks, landscaping, or open area, and 350,000 square feet devoted to residential townhomes.

(d) The remaining portion of the McMillan Sand Filtration Site will be retained by the District of Columbia government, as determined by the Mayor, and the proposed uses will include approximately 17,500 square feet of gross floor area devoted to a community center and approximately 444,056 square feet of land area devoted to parks and landscaped areas

(e) The Project will contain affordable housing as described in the term sheet submitted with this resolution.

(f) The Purchaser shall enter into an agreement that shall require the Purchaser to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises.

(g) The Purchaser shall enter into a First Source Agreement with the District.

(h) Pursuant to An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq*.) ("Act"), the proposed method of disposition is a public or private sale to the bidder providing the most benefit to the District under section 1(b)(8)(F) of the Act.

(h) All documents that are submitted with this resolution pursuant to section 1(b-1) of the Act shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act.

Sec. 4. Approval of disposition.

(a) Pursuant to section 1(b)(8)(F) of the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Multi-Family Parcel to the Purchaser.

(b) The Council approves the disposition of the Multi-Family Parcel.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 6. Applicability.

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

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

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

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

Sec. 7. Fiscal impact statement.

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

Sec. 8. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1084

To approve the disposition of District-owned real property located at 2501 1st Street, N.W., formerly the McMillan Sand Filtration Site.

McMillan Commercial Parcel Disposition Approval Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "McMillan Commercial Parcel Disposition Approval Resolution of 2014".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "CBE Act" means the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(2) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the CBE Act.

(3) "Commercial Parcel" means the area that includes approximately 206,557 square feet of land located in the McMillan Sand Filtration Site and that is planned for future commercial development, as may be further defined by the Mayor.

(4) "First Source Agreement" means an agreement with the District governing certain obligations of the Purchaser pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Commercial Parcel.

(5) "McMillan Sand Filtration Site" means the real property located at 2501 1st Street, N.W., known for tax and assessment purposes as Lot 0800 in Square 3128, and that consists of approximately 1,075,496 square feet of land as shown in the documents submitted to the Council with this resolution.

(6) "Purchaser" means the Vision McMillan Partners, LLC, a District of Columbia limited liability company with a business address of 4800 Hampden Lane, Suite 300, Bethesda, MD 20814, and comprised of Trammel Crow Company, with a business address of 1055 Thomas Jefferson Street, N.W., Suite 600, Washington, D.C. 20007, EYA, with a business address of 4800 Hampden Lane, Suite 300, Bethesda, MD 20814, and JAIR LYNCH Development Partners, with a business address of 1508 U Street, N.W., Washington, D.C., 20009, its successor, or one of its affiliates or assignees approved by the Mayor.

Sec. 3. Findings.

(a) The intended use of the McMillan Sand Filtration Site is a mixed-use redevelopment ("Project") that will include the Commercial Parcel as one component.

(b) The Commercial Parcel will developed into approximately 1,030,000 square feet of healthcare facilities, 41,250 square feet of retail, 50,000 square feet of open space and landscaped areas, and any ancillary uses allowed under applicable law.

(c) The Project's other components will be 52,920 square feet intended to be a full-service grocery store, 566,930 square feet of gross floor area devoted to multi-family residential units, and 350,000 square feet devoted to residential townhomes.

(d) The remaining portion of the McMillan Sand Filtration Site will be retained by the District of Columbia government, as determined by the Mayor, and the proposed uses will include approximately 17,500 square feet of gross floor area devoted to a community center and approximately 444,056 square feet of land area devoted to parks and landscaped areas.

(e) The Project will contain affordable housing as described in the term sheet submitted with this resolution.

(f) The Purchaser shall enter into an agreement that shall require the Purchaser to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises.

(g) The Purchaser shall enter into a First Source Agreement with the District.

(h) Pursuant to An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq*.) ("Act"), the proposed method of disposition is a public or private sale to the bidder providing the most benefit to the District under section 1(b)(8)(F) of the Act.

(i) All documents that are submitted with this resolution pursuant to section 1(b-1) of the Act shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act.

Sec. 4. Approval of disposition.

(a) Pursuant to section 1(b)(8)(F) of the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Commercial Parcel to the Purchaser.

(b) The Council approves the disposition of the Commercial Parcel.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 6. Applicability.

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

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

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

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

Sec. 7. Fiscal impact statement.

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

Sec. 8. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-819

To declare that the District-owned real property, formerly the Stevens School, located at 1050 21st Street, N.W., and known for tax and assessment purposes as Lot 0876 in Square 0073, is no longer required for public purposes.

Stevens School Surplus Property Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Stevens School Surplus Property Declaration Resolution of 2014".

Sec. 2. Findings.

(a) The District is the owner of the real property located at 1050 21st Street, N.W., known for tax and assessment purposes as Lot 0876 in Square 0073 (the "Property"). The Property consists of a building containing approximately 41,800 square feet situated on approximately 30,620 square feet of land.

(b) The Property is no longer required for public purposes because the condition of the vacant building cannot viably accommodate a District agency use or other public use without cost-prohibitive rehabilitation of the historic structure and new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)(4)) ("Act"), by holding a public hearing on March 12, 2014, at the Charles Sumner School Museum and Archives located at 1201 17th Street, N.W.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.
This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 22-723

***See* Emergency D.C. Bill 20-833 Tabled, December 17, 2014**

Fiscal Year 2015 Revised Budget Request Emergency Declaration Resolution of 2014

To declare the existence of an emergency with respect to the need to approve an adjustment to appropriations pursuant to the Omnibus Appropriations Act, 2009.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "Fiscal Year 2015 Revised Budget Request Emergency Declaration Resolution of 2014".

Sec. 2.(a) The Soccer Stadium Development Act of 2014, as approved by the Committee of the Whole on December 2, 2014 (Committee print of Bill 20-805), will undergo first reading before the Council on December 2, 2014.

(b) Bill 20-805 is subject to funding and needs a funding mechanism to become applicable.

(c) The District has other appropriations needs, including a need for the District of Columbia Auditor to spend carryover funds, the advancement of capital funding for the H Street Bridge capital project, and new capital funding for structural repairs to the John A. Wilson Building.

(d) An adjustment to appropriations, including the use of revenues that would be generated by Bill 20-805, will enable full implementation of Bill 20-805 and meet the needs identified in subsection (c) of this section.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2015 Revised Budget Request Emergency Adjustment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1192

See Emergency D.C. Act 20-581 21 DCStat 733

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Tenant Opportunity to Purchase Act of 1980 to clarify the tenant opportunity to purchase in the case of the sale of multi-unit housing for the purposes of demolition or a notice of discontinuance of housing use.

Tenant Opportunity to Purchase Congressional Review Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Tenant Opportunity to Purchase Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2.(a) Pursuant to the Tenant Opportunity to Purchase Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.01 *et seq.*) ("Tenant Opportunity Act"), tenants of multi-unit housing must be given the first opportunity to purchase the property at a price and terms that are in fact a bona fide offer of sale.

(b) The Tenant Opportunity to Purchase Emergency Amendment Act of 2014, effective October 7, 2014, (Act 20-434; 61 DCR 10715) ("Emergency Amendment Act"), defined a bona fide offer of sale in the case of the sale of multi-unit housing for the purposes of demolition or a notice of discontinuance of housing use as a sales price that is less than or equal to the appraised value of the real property.

(c) The Emergency Amendment Act expires on January 5, 2015.

(d) The Tenant Opportunity to Purchase Temporary Amendment Act of 2014, signed by the Mayor on October 17, 2014 (D.C. Act 20-453; 61 DCR 11101) ("temporary legislation"), was transmitted to Congress on November 13, 2014, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(e) The temporary legislation is projected to become law on December 30, 2014. However, due to adjournment sine die of the 113th Congress, the temporary act is unlikely to become law by that date. Therefore, a congressional review emergency is needed to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Tenant Opportunity to Purchase Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec 4. The resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1194

***See* Emergency D.C. Act 20-583 21 DCStat 746**

Nationwide Mortgage Licensing System Second Congressional Review Emergency Declaration Resolution of 2014

To declare the existence of an emergency, due to congressional review, with respect to the need to provide for the District's participation in the National Mortgage Licensing System and Registry.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Nationwide Mortgage Licensing System Second Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2. (a) Congressional review emergency legislation is necessary to prevent a gap in the legal authority of the Department of Insurance, Securities and Banking to be enrolled in the National Mortgage Licensing System and Registry between the expiration of the Nationwide Mortgage Licensing System Conformity Congressional Review Emergency Act of 2014, effective October 23, 2014 (D.C. Act 20-456; 61 DCR 11361) ("emergency act") and the effective date of the Nationwide Mortgage Licensing System Conformity Temporary Act of 2014, signed by the Mayor 29, 2014 (D.C. Act 20-389; 61 DCR 8063) ("temporary act").

(b) The emergency act, which had a retroactive applicability date of October 8, expires on January 6, 2015. The temporary act may not become law until later in 2015 due to adjournment sine die of the 113th Congress.

(c) It is important that the provisions of the emergency act continue in effect, without interruption, until the temporary act is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the National Mortgage Licensing System Conformity Second Congressional Review Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1193

See Emergency D.C. Act 20-582 21 DCStat 735

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Business Improvement Districts Act of 1996 to update the laws concerning business improvement districts.

Business Improvement Districts Congressional Review Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Business Improvement Districts Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2. (a) The Business Improvement Districts Amendment Act of 2014, signed by the Mayor on October 8, 2014 (D.C. Act 20-441; 61 DCR 10741) ("permanent legislation"), was transmitted to Congress on November 12, 2014, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)). The permanent legislation is not likely to become law until 2015.

(b) The amendments made by this legislation allow the business improvement districts to update their bylaws and other measures as well as partake in updated payment methods. The legislation also contains updated definitions of what properties are taxable as well as updated taxation procedures.

(c) The changes made in the legislation allow the business improvement districts to incorporate different property types as well as incorporate adjacent properties along with the changes to meeting protocol and payment options.

(d) In October 2014, the Council enacted the Business Improvement Districts Emergency Amendment Act of 2014, effective October 7, 2014 (D.C. Act 20-435; 61 DCR 10717) ("emergency legislation"), to enact the amendments in the permanent legislation as soon as possible. The emergency legislation expires on January 5, 2015.

(e) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the permanent legislation is law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Business Improvement Districts Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1191

See Emergency D.C. Act 20-580 21 DCStat 730

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Administrative Procedure Act to exempt from disclosure certain critical infrastructure information.

Critical Infrastructure Freedom of Information Third Congressional Review Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Critical Infrastructure Freedom of Information Third Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2. (a) The Critical Infrastructure Freedom of Information Emergency Amendment Act of 2013 (D.C. Act 20-229; 60 DCR 16788) was enacted on November 29, 2013, and expired on February 27, 2014.

(b) The Critical Infrastructure Freedom of Information Temporary Amendment Act of 2013 (D.C. Law 20-71; 60 DCR 27) was enacted on December 20, 2013, and expired on October 3, 2014.

(c) The Critical Infrastructure Freedom of Information Amendment Act of 2014 (D.C. Act 20-439; 61 DCR 10735) was transmitted to Congress on November 12, 2014.

(d) The Critical Infrastructure Freedom of Information Second Congressional Review Emergency Amendment Act of 2014 (D.C. Act 20-459; 61 DCR 11374) was enacted on October 31, 2014. Due to retroactive applicability, this act expires on January 1, 2015.

(e) The Critical Infrastructure Freedom of Information Amendment Act of 2014 (D.C. Act 20-439; 61 DCR 10735) has not completed its 30-day congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(f) This congressional review emergency is necessary to prevent an anticipated gap in the law due to congressional recess.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Critical Infrastructure Freedom of Information Third Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1170

See Emergency D.C. Act 20-616 21 DCStat 791

To declare the existence of an emergency with respect to the need to amend the District of Columbia Election Code of 1955 to require a digital voter service system that may be executed by electronic signatures, to require the Department of Motor Vehicles to transmit to the District of Columbia Board of Elections the electronic signatures of those individuals who possess current Department of Motor Vehicles-issued identification and who submit registration applications through the digital voter service system to the board, and to make conforming amendments.

Voter Registration Access and Modernization Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Voter Registration Access and Modernization Emergency Declaration Resolution of 2014".

Sec. 2. (a) The Voter Registration Access and Modernization Amendment Act of 2014 passed on 2nd reading on September 23, 2014 (D.C. Act 20-437, 61 DCR 10730). The bill was transmitted to Congress on November 12, 2014, for the 30-day congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(b) Due to adjournment sine die of the 113th Congress, the law will not become effective before the end of Council Period 20.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Voter Registration Access and Modernization Emergency Amendment Act of 2014 be adopted after a single reading.

Sec 4. The resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1171

See Emergency D.C Act 20-617 21 DCStat 794

To declare the existence of an emergency with respect to the need to amend the District of Columbia Election Code of 1955 to permit the District of Columbia Board of Elections to hold special elections to fill vacancies in the offices of the Delegate to the House of Representatives from the District of Columbia and an elected member of the State Board of Education on a Tuesday occurring at least 70 days but not more than 174 days after the date on which the vacancy occurs.

Special Election Reform Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Special Election Reform Emergency Declaration Resolution of 2014".

Sec. 2. (a) The Special Election Reform Amendment Act of 2014 passed on 2nd reading on September 23, 2014 (D.C. Act 20-440; 61 DCR 10738). The bill was transmitted to Congress on November 12, 2014, for the 30-day congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(b) Due to adjournment sine die of the 113th Congress, the law will not become effective before the end of Council Period 20.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Special Election Reform Emergency Amendment Act of 2014 be adopted after a single reading.

Sec 4. The resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1124

To confirm the appointment of Tendani Mpulubusi El to the District of Columbia Commemorative Works Committee.

District of Columbia Commemorative Works Committee Tendani Mpulubusi El Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Commemorative Works Committee Tendani Mpulubusi El Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Tendani Mpulubusi El
2636 Wade Road, S.E., #12
Washington, D.C. 20020
(Ward 8)

as a citizen member of the District of Columbia Commemorative Works Committee, established by section 412 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective April 4, 2001 (D.C. Law 13-275; D.C. Official Code § 9-204.12), for a term to end July 22, 2016.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1179

See Emergency D.C. Act 20-612 21 DCStat 788

To declare the existence of an emergency with respect to the need to approve Task Order Nos. T0002 and T0003 for Human Care Agreement No. DCRL-2013-H-0039H to provide case management and traditional family-based foster care services for children and youth and to authorize payment for the services received and to be received under the human care agreement.

Task Orders for Human Care Agreement No. DCRL-2013-H-0039H Approval and Payment Authorization Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Task Orders for Human Care Agreement No. DCRL-2013-H-0039H Approval and Payment Authorization Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to approve Task Order Nos. T0002 and T0003 for Human Care Agreement No. DCRL-2013-H-0039H with Foundations for Home and Community, Inc. to provide case management and traditional family-based foster care services for children and youth that have been removed from their natural home due to abuse or neglect and to authorize payment for the services received and to be received under that agreement.

(b) On September 27, 2013, the Child and Family Services Agency awarded Human Care Agreement No. DCRL-2013-H-0039H to Foundations for Home and Community, Inc. for a base-year period from October 1, 2013 through September 30, 2014.

(c) The Child and Family Services Agency thereafter exercised option year one of Human Care Agreement No. DCRL-2013-H-0039H and issued Task Order No. T0002 in the not-to-exceed amount of $948,821.79 for the first option-year period from October 1, 2014 through September 30, 2015.

(d) The Child and Family Services Agency thereafter modified Human Care Agreement No. DCRL-2013-H-0039H to include traditional foster care services for one teen parent with one child and issued Task Order No. T0003, which increased the not-to-exceed amount of $948,821.79 to $1,003,636.64 for the first option-year period from October 1, 2014 through September 30, 2015.

(e) Council approval is necessary to allow the continuation of these vital services because these orders increase the value of Human Care Agreement No. DCRL-2013-H-0039H to more than $1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Task Orders for Human Care Agreement No. DCRL-2013-H-0039H Approval and Payment Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1182

See Emergency D.C. Act 20-613 21 DCStat 789

To declare the existence of an emergency with respect to the need to approve Modification No. 2 and Proposed Modification No. 4 to Contract No. CW22520 with Holder Enterprises, Inc., to provide temporary support services and authorize payment for the services received and to be received under the contract.

Modifications to Contract No. CW22520 Approval and Payment Authorization Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW22520 Approval and Payment Authorization Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to approve Modification No. 2 and Proposed Modification No. 4 to Contract No. CW22520 with Holder Enterprises, Inc. to provide temporary support services.

(b) On October 3, 2013, the Office of Contracting and Procurement ("OCP") awarded District of Columbia Supply Schedule Contract No. CW22520 ("Contract") to Holder Enterprises, Inc., for a base term from October 3, 2013 through October 2, 2014 in the not-to-exceed amount of $950,000.00.

(c) By Modification No. 2, dated October 2, 2014, OCP exercised a partial option for option year one of the Contract for the period from October 3, 2014 through January 2, 2015 in the not-to-exceed amount of $500,000.00.

(d) By Proposed Modification No. 4, OCP intends to exercise the remainder of the option for option year one of the Contract for the period from January 3, 2015 through October 2, 2015, in the aggregate not-to-exceed amount of $10,000,000.00.

(e) Council approval is necessary pursuant to section 451(b)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(b)(1)), to allow the continuation of these vital services. Without this approval, Holder Enterprises, Inc., cannot be paid for services provided in excess of $1 million for option year one.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW22520 Approval and Payment Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1183

See Emergency D.C. Act 20-614 21 DCStat 790

To declare the existence of an emergency with respect to the need to approve Modification No. 1 and Proposed Modification No. 4 to Contract No. CW22523 with Digidoc Inc. dba Document Managers to provide temporary support services and authorize payment for the services received and to be received under the contract.

Modifications to Contract No. CW22523 Approval and Payment Authorization Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW22523 Approval and Payment Authorization Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to approve Modification No. 1 and Proposed Modification No. 4 to Contract No. CW22523 with Digidoc Inc. dba Document Managers to provide temporary support services.

(b) On September 10, 2013, the Office of Contracting and Procurement ("OCP") awarded District of Columbia Supply Schedule Contract No. CW22523 ("Contract") to Digidoc Inc. dba Document Managers for a base term from September 10, 2013 through September 9, 2014, in the not-to-exceed amount of $950,000.00.

(c) By Modification No. 1, dated September 9, 2014, OCP exercised a partial option for option year one of the Contract for the period from September 10, 2014 through January 9, 2015, in the not-to-exceed amount of $650,000.00.

(d) By Proposed Modification No. 4, OCP intends to exercise the remainder of the option for option year one of the Contract for the period from January 10, 2015 through September 9, 2015, in the aggregate not-to-exceed amount of $10,000,000.00.

(e) Council approval is necessary pursuant to section 451(b)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(b)(1)), to allow the continuation of these vital services. Without this approval, Digidoc Inc. dba Document Managers cannot be paid for services provided in excess of $1 million for option year one.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW22523 Approval and Payment Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1122

To establish the date by which the Mayor shall submit to the Council the proposed budget for the government of the District of Columbia for the fiscal year ending September 30, 2016, to identify information and documentation to be submitted to the Council with the proposed budget for the government of the District of Columbia for the fiscal year ending September 30, 2016, and to require the Mayor to submit performance plans and accountability reports pursuant to Title XIV-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978.

Fiscal Year 2016 Budget Submission Requirements Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2016 Budget Submission Requirements Resolution of 2014".

Sec. 2. Pursuant to section 442(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42(a)) ("Home Rule Act"), the Mayor shall submit to the Council, and make available to the public, not later than April 2, 2015, the proposed budget for the District government and related budget documents required by sections 442, 443, and 444 of the Home Rule Act (D.C. Official Code §§ 1-204.42, 1-204.43, and 1-204.44), for the fiscal year ending September 30, 2016.

Sec. 3. The proposed budget shall contain:

(1) Required budget documents as follows:

(A) For the entire District government, including all subordinate agencies, independent agencies, independent instrumentalities, and independent authorities ("agency"), the proposed budget shall contain a summary statement or table showing the following:

(i) The revenues by source (local, dedicated tax, special purpose, federal, and private);

(ii) Expenditures by Comptroller Source Group; and

(iii) Projections for revenues and expenditures for the Fiscal Year 2015 approved budget and for the Fiscal Year 2016 proposed budget.

(B) For each agency or separate Organizational Level I line item in the District's annual budget, summary statements or tables showing all sources of funding by source (local, dedicated tax, special purpose, federal, private, and intra-district) for fiscal years 2013 and 2014, including a presentation of any variance between fiscal year appropriations and expenditures;

(C) For each agency or separate Organizational Level I line item in the District's annual budget, a summary statement or table showing projections of all sources of

funding by source (local, dedicated tax, special purpose, federal, private, and intra-district), for the Fiscal Year 2015 approved budget and for the Fiscal Year 2016 proposed budget;

(D) For each agency or separate Organizational Level I line item in the District's annual budget, summary statements or tables showing expenditures by Comptroller Source Group and by Program (Organizational Level II), delineated by Activity (Organizational Level III), by source of funding for fiscal years 2013 and 2014, including a presentation of any variance between fiscal year appropriations and expenditures, as well as projections for the Fiscal Year 2015 approved budget and for the Fiscal Year 2016 proposed budget;

(E) For each Program (Organizational Level II), a delineation by Comptroller Source Group;

(F) A narrative description of each program and activity that explains the purpose and services to be provided; and

(G) A summary statement or table showing, by Comptroller Source Group and by Program, delineated by Activity, authorized full-time equivalents ("FTEs") by revenue source (local, dedicated tax, special purpose, federal, private, intra-district, and capital).

(2) School-related budget documents as follows:

(A) A summary statement or table showing the number of full-time and part-time school-based personnel in the District of Columbia Public Schools, by school level (e.g., elementary, middle, junior high, pre-kindergarten through 8th grade, senior high school) and school, including school-based personnel funded by other District agencies, federal funds, or private funds;

(B) A summary statement or table showing the number of special education students served by school level (e.g., elementary, junior high), including the number of students who are eligible for Medicaid services; and

(C) For each District of Columbia public school, a summary statement or table of the local funds budget, including the methodology used to determine each school's local funding.

(3) Particular agency organizational structures as follows:

(A) The Uniform Law Commission, established by the District of Columbia Uniform Law Commission Act of 2010, effective March 12, 2011 (D.C. Law 18-313; D.C. Official Code § 3-1431 *et seq*.) ("Act"), shall be listed as a separate program in a single paper agency called Uniform Law Commission, that is separate from the Council of the District of Columbia, for the purpose of paying annual dues to the National Conference of Commissioners on Uniform State Law and for the registration fees and travel expenses associated with the annual meeting as required by section 4 of the Act.

(B) The Office of Public-Private Partnerships established by the Public-Private Partnership Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-595), shall be listed as a separate program within the Office of the City Administrator.

(C) Agency budgets shall be restructured to ensure accessibility and transparency for how taxpayer dollars will be disbursed. Agency budget structures should align with current or proposed agency organizational structures and programs and clearly indicate the

source and amount of funding needed for each individual program, facility, or venue identified on the agency's website.

(4) A Capital Improvements Plan ("CIP") for fiscal years 2016 through 2021 that is based on the current approved CIP. The CIP shall include all capital projects (inclusive of subprojects) as defined in section 103(8) of the Home Rule Act. The CIP shall be presented separately in one volume and shall include the following information:

(A) Detailed descriptions for each project with planned allotment in fiscal years 2016 through 2021. The projects shall be organized alphabetically by title, summarized by owner agency, and listed in a table of contents. Each project description shall include the following:

(i) A specific scope consistent with the project title;
(ii) The purpose;
(iii) The current status;
(iv) The location (address and ward, if applicable);
(v) A facility name or identifier, if applicable;
(vi) Appropriate maps or other graphics;
(vii) The estimated useful life;
(viii) The current estimated full-funded cost;
(ix) Proposed sources of funding;
(x) Current allotments, expenditures, and encumbrances;
(xi) Proposed allotments by fiscal year;
(xii) The change in budget authority request from the prior year;
(xiii) The number of FTE positions and the amount of Personnel Services budget to be funded with the project, as a percentage of the proposed allotment; and
(xiv) The estimated impact that the project will have on the annual operating budget;

(B) The proposed Highway Trust Fund budget and the projected local Highway Trust Fund cash flow for fiscal years 2015 through 2021, with actual expenditures for Fiscal Year 2014;

(C) A capital budget pro forma setting forth the sources and uses of new allotments by fund detail and owner agency;

(D) An explanation of the debt cap analysis used to formulate the capital budget and a table summarizing the analysis by fiscal year, which shall include total borrowing, total debt service, total expenditures, the ratio of debt service to expenditures, and the balance of debt service capacity for each fiscal year included in the capital improvement plan; and

(E) An analysis, prepared by the Mayor, of whether the CIP is consistent with the Comprehensive Plan, Transportation Improvement Program, Washington Metropolitan Area Transit Authority capital budget, and other relevant planning programs, proposals, or elements developed by the Mayor as the central planning agency for the District. The Mayor's analysis shall highlight and explain any differences between the CIP and other programs and plans on a project-by-project basis.

(5) Additional documents as follows:

(A) Copies of all documents referenced in and supportive of the budget justification for Fiscal Year 2016, including the proposed Fiscal Year 2016 Budget Request Act, and any other legislation that is necessary for implementation of the proposed budget for the District for Fiscal Year 2016;

(B) A list, by agency, of all special purpose revenue fund balances, each fund balance use, carryover of funds from prior fiscal years, a narrative description of each fund, and the revenue source for each special purpose revenue fund, which shall include the:

(i) Actual amounts for Fiscal Year 2014;

(ii) Approved amounts for Fiscal Year 2015; and

(iii) Proposed amounts for Fiscal Year 2016;

(C) A table of all intra-district funds included in the Fiscal Year 2016 budget, including the receiving and transmitting agency, and whether a signed Memorandum of Understanding for each intra-district funding arrangement;

(D) A table showing all tax-supported debt issued and authorized within and above the debt cap and spending authority remaining within the cap;

(E) A summary table, which shall include a list of all intra-agency and inter-agency changes of funding, with a narrative description of each change sufficient to provide an understanding of the change in funds and its impact on services;

(F) A crosswalk, for any agency that has undergone a budget restructuring in Fiscal Year 2015 or which would undergo a proposed budget restructuring in Fiscal Year 2016, that shows the agency's allocations before the restructuring under the new or proposed structure;

(G) A listing of all stimulus awards and expenditures by year and by agency, project, or program;

(H) A master fee schedule, organized by agency, setting forth all fees charged by District agencies;

(I) A table showing each agency's actual fringe rate and amount for fiscal years 2013 and 2014, the approved rate and amount for Fiscal Year 2015, and the proposed rate and amount for Fiscal Year 2016; and

(J) A spreadsheet detailing each revenue source by line item including the actual amount received for that revenue line item in the prior 2 fiscal years and the amount project to be received for that revenue line item in the proposed budget.

Sec. 4. Performance accountability reports.

Pursuant to Title XIV-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective May 16, 1995 (D.C. Law 11-16; D.C. Official Code § 1-614.11 *et seq.*), the Mayor shall submit to each Councilmember and the Council Officers, and make available to the public, not later than January 31, 2015, all performance accountability reports for Fiscal Year 2014 that cover all publicly funded activities of each District government agency.

Sec. 5. Pursuant to section 446 of the Home Rule Act, the Council's budget review period shall begin after the date that all materials required to be submitted by sections 2 through 4, except for section 3(5)(H), have been submitted in accordance with this resolution and the Council's rules.

Sec. 6. The Chairman shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 7. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 20-1168

See Emergency D.C. Act 20-578 21 DCStat 723

To declare the existence of a second emergency with respect to the need to amend the Animal Control Act of 1979 to clarify that animals at educational institutions are permitted for educational and instructional purposes.

Classroom Animal for Educational Purposes Clarification Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Classroom Animal for Educational Purposes Clarification Emergency Declaration Resolution of 2014".

Sec. 2. (a) There is an immediate need to amend section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), to make clear that animals at educational institutions are permitted for educational and instructional purposes.

(b) The Department of Health has previously notified schools across the District that they must remove animals – such as geckos, frogs, toads, tadpoles, and other species historically used for instructional purposes but not specifically cited in section 9 of the Animal Control Act of 1979 – or the District will seize and destroy them.

(c) This interpretation has caused concern among educators and school administrators and potentially disrupts the teaching and learning opportunities for students.

(d) This second emergency action will prevent classroom and instructional animals from being removed and ensure that the schools can continue teaching sciences and biology with living creatures that are treated and maintained humanely and safely.

(e) This second emergency action is necessary to prevent a gap in the law as the temporary legislation, the Classroom Animal for Educational Purposes Clarification Temporary Amendment Act of 2014, effective May 20, 2014 (D.C. Law 20-104; 61 DCR 5676), expires on December 29, 2014. The permanent measure will not be marked up until the next Council period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Classroom Animal for Educational Purposes Clarification Second Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1158

***See* Emergency D.C. Act 20-573 21 DCStat 715**

To declare the existence of an emergency with respect to the need to approve an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-LRSP-04A with Beacon Center Housing, LLC, for Local Rent Supplement Program units at The Beacon Center, located at 6100 and 6104 Georgia Avenue, N.W.

Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval Emergency Declaration Resolution of 2014".

Sec. 2. (a) In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899) ("BSA"), to provide funding for affordable housing for extremely low-income households in the District. The BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsor-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP of behalf of the District.

(b) In April 2013, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 18 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making zero to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout Washington, D.C. Upon approval of the contract by the Council, DCHA will enter into an Agreement to Enter into a Long Term Contract ("ALTSC") with the selected housing providers under the LRSP for housing services provided thereunder.

(c) There exists an immediate need to approve a certain ALTSC with Beacon Center Housing, LLC, under the District of Columbia Housing Authority's Local Rent Supplement Program in order to provide long-term affordable housing units for extremely low-income households in the District of Columbia for units at The Beacon Center, located at 6100 and 6104 Georgia Avenue, N.W.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and Beacon Center Housing, LLC, with respect to

the payment of rental subsidy, and allow the owner to lease the rehabilitated units at The Beacon Center and house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1157

See Emergency D.C. Act 20-572 21 DCStat 714

To declare the existence of an emergency with respect to the need to approve an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-LRSP-005A with Open Arms Housing, Inc., for Local Rent Supplement Program units located at 1256 Owen Place, N.E.

Local Rent Supplement Program Contract No. 2013-LRSP-005A Approval Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2013-LRSP-005A Approval Emergency Declaration Resolution of 2014".

Sec. 2. (a) In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899) ("BSA"), to provide funding for affordable housing for extremely low-income households in the District. The BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsor-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP of behalf of the District.

(b) In April 2013, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 18 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making zero to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout Washington, D.C. Upon approval of the contract by the Council, DCHA will enter into an Agreement to Enter into a Long Term Contract ("ALTSC") with the selected housing providers under the LRSP for housing services provided thereunder.

(c) There exists an immediate need to approve a certain ALTSC with Open Arms Housing, Inc., under the District of Columbia Housing Authority's Local Rent Supplement Program in order to provide long-term affordable housing units for extremely low-income households in the District of Columbia for units at the Owen House located at 1256 Owen Place, N.E..

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and Open Arms Housing, Inc., with respect to the payment of rental subsidy, and allow the owner to lease the rehabilitated units at the Owen

House and house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2013-LRSP-005A Approval Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1156

See Emergency D.C. Act 20-571 21 DCStat 713

To declare the existence of an emergency with respect to the need to approve an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-007A with Phyllis Wheatley Residential, LP, for Local Rent Supplement Program units at Phyllis Wheatley YWCA, located at 901 Rhode Island Avenue, N.W.

Local Rent Supplement Program Contract No. 2013-007A Approval Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2013-007A Approval Emergency Declaration Resolution of 2014".

Sec. 2. (a) In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899) ("BSA"), to provide funding for affordable housing for extremely low-income households in the District. The BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsor-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP of behalf of the District.

(b) In April 2013, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 18 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low income families making zero to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout Washington, D.C. Upon approval of the contract by the Council, DCHA will enter into an Agreement to Enter into a Long Term Contract ("ALTSC") with the selected housing providers under the LRSP for housing services provided thereunder.

(c) There exists an immediate need to approve a certain ALTSC with Phyllis Wheatley Residential, LP, under the District of Columbia Housing Authority's Local Rent Supplement Program in order to provide long-term affordable housing units for extremely low-income households in the District of Columbia for units at Phyllis Wheatley YWCA, located at 901 Rhode Island Avenue, N.W.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and Phyllis Wheatley Residential, LP, with respect to the payment of rental subsidy, and allow the owner to lease the rehabilitated units at the

Phyllis Wheatley YWCA and house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2013-007A Approval Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1155

See Emergency D.C. Act 20-570 21 DCStat 712

To declare the existence of an emergency with respect to the need to approve an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-008A with So Others Might Eat, Inc., for Local Rent Supplement Program units at the Benning Road Project, located at 4414-4430 Benning Road, N.E..

Local Rent Supplement Program Contract No. 2013-008A Approval Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2013-008A Approval Emergency Declaration Resolution of 2014".

Sec. 2. (a) In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899) ("BSA"), to provide funding for affordable housing for extremely low-income households in the District. The BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsor-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP of behalf of the District.

(b) In April 2013, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 18 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making zero to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout Washington, D.C. Upon approval of the contract by the Council, DCHA will enter into an Agreement to Enter into a Long Term Contract ("ALTSC") with the selected housing providers under the LRSP for housing services provided thereunder.

(c) There exists an immediate need to approve a certain ALTSC with So Others Might Eat, Inc. ("SOME"), under the District of Columbia Housing Authority's Local Rent Supplement Program in order to provide long-term affordable housing units for extremely low-income households in the District of Columbia for units at the Benning Road Project, located at 4414-4430 Benning Road, N.E.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and SOME with respect to the payment of rental subsidy, and allow the owner to lease the rehabilitated units at the Benning Road Project and

house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2013-008A Approval Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1159

See Emergency D.C. Act 20-574 21 DCStat 716

To declare the existence of an emergency with respect to the need to approve an Agreement to Enter into a Long Term Subsidy Contract for a 15-year term to fund housing costs associated with affordable housing units for Contract No. 2013-009A with Jubilee Housing, Inc., for Local Rent Supplement Program units at the Maycroft, located at 1474 Columbia Road, N.W.

Local Rent Supplement Program Contract No. 2013-009A Approval Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2013-009A Approval Emergency Declaration Resolution of 2014".

Sec. 2. (a) In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899) ("BSA"), to provide funding for affordable housing for extremely low-income households in the District. The BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsor-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP of behalf of the District.

(b) In April 2013, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 18 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making zero to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout Washington, D.C. Upon approval of the contract by the Council, DCHA will enter into an Agreement to Enter into a Long Term Contract ("ALTSC") with the selected housing providers under the LRSP for housing services provided thereunder.

(c) There exists an immediate need to approve a certain ALTSC with Jubilee Housing, Inc., under the District of Columbia Housing Authority's Local Rent Supplement Program in order to provide long-term affordable housing units for extremely low-income households in the District of Columbia for units at the Maycroft, located at 1474 Columbia Road, N.W.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and Jubilee Housing, Inc., with respect to the payment of rental subsidy, and allow the owner to lease the rehabilitated units at the Maycroft

and house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2013-009A Approval Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1190

See Emergency D.C. Act 20-564 21 DCStat 527

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to permit a person to register a firearm for self-defense in his or her place of business, to provide a Freedom of Information Act exception for pistol registration information, to specify application requirements for applying for a license to carry a concealed pistol, to specify the duration of such licenses and requirements for renewal of licenses, to establish duties of licensees, to provide for revocation of licenses, to create a criminal offense of carrying while consuming alcohol or while impaired, to specify prohibitions on licensees, to establish a Concealed Pistol Licensing Review Board, to provide a Freedom of Information Act exception for license information, to specify penalties for violations, and to require the Mayor to issue rules; and to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to authorize the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

License to Carry a Pistol Second Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "License to Carry a Pistol Second Emergency Declaration Resolution of 2014".

Sec. 2. (a) On July 24, 2014, the United States District Court for the District of Columbia issued a decision in the case of *Palmer v. District of Columbia*, 2014 WL3702854 (D.D.C. 2014), finding the District's complete ban on the carrying of handguns in public is unconstitutional. This order was made public on July 26, 2014.

(b) The Court's ruling enjoined the District from enforcing local law prohibiting the carrying of firearms in public by District residents, and by non-residents based solely on the fact that they are not residents of the District of Columbia.

(c) On July 28, 2014, the District filed a motion to stay the Court's ruling pending appeal or, in the alternative, for 180 days. The District also asked the Court to grant an immediate stay of its ruling while it evaluated this motion.

(d) In response, on July 29, 2014, the Court granted the District's motion for a stay, for 90 days or until October 22, 2014, in order to allow the Council an opportunity to enact legislation consistent with the *Palmer* ruling.

(e) On September 23, 2014, the Council approved Bill 20-926, the License to Carry a Pistol Emergency Amendment Act of 2014 (D.C. Act 20-447; 61 DCR 10765), which reflected the Council's response to the *Palmer* case, and put into place, on an emergency basis, a scheme for the Chief of Police to issue licenses to carry concealed pistols in the District to both residents and nonresidents.

(f) The License to Carry a Pistol Amendment Act of 2014, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-930), a permanent version of Bill 20-926, was introduced simultaneously with Bill 20-926 in order to allow the public opportunity to comment on the measure with sufficient time for Council approval before the end of the Council Period.

(g) On October 7, 2014, the Council approved Bill 20-965, the License to Carry a Pistol Clarification Emergency Amendment Act of 2014, effective October 9, 2014 (D.C. Act 20-448; 61 DCR 10777), to correct an issue with the applicability of D.C. Act 20-447. Enacting Bill 20-965 was necessary in the interest of public safety and to ensure that carrying a concealed pistol will not be permitted in the District unless a license to do so has been obtained.

(h) On October 7, 2014, the Council also approved Bill 20-927, the License to Carry a Pistol Temporary Amendment Act of 2014, enacted on October 31, 2014 (D.C. Act 20-462; 61 DCR 11814), which enacted, on a temporary basis, the provisions of D.C. Act 20-447, as amended by D.C. Act 20-448.

(i) The permanent legislation has moved through the committee process, and on November 25, 2014, the Committee on the Judiciary and Public Safety approved Bill 20-930, with amendments.

(j) On December 2, 2014, the Committee of the Whole, to which Bill 20-930 was sequentially referred, approved Bill 20-930, with additional amendments.

(k) On December 2, 2014, the Council approved Bill 20-930, as amended by the Committee on the Judiciary and Public Safety and the Committee of the Whole, on 1st reading.

(l) Bill 20-930 is scheduled for 2nd reading on December 17, 2014.

(m) There exists an immediate need to implement the provisions of Bill 20-930, and to supersede D.C. Act 20-447 and D.C. Act 20-462, so that the legislation in place on an emergency basis reflects Bill 20-930 as approved by the Council.

(n) Enacting the License to Carry a Pistol Second Emergency Amendment Act of 2014 immediately will ensure implementation of a licensing scheme and enforcement on an immediate basis that is consistent with the provisions of Bill 20-930, and will continue to ensure that the District has a system in place for law-abiding and qualifying residents and non-residents of the District to apply to carry a concealed pistol in compliance with the Court's order in *Palmer*.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the License to Carry a Pistol Second Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1208

See Emergency D.C. Res. 20-747 21 DCStat 937

To declare the existence of an emergency with respect to the need to approve Department of Housing and Community Development financing for The Grove at Parkside, an affordable apartment development located in the Parkside neighborhood in Ward 7.

Department of Housing and Community Development Financing for The Grove at Parkside Approval Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Department of Housing and Community Development Financing for The Grove at Parkside Approval Emergency Declaration Resolution of 2014".

Sec. 2. (a) It is necessary to pass emergency legislation addressing the immediate concerns related to The Grove at Parkside, an affordable residential property development in Ward 7.

(b) The Grove at Parkside is an affordable apartment development located in the Parkside neighborhood in Ward 7 being financed in part by the District of Columbia Housing Finance Agency ("DCHFA") and the Department of Housing and Community Development ("DHCD").

(c) The Council approved the DCHFA financing on Friday, July 11, 2014, but the DHCD portion has yet to be approved.

(d) The DCHFA Board of Directors ("Board") is scheduled to meet Tuesday, December 16, 2014, to approve the entire financing arrangement for The Grove at Parkside, but their approval is contingent upon the Council approving the DHCD portion of the financing.

(e) Passive Council approval of the DHCD funding will not occur until after the scheduled DCHFA Board meeting.

(f) This emergency legislation addresses immediate concerns by approving the DHCD financing as soon as possible to avoid complicating and delaying the closing and unnecessarily imperiling the financing for the project.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Department of Housing and Community Development Financing for The Grove at Parkside Emergency Approval Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1209

Emergency Declaration Res. 20-746 20 DCStat 938

Department of Housing and Community Development Financing for The Grove at Parkside Emergency Approval Resolution of 2014

To approve, on an emergency basis, the Department of Housing and Community Development financing for The Grove at Parkside, an affordable apartment development located in the Parkside neighborhood in Ward 7.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Department of Housing and Community Development Financing for The Grove at Parkside Emergency Approval Resolution of 2014".

Sec. 2. Pursuant to section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), the Council approves the contract for the proposed loan agreement between the Department of Housing and Community Development ("DHCD") and CI GD Parkside 7 LLC, in the amount of $11,052,173 from the Housing Production Trust Fund. The proposed DHCD loan proceeds will be used to provide financing of the cost associated with the acquisition and new construction of The Grove at Parkside, which will consist of 186 affordable rental apartments located at 600 Kenilworth Terrace, N.E., in Ward 7.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1207

See Emergency D.C. Act 20-586 21 DCStat 756

To declare the existence of an emergency with respect to the need to amend Chapter 5 of Title 24 of the District of Columbia Municipal Regulations to regulate the sale of tickets from public space.

Ticket Sale Regulation Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Ticket Sale Regulation Emergency Declaration Resolution of 2014".

Sec. 2.(a) The Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.08), and subsequent amendments do not address the sale of tickets from public space, or ticket scalping.

(b) The Vending Regulations Temporary Amendment Act of 2014, effective May 15, 2014 (D.C. Law 20-103; 61 DCR 5675), addresses this issue; however, it is set to expire on December 24, 2014.

(c) To continue to impose penalties for the sale of tickets from public space, it is necessary to move emergency legislation until permanent legislation can be addressed during the new Council period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Ticket Sale Regulation Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1167

See Emergency D.C. Act 20-577 21 DCStat 722

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 2015 Budget Support Act of 2014 to extend the deadline for the University of the District of Columbia to raise $1 million in private donations for the purpose of meeting accreditation standards.

UDC Fundraising Extension Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "UDC Fundraising Extension Emergency Declaration Resolution of 2014".

Sec. 2. (a) The University of the District of Columbia ("UDC") is undergoing the reaccreditation process necessary to maintain its status as an accredited institution of higher education. UDC has identified budgetary challenges that could impede its ability to meet the requirements of the regional higher education accrediting body and is therefore raising private donations to address those needs.

(b) Section 7202 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), established a matching fund that supports and incentivizes UDC to raise private donations towards meeting accreditation standards. The fund authorizes a match from the District to private funds raised by January 1, 2015, in an amount up to $1 million.

(c) This emergency legislation would extend the deadline for UDC to raise funds from January 1, 2015, to April 10, 2015, giving UDC approximately 3 additional months to raise private funds in order to meet its accreditation goals.

(d) This legislation is helpful to the District's only public university. It is necessary for the Council to act now, before the January 1st deadline.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the UDC Fundraising Extension Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1206

See Emergency D.C. Act 20-585 21 DCStat 752

To declare the existence of an emergency with respect to the need to clarify the applicability date of the market-based sourcing legislation and the tax sale interest rate to be paid to certain purchasers; and to amend the Fiscal Year 2015 Budget Support Act of 2014 to provide grant-making authority for a specified purpose to the Deputy Mayor for Planning and Economic Development for Fiscal Year 2015.

Market-based Sourcing Inter Alia Clarification Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Market-based Sourcing Inter Alia Clarification Emergency Declaration Resolution of 2014".

Sec. 2. (a) The original legislation, the Fiscal Year Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), was intended to clarify the tax sale interest rate to be paid to certain purchasers at 1.5%.

(b) The original legislation was intended to be permanent for the tax years beginning after December 31, 2014, and coordinated with the single-sales factor legislation and other franchise tax legislation, all of which are applicable for tax years beginning after December 31, 2014.

(c) If the market-based sourcing provisions are made applicable on October 1, 2014, it will trigger part-year calculations. For example, taxpayers will have to use the cost-of-performance approach for part of the year and the market-based-sourcing approach for part of the year, which will create a compliance burden for both taxpayers and the tax administration.

(d) The original legislation was intended to provide an additional grant award amount to the Washington, DC Economic Partnership for Fiscal Year 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Market-Based Sourcing Inter Alia Clarification Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1205

***See* Emergency D.C. Act 20-584 21 DCStat 750**

To declare the existence of an emergency with respect to the need to authorize the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to approve the use of eminent domain to acquire Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110.

(b) The District of Columbia Water and Sewer Authority ("DC Water") currently operates a site south of N Place, S.E., north of the Anacostia River and between 1st and Canal Streets, S.E. ("DC Water Site").

(c) Pursuant to the Anacostia Waterfront Framework Plan, the District plans to dispose of and develop a portion of the DC Water site so as to leverage other large-scale District investments in the Capitol Riverfront/Near Southeast neighborhood such as the South Capitol Street Bridge project and Nationals Park thereby serving to accelerate and promote economic vitality and enhance economic development in the District of Columbia.

(d) For the planned disposition and development to proceed, it is necessary for DC Water to relocate the functions currently at the DC Water Site.

(e) The District of Columbia and DC Water have entered into a Memorandum of Understanding for DC Water to relocate a portion of the uses of the DC Water Site to a site in Prince Georges County, Maryland.

(f) To ensure adequate response times to water and sewer emergencies, DC Water must also maintain a site west of the Anacostia River.

(g) The District desires to relocate the current DC Water Site uses not being relocated to the Prince Georges County site, including customer care and sewer service operations, to Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 ("W Street Site").

(h) The W Street Site is currently occupied by a trash transfer station.

(i) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(j) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin and have complained that there is an increased incidence of health concerns.

(k) The W Street Site trash transfer station continues to operate as an open air trash transfer station, which allows its pungent odors to reach much farther than they would if the facility were closed.

(l) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1202

See **Emergency D.C. Res. 20-755 21 DCStat 944**

District of Columbia Occupational Safety and Health Board Sonia Ramirez Confirmation Emergency Declaration Resolution of 2014

To declare the existence of an emergency with respect to the need to appoint Ms. Sonia Ramirez to the District of Columbia Occupational Safety and Health Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Occupational Safety and Health Board Sonia Ramirez Confirmation Emergency Declaration Resolution of 2014".

Sec. 2. (a) The emergency legislation will appoint Sonia Ramirez as a private sector member of the District of Columbia Occupational Safety and Health Board for a term to end on April 12, 2017.

(b) Sonia Ramirez is the Director of Government Affairs of the Building and Construction Trades Department, AFL-CIO. She leads all of the department's legislative and political work in infrastructure investment, job creation, and labor standards.

(c) Appointments to the District of Columbia Occupational Safety and Health Board require Council approval. It is imperative that the appointment of Sonia Ramirez be moved expeditiously in order to have all the seats on the board filled so that the full board can continue to work toward safer workplaces for District residents.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Occupational Safety and Health Board Sonia Ramirez Confirmation Emergency Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1203

Emergency Declaration Res. 20-754 20 DCStat 945

To confirm, on an emergency basis, the appointment of Ms. Sonia Ramirez to the District of Columbia Occupational Safety and Health Board.

District of Columbia Occupational Safety and Health Board Sonia Ramirez Confirmation Emergency Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Occupational Safety and Health Board Sonia Ramirez Confirmation Emergency Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Sonia Ramirez
409 12th Street, S.E.
Washington, D.C. 20003
(Ward 6)

as a private sector labor member of the District of Columbia Occupational Safety and Health Board, established by section 6 of the District of Columbia Occupational Safety and Health Act of 1988, effective March 16, 1989 (D.C. Law 7-186; D.C. Official Code § 32-1105), for a term to end April 12, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1200

To declare the existence of an emergency with respect to the need to appoint Eric J. Conn as a public member, and Chairman, of the District of Columbia Occupational Safety and Health Board.

***See* Emergency D.C. Res. 20-757 21 DCStat 946**

District of Columbia Occupational Safety and Health Board Eric J. Conn Confirmation Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Occupational Safety and Health Board Eric J. Conn Confirmation Emergency Declaration Resolution of 2014".

Sec. 2. (a) The emergency legislation will appoint Eric J. Conn as a public member, and Chairman, of the District of Columbia Occupational Safety and Health Board for a term to end on April 12, 2017.

(b) Eric J. Conn is the head of the Occupational Safety and Health Administration for Epstein, Becker & Green, P.C. Previously, he was a partner in the Occupational Safety and Health Administration and Catastrophe Response Group for McDermott, Will & Emery, LLP. He represents employers in all aspects of safety and health regulatory inspections, investigations, enforcement actions, and congressional hearings, as well as manages investigations of incidents of explosions and chemical releases, and construction, manufacturing, and agricultural accidents.

(c) Mr. Conn also works extensively with forensic experts, witnesses, emergency responders, investigative agencies, and insurance companies during inspections and investigations of industrial accidents.

(d) Appointments to the District of Columbia Occupational Safety and Health Board require Council approval. It is imperative that the appointment of Eric J. Conn be moved expeditiously in order to have all the seats on the board filled so that the full board can continue to work toward safer workplaces for District residents.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Occupational Safety and Health Board Eric J. Conn Confirmation Emergency Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1201

Emergency Declaration Res. 20-756 20 DCStat 947

To confirm, on an emergency basis, the appointment of Mr. Eric J. Conn to the District of Columbia Occupational Safety and Health Board.

District of Columbia Occupational Safety and Health Board Eric J. Conn Confirmation Emergency Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Occupational Safety and Health Board Eric J. Conn Confirmation Emergency Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Eric J. Conn
1818 Ontario Place, N.W.
Washington, D.C. 20009
(Ward 1)

as a public member and Chairman of the District of Columbia Occupational Safety and Health Board, established by section 6 of the District of Columbia Occupational Safety and Health Act of 1988, effective March 16, 1989 (D.C. Law 7-186; D.C. Official Code § 32-1105), for a term to end April 12, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1198

See **Emergency D.C. Res. 20-759 21 DCStat 948**

District of Columbia Occupational Safety and Health Board Earl Woodland Confirmation Emergency Declaration Resolution of 2014

To declare the existence of an emergency with respect to the need to reappoint Earl Woodland as a private sector management member of the District of Columbia Occupational Safety and Health Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Occupational Safety and Health Board Earl Woodland Confirmation Emergency Declaration Resolution of 2014".

Sec. 2. (a) The emergency legislation will reappoint Earl Woodland as a private sector management member of the District of Columbia Occupational Safety and Health Board for a term to end on April 12, 2017.

(b) Earl Woodland is an Occupational Safety and Health Administration Outreach instructor with 5 years of training experience. He is also a safety trainer and consultant with Woodland Safety Specialists, LLC, where he conducts construction-safety training on Occupational Safety and Health Administration standards, inspects construction sites, and writes reports outlining the safety violations observed at construction sites and recommending corrective action.

(c) Appointments to the District of Columbia Occupational Safety and Health Board require Council approval. It is imperative that the appointment of Earl Woodland be moved expeditiously in order to have all the seats on the board filled so that the full board can continue to work toward safer workplaces for District residents.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Occupational Safety and Health Board Earl Woodland Confirmation Emergency Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1199

Emergency Declaration Res. 20-758 20 DCStat 949

To confirm, on an emergency basis, the reappointment of Mr. Earl Woodland to the District of Columbia Occupational Safety and Health Board.

District of Columbia Occupational Safety and Health Board Earl Woodland Confirmation Emergency Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Occupational Safety and Health Board Earl Woodland Confirmation Emergency Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Earl Woodland
3333 Croffut Place, S.E.
Washington, D.C. 20019
(Ward 7)

as a private sector management member of the District of Columbia Occupational Safety and Health Board, established by section 6 of the District of Columbia Occupational Safety and Health Act of 1988, effective March 16, 1989 (D.C. Law 7-186; D.C. Official Code § 32-1105), for a term to end April 12, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1154

See Emergency D.C. Act 20-563 21 DCStat 525

To declare the existence of an emergency with respect to the need to exempt the Not-For-Profit Hospital Corporation from certificate-of-need requirements for the establishment of an ambulatory care clinic in Ward 8.

Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution be cited as the "Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Declaration Resolution of 2014".

Sec. 2. (a) The District of Columbia provides healthy-baby services through a federal grant program known as the Healthy Start Program.

(b) While healthy baby services are needed throughout the District, the need is greatest in Wards 7 and 8. In 2012, Wards 7 and 8 had infant mortality rates of 9.5 and 14.9 infant deaths per thousand, respectively, as compared to an infant mortality rate of 7.9 infant deaths per thousand for the entire city.

(c) The Not-For-Profit Hospital Corporation is a District-owned hospital located in Ward 8 that primarily serves Wards 7 and 8.

(d) The Not-For-Profit Hospital Corporation wishes to expand services in Wards 7 and 8, including the use of mobile health clinics that would serve the entire city and provide services that supplement the Healthy Start Program.

(e) The District's infant mortality remains higher than it should, and the addition of mobile health clinics to provide prenatal care would help reduce the rate of infant mortality.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1137

See Emergency D.C. Act 20-567 21 DCStat 709

To declare the existence of an emergency with respect to the need to approve Purchase Orders PO461297, PO461297-V2, PO485974, PO485974-V2 and PO485974-V3 issued pursuant to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS between the Department of Behavioral Health and Clean and Sober Streets, Inc., and to authorize payment for the services received under the purchase orders.

Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to approve Purchase Orders PO461297, PO461297-V2, PO485974, PO485974-V2, and PO485974-V3 issued pursuant to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS between the Department of Behavioral Health and Clean and Sober Streets, Inc., for Level III non-hospital residential substance abuse treatment services to eligible District residents.

(b) Due to higher than anticipated utilization and to maintain continuity of care, the cost of the purchase orders for the period from May 2, 2013 through May 1, 2014 totaled $1,101,375.55, necessitating Council approval because they are in excess of $1,000,000 during a 12-month period.

(c) Without this approval, Clean and Sober Streets, Inc., cannot be paid for services provided in excess of $1,000,000 for the period May 2, 2013 through May 1, 2014.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1138

See Emergency D.C. Act 20-568 21 DCStat 710

To declare the existence of an emergency with respect to the need to approve Purchase Orders PO461288, PO461288-V2, PO461288-V3, PO461288-V4, PO485889, PO485889-V2, PO485889-V3 and PO485889-V4 issued pursuant to Human Care Provider Agreement No. RM-14-HCPA-036-BY4-CPS between the Department of Behavioral Health and United Planning Organization, Inc., and to authorize payment for the services received under the purchase orders.

Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-036-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-036-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to approve the Purchase Orders PO461288, PO461288-V2, PO461288-V3, PO461288-V4, PO485889, PO485889-V2, PO485889-V3 and PO485889-V4 issued pursuant to Human Care Provider Agreement RM-14-HCPA-036-BY4-CPS between the Department of Behavioral Health and United Planning Organization, Inc., for Level I narcotic/opioid outpatient substance abuse treatment services to eligible District residents.

(b) Due to higher than anticipated utilization and to maintain continuity of care, the cost of the purchase orders for the period from May 2, 2013 through May 1, 2014 totaled $2,005,914.81, necessitating Council approval because they are in excess of $1,000,000 during a 12-month period.

(c) Without this approval, United Planning Organization, Inc. cannot be paid for services provided in excess of $1,000,000 for the period May 2, 2013 through May 1, 2014.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Purchase Orders to Human Care Provider Agreement RM-14-HCPA-036-BY4-CPS Approval and Payment Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1187

See Emergency D.C. Res. 20-767 21 DCStat 953

Police Complaints Board Paul Ashton II Confirmation Emergency Declaration Resolution of 2014

To declare the existence of an emergency with respect to the need to appoint Paul Ashton II as a member of the Police Complaints Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Paul Ashton II Confirmation Emergency Declaration Resolution of 2014".

Sec. 2. (a) The Police Complaints Board ("Board") was established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), as an effective and efficient system for the citizens of the District of Columbia to review the Metropolitan Police Department's exercise of police powers.

(b) The Board consists of 5 members, one of whom shall be a member of the Metropolitan Police Department, and 4 of whom shall have no current affiliation with any law enforcement agency. All members of the Board shall be residents of the District of Columbia.

(c) A quorum for the transaction of business consists of 3 members of the Board.

(d) The members of the Board are appointed by the Mayor, subject to confirmation by the Council.

(e) Ms. Margaret Moore, who was serving in holdover capacity on the Board, vacated her seat, leaving the Board without a quorum.

(f) Mr. Paul Ashton II would fill Ms. Moore's vacant seat.

(g) There is an immediate need to confirm Mr. Ashton to ensure that the Board has a quorum to legally conduct business.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Police Complaints Board Paul Ashton II Emergency Confirmation Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1188

Emergency Declaration Res. 20-766 20 DCStat 954

To confirm, on an emergency basis, the appointment of Mr. Paul Ashton II to the Police Complaints Board.

Police Complaints Board Paul Ashton II Emergency Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Paul Ashton II Emergency Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Paul Ashton II
1510 Columbia Road, N.W.
Washington, D.C. 20009
(Ward 1)

as a member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), for a term to end January 12, 2016.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1143

See Emergency D.C. Act 20-569 21 DCStat 711

To declare the existence of an emergency with respect to the need to amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to clarify that the posting requirement in section 5a is satisfied by posting the initial vacant or blight determination.

Nuisance Abatement Notice Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Nuisance Abatement Notice Emergency Declaration Resolution of 2014".

Sec. 2. (a) The Nuisance Properties Abatement Reform and Real Property Classification Amendment Act of 2008, effective August, 15, 2008 (D.C. Law 17-216; 55 DCR 7500) ("nuisance act"), created a requirement that all notices specified by the nuisance act be provided by mail and by posting at the subject property. Previously, posting was required only when the registration status of the subject property changed or needed to change.

(b) On October 17, 2014, a judge in the Office of Administrative Hearings dismissed a notice of infraction issued by the Department of Consumer and Regulatory Affairs because, inter alia, the notice failed to satisfy the posting requirement.

(c) Prior to the decision of the Office of Administrative Hearings, the Department of Consumer and Regulatory Affairs had been posting notice at the subject property only when the subject property changed or needed to change.

(d) Without clarifying that the provision should apply only to registration-status changes, the Department of Consumer and Regulatory Affairs will be required to devote considerable resources to posting duplicative notices at a subject property rather than devoting those resources to registering and monitoring other vacant properties. All notices would still be required to be provided by United States mail.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Nuisance Abatement Notice Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1178

See Emergency D.C. Act 20-579 21 DCStat 724

To declare the existence of an emergency with respect to the need to amend An Act To provide for voluntary apprenticeship in the District of Columbia and the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978 to make technical and conforming amendments to allow the District of Columbia to continue to be recognized by the U.S. Department of Labor to operate as a State Apprenticeship Agency.

Apprenticeship Modernization Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Apprenticeship Modernization Emergency Declaration Resolution of 2014".

Sec. 2. (a) The District of Columbia is currently recognized by the U.S. Department of Labor as able to operate as a State Apprenticeship Agency pursuant to Title 29 CFR, part 29.13, and has been since 1946.

(b) Beginning in 2008, the U.S. Department of Labor began the process of updating the Federal rules governing apprenticeship programs, labor standards for registration, and amending its regulations.

(c) To conform to the new regulations, for Federal purposes, each State Apprenticeship Agency must update its existing apprenticeship statutes and regulations for continued recognition as an apprenticeship registration agency.

(d) The District of Columbia, through its Office of Apprenticeship, Information and Training within the Department of Employment Services, has worked closely with the U.S. Department of Labor, Office of Apprenticeship, to draft mutually agreeable changes to the District's apprenticeship statutes and regulations.

(e) The U.S. Department of Labor has indicated by letter that once the drafted changes are enacted, the District will retain its more than 60 years of recognition as a State Apprenticeship Agency.

(f) The present action, amending the apprenticeship statutory law, is necessary to move forward with conforming the local apprenticeship regulations to the Federal standards.

(g) The U.S. Department of Labor has indicated its preference for immediate action so that all current and new apprenticeship programs approved by the jurisdiction are in compliance with the new Federal standards.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Apprenticeship Modernization Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1185

See Emergency D.C. Res. 20-771 21 DCStat 960

To declare the existence of an emergency with respect to the need to make a finding that the District-owned real property located at 125 O Street, S.E. and 1402 1st Street, S.E., known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS, is no longer required for public purposes.

125 O Street, S.E. and 1402 1st Street, S.E. Surplus Property Declaration Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "125 O Street, S.E. and 1402 1st Street, S.E. Surplus Property Declaration Emergency Declaration Resolution of 2014".

Sec. 2. (a) The District owns real property located at 125 O Street, S.E. and 1402 1st Street, S.E. ("Property").

(b) The Property is utilized by DC Water for its fleet service and sewer service operations. Currently this operation consists of various low-scale structures and surface parking.

(c) The Anacostia Waterfront Initiative ("AWI") Framework Plan, adopted by former Mayor Anthony Williams and the Council in 2003, is a framework plan to advance the Anacostia River's clean-up, identify opportunities to increase access to the river, target areas for new development, and pioneer innovative green practices in new development.

(d) The AWI Framework Plan determined that the Property would be best served as an important development link for overall redevelopment of the Capitol Riverfront by providing additional mixed-use commercial development that leverages the ongoing public and private investments in the neighborhood as a mixed-use destination.

(e) The Property was under the purview of the Anacostia Waterfront Corporation ("AWC") during the existence of that entity, and has since become part of the Office of the Deputy Mayor for Planning and Economic Development's portfolio.

(f) In 2005, AWC selected Forest City ("Developer") to redevelop the Property and assist with locating suitable sites for the relocation of DC Water fleet service and sewer service operations.

(g) Since 2007, the District has been negotiating with the Developer for the disposition and development of the Property and evaluating potential sites for the relocation of DC Water.

(h) Significant community input has been received on the redevelopment of the Property through outreach and input for the Planned Unit Development ("PUD"). On February 7, 2014, the Zoning Commission approved the PUD for the Property.

(i) The District is working with DC Water to procure suitable relocation sites. Specifically, a suitable site in Prince George's County, Maryland has been identified and is under contract to DC Water for relocation of fleet service operations.

(j) The relocation of DC Water is necessary to move forward with the redevelopment of the Property. Site acquisition in Prince George's County is imminent. Council approval of the disposition ensures that the relocation of DC Water to Prince George's County can occur. Without approval of the surplus declaration, the District risks losing the only site currently available for the relocation of DC Water fleet services.

(k) The Developer has been negotiating with a key anchor tenant to bring significant amenities to the Capital Riverfront neighborhood through the redevelopment of the Property.

(l) The anchor tenant is necessary to bring amenities to the residents of the District, generate tax revenues for the District, and create jobs for District residents.

(m) The anchor tenant will be financing significant tenant improvements on its own behalf, such financing being necessary for the viability of the proposed redevelopment. Without approval of the surplus disposition, the anchor tenant will not be able to commit the necessary capital to make the project viable.

(n) Time is of the essence for the District to acquire a site for the relocation of DC Water fleet services and to receive the necessary commitments of the key anchor tenant.

(o) The proposed resolution will approve the surplus declaration of the Property. The approval of the resolution and the companion disposition will enable the District to acquire a relocation site for DC Water fleet services and the Developer to pursue the necessary commitments from the key anchor tenant.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the 125 O Street, S.E. and 1402 1st Street, S.E. Surplus Property Declaration Emergency Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1186

Emergency Declaration Res. 20-770 20 DCStat 958

To declare that the District-owned real property located at 125 O Street, S.E. and 1402 1st Street, S.E., known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS, is no longer required for public purposes.

125 O Street, S.E. and 1402 1st Street, S.E. Surplus Property Declaration Emergency Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "125 O Street, S.E. and 1402 1st Street, S.E. Surplus Property Declaration Emergency Resolution of 2014".

Sec. 2. Findings.

(a) The real property located at 125 O Street, S.E. and 1402 1st Street, S.E., known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS ("Property"), consists of approximately 235,130 square feet of land, as determined by the Mayor. The Property is currently improved with several low-scale structures and surface parking that are used by DC Water for light industry uses in connection with their fleet services and sewer services operations.

(b) The Property is no longer required for public purposes because the Property's condition no longer viably accommodates a District agency use or other public use. The most pragmatic solution for activating this space is to relocate the DC Water parking and sewer services operations, declare the Property surplus, and dispose of the Property for redevelopment.

(c) The declaration of the Property as surplus will be conditioned on:

(1) DC Water receiving rights to occupy suitable relocation/replacement property(ies);

(2) Encumbered funding for activities necessary to allow DC Water to relocate to and operate on such relocation/replacement property(ies); and

(3) Approval by an independent engineer procured by DC Water of an operational plan during and after relocation.

(d) Pursuant to section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 (a-1)(4)) ("Act"), a public hearing was held on November 20, 2014, at the Boilermaker Shops located at 300 Tingey Street, S.E., Unit 140, regarding the finding that the Property is no longer required for public purposes.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1174

See Emergency D.C. Res. 20-773 21 DCStat 964

To declare the existence of an emergency with respect to the need to approve the disposition of District-owned real property located at 125 O Street, S.E. and 1402 1st Street, S.E., known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS.

125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Emergency Declaration Resolution of 2014".

Sec. 2. Findings.

(a) The District owns real property located at 125 O Street, S.E. and 1402 1st Street, S.E. ("Property").

(b) The Property is utilized by DC Water for its fleet service and sewer service operations. Currently this operation consists of various low-scale structures and surface parking.

(c) The Anacostia Waterfront Initiative ("AWI") Framework Plan, adopted by former Mayor Anthony Williams and the Council in 2003, is a framework plan to advance the Anacostia River's clean-up, identify opportunities to increase access to the river, target areas for new development, and pioneer innovative green practices in new development.

(d) The AWI Framework Plan determined that the Property would be best served as an important development link for overall redevelopment of the Capitol Riverfront by providing additional mixed-use commercial development that leverages the ongoing public and private investments in the neighborhood as a mixed-use destination.

(e) The Property was under the purview of the Anacostia Waterfront Corporation ("AWC") during the existence of that entity, and has since become part of the Office of the Deputy Mayor for Planning and Economic Development's portfolio.

(f) In 2005, AWC selected Forest City ("Developer") to redevelop the Property and assist with locating suitable sites for the relocation of DC Water fleet service and sewer service operations.

(g) Since 2007, the District has been negotiating with the Developer for the disposition and development of the Property and evaluating potential sites for the relocation of DC Water.

(h) Significant community input has been received on the redevelopment of the Property through outreach and input for the Planned Unit Development ("PUD"). On February 7, 2014, the Zoning Commission approved the PUD for the Property.

(i) The District is working with DC Water to procure suitable relocation sites. Specifically, a suitable site in Prince George's County, Maryland has been identified and is under contract to DC Water for relocation of fleet service operations.

(j) The relocation of DC Water is necessary to move forward with the redevelopment of the Property. Site acquisition in Prince George's County is imminent. Council approval of the disposition ensures that the relocation of DC Water to Prince George's County can occur. Without approval of the disposition, the District risks losing the only site currently available for the relocation of DC Water fleet services.

(k) The Developer has been negotiating with a key anchor tenant to bring significant amenities to the Capital Riverfront neighborhood through the redevelopment of the Property.

(l) The anchor tenant is necessary to bring amenities to the residents of the District, generate tax revenues for the District, and create jobs for District residents.

(m) The anchor tenant will be financing significant tenant improvements on its own behalf, such financing being necessary for the viability of the proposed redevelopment. Without approval of the disposition, the anchor tenant will not be able to commit the necessary capital to make the project viable.

(n) Time is of the essence for the District to acquire a site for the relocation of DC Water fleet services and to receive the necessary commitments of the key anchor tenant.

(o) The proposed resolution will approve the disposition of the Property. The approval of the resolution and its companion surplus declaration will enable both the District to acquire a relocation site for DC Water fleet services and the Developer to pursue the necessary commitments from the key anchor tenant.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the 125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Emergency Approval Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1175

Emergency Declaration Res. 20-772 20 DCStat 962

To approve, on an emergency basis, the disposition of District-owned real property, located at 125 O Street, S.E. and 1402 1st Street, S.E., and known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS.

125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Emergency Approval Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Emergency Approval Resolution of 2014".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "CBE Agreement" means an agreement governing certain obligations of the Transferee under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.) ("CBE Act"), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

(2) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the CBE Act.

(3) "First Source Agreement" means an agreement with the District governing certain obligations of the Transferee pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(4) "Property" means the real property located at 125 O Street, S.E. and 1402 1st Street, S.E., known for tax and assessment purposes as a portion of Lot 805 is Square 744S and a portion of Lot 801 in Square 744SS.

(5) "Transferee" means the Forest City Washington, Inc., a District of Columbia corporation located at 301 Water Street, S.E., Suite 201, Washington D.C. 20003, its successor, or one of its affiliates or assignees approved by the Mayor.

Sec. 3. Findings.

(a) The Property is located at 125 O Street, S.E. and 1402 1st Street, S.E., and consists of approximately 235,130 square feet of land. The Property is currently improved with several low-scale structures and surface parking that are used by DC Water for light industry uses in connection with their fleet services and sewer services operations.

(b) The intended use of the Property (the "Project") is a mixed-use residential and retail development with parking and any ancillary uses allowed under applicable law.

(c) The Project will also contain affordable housing as described in the term sheet submitted with this resolution.

(d) The Transferee will enter into an agreement that shall require the Transferee to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises.

(e) The Transferee will enter into a First Source Agreement with the District that shall govern certain obligations of the Transferee pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03) and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment as a result of the construction on the Property.

(f) Pursuant to An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq*.) ("Act"), the proposed method of disposition is (i) a public or private sale to the bidder providing the most benefit to the District under section 1(b)(8)(F) of the Act for a portion of the Property and (ii) a lease for a period of greater than 20 years under section 1(b)(8)(C) of the Act for a portion of the Property.

(g) All documents that are submitted with this resolution pursuant to section 1(b-1) of the Act shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act.

Sec. 4. Approval of disposition.

(a) Pursuant to section 1(b)(8)(C) and section 1(b)(8)(F) of the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Transferee.

(b) The Council approves the disposition of the Property.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1176

See Emergency D.C. Res. 20-775 21 DCStat 968

To declare the existence of an emergency with respect to the need to extend the time allowed for the disposition of District-owned real property located at 125 O Street, S.E. and 1402 1st Street, S.E., known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS.

125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Extension Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Extension Emergency Declaration Resolution of 2014".

Sec. 2. (a) The District owns real property located at 125 O Street, S.E. and 1402 1st Street, S.E. ("Property").

(b) The Property is utilized by DC Water for its fleet service and sewer service operations. Currently this operation consists of various low-scale structures and surface parking.

(c) The Anacostia Waterfront Initiative ("AWI") Framework Plan, adopted by former Mayor Anthony Williams and the Council in 2003, is a framework plan to advance the Anacostia River's clean-up, identify opportunities to increase access to the river, target areas for new development, and pioneer innovative green practices in new development.

(d) The AWI Framework Plan determined that the Property would be best served as an important development link for overall redevelopment of the Capitol Riverfront by providing additional mixed-use commercial development that leverages the ongoing public and private investments in the neighborhood as a mixed-use destination.

(e) The Property was under the purview of the Anacostia Waterfront Corporation ("AWC") during the existence of that entity, and has since become part of the Office of the Deputy Mayor for Planning and Economic Development's portfolio.

(f) In 2005, AWC selected Forrest City ("Developer") to redevelop the Property and assist with locating suitable sites for the relocation of DC Water fleet service and sewer service operations.

(g) Since 2007, the District has been negotiating a disposition with the Developer for the disposition and development of the Property and evaluating potential sites for the relocation of DC Water.

(h) Significant community input has been received on the redevelopment of the Property through outreach and input for the Planned Unit Development ("PUD"). On February 7, 2014, the Zoning Commission approved the PUD for the Property.

(i) Prior to transfer of the Property to the Developer, DC Water's fleet service and sewer service operations must be relocated.

(j) The Land Disposition Agreement ("LDA") and supporting documents have been submitted to the Council for approval of the surplus declaration and the disposition of the Property.

(k) The redevelopment of the Property will be completed in multiple phases to allow for the relocation of DC Water in phases. Each phase can close when particular DC Water function units have been relocated. As a result, the Developer can begin construction on the first phase of redevelopment once DC Water fleet services is relocated and while relocation of other DC Water functions is being pursued.

(l) The sequential relocation of DC Water is a condition precedent to the disposition of any portion of the Property in accordance with the LDA.

(m) The complete relocation of DC Water cannot be completed within 2 years.

(n) The required timeline to satisfy the conditions precedent to the disposition of the Property in accordance with the LDA provides for pre-closing obligations that extend beyond the 2-year timeframe authorized by section 1(d) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211: D.C. Official Code § 10-801(d)).

(o) The proposed resolution will permit additional time to satisfy the pre-closing obligations and dispose of the Property and allows the District and the Developer to enter into the LDA and satisfy the pre-closing obligations.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the 125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Extension Emergency Approval Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1177

Emergency Declaration Res. 20-774 20 DCStat 966

To approve, on an emergency basis, the extension of the time limit for the disposition of certain District-owned real property located at 125 O Street, S.E. and 1402 1st Street, S.E., known for tax and assessment purposes as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS.

125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Extension Emergency Approval Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "125 O Street, S.E. and 1402 1st Street, S.E. Property Disposition Extension Emergency Approval Resolution of 2014".

Sec. 2. (a) Pursuant to section 1(d) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211: D.C. Official Code § 10-801(d)), and upon consideration of the required timeline to satisfy the conditions precedent to the disposition of certain real property located at 125 O Street S.E. and 1402 1st Street S.E , and comprising approximately 235,130 square feet of land, designated for purposes of taxation and assessment as a portion of Lot 805 in Square 744S and a portion of Lot 801 in Square 744SS ("Property") in accordance with the Land Disposition Agreement ("LDA") and the pre-closing obligations of the Developer and the District contained in the LDA, all of which have been submitted to the Council by the Mayor to demonstrate that this timeline provides for pre-closing obligations extending beyond 2 years, and that the public interest will be better served by permitting this additional time to satisfy the pre-closing obligations and dispose of the Property, the Mayor transmitted to the Council a request for approval of additional time for the disposition of the Property.

(b) The Council approves the additional time requested by the Mayor to dispose of the Property and extends the time period to dispose of the Property to February 7, 2028.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1165

***See* Emergency D.C. Act 20-575 21 DCStat 717**

To declare the existence of an emergency, due to congressional review, with respect to the need to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended, and allow treble damages when a housing provider files a hardship petition in bad faith.

Rent Control Hardship Petition Limitation Congressional Review Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rent Control Hardship Petition Limitation Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2. (a) Approximately 79,000 housing units are subject to the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3500 *et seq.*) ("Act"), accounting for 66% of the rental housing stock in the District.

(b) For units subject to the Act, annual rent increases are limited to a maximum of 10% for most tenants and 5% for seniors and individuals with disabilities.

(c) However, under the hardship petition process, a housing provider can apply to the Rent Administrator at the Department of Housing and Community Development to raise rents by more than the standard increase in order to achieve a 12% rate of return on the housing provider's investment in the building.

(d) The hardship petition requires the housing provider to submit a schedule of income and expenses, which the Rent Administrator can use to calculate a new rent based on the 12% rate of return.

(e) If a hardship petition isn't decided within 90 days, the housing provider may automatically start collecting the rent for which the housing provider originally applied.

(f) Hardship petitions are rarely decided within the 90-day time period, and consequently conditional increases are frequently granted that result in rent increases of 50% to 100%.

(g) These rent increases place a significant burden on low-income renters, increasing the likelihood of displacement.

(h) In one example, tenants of a building in Ward 7 were charged a 34% increase and were threatened with eviction if they did not pay. Tenants were forced to file a lawsuit challenging the increase based on numerous housing code violations and the dispute was prolonged for more than 4 years, during which time the higher rents were paid into a Court-mandated escrow account to the satisfaction of neither side.

(i) Although a conditional increase may be reversed, it is often too late for tenants who have been displaced by rent increases that housing providers were ultimately not authorized to charge.

(j) More than 88 hardship petitions were filed between 2007 and 2013, significantly raising the rent on thousands of residents as a result.

(k) Without swift action by the Council to counter opportunities for abuse, additional tenants could be priced out of their homes.

(l) On October 7, 2014, the Council passed the Rent Control Hardship Petition Limitation Emergency Amendment Act of 2014, to accomplish the purpose set forth above. The emergency legislation expires January 5, 2015. The associated temporary legislation, the Rent Control Hardship Petition Limitation Temporary Amendment Act of 2014, has not completed its 30-day congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(m) This congressional review emergency is necessary to prevent an anticipated gap in the law due to congressional recess.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Rent Control Hardship Petition Limitation Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1166

See Emergency D.C. Act 20-576 21 DCStat 720

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007 to clarify the boundaries of the Ward 4 Georgia Avenue Priority Area.

Georgia Avenue Great Streets Neighborhood Retail Priority Area Congressional Review Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Georgia Avenue Great Streets Neighborhood Retail Priority Area Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2. (a) In November 2009, at the request of the 14th Street Block Group, Councilmember Bowser, joined by then-Mayor Adrian Fenty, community stakeholders, and District government agencies, participated in a walk-through along the 14th Street, N.W., corridor from Spring Road to Longfellow Street to begin a strategy for improvements in this section of Ward 4.

(b) The community identified a number of needed safety improvements, including lights, crosswalks, intersections, and stop signs, as well as improvements needed for business façades, vacant properties, new businesses, transportation, and residential properties.

(c) The District's Office of Planning, including Gizachew Andargeh, Malaika Abernathy, and Tarek Bolden, led a small area planning process with a variety of stakeholders, including Advisory Neighborhood Commissioners and civic leaders, property owners, business tenants, residents, and District government agencies, to determine how best to revitalize the corridor over the following 5 to 10 years.

(d) The community engagement process was extensive, with over 50 public meetings held.

(e) The following were active participants and key to the development of the Central 14th Street Vision Plan and Revitalization Strategy Plan: Advisory Neighborhood Commission 4C and 4A, 14th Street Block Group, 16th Street Heights Civic Association, Brightwood Community Association, Friends of 16th Street Heights Parks, Crestwood Civic Association, and business representatives such as members of the 14th Street Uptown Business Association.

(f) This 2 and a half year process resulted in a plan that provides guidance on land use, zoning, urban design, and connectivity and is intended to direct economic growth along 14th Street, N.W., by improving neighborhood retail choices and amenities, specifically targeting 3 distinct commercial nodes.

(g) On October 22, 2012, the Council held a public hearing, and on November 15, 2012, the plan was approved.

(h) To help implement the plan, the Council approved an expansion of the Georgia Avenue Retail Priority Area to include 2 of the 3 distinct commercial nodes, but the legislation inadvertently excluded the 3rd node.

(i) On October 17, 2014, the Council enacted the Georgia Avenue Great Streets Neighborhood Retail Priority Area Emergency Amendment Act of 2014, which accomplished the purpose set forth above. The emergency legislation expires January 6, 2015. The associated temporary legislation, the Georgia Avenue Great Streets Neighborhood Retail Priority Area Temporary Amendment Act of 2014, has not completed its 30-day congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(j) This congressional review emergency is necessary to prevent an anticipated gap in the law due to congressional recess.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Georgia Avenue Great Streets Neighborhood Retail Priority Area Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1214

See Emergency D.C. Act 20-566 21 DCStat 541

To declare the existence of an emergency with respect to the need to enact and amend various budget-related provisions of law.

Fiscal Year 2015 Budget Support Second Congressional Review Emergency Declaration Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2015 Budget Support Second Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2. (a) On June 24, 2014, the Council passed the Fiscal Year 2015 Budget Support Emergency Act of 2014, effective July 14, 2014 (D.C. Act 20-377; 61 DCR 7598). The act was vetoed by the Mayor on July 11, 2014, and the Council overrode the veto on July 14, 2014. Act 20-377 expired on October 12, 2014.

(b) On June 24, 2014, the Council also passed the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 22, 2014 (D.C. Act 20-424; 61 DCR 9990). The Mayor returned that permanent legislation unsigned, and it is currently undergoing congressional review. It is unclear when the review period will end and, thus, when D.C. Act 20-424 will become law.

(c) On October 7, 2014, the Council passed the Fiscal Year 2015 Budget Support Congressional Review Emergency Act of 2014, effective October 10, 2014 (D.C. Act 20-449; 61 DCR 10915). The Mayor signed that congressional review emergency on October 10, 2014, and it is projected to expire on January 7, 2015.

(d) The congressional review period for the permanent legislation will create a gap in authority between Act 20-449 and D.C. Act 20-424. This gap must be avoided for the proper implementation and balancing of the Fiscal Year 2015 Budget and Financial Plan.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2015 Budget Support Second Congressional Review Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 20-1213

See Emergency D.C. Act 20-587 21 DCStat 758

Fiscal Year 2015 Budget Support Clarification Congressional Review Emergency Declaration Resolution of 2014

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 2015 Budget Support Act of 2014 to clarify provisions supporting the Fiscal Year 2015 budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2015 Budget Support Clarification Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2. (a) On June 24, 2014, the Council also passed the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990). The Mayor returned that permanent legislation unsigned, and it is currently undergoing congressional review.

(b) On October 7, 2014, the Council passed the Fiscal Year 2015 Budget Support Clarification Emergency Amendment Act of 2014, effective November 6, 2014 (D.C. Act 20-461; 61 DCR 11784). The Mayor returned that legislation unsigned, and it is projected to expire on February 4, 2015. It is also projected to be overridden by D.C. Act 20-424, once D.C. Act 20-424 becomes law.

(c) On October 28, 2014, the Council also passed the Fiscal Year 2015 Budget Support Clarification Temporary Amendment Act of 2014, passed on 2nd reading on October 7, 2014 (Enrolled version of Bill 20-958). That legislation has been transmitted to the Mayor.

(d) The congressional review period for the temporary legislation, and the pending end of the review period for D.C. Act 20-424, will create a gap in authority between D.C. Act 20-461 and Bill 20-958. This gap must be avoided for the proper implementation and balancing of the Fiscal Year 2015 Budget and Financial Plan.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2015 Budget Support Clarification Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-1

To provide rules of organization and procedure for the Council of the District of Columbia during Council Period 21 and to provide a Code of Official Conduct for the Council of the District of Columbia during Council Period 21.

Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 21, Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 21, Resolution of 2015".

Sec. 2. The document entitled "Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 21," attached and made a part of this resolution, shall be the rules of the Council of the District of Columbia.

Sec. 3. The document entitled "Council of the District of Columbia, Code of Official Conduct, Council Period 21," attached and made a part of this resolution shall be the Code of Official Conduct of the Council of the District of Columbia.

Sec. 4. This resolution shall take effect immediately.

RULES OF ORGANIZATION AND PROCEDURE FOR THE COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD 21

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ARTICLE I—DEFINITIONS.

101. DEFINITIONS.

For the purposes of these Rules, the term:

(1) "Agency" includes any of the organizational units of the District, including a board, commission, department, division, instrumentality, or office, whether subordinate to or independent of the Mayor; provided, that the term "agency" does not include the Council or the District of Columbia courts.

(2) "Auditor" means the District of Columbia Auditor as established by section 455 of the Charter (D.C. Official Code § 1-204.55).

(3) "Bill" means a proposed act of the Council.

(4) "Budget" or "budget request" means the entire request for appropriations and loans or spending authority for all activities of all agencies, the Council, and the District of Columbia courts, financed from all existing or proposed resources, including both operating and capital expenditures.

(5) "Budget of the Council" means the approved budget for the Council.

(6) "Ceremonial resolution" means an expression of appreciation, an honorarium of limited application, or a declaration of no legal effect that is adopted without objection.

(7) "Chairman" means the Chairman of the Council of the District of Columbia, as established by section 401 of the Charter (D.C. Official Code § 1-204.01).

(8) "Charter" means Title IV of the Home Rule Act (D.C. Official Code § 1-204.01 *et seq.*).

(9) "Comprehensive Plan" means the comprehensive plan for the National Capital, including any elements of the plan, as provided in section 423 of the Charter (D.C. Official Code § 1-204.23).

(10) "Council" means the Council of the District of Columbia established by section 401 of the Charter (D.C. Official Code § 1-204.01).

(11) "Councilmember" or "Member" means a member of the Council established by section 401 of the Charter (D.C. Official Code § 1-204.01) and includes the Chairman, unless the context clearly indicates otherwise.

(12) "Council Period" means the legislative session of the Council beginning at noon on January 2nd of each odd-numbered year and ending at noon on January 2nd of the following odd-numbered year.

(13) "Council website" means the website with the domain name of dccouncil.us.

(14) "Emergency declaration resolution" means a resolution declaring the existence of emergency circumstances within the meaning of section 412(a) of the Charter (D.C. Official Code § 1-204.12(a)).

(15) "Engrossing" or "engrossment" means the process by which there is finally prepared the text of a bill that has passed any reading prior to final reading.

(16) "Enrolling" or "enrollment" means the process by which there is finally prepared the text of a measure that has passed final reading.

(17) "Ethics Board" means the District of Columbia Board of Ethics and Government Accountability established by section 202 of the Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.02).

(18) "Fiscal-impact statement" means a statement prepared by the Chief Financial Officer or the Budget Director that includes an estimate of the costs that will be incurred by the District as a result of the enactment of a measure in the current and each of the first 4 fiscal years for which the measure is in effect, together with a statement of the basis for such estimate.

(19) "Grant budget-modification request" means any grant budget-modification request required to be submitted by the Mayor to the Council pursuant to section 446B of the Charter (D.C. Official Code § 1-204.46b).

(20) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq*.).

(21) "Independent agency" means an agency of the District of Columbia government not subject to the administrative control of the Mayor.

(22) "Mayor" means the Mayor of the District of Columbia as established by section 421 of the Charter (D.C. Official Code § 1-204.21).

(23) "Measure" means a bill, resolution, or amendment to a bill or resolution, a motion pending before the Council or before a committee of the Council, a proposed reorganization plan, reprogramming request, grant budget modification request, proposed state plan, contract, or proposed municipal regulation transmitted by law to the Council for its approval.

(24) "Meeting" means, except for purposes of sections 371 through 375, the formal convening of a committee or the Council, other than solely for the purpose of receiving testimony, held at a designated time and place for the purpose of transacting public business, including official action of any kind.

(25) "Normal business hours" means 9:00 a.m. through 5:30 p.m., Monday through Friday, except legal holidays.

(26) "Official action" has the same meaning as provided in section 742 of the Home Rule Act (D.C. Official Code § 1-207.42).

(27) "Person" means an individual, partnership, association, corporation, or any other organization.

(28) "Reading" means, within the meaning of section 412 of the Charter (D.C. Official Code § 1-204.12), an opportunity for the Members to debate and vote on proposed legislation at a regular or additional legislative meeting of the Council. A reconsideration of legislation after it has been transmitted to the Mayor is considered a "reading" when there have been at least 13 days intervening between the last reading of the legislation and the reconsideration date.

(29) "Recess of the Council" or "Council Recess" means periods of time during which regularly scheduled meetings of the Council are not held; i.e., the month of August through September 15th, the 9-day period beginning on the Friday

immediately preceding Easter, the 17-day period beginning on July 15th of each year, and the 9-day period ending on December 31st of each year.

(30) "Register" means the District of Columbia Register.

(31) "Remuneration" means the rate or level of compensation to be paid an employee for the performance of his or her duties up to and including, but no more than, the maximum authorized and appropriated by law.

(32) "Reprogramming Policy Act" means Subchapter IV of Chapter 3 of Title 47 of the District of Columbia Official Code (D.C. Official Code § 47-361 *et seq*.).

(33) "Reprogramming request" means any reprogramming request submitted to the Council pursuant to the Reprogramming Policy Act (D.C. Official Code § 47-363).

(34) "Resolution" means an expression of a simple determination, decision, or direction of the Council of a special or temporary character and includes actions of the Council concerning its internal management and conduct.

(35) "Sense of the Council Resolution" means a resolution to express a simple determination, decision, or direction of the Council of a special or temporary character;

(36) "Short title" means the term by which an act or resolution may be cited.

(37) "State plan approval request" means a request to approve a state plan submitted by the Mayor to the Council.

(38) "Subpoena" means *subpoena ad testificandum* or *subpoena duces tecum*, or both.

(39) "Transcription" means a *verbatim* recordation, including a tape or video recording.

ARTICLE II—ORGANIZATION.

A. OATH OF OFFICE AND OFFICIAL CONDUCT.

201. OATH OF OFFICE.

(a) On January 2nd of each odd-numbered year, a Councilmember whose term of office begins at that time shall take and subscribe an oath of office in accordance with subsection (c) of this section. The oath of office to a Councilmember shall be administered by a person of the Councilmember's choosing who is legally authorized to administer oaths. The Secretary shall supply printed copies of the oath that shall be subscribed by the Councilmembers and returned to the Secretary and recorded in the Council records as conclusive proof of the fact that the signer took the oath in accordance with law.

(b) A Councilmember whose term of office does not begin at the beginning of a Council Period shall take and subscribe the oath of office as soon as practicable after he or she has been duly certified as having been elected or selected for the position.

(c) The oath of office shall be as follows: "I, (Councilmember's name) do solemnly swear (or affirm) that I will faithfully execute the laws of the United States of America and of the District of Columbia, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States and the District of Columbia Home Rule Act, and will faithfully discharge the duties of the office on which I am about to enter."

202. CODE OF OFFICIAL CONDUCT.

(a) Councilmembers and staff shall maintain a high level of ethical conduct in connection with the performance of their official duties and shall refrain from taking, ordering, or participating in any official action that would adversely affect the confidence of the public in the integrity of the District government. Councilmembers and staff shall strive to act solely in the public interest and not for any personal gain or take an official action on a matter as to which they have a conflict of interest created by a personal, family, client, or business interest, avoiding both actual and perceived conflicts of interest and preferential treatment.

(b) Councilmembers and staff shall take full responsibility for understanding and complying with the letter and spirit of all laws and regulations governing standards of conduct for District public officials, including those relating to conduct, conflicts of interest, gifts, disclosures, campaign finance, political activity, and freedom of information.

(c) Councilmembers and staff shall specifically adhere to the Code of Official Conduct of the Council of the District of Columbia.

(d)(1) The Council shall proactively review the District's overall ethics program, including structure, training, enforcement, and overall ethics culture, and work to comply with national standards for the creation of effective compliance and ethics programs.

(2) The Ethics Counselor for the Council, in coordination with the Ethics Board and Office of Campaign Finance, shall conduct mandatory training on the conflict of interest and ethics laws and regulations applicable to Councilmembers and staff on at least an annual basis. Ethics training materials, including summary guidelines to all applicable laws and regulations, shall be prepared by the Ethics Counselor for the Council and made readily available on the Council's website.

B. EXECUTIVE OFFICERS OF THE COUNCIL.

211. CHAIRMAN.

The Chairman shall be the presiding and chief executive officer of the Council.

212. CHAIRMAN PRO TEMPORE.

In each Council period, the Chairman shall nominate one Councilmember as Chairman Pro Tempore who will act in the place of the Chairman when the Chairman is absent or is recused. The Council shall, by resolution, act on the nomination.

213. VACANCY IN OFFICE OF CHAIRMAN.

Whenever a vacancy occurs in the Office of the Chairman or the Chairman is serving as Acting Mayor, the Chairman Pro Tempore selected pursuant to section 212 shall convene the Council. The Council shall, by resolution, elect one of its at-large members as Chairman and another at-large member as Chairman Pro Tempore until the vacancy in the Office of Chairman is filled or until the return of the regularly elected Chairman.

C. COMMITTEE MEMBERSHIP.

221. SELECTION.

At the organizational meeting convened in accordance with section 301 at the beginning of the Council Period, the Chairman shall nominate the chairperson and members of each committee of the Council and the Council shall, by resolution, act on the Chairman's nominations.

222. CHAIRMAN AS EX OFFICIO MEMBER.

The Chairman shall be an ex officio, voting member of all committees and subcommittees. The Chairman may be counted for purposes of a quorum, but does not increase the quorum requirement for the committee or subcommittee.

223. VACANCIES.

Whenever a vacancy occurs in the membership or chair of a committee, the Chairman shall nominate a Councilmember to fill the vacancy and the Council shall, by resolution, act on the Chairman's nomination.

224. DISTRIBUTION OF RESPONSIBILITY.

The Chairman and Council shall endeavor to distribute committee responsibility as evenly as possible among the members and in no event shall an individual member chair more than one standing committee. The principle of seniority shall be respected in the assignment of committee chairs.

225. PARTICIPATION OF MEMBERS IN COMMITTEE MEETINGS.

(a) Any Councilmember may attend the meeting of any committee and may participate in committee discussions, but only a committee member may make a motion or cast a vote.

(b) Any Councilmember may participate fully in a hearing or roundtable of any committee.

226. RULES OF COMMITTEES.

(a) Each committee shall adopt written rules, not inconsistent with these Rules or other applicable law, to govern its procedures. The committee rules shall incorporate the following requirements:

(1) The scheduling of regular meeting days, which shall not be less frequent than monthly, for conducting business;

(2) A procedure for rescheduling or cancelling a regular meeting;

(3) A procedure for holding additional meetings to be called by the chairperson;

(4) A procedure for holding special meetings, which shall be called at the request of a majority of the members of the committee;

(5) Procedures to govern the chair of a committee meeting in the absence of the chairperson;

(6) Procedures for keeping a complete record of all committee action, including roll-call votes;

(7) If, at the time of approval of a measure by a committee, a member of the committee gives notice of the intention to submit supplemental, minority, or additional views, that member shall be entitled to not less than 5 business days within which to file the views, which shall be included in the report of the committee on the measure;

(8) A procedure for amending the committee rules by a vote of a majority of the committee;

(9) A requirement that if an oral amendment is moved during a committee meeting, it shall, upon request by a member, be reduced to writing and read by the Committee Clerk or other staff of the Committee, and made available for public inspection as soon as practicable;

(10) A requirement for the circulation of notice of the date, hour, and place of all committee meetings to all Councilmembers at least 24 hours before the date of the meeting, along with a copy of the agenda of the meeting and a draft of any measures to be considered, unless at least 4 members of the committee agree, in a written record, to a shorter notice;

(11) A procedure for providing at least 24 hours' notice of the cancellation of a meeting;

(12) A procedure to ensure that meetings of the committee do not conflict with a previously scheduled meeting of another committee; and

(13) A procedure for the adoption of a consent agenda.

(b) The provisions of these Rules shall be considered rules of the committee.

(c) When these Rules are silent, a committee may adopt additional rules. Committee rules adopted under this section shall be consistent with these Rules and other applicable law, and shall be filed with the Secretary.

(d) Each committee shall adopt its rules and appoint committee staff pursuant to section 272 within 14 business days of the organizational meeting held pursuant to section 301 and shall file the adopted rules and staff appointments.

227. COMMITTEE-ACTIVITY REPORT.

Each committee shall file a committee-activity report before the end of each Council period that details the committee's oversight and legislative activities. The format and content of the committee-activity report shall be determined by the Secretary.

D. STANDING COMMITTEES.

231. COMMITTEE OF THE WHOLE.

(a) The Committee of the Whole is responsible for the annual budget, and amendments, additions, or supplements to the budget; coordinating the Council's relationships with the Congress and the Federal executive branch; monitoring the progress of Council legislation through Congress; monitoring the status of original legislative proposals in Congress that may affect the District, the Council, or its legislation; amendments to the District Charter; Council appointments to Boards and Commissions; public-space naming; street and alley acquisition and closing; reapportionment and realignment of the political subdivisions of the District; Council administration and personnel; the scheduling of all matters for consideration by the Council in the legislative meeting; legislative matters related to the District as a political entity, including voting rights and statehood; grants management; government procurement; coordinating the Council's relationships with appropriate regional, state, and national associations and organizations; labor relations; the Council's relationship with regional authorities and other regional bodies and organizations not specifically assigned to other committees; truancy (jointly with the Committee on Education); homelessness (jointly with the Committee on Health and Human Services); District employees' retirement; the development of the Comprehensive Plan and other matters pertaining to land use; matters related to statehood and self-determination for the District; revision and codification of Title 49 of the D.C. Official Code; public-education matters exclusively concerning the University of the District of Columbia or the Community College of the District of Columbia; international business and affairs; matters related to economic, industrial, and commercial development; the disposition of property for economic-development purposes; matters relating to the general operations and services of government including general services, personnel, including employee appeals, and general administration of the government of the District of Columbia; and other matters assigned to it by these Rules or by the Chairman.

(b) The Chairman is the chairperson of the Committee of the Whole, and its members include all members of the Council. The Committee of the Whole shall meet on the third Tuesday of each month, except during periods of Council Recess,

in a work session to consider measures that have been reported and timely filed by committees pursuant to subsection (c) of this Rule, and for the introduction and referral of legislation. The Chairman shall prepare the agenda for each meeting of the Committee of the Whole. The Chairman may not withhold a measure duly reported and timely filed by another committee from the agenda of a regular Committee of the Whole meeting and the Chairman may not hold a measure in the Committee of the Whole that has been properly reported by another committee unless the Committee of the Whole votes to table the measure.

(c)(1) Except as provided in section 339, each measure reported by the committees of the Council identified in sections 232 to 238 shall be referred to the Committee of the Whole for a review of its legal sufficiency and technical compliance with the drafting rules of the Council; for ascertaining completion of the record; for a determination of the sufficiency of the fiscal-impact statement; and for scheduling for the legislative meeting pursuant to section 302.

(2) No measure may be reported by a committee for consideration at the Committee of the Whole unless the measure was accompanied by a fiscal-impact statement and legal-sufficiency determination at the time of committee markup.

(3) If amendments have been made to a measure by a committee that are substantial and outside the legislative jurisdiction of the committee, the Chairman may refer the measure to the relevant committee before the legislation is scheduled for a legislative meeting.

(4) The Secretary shall prepare a log of committee reports that have been filed timely for review by the Committee of the Whole. The log may be updated to reflect additional filings as of noon on the third business day before the Committee of the Whole meeting.

(d) Notwithstanding any other provision of the Rules, the Committee of the Whole may hold a hearing or roundtable, or conduct an investigation, on any matter relating to District affairs.

(e) The following agencies come within the purview of the Committee of the Whole:

- Council of the District of Columbia

- District of Columbia Auditor
- Board of Zoning Adjustment
- Commemorative Works Committee
- Community College of the District of Columbia
- Community College Transition to Independence Advisory Board
- Contract Appeals Board
- Department of Human Resources
- Deputy Mayor for Planning and Economic Development
- District of Columbia Retirement Board, including the District of Columbia Police Officers and Fire Fighters' Retirement Fund and the Teachers' Retirement Fund
- Executive Office of the Mayor, including the Office of Policy and Legislative Affairs, Serve DC, and the Office of Community Affairs
- Historic Preservation Review Board
- Interagency Council on Homelessness
- Labor/Management Partnership Council
- Law Revision Commission
- Metropolitan Washington Airports Authority
- Metropolitan Washington Council of Governments
- National Capital Planning Commission
- New Columbia Statehood Commission
- Office of Budget and Planning
- Office of Contracting and Procurement
- Office of Employee Appeals
- Office of Labor Relations and Collective Bargaining
- Office of Planning
- Office of Public-Private Partnerships
- Office of the Chief Technology Officer
- Office of the City Administrator
- Office of the Statehood Delegation
- Office of Zoning
- Public Employees Relations Board
- Secretary of the District of Columbia
- Tax Revision Commission
- Tobacco Settlement Financing Corporation
- University of the District of Columbia
- Walter Reed Army Medical Center Site Reuse Advisory Committee

- Zoning Commission of the District of Columbia

232. COMMITTEE ON BUSINESS, CONSUMER, AND REGULATORY AFFAIRS.

(a) The Committee on Business, Consumer, and Regulatory Affairs is responsible for matters concerning small- and local business development policy; consumer and regulatory affairs; matters related to workforce-development issues; employment and manpower development; the regulation of alcoholic beverages; public utilities; cable television; the operation of business-improvement districts ("BIDs") and oversight of BIDS, but not including the establishment of BIDs; the conduct of Emancipation Day celebrations within the District of Columbia; the regulation of banks and banking activities, securities, and insurance, including private health insurance, but not including the Health Benefit Exchange.

(b) The following agencies come within the purview of the Committee on Business, Consumer, and Regulatory Affairs:

- Alcoholic Beverage Regulation Administration
- Apprenticeship Council
- Board of Accountancy
- Board of Architecture and Interior Designers
- Board of Barber and Cosmetology
- Board of Condemnation of Insanitary Buildings
- Board of Consumer Claims Arbitration for the District of Columbia
- Board of Funeral Directors
- Board of Industrial Trades
- Board of Professional Engineering
- Board of Real Estate Appraisers
- Captive Insurance Agency
- Commission on Fashion Arts and Events
- Construction Codes Coordinating Board
- Department of Consumer and Regulatory Affairs
- Department of Employment Services
- Department of Insurance, Securities and Banking
- Department of Small and Local Business Development
- Disability Compensation Fund

- District of Columbia Boxing and Wrestling Commission
- Emancipation Commemoration Commission
- Financial Literacy Council
- Occupational Safety and Health Board
- Office of Cable Television
- Office of Motion Picture and Television Development
- Office of People's Counsel
- Office of Risk Management
- Office of the Tenant Advocate
- Public Access Corporation
- Public Service Commission
- Real Estate Commission
- Unemployment Compensation Fund
- Workforce Investment Council

233. COMMITTEE ON EDUCATION.

(a) The Committee on Education is responsible for all matters related to public education, including authorizing public charter schools, but not including matters exclusively within the University of the District of Columbia or the Community College of the District of Columbia; truancy (jointly with the Committee of the Whole); and public libraries.

(b) The following agencies come within the purview of the Committee on Education:

- Bullying Prevention Task Force
- Common Lottery Board
- Community Schools Advisory Committee
- District of Columbia Public Charter School Board
- District of Columbia Public Library system
- District of Columbia Public Schools
- Education Licensure Commission
- Healthy Youth and Schools Commission
- Office of the Deputy Mayor for Education

- Office of the State Superintendent of Education (including Advisory Panel on Special Education, Early Childhood Development Coordinating Council, Non-Public Tuition, Special Education Transportation)
- Public Charter School Credit Enhancement Fund Committee
- State Board of Education

234. COMMITTEE ON FINANCE AND REVENUE.

(a) The Committee on Finance and Revenue is responsible for matters relating to taxation and revenue for the operation of the government of the District of Columbia; general-obligation bond acts, revenue-anticipation notes, and industrial-revenue bonds; tourism and cultural affairs; 2024 Olympics; the establishment of business-improvement districts; grants management; and matters relating to the Washington Metropolitan Area Transit Authority.

(b) The following agencies come within the purview of the Committee on Finance and Revenue:

- Board of Review of Anti-Deficiency Violations
- Commission on Arts and Humanities
- Destination DC
- District of Columbia Lottery and Charitable Games Control Board
- Multistate Tax Commission
- Office of Finance and Treasury
- Office of Financial Management
- Office of Financial Operations
- Office of Partnerships and Grants Services
- Office of Tax and Revenue
- Office of the Chief Financial Officer
- Office of the Inspector General
- Real Property Tax Appeals Commission for the District of Columbia
- Sports Authority Subsidy
- Washington Convention and Sports Authority/Events DC
- Washington Metropolitan Area Transit Authority

235. COMMITTEE ON HEALTH AND HUMAN SERVICES.

(a) The Committee on Health and Human Services is responsible for matters concerning health and environmental health; the regulation of health occupations and professions, and health-care inspectors; welfare; social services; and disability services.

(b) The following agencies come within the purview of the Committee on Health and Human Services:

- Advisory Committee on Acupuncture
- Advisory Committee on Anesthesiologist Assistants
- Advisory Committee on Child Abuse and Neglect
- Advisory Committee on Clinical Laboratory Practitioners
- Advisory Committee on Naturopathic Medicine
- Advisory Committee on Physician Assistants
- Advisory Committee on Polysomnography
- Advisory Committee on Surgical Assistants
- Board of Allied Health
- Board of Audiology and Speech-Language Pathology
- Board of Behavioral Health
- Board of Chiropractic
- Board of Dentistry
- Board of Dietetics and Nutrition
- Board of Long-Term Care Administration
- Board of Marriage and Family Therapy
- Board of Massage Therapy
- Board of Medicine
- Board of Nursing
- Board of Occupational Therapy
- Board of Optometry
- Board of Pharmacy
- Board of Physical Therapy
- Board of Podiatry
- Board of Professional Counseling
- Board of Psychology
- Board of Respiratory Care

- Board of Social Work
- Board of Veterinary Medicine
- Child and Family Services Agency
- Children and Youth Investment Trust Corporation
- Citizen Review Panel on Child Abuse and Neglect
- Commission on Health Disparities
- Commission on HIV/AIDS
- Commission on Persons with Disabilities
- Committee on Metabolic Disorders
- Council on Physical Fitness, Health, and Nutrition
- Department of Behavioral Health
- Department of Health
- Department of Health Care Finance
- Department of Human Services
- Department on Disability Services
- Deputy Mayor for Health and Human Services
- Developmental Disabilities State Planning Council
- District of Columbia Health Benefit Exchange Authority
- Health Information Exchange Policy Board
- Mental Health Planning Council
- Metropolitan Washington Regional Ryan White Planning Council
- Not-For-Profit Hospital Corporation
- Office of Disability Rights
- State Rehabilitation Council
- Statewide Health Coordinating Council
- Statewide Independent Living Council

236. COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT.

(a) The Committee on Housing and Community Development is responsible for matters relating to development, maintenance, preservation, and regulation of the housing stock, including rental housing; and neighborhood development, improvement, stabilization, and urban affairs; matters regarding Advisory Neighborhood Commissions; Latino, African, and Asian and Pacific Islander affairs; gay, lesbian, bisexual, and transgender affairs; issues related to women; veterans affairs; and the concerns of the aging.

(b) The following agencies come within the purview of the Committee on Housing and Community Development:

- Advisory Commission on Caribbean Community Affairs
- Advisory Committee to the Office of GLBT Affairs
- Advisory Neighborhood Commissions
- Commission for Women
- Commission on African Affairs
- Commission on African American Affairs
- Commission on Aging
- Commission on Asian and Pacific Islander Affairs
- Commission on Latino Community Development
- Department of Housing and Community Development
- District of Columbia Housing Authority
- Housing Finance Agency
- Housing Production Trust Fund
- Interfaith Council
- Office of Asian and Pacific Islanders Affairs
- Office of Gay, Lesbian, Bisexual, and Transgender Affairs
- Office of Latino Affairs
- Office of Veterans Affairs
- Office on African Affairs
- Office on Aging
- Rental Housing Commission

237. COMMITTEE ON THE JUDICIARY.

(a) The Committee on the Judiciary is responsible for matters affecting the judiciary and judicial procedure that are within the authority of the Council; matters affecting decedents' estates and fiduciary affairs; matters affecting administrative law and procedure, include the Freedom of Information Act; matters affecting criminal law and procedure; ex-offender affairs; human rights; juvenile justice; elections; government ethics; campaign finance; matters arising from or pertaining to the police and fire regulations of the District of Columbia; and other matters related to police protection, correctional institutions (including youth corrections), fire prevention, emergency medical services, homeland security, criminal justice, and public safety.

(b) The following agencies come within the purview of the Committee on the Judiciary:

- Access to Justice Initiative
- District of Columbia Board of Ethics and Government Accountability
- Child Support Guidelines Commission
- Commission on Fathers, Men and Boys
- Commission on Human Rights
- Commission on Judicial Disabilities and Tenure
- Commission on Re-Entry and Returning Citizen Affairs
- Commission on Selection and Tenure of Administrative Law Judges
- Corrections Information Council
- Criminal Justice Coordinating Council
- Department of Corrections
- Department of Forensic Sciences
- Department of Youth Rehabilitation Services
- Deputy Mayor for Public Safety and Justice
- District of Columbia Board of Elections
- District of Columbia Judicial Nomination Commission
- District of Columbia National Guard
- District of Columbia Sentencing and Criminal Code Revision Commission
- Fire and Emergency Medical Services Department
- Homeland Security and Emergency Management Agency
- Homeland Security Commission
- Juvenile Abscondence Review Committee
- Juvenile Justice Advisory Group
- Mayor's Office of Legal Counsel
- Metropolitan Police Department
- Motor Vehicle Theft Prevention Commission
- Office of Administrative Hearings (including the Advisory Committee to the Office of Administrative Hearings)
- Office of Campaign Finance
- Office of Human Rights
- Office of Justice Grants Administration
- Office of Police Complaints
- Office of the Attorney General for the District of Columbia
- Office of the Chief Medical Examiner

- Office of Unified Communications
- Office of Victims Services
- Office on Returning Citizen Affairs
- Police Complaints Board
- Police Officer Standards and Training Board
- Pretrial Services Agency
- Public Defender Service
- Uniform Law Commission

238. COMMITTEE ON TRANSPORTATION AND THE ENVIRONMENT.

(a) The Committee on Transportation and the Environment is responsible for matters relating to environmental-protection regulation and policies; highways, bridges, traffic, vehicles, and other transportation issues; the regulation of taxicabs; maintenance of public spaces; public parks and recreation; recycling; waste management; water supply and wastewater treatment; maintenance of public buildings; and property management, including the declaration of government property as no longer required for public purposes.

(b) The following agencies come within the purview of the Committee on Transportation and the Environment:

- Department of General Services
- Department of Motor Vehicles
- Department of Parks and Recreation
- Department of Public Works
- District Department of the Environment
- District Department of Transportation
- District of Columbia Bicycle Advisory Council
- District of Columbia Taxicab Commission
- Food Policy Council
- Gas Station Advisory Board
- Green Buildings Advisory Council
- Pedestrian Advisory Council
- Soil and Water Conservation District
- Streetcar Financing and Governance Task Force
- Sustainable Energy Utility Advisory Board

- Washington Aqueduct
- District of Columbia Water and Sewer Authority

E. CREATION OF SUBCOMMITTEES.

245. SUBCOMMITTEES.

The Chairman shall nominate the chairperson and members of each subcommittee of the Council. The Council shall, by resolution, act on the Chairman's nominations. A subcommittee may use subpoenas to obtain testimony or documents only if the standing committee of which it is a subcommittee authorizes the issuance of subpoenas. Each bill or resolution reported by a subcommittee shall be referred to its standing committee for a vote and scheduling for the Committee of the Whole. Subcommittees shall comply with the requirements of these Rules.

F. SPECIAL COMMITTEES AND SPECIAL PROJECTS.

251. CREATION OF SPECIAL COMMITTEES.

The Council may, by resolution, establish a special committee to consider investigations, ethics, and other matters. The resolution shall set forth the jurisdiction, size, duration, and date for final action of the special committee.

252. USE OF SUBPOENAS BY SPECIAL COMMITTEE.

A special committee may use subpoenas to obtain testimony or documents only if the resolution creating the special committee authorizes the issuance of subpoenas. Subpoenas issued by special committees shall comply with the requirements of Article VI of these Rules.

253. SPECIAL PROJECTS.

The Council may, by resolution, establish a special project related to policy development or oversight. The resolution shall set forth the timetable, budget, goals, and deliverables of the special project, and specify whether the project will be undertaken by a standing or special committee, or another method of organization.

G. APPOINTED OFFICERS OF THE COUNCIL.

261. APPOINTMENT OF OFFICERS.

The appointed officers of the Council are the Secretary, General Counsel, and Budget Director. The Chairman shall recommend the assignment and removal of these officers, and the Council shall, by resolution, act on the Chairman's recommendation.

262. SECRETARY.

The Secretary is the chief administrative officer of the Council and is responsible for maintaining records of Council actions including the filing of bills and proposed resolutions, amendments to bills and resolutions, requests for hearings, committee reports, and other records and reports assigned by these Rules, the Council, or the Chairman, and for proposing and administering the fiscal-year budget of the Council.

263. GENERAL COUNSEL.

The General Counsel is responsible for advising the Council on matters of parliamentary procedure, identifying legislative problems, providing members with alternative policy options to solve those problems, representing the Council in any legal action to which it is a party or in which the Council has a significant interest, providing legal representation for a Councilmember or employee for actions taken within the scope of his or her legislative duties, supervising the publication of the District of Columbia Official Code, preparing technical-amendment and enactment bills, providing legislative-drafting assistance to all members, engrossing and enrolling measures, determining the legal sufficiency of legislation, providing support to the Law Revision Commission, and making necessary technical and conforming changes in measures during enrollment. The General Counsel shall serve as Ethics Counselor for the Council.

264. BUDGET DIRECTOR.

The Budget Director is responsible for advising members of the Council on matters related to the budget, including the development of annual and multiyear budgets and financial plans, review of contracts, analysis of the economic impact of

legislation, and analysis of the fiscal impact of legislation. The budget staff shall also serve as a resource for all Council committees and members.

H. COUNCIL PERSONNEL AND APPOINTMENTS.

271. SUBORDINATE STAFF OF APPOINTED OFFICERS.

The appointed officers may assign, remove, and determine the remuneration for their respective professional and clerical staffs, subject to appropriations and positions allocated by the Council.

272. COMMITTEE STAFF.

(a) Within 14 business days of the organizational meeting held pursuant to section 301, the chairperson of each committee shall appoint and shall present for the approval of committee members the names and responsibilities of each committee staff person. Subsequent appointments shall be presented for approval of committee members at the meeting of the committee following the appointment.

(b) The chairperson shall determine the remuneration for the staff of the committee, subject to appropriations and positions allocated by the Council.

(c) The chairperson of each committee may remove staff, and shall notify the members of the committee of such action within 3 business days.

273. COUNCILMEMBERS' PERSONAL STAFF.

Each Councilmember may assign, remove, and determine the remuneration for his or her personal staff, subject to appropriations and positions allocated by the Council.

274. SEPARATION PAY AND BUDGET ACCOUNTING.

(a) Notwithstanding sections 271, 272, and 273 of these Rules, when an employee is separated for non-disciplinary reasons, a Councilmember may not authorize severance pay in excess of one week of the employee's basic pay for each year of service in the District government, unless the Council otherwise authorizes by resolution a larger amount of severance pay; provided, that in no event shall the amount exceed that authorized by law.

(b) If it is known that a Councilmember will be in office for a time period that is less than the remaining fiscal year, the Councilmember's budget shall be adjusted to account for the time to be served, unless the Council otherwise authorizes, by resolution, a different amount.

275. COUNCIL APPOINTMENT TO OTHER BODIES.

When the law provides for the Council to appoint an individual to another body, the Chairman shall nominate an individual and the Council shall act, by resolution, on the nomination. A Council appointee shall report to the Council on a periodic basis. The Council may instruct, by resolution, its representative as to the position to take on a particular matter.

276. APPOINTMENT BY COMMITTEES AND MEMBERS.

(a) When the law provides for a committee to appoint an individual to another body, the committee shall, by resolution, act on the appointment.

(b) When the law provides for a Councilmember to appoint an individual to a board or commission, the Councilmember shall make the appointment by filing a memorandum with the Secretary that states:

(1) The legal capacity in which the Councilmember is acting, e.g., as a Councilmember or as a chairperson or member of a particular committee;

(2) The date of appointment;

(3) The official name of the board or commission to which the person is being appointed;

(4) The name, complete mailing address, and ward designation of the person appointed;

(5) The law under which the appointment is being made; and

(6) The term of the appointment.

277. RESIDENCY REQUIREMENT FOR APPOINTMENTS.

Each member of a District board or commission who is appointed under sections 275 or 276, shall be a resident of the District at the time of appointment, unless the law or order that established the board or commission specifically authorizes the appointment of a nonresident as a member of the board or commission or if a majority of the Council waives the residency requirement.

I. COMPUTING TIME, CIRCULATION, AND FILING REQUIREMENTS.

281. COMPUTING TIME.

(a) Unless a law or rule specifically provides otherwise, when counting a time period:

(1) Stated in days or a longer unit of time:

(A) Exclude the day of the event that triggers the period;

(B) Count every day, including Saturdays, Sundays, and legal holidays;

(C) Exclude days of recess; and

(D) Include the last day of the time period, but if the last day is a Saturday, Sunday, legal holiday, or day of recess, the period continues to run until the end of the next day that is not a Saturday, Sunday, legal holiday, or day of recess.

(2) Stated in hours:

(A) Begin counting immediately on the first business hour after the occurrence of the event that triggers the period;

(B) Count each hour, including hours during intermediate Saturdays, Sundays, and legal holidays;

(C) Exclude hours during days of recess; and

(D) If the period would end on a Saturday, Sunday, legal holiday, or day of recess, the period continues to run until the same time on the next day that is not a Saturday, Sunday, legal holiday, or day of recess.

(b) For purposes of these Rules, when counting a time period stated in "business days":

(1) Exclude the day of the event that triggers the period;

(2) Exclude intermediate Saturdays, Sundays, legal holidays, and days of recess; and

(3) Include the last day of the time period, but if the last day is a Saturday, Sunday, legal holiday, or day of recess the period continues to run until the end of the next day that is not a Saturday, Sunday, legal holiday, or day of recess.

(c) For purposes of these Rules, when counting a time period for a notice requirement under these Rules, include days of recess.

282. FILING WITH THE SECRETARY.

(a) Unless a law or rule specifically provides otherwise, when a Councilmember is required to file a document with or provide notice to the Secretary, the Councilmember shall deliver a hard copy of the document or the notice to the Secretary.

(b) A Councilmember shall also ensure that an electronic copy (in an original electronic format, if applicable, and in PDF) of the following documents is filed on the "v" drive or the intranet portal:

(1) A measure introduced pursuant to sections 401 and 402;

(2) A committee print and report;

(3) Amendments; and

(4) Any other document required to be electronically filed by rule or law or that the Secretary determines should be filed electronically.

(c) When an electronic copy is required under subsection (b) of this section, the document shall not be considered as filed until the electronic copy is filed.

(d) Notwithstanding subsection (a) of this section, the Secretary may elect to receive a document electronically or establish a system or method for electronic filing of any document.

283. CIRCULATION TO MEMBERS AND COMMITTEES.

(a) The Secretary shall distribute, upon introduction or referral, a hard copy of each measure to each Councilmember. The Secretary shall also distribute to each Councilmember, upon introduction or filing, a notice of investigation by subpoena, and a Mayoral disapproval of a Council act.

(b)(1) Any document that is required to be circulated by a rule or law shall be distributed electronically to all members and staff.

(2) A Councilmember may elect to receive an additional hard copy of any document that is required to be circulated by a member.

ARTICLE III—PROCEDURES FOR MEETINGS.

A. LEGISLATIVE MEETINGS.

301. ORGANIZATIONAL MEETING.

On the first day of each Council Period that is not a Saturday, Sunday, or legal holiday, the Council shall convene an organizational meeting for the purpose of considering the adoption of Rules of Organization and Procedure, selecting a Chairman Pro Tempore pursuant to section 212, appointing committee chairs and memberships, appointing Councilmembers to regional bodies, and appointing Council officers. If a quorum is not present, the Chairman shall convene an organizational meeting as soon as feasible.

302. REGULAR MEETINGS.

(a) The Council shall hold a regular legislative meeting on the first Tuesday of every month except during a Council Recess. When the day for a regular

legislative meeting falls on a legal holiday, the meeting shall be held at the same time on the next day. Regular legislative meetings shall begin at 10:00 a.m.

(b) Regular meetings of the Council shall be held in the Council Chamber, Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

(c) The Chairman may designate another time, day, or place for a legislative meeting at a prior legislative meeting or meeting of the Committee of the Whole by circulating and filing notice with the Secretary at least 48 hours before the meeting.

(d) The Chairman may cancel a future regularly scheduled meeting. The Secretary shall circulate notice to each Councilmember and the public of a meeting cancellation.

303. ADDITIONAL AND SPECIAL MEETINGS.

(a) The Chairman may call additional legislative meetings of the Council.

(b) Any 2 Councilmembers may request that the Chairman call a special legislative meeting. The request shall be filed with the Secretary. Immediately upon the filing of the request, the Secretary shall notify the Chairman and other Councilmembers of the filing of the request. If, within 3 business days after the request is filed, the Chairman does not call the requested special meeting, a majority of the Councilmembers may file with the Secretary a written notice that a special legislative meeting will be held, specifying the date, hour, place, and agenda of the special legislative meeting; provided, that the meeting shall not occur less than 48 hours after the notice. Immediately upon the filing of the notice, the Secretary shall circulate notice to each Councilmember as provided in subsection (c) of this section.

(c) Whenever an additional or special legislative meeting is called, the Secretary shall circulate notice to each Councilmember not less than 48 hours before the additional or special meeting. The Secretary shall provide prompt notice of the meeting to the public. The notice shall state the date, hour, place, and agenda of the meeting and may state whether items are to be considered on a consent or non-consent agenda.

(d) No matter shall be considered at an additional or special legislative meeting except those stated in the request and notification. An additional legislative meeting to consider an emergency and temporary matter may be called upon shorter notice, if a majority of the members agree in writing to the shorter notice. The Chairman may add to the agenda of an additional legislative meeting, with the written agreement of a majority of the Councilmembers, an emergency or temporary measure or, without objection, a permanent measure.

304. QUORUM.

(a) A majority of the Councilmembers constitutes a quorum for the lawful convening of a meeting and for the transaction of business, except that a lesser number may hold hearings.

(b) A meeting may not begin until a quorum is ascertained by the Chairman.

(c) Once a quorum has been ascertained, the meeting shall proceed, unless a Councilmember raises the absence of a quorum, whereupon the Chairman shall direct the calling of the roll and shall announce the result.

(d) In the absence of a quorum, the Chairman may order a Call of the House, during which no debate or motion shall be in order except a motion to adjourn.

(e) During a Call of the House, the Council shall stand in recess for no more than 20 minutes to find absent members. After the recess, the roll shall be called again. If a quorum is present, the meeting shall proceed. If a quorum is not present, the meeting shall be adjourned or recessed.

305. HEARING THE MAYOR.

The Mayor has the right to be heard by the Council upon request and at reasonable times set by the Council.

306. RECESS.

(a) Except as set forth in subsection (b) of this section, no measure, other than an emergency-declaration resolution, emergency measure, and accompanying temporary bill, a veto override, or a resolution to approve or disapprove a contract, to be considered at a special or additional meeting called pursuant to these Rules,

may be introduced during a recess of the Council. No committee may take official action during a recess of the Council; except that, when specifically authorized to do so by a vote of a majority of the Council, a committee may hold a public hearing or roundtable. A notice of future committee action may be filed during a recess of the Council.

(b)(1) A resolution approving or disapproving a contract in excess of $1 million or a multiyear contract may be introduced during any recess period.

(2) A proposed contract in excess of $1 million during a 12-month period or a multiyear contract for goods or services that is required to be submitted to the Council pursuant to section 451 of the Charter (D.C. Official Code § 1-204.51) may be transmitted to the Secretary during the 30-day period before the end of the summer recess of the Council, a committee may hold a public hearing and take official action on the proposed contract in excess of $1 million or multiyear contract during this period, and a resolution approving or disapproving a contract in excess of $1 million or a multiyear contract may be introduced during this period.

(3) A proposed federal-aid highway contract in excess of $1 million during a 12-month period that is required to be submitted to the Council for its review pursuant to section 451 of the Charter (D.C. Official Code § 1-204.51) may be transmitted to the Secretary during a recess of the Council, a committee may hold a public hearing and take official action on the proposed federal-aid highway contract during the recess, and a resolution approving or disapproving the proposed federal-aid highway contract may be introduced during the recess and during the 10-day period following submission of the proposed federal-aid highway contract to the Council.

(c) During any period of recess, the Secretary is authorized to receive measures returned by the Mayor.

307. COUNCIL REVIEW OF CONTRACTS.

(a) Notwithstanding section 402(b), the time period for Council review of a proposed contract in excess of $1 million during a 12-month period or a multiyear contract for goods or services that is required to be submitted to the Council pursuant to section 451 of the Charter (D.C. Official Code § 1-204.51) shall begin on

the first day (excluding Saturdays, Sundays, and holidays) following receipt by the Secretary of the proposed contract. The Secretary shall ensure that a copy of the proposed contract is designated as urgent and circulated in a folder of a distinctive color to the office of each member of the Council within 24 hours (excluding Saturdays, Sundays, and holidays), following its receipt by the Secretary.

(b) Notwithstanding any other provision of these Rules, the Mayor may transmit a resolution declaring the existence of an emergency and accompanying emergency bill to the Council for approval of a modification to a contract that, once merged with the underlying contract or a modification, would involve an expenditure in excess of $1 million during a 12-month period, if the contract or a modification:

(1) Has not been previously submitted to the Council for approval; and

(2) Was not otherwise required to have been submitted to the Council for approval.

(c) Notwithstanding sections 401 and 402, no proposed contract in excess of $1 million during a 12-month period or a multiyear contract for goods or services that is required to be submitted to the Council pursuant to section 451 of the Charter (D.C. Official Code § 1-204.51) may be submitted between July 5, 2015, and July 15, 2015, or between July 5, 2016, and July 15, 2016.

(d) Notwithstanding sections 401 and 402, a resolution approving or disapproving a proposed contract shall be introduced by at least 3 Councilmembers.

(e) The submission of an annual capital program of federal-aid highway projects to the Council for review and approval and approval of the annual program is deemed as approval of the individual contracts that make up the annual program.

(f) The Secretary shall place an electronic copy of the summary of a proposed contract on the Legislative Information Management System in a manner that it may be accessed through the Council website, and on the Council "v" drive or intranet portal within 24 hours (excluding Saturdays, Sundays, and holidays) following its receipt.

308. ECONOMIC-IMPACT ANALYSES.

Beginning January 1, 2016, a permanent bill considered on first reading shall be accompanied by an economic-impact analysis, prepared by the Budget Director, of the bill's estimated costs or economic benefits to the District economy. The Budget Director may, in his or her discretion, decline to prepare an economic-impact analysis, which shall not affect the Council's consideration of the bill. The findings and conclusions of an economic-impact analysis, if any, are not binding on the Council, and the findings and conclusions shall not prevent the Council from considering the bill. An economic-impact analysis shall be circulated by noon on the business day before the legislative meeting at which the bill is to be considered.

B. ORDER OF BUSINESS FOR MEETINGS.

311. ORDER OF BUSINESS FOR REGULAR MEETINGS.

During a regular legislative meeting, the Council shall take up business in the following order unless a different order has been set for a particular meeting by action of the Committee of the Whole:

(1) Call to order at the time and place set forth pursuant to section 302;

(2) Moment of silence;

(3) Determination by the Chairman of the presence of a quorum;

(4) Presentation of ceremonial resolutions;

(5) Secretary's report on the filing of reports by committees, unless the formal reading of the report is waived without objection;

(6) Secretary's report on the introduction of new measures filed with that office, unless the formal reading of the report is waived, and the introduction by Councilmembers of new measures by reading the short title without objection;

(7) Approval of the consent agenda without objection;

(8) Reading by short title and votes on proposed ceremonial resolutions;

(9) Final reading by short title and final vote on bills that have been pending at least 13 days since they were previously read;

(10) Reading by short title and vote on reported and discharged bills;

(11) Reading by short title and vote on proposed resolutions except as provided in paragraph (8) of this section;

(12) Reading by short title and vote on resolutions declaring the existence of emergencies and accompanying emergency measures;

(13) Reading by short title and vote on temporary legislation;

(14) Official communications received from the Mayor or an agency; and

(15) Other business.

312. ORDER OF BUSINESS FOR ADDITIONAL AND SPECIAL MEETINGS.

During an additional or special meeting, the Council shall take up business in the following order:

(1) Call to order at the time and place set forth in the meeting notice;

(2) Moment of silence;

(3) Determination by the Chairman of the presence of a quorum; and

(4) Such items in the order set forth in the meeting notice.

313. PROCEEDING OUT OF ORDER.

The Chairman, without objection, or upon the vote of a majority of the Councilmembers present and voting, may proceed on any item of business out of order.

C. RULES OF DECORUM.

321. DECORUM OF MEMBERS.

(a) Councilmembers shall refrain from private discourse or other acts tending to distract the attention of the Council from the business before it.

(b) In debate, a Councilmember shall confine remarks to the pending question and avoid use of personalities.

(c) A Councilmember, in referring to another Councilmember, should avoid using the Councilmember's name, rather identifying that member by ward or at-large status, as the Councilmember who last spoke, or by describing the Councilmember in some other manner.

(d) It is not the person but the measure that is the subject of debate, and it is not allowable to question or impugn the motives of a Councilmember, but the nature or consequences of a measure may be condemned in strong terms.

322. DECORUM OF MEMBERS OF THE PUBLIC.

(a)(1) No person may commit any act tending to distract the attention of the Council from the business before it.

(2) No person may engage in loud, threatening, or abusive language, or disruptive conduct in the John A. Wilson Building with the intent and effect of impeding or disrupting the orderly conduct of business in the building.

(b) The Chairman shall maintain order during a meeting. If the Chairman determines that the removal of a person other than a Councilmember is necessary to maintain order, after warning the person, the Chairman may order the removal of the person.

(c) Unless permitted by the Chairman, no person may enter the area designated as the well or the dais of the Chamber during an official meeting of the Council.

(d)(1) No signs, placards, posters, or attention-seeking devices of any kind or nature shall be carried or placed within the Council hearing or meeting rooms or

Chamber. No demonstrations are permitted in the Chamber or any area in which a Council proceeding or a public hearing is being conducted.

(2) This prohibition shall not apply to armbands, emblems, badges, or other articles worn on the personal clothing of individuals; provided, that such armbands, badges or emblems are of such a size and nature as not to interfere with the vision or hearing of other persons at a meeting nor extend from the body as may cause injury to another.

(3) Any person who violates the provisions of this subsection, relating to signs, or who willfully interrupts or disturbs Council proceedings, after a warning to desist, may be removed from the premises.

(4) Models, photographs, maps, charts, drawings, and other such demonstrative materials intended for use in a presentation by a specific person in testimony before the Council shall be permitted without objection.

(e) No person, except a Councilmember or staff, shall be allowed in the anterooms of the Chamber during the course of any hearing or other proceeding of the Council or any committee of the Council, except upon invitation of the Chairman or the chairman of the committee holding the public hearing.

D. RULES OF DEBATE.

331. OBTAINING THE FLOOR.

A Councilmember who wishes to speak, give notice, make a motion, submit a report, or obtain the floor for any other purpose, shall address and be recognized by the Chairman before addressing the Council.

332. TIME LIMITS FOR DEBATE.

(a) No Councilmember may be recognized more than once to debate or make a motion relating to a pending matter until all Councilmembers who wish to speak have been recognized.

(b) A Councilmember may speak no more than 3 minutes during the first round of debate on a pending matter, and no more than 2 minutes during a subsequent round.

(c) A Councilmember may yield all or part of his or her time provided by this section to another Councilmember.

(d) The Chairman may in his or her discretion modify time limitations with respect to specific matters scheduled for debate.

333. PERSONAL PRIVILEGE.

Any Councilmember, as a matter of personal privilege, may speak no more than 10 minutes under new business concerning a matter outside of a legislative meeting that may affect the Council collectively, its rights, its dignity, or the integrity of its proceedings, or the rights, reputation, or conduct of its individual members in their representative capacities only.

334. POINTS OF ORDER.

A point of order is not debatable unless the Chairman permits debate. If the Chairman permits debate on a point of order, the Chairman may limit debate.

335. APPEAL.

An appeal may be taken from any decision of the Chairman. A Councilmember shall state the basis for appealing a decision, to which the Chairman may respond. An appeal is not debatable and shall be acted upon immediately. A majority or tie vote of the members present and voting on the question (whether the decision of the Chairman shall be sustained) sustains the decision.

336. [RESERVED.]

337. RECOGNITION OF NON-MEMBERS.

The Chairman may recognize a person who is not a Councilmember if the participation of the person would, in the judgment of the Chairman, enhance the understanding of the matter under consideration by the Council. Recognition of a non-Councilmember during a legislative meeting shall be limited to situations in which emergency action by the Council is under consideration.

338. PRESENTATION OF CEREMONIAL RESOLUTIONS.

(a) A ceremonial resolution that has been adopted by the Council may be presented from the well of the Chamber during a legislative meeting by the Councilmember who introduced the resolution, or another Councilmember designated by the Councilmember who introduced the resolution.

(b) During a Council Period, no Councilmember may present more than 8 ceremonial resolutions, except that a Councilmember may yield his or her right to present a ceremonial resolution under this section to another Councilmember.

(c) No Councilmember may speak for more than 2 minutes on each ceremonial resolution.

(d) No recipient of a ceremonial resolution may present a display or performance during a legislative meeting.

(e) No more than one recipient for each ceremonial resolution shall be permitted to speak during a legislative meeting.

(f) By unanimous consent, ceremonial resolutions may be presented at a Committee of the Whole meeting immediately before a legislative meeting.

339. EXPEDITED OPTIONAL PROCEDURE FOR REPROGRAMMINGS, REVENUE BONDS, AND REVIEW RESOLUTIONS.

(a) This section shall apply to a resolution regarding a reprogramming request, revenue bonds, rules, regulations, confirmation resolutions, and other actions that:

(1) Are proposed for promulgation or adoption by the Mayor or an independent agency;

(2) Are required by law to be approved, disapproved, or reviewed by the Council before taking effect; and

(3) Take effect after a set period of time by operation of law.

(b) A resolution covered by this section may, at the option of the committee chairperson, be placed on the non-consent agenda of the next regular legislative meeting following approval by a committee, without referral to the Committee of the Whole.

(c) If the committee report for a measure is not filed before noon on the third business day before the legislative meeting, a resolution may not be placed on the legislative agenda pursuant to this section.

(d) If a reported resolution is considered at a legislative meeting under this section, the legal sufficiency, technical compliance with the drafting rules of the Council, completion of the record of the reported resolution, and the sufficiency of the fiscal-impact statement, shall be reviewed at the legislative meeting at which it is considered.

E. MOTIONS.

341. MOTIONS RECOGNIZED DURING DEBATE.

When a question is under debate, the Chairman may entertain only the following motions, which shall take precedence in the order listed:

(1) To adjourn;

(2) To recess;

(3) To reconsider;

(4) To lay on the table;

(5) To move the previous question;

(6) To close debate;

(7) To postpone to a day certain;

(8) To recommit to committee;

(9) To amend or substitute; or

(10) To postpone indefinitely.

342. WITHDRAWAL OR MODIFICATION OF MOTIONS.

Any motion may be withdrawn or modified by the mover at any time before it has been amended or voted on.

343. ADJOURN.

The Chairman shall adjourn a meeting when there is no more business before the Council. A Councilmember may move to adjourn at any time. A motion to adjourn is not debatable, but the Chairman may inform the Councilmembers of any unfinished business requiring attention of the Council.

344. RECESS.

(a) The Chairman may, without a vote, recess a regular or legislative meeting of the Council to another time, day, or place.

(b)(1) A Councilmember may move to recess a meeting.

(2) A Councilmember may move to amend a pending motion to recess to set a different length of the recess.

(3) If a motion to recess does not specify the time, day, or place at which the meeting will reconvene, the Chairman may set a time, day, or place, or call the meeting to order and summons the members in accordance with section 367.

(4) Neither a motion to recess nor a motion to amend a pending motion to recess is debatable.

(c)(1) A Councilmember may move to recess a hearing or roundtable and reconvene the hearing or roundtable at a future time, day, or place.

(2) A recess may be taken under this subsection without a vote.

(3) If the Council recesses a hearing or roundtable without specifying the future time, day, or place for the hearing or roundtable, the Chairman must circulate notice of the new time, day, or place in accordance with section 283.

345. RECONSIDER.

(a) A Councilmember recorded as having voted with the prevailing side on a question may move to reconsider the question at any time, except as limited by this section.

(b)(1) An act may be reconsidered before it has been approved, deemed approved, or vetoed by the Mayor.

(2) A resolution may be reconsidered at any time before its implementation.

(3) A committee may reconsider its vote to report a measure at any time before the Council votes on the measure.

(4) A motion to reconsider a question considered at a different meeting shall not be in order unless the motion to reconsider has been noticed in accordance with section 429.

(c) For the purpose of this rule, a Councilmember who was present and voting on a question decided by a voice vote will be considered as having voted with the prevailing side on the question, unless the Councilmember had asked to be recorded as voting against the prevailing side or "PRESENT".

(d) A motion to reconsider cannot be made by a Councilmember who was absent during a voice or roll-call vote on a question.

(e) A motion to reconsider requires the approval of a majority of the Councilmembers present and voting.

(f)(1) If the question to which a motion to reconsider applies is debatable, the motion to reconsider is debatable and the debate may go to the question.

(2) If the question to which a motion to reconsider applies is not debatable, the motion to reconsider is not debatable.

(g) If a motion to reconsider fails, the motion cannot be repeated.

(h) A motion to reconsider is not required to consider amendments accepted or rejected on a previous reading of a measure.

(i) Votes to approve or amend these Rules may not be reconsidered pursuant to this section.

346. LAY ON THE TABLE AND TO POSTPONE.

(a)(1) A Councilmember may make an unqualified motion to lay a question on the table, which is not debatable and, if adopted by a majority of Councilmembers present and voting, shall immediately end debate on the question.

(2) If an amendment to a measure is pending before the Council, a Councilmember may make a motion to lay the amendment on the table, which is not debatable and, if adopted by a majority of Councilmembers present and voting, shall immediately end debate on the amendment.

(b) A Councilmember may move to postpone a question to a time certain, which shall be adopted by a majority of Councilmembers present and voting. A motion to postpone to a time certain is debatable, though it is not in order to debate the merits of the underlying question.

(c) A Councilmember may move to postpone indefinitely any question pending before the Council. A motion to postpone indefinitely is debatable, and it is in order to debate the merits of the underlying question. Upon adoption of a motion to postpone indefinitely, the question may not be reconsidered unless 2/3rds of Councilmembers present and voting agree to reconsider the question.

(d) A committee chairperson may, without objection, carry over a measure reported by that committee from Council consideration until the next regular legislative meeting. If a measure has been sequentially referred, the committee chairperson of the last-reporting committee may carry over a measure under this subsection.

347. MOTIONS TO LIMIT DEBATE.

(a) Debate may be limited by a motion to close debate or a motion to move the previous question. Neither a motion to close debate nor a motion to move the previous question is debatable.

(b) A Councilmember may move to close debate, which shall require approval of 2/3rds of the Councilmembers present and voting. If a motion to close debate carries, no further debate is in order, except that:

(1) each Councilmember who has not spoken on the pending question may speak for no more than 2 minutes; and

(2) the Chairman may recognize the maker of the pending motion.

(c) A Councilmember may make a motion to move the previous question, which shall require approval of 2/3rds of the Councilmembers present and voting. If a motion to move the previous question carries, no further debate is in order on the pending question, and no further amendments to the main motion are in order absent a motion to reconsider the motion to move the previous question.

348. RECOMMIT

A member may move to recommit a measure pending before the Council to a standing committee. If a majority of Councilmembers present and voting approve a motion to recommit, the Chairman shall refer to the measure to a standing committee or committees in accordance with section 405(b). A motion to recommit is debatable, though debate shall be limited to the desirability of committing the measure to the committee. Debate on the merits of the measure is not in order while a motion to recommit is pending.

F. AMENDMENTS.

351. AMENDMENTS TO BE WRITTEN.

(a) Councilmembers shall endeavor to file with the Secretary amendments to pending measures by noon on the business day before the legislative meeting at which they are to be moved.

(b) If a Councilmember has filed an amendment with the Secretary before the legislative meeting in accordance with subsection (a) of this section, the Secretary shall provide a copy for each Councilmember before the legislative meeting begins. When the measure is to be considered, the Chairman shall recognize the Councilmember for a motion to amend.

(c)(1) If a Councilmember has not filed an amendment with the Secretary in accordance with subsection (a) of this section, the Councilmember shall circulate one copy for each Councilmember and 7 additional copies at the legislative meeting.

(2) A Councilmember shall file an amendment in accordance with subsections (a) and (b) of section 282 within 24 hours of the legislative meeting at which the amendment was offered if the amendment was not previously filed in accordance with subsection (a) of this section.

(d) Before a vote on a measure, oral amendments shall be reduced to writing and read by the General Counsel, and made available for public inspection as soon as practicable.

(e) No amendment may be approved by the Council without a fiscal impact statement presented to the Council, at the time of its consideration, provided that the Chairman may waive these requirements if the Chairman concurs with the Budget Director that there is no adverse fiscal impact.

(f) No amendment to a measure on final reading, including an emergency measure, may be approved by the Council without a legal-sufficiency determination presented to the Council, at the time of its consideration, provided that the Chairman may waive these requirements if the Chairman concurs with the General Counsel that the amendment is legally sufficient.

352. NON-GERMANE AMENDMENTS.

Every amendment proposed to an emergency or temporary measure must be germane to the subject matter of the measure to be amended. A non-germane amendment to a bill requires 2 readings and must be approved by 2/3rds of the members present and voting. To be germane, the amendment is required only to relate to the same subject. It may entirely change the effect of or be in conflict with the spirit of the original motion or measure and still be germane to the subject.

353. FRIENDLY AMENDMENTS.

Without objection, the mover of a motion or a measure may accept a friendly amendment, which, if accepted, shall be voted on simultaneously with the motion or measure. A friendly amendment to a second-degree amendment is not considered a third-degree amendment.

354. AMENDMENT IN THE NATURE OF A SUBSTITUTE.

(a) A notice of intent to move an amendment in the nature of a substitute to a measure at a legislative meeting shall be filed with the Secretary and circulated by noon on the business day before the legislative meeting. The notice shall be accompanied by the proposed amendment in the nature of a substitute.

(b) Whenever an amendment in the nature of a substitute is moved, it shall reflect all substantive changes from the prior version of the legislation (committee print or engrossment) by using strikeovers on the language that is proposed to be deleted from the prior version and an underscore on all new language that is proposed to be added by the amendment in the nature of a substitute.

(c) The mover of an amendment in the nature of a substitute may have a separate amendment considered simultaneously with the amendment in the nature of a substitute.

G. OTHER MOTIONS.

355. DISCHARGE.

The Council may, by a vote of 2/3rds of the members present and voting, discharge a committee from further consideration of a measure that has been referred to the committee. Upon approval of the discharge motion, the Council shall consider the measure as if it had been reported from the committee without amendment or modification or re-refer the measure to another committee.

356. TAKE FROM THE TABLE.

(a) When no question is pending before the Council, a Councilmember may move to take from the table any measure previously tabled during the legislative meeting.

(b) When a measure is pending before the Council, a Councilmember may move to take from the table any amendment to the measure that was previously tabled.

(c) Provided that a Councilmember provided the notice required by section 429(2), the Councilmember may move to take from the table any measure previously tabled.

(d) A motion to take from the table is not debatable and shall be adopted by a majority vote of Councilmembers present and voting.

(e)(1) Upon adoption of a motion to take a question from the table, the question shall be before the Council in the same status as it was when the Council tabled the question.

(2) If the motion to take a question from the table does not occur during the legislative meeting at which the question was tabled, each Councilmember shall be entitled to debate the question as if the last motion adhering to the question was just made.

H. VOTING.

361. FORM OF VOTE.

Voting shall be in the form of "YES", "NO", and "PRESENT". A vote of "PRESENT" shall be deemed the equivalent of an abstention or a non-vote.

362. VOICE VOTES.

Except as provided in section 363, votes on all questions shall be by voice, with the results determined by the Chairman. A Councilmember's vote upon any matter shall be recorded upon request.

363. DEMAND FOR ROLL-CALL VOTE.

Any member, in advance of a vote or immediately thereafter, may demand a roll-call vote.

364. CALLING THE ROLL.

When a roll-call vote is demanded, the Secretary shall call the roll of the Councilmembers in rotating alphabetical order so that the Councilmember whose name is called first is the same member whose name was called second on the next previous vote, and so on through the roll, so that the Councilmember whose name is called last is the same Councilmember whose name was called first on the next previous vote. At the end of the roll call, the names of those who failed to answer can be called again, or the Chairman can ask if anyone entered the room after the Councilmember's name was called. Changes of vote are also permitted at this time, before the result is announced. No Councilmember may vote "pass" more than once on the same amendment or the bill in its entirety. A second vote of "pass" shall be considered a vote of "present."

365. RECORDS OF VOTES.

(a) When a vote on legislation is by voice vote, the Secretary will record all members present as voting "yes" unless there has been a request to be recorded as having voted "no", a member votes "present", or a member has recused himself or herself from voting.

(b) When a roll-call vote is demanded, the Secretary will record the names of those voting "YES", "NO", or "PRESENT". Members will be recorded as absent if they are not in the Chamber when a vote is taken. Voting records are official records of the Council.

(c) After the Chairman has announced the result of a vote, a Councilmember may not change his or her vote.

366. PROXY VOTING PROHIBITED.

No proxy shall be permitted either for the purpose of voting or for the purpose of obtaining a quorum.

367. SUMMONS OF MEMBERS.

(a) Before putting a question to vote, the Chairman may hold open the vote for no more than 2 minutes for the purpose of summoning members who are absent. During that time, the Secretary shall summon the members who are absent from the Chamber. At the Chairman's direction, the Secretary shall call the names of the absent members.

(b) No Councilmember may be summoned more than once at the same legislative meeting.

I. OPEN MEETINGS.

371. OPEN MEETINGS, GENERALLY.

(a) Except as provided in section 375, a meeting of the Council shall be open to the public.

(b) For purposes of this part, a "meeting of the Council" means a gathering of a quorum of the Council for purposes of discussing Council business, whether informal or formal. A meeting of the Council does not include chance meetings, social gatherings, or press conferences. For purposes of these rules, a meeting of the Council does not apply to a gathering of a quorum for a committee.

372. MEETINGS OF COUNCIL DEEMED OPEN.

A meeting of the Council is deemed open if the:

(1) Public is permitted to be physically present;

(2) News media is permitted to be physically present; or

(3) Meeting is televised.

373. NOTICE OF MEETINGS.

(a) Before a meeting of the Council is held, whether open or closed, at least one Councilmember attending the meeting shall notify the Secretary at least 48 hours before the meeting, unless emergency circumstances require less notice.

(b) Notice provided pursuant to this section shall be posted by the Secretary in plain view, the relevant Council office, or on the website of the Council.

(c) A notice for a meeting of the Council provided pursuant to this section shall include the:

(1) Date;

(2) Time;

(3) Location; and

(4) Planned agenda, if applicable, for the meeting.

(d) If a meeting of the Council, or any portion of the meeting, is expected to be closed, the notice shall include, if feasible, a statement of the intent to close the meeting, including the reasons for the closure.

374. RECORD OF MEETINGS.

(a) Except as provided in subsection (e) of this section, all meetings, whether open or closed, shall be recorded electronically. In accordance with section 808, the electronic recording shall be produced and maintained by the Secretary; provided, that if a recording is not possible, detailed minutes of the meetings shall be kept by the Secretary.

(b) Copies of the records shall be provided to the public or any requester at his or her expense.

(c) A copy of the minutes shall be made available to the public or requester no more than 3 business days after the meeting.

(d) A copy of the full record, including any recording or transcript, shall be made available no later than 7 business days after the meeting.

(e) This section shall not apply to administrative meetings, breakfast meetings, open discussions, or other gathering of the Council when no official action is expected to take place; provided, that no official action may be taken at such meetings.

375. EXCEPTIONS TO OPEN MEETINGS.

A meeting of the Council may be closed for the following reasons:

(1) A law or court order requires that a particular matter or proceeding not be public;

(2) To discuss, establish, or instruct a public body's staff or negotiating agents concerning the position to be taken in negotiating the price and other material terms of a contract, including an employment contract, if an open meeting would adversely affect the bargaining position or negotiating strategy of the public body;

(3) To discuss, establish, or instruct a public body's staff or negotiating agents concerning the position to be taken in negotiating incentives relating to the location or expansion of industries or other businesses or business activities in the District;

(4)(A) To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements; provided, that, upon request, the public body may decide to waive the privilege.

(B) Nothing herein shall be construed to permit a public body to close a meeting that would otherwise be open merely because the attorney for the public body is a participant;

(5) Planning, discussing, or conducting specific collective-bargaining negotiations;

(6) Preparation, administration, or grading of scholastic, licensing, or qualifying examinations;

(7) To prevent premature disclosure of an honorary degree, scholarship, prize, or similar award;

(8) To discuss and take action regarding specific methods and procedures to protect the public from existing or potential terrorist activity or substantial dangers to public health and safety, and to receive briefings by staff

members, legal counsel, law-enforcement officials, or emergency-service officials concerning these methods and procedures; provided, that disclosure would endanger the public and a record of the closed session is made public if and when the public would not be endangered by that disclosure;

(9) To discuss disciplinary matters;

(10) To discuss the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials, including Councilmembers and staff;

(11) To discuss trade secrets and commercial or financial information obtained from outside the government, to the extent that disclosure would result in substantial harm to the competitive position of the person from whom the information was obtained;

(12) To train and develop members of a public body, including the Council and staff;

(13) To deliberate upon a decision in an adjudication action or proceeding by a public body exercising quasi-judicial functions; and

(14) To plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations, if disclosure to the public would harm the investigation.

ARTICLE IV—LEGISLATION.

A. INTRODUCTION OF LEGISLATION.

401. WHO MAY INTRODUCE.

(a)(1) Only a Councilmember may introduce legislation for consideration by the Council.

(2) At the time a measure is filed with the Secretary, in accordance with section 282, the measure shall be placed on the Council "v" drive or intranet portal.

(b)(1) Proposed legislation transmitted to the Council by the Mayor or an independent agency submitted in appropriate form and in compliance with these Rules shall be introduced by the Chairman, at the request of the Mayor or an independent agency.

(2) Unless proposed legislation by the Mayor or an independent agency has been filed with the Secretary by the second business day before a meeting of the Council, the proposed legislation may not be introduced or considered at the meeting.

(3) Proposed legislation from the Mayor or an independent agency shall be transmitted to the Council by hard copy, email, or any other medium as determined by the Secretary. All confirmation resolutions submitted to the Council by the Mayor shall include a copy of the current resume of the nominee. The Secretary shall place a copy of the proposed legislation on the Council "v" drive or intranet portal.

(4) Legislation transmitted under this subsection shall be filed with the Secretary during normal business hours, as defined by section 101(25).

(5) The Secretary shall determine whether the proposed legislation is in appropriate form and may return any proposed legislation that is not in appropriate form to the Mayor or the independent agency.

402. MANNER OF INTRODUCTION.

(a) A Councilmember may introduce a measure either by:

(1) Reading the short title of the measure, except a ceremonial resolution, during the period of a legislative meeting or a work session of the Committee of the Whole designated for introductions and immediately providing the Secretary the signed original of the bill or resolution; or

(2) Filing the signed original of the measure with the Secretary during normal business hours.

(b) Unless a law specifically provides otherwise, no matter transmitted for a period of Council review before taking effect shall be deemed transmitted to the

Council or the Chairman, and no time period for Council review shall begin to run until the matter has been formally introduced by the Chairman pursuant to subsection (a)(1) of this section.

(c) Whenever a measure would require the Secretary to transmit its text or anything associated with the text to a person, the Councilmember who introduced the measure shall provide the Secretary with the last-known address of the recipient.

(d) Proposed legislation transmitted for introduction by the Mayor or an independent agency shall be addressed to the Chairman and filed with the Secretary. The Secretary shall circulate the measure in accordance with these rules.

403. INTRODUCTION OF EMERGENCY LEGISLATION.

Emergency legislation, emergency declaration resolutions, and temporary legislation may be introduced as provided in sections 401 and 402, or may be introduced at a meeting called to consider the emergency legislation and temporary legislation.

404. READING INTRODUCTIONS.

(a) At each legislative meeting and work session of the Committee of the Whole, during the period designated for introductions, the Secretary shall read the short titles of measures that were introduced pursuant to section 402(a)(2) between the previous reporting period and 10 a.m. of the business day before the legislative meeting or Committee of the Whole work session, and provide the numbers assigned as provided in section 805 and the committee referrals as provided in section 405.

(b) Measures may not be debated or amended when they are read for introduction.

(c) The formal reading of the Secretary's report as provided in subsection (a) of this section may be waived by unanimous consent.

(d) A Councilmember may raise questions regarding a committee referral included in the Secretary's report without a formal reading of the entire Secretary's report.

(e) A Councilmember may introduce no more than 3 measures at a legislative meeting or Committee of the Whole work session.

(f) A Councilmember may speak for no more than 3 minutes on each measure introduced.

(g) Only one Councilmember may speak on each introduced measure; provided, that a Councilmember may yield all or a part of the Councilmember's time provided by this section to another Councilmember.

405. COMMITTEE REFERRAL.

(a)(1) When a measure is introduced before a legislative meeting or Committee of the Whole work session, the Chairman may refer it to the appropriate committee or committees, taking into account standards of germaneness, unless the Council retains the measure. The referral is official unless the Chairman provisionally refers the bill to a committee or committees.

(2) If the Chairman provisionally refers the bill to a committee or committees, the referral shall be deemed official after 3 business days. If the Chairman refers the measure to another committee within the 3-business-day period or any time thereafter, the referral shall not become official until the next regular legislative meeting or Committee of the Whole work session. The Chairman may refer a bill or proposed resolution for comments at any time.

(b) When a bill is introduced by filing it with the Secretary, rather than introducing it at a meeting pursuant to subsection (a) of this section, the Chairman shall refer it to the appropriate committee or committees. Such referral is not official until it is read at a meeting pursuant to section 404.

(c)(1) The Chairman may refer a measure to 2 or more committees for sequential consideration of all or part of the measure, and may refer all or part of the measure to one or more committees for comments.

(2) When there is a sequential referral, the Chairman may make the referral and specify a time period within which one or more of the committees must report the measure. If a committee fails to file a report within the specified time period, the measure shall be deemed discharged from the committee and the Secretary shall provide notice that the measure is ready for subsequent action by another committee or to be agendized for Council consideration.

(c) The Chairman may re-refer a bill or resolution from one committee to another committee and the new referral shall become official at the next legislative meeting or Committee of the Whole work session.

(d) A committee may not consider a measure unless the Chairman has made an official referral.

406. COMMENTS BY EXECUTIVE.

The Executive may comment on any measure. Unless otherwise required by law, neither the Council nor a committee must wait for Executive comments before considering a measure.

407. WITHDRAWAL OF LEGISLATION.

(a) Whenever a rule, regulation, or resolution is proposed for promulgation by an entity other than the Council and is required by law to be approved, disapproved, or reviewed by the Council before its taking effect and would take effect automatically by operation of law, the proposal may be withdrawn formally by the proposer before final Council action or, if the Council takes no action, before any time limit imposed by law. The withdrawal shall render the original proposal a nullity as if it were never proposed. These proposed rules, regulations, and resolutions may be withdrawn only by written request transmitted to the Chairman.

(b) A Councilmember may withdraw any measure before any action has been taken by the committee to which the measure has been referred (i.e., hearing, markup, or vote). A withdrawal shall be filed with the Secretary. A withdrawal shall render the original measure a nullity, as if it were never introduced. If a measure has been introduced by more than one Councilmember, all co-introducers must consent to withdrawal under this subsection.

(c) Notwithstanding subsection (a) of this section, if a Councilmember withdraws a resolution approving or disapproving a contract or reprogramming after the date the contract or reprogramming would otherwise have been deemed approved, the measure shall be deemed approved on the date the resolution is withdrawn, unless it has been deemed approved before that time by operation of law.

B. COUNCIL APPROVAL.

411. CONSENT AGENDA.

(a)(1) The Chairman shall prepare a consent agenda for each legislative meeting that shall include measures that the Chairman believes will be adopted by unanimous vote. The consent agenda shall be approved by the Committee of the Whole at a work session before the legislative meeting for which the agenda was prepared. Without objection, a Councilmember may amend the committee print of a measure without removing the bill or resolution from the consent agenda, if the amendment is filed with the Secretary at or before the Committee of the Whole meeting and circulated to the Councilmembers at the Committee of the Whole meeting.

(2) A Councilmember may remove a measure from the consent agenda at the Committee of the Whole meeting or at the legislative meeting before the vote on the consent agenda.

(3) Measures removed from the consent agenda shall be considered as provided in section 311, except that the Chairman may first consider items removed from the consent agenda.

(4) Before the vote on the consent agenda at a legislative meeting, and without objection from any other Councilmember, a Councilmember may request that a measure on the non-consent agenda be moved to the consent agenda.

(5) Approval of the consent agenda during a legislative meeting will include the unanimous approval of all matters included in the consent agenda. If a Councilmember asks for his or her vote to be recorded on a particular measure, the measure shall be removed from the consent agenda.

(b) A resolution declaring the existence of an emergency and accompanying emergency bill submitted by the Mayor or an independent agency pursuant to section 307(b) shall be included in the consent agenda prepared by the Chairman for the first regularly scheduled legislative meeting that occurs more than 5 business days after the resolution declaring the existence of an emergency and accompanying emergency bill have been filed with the Secretary.

412. EMERGENCY LEGISLATION.

(a)(1) When a Councilmember proposes a measure to be passed immediately due to emergency circumstances, the Council may debate the question of the existence of an emergency and then shall vote on whether emergency circumstances exist.

(2) A Councilmember may debate the merits of a measure to determine whether emergency circumstances exist.

(3) If 2/3rds of the Councilmembers find that emergency circumstances exist, the Council shall consider the measure on its merits.

(b) For the purposes of this section, an "emergency" means a situation that adversely affects the health, safety, welfare, or economic well-being of a person for which legislative relief is deemed appropriate and necessary by the Council, and for which adherence to the ordinary legislative process would result in delay that would adversely affect the person whom the legislation is intended to protect.

(c) Emergency legislation shall take effect, according to its terms, either immediately or at a specific time. Pursuant to section 412(a) of the Charter (D.C. Official Code § 1-204.12(a)), emergency legislation shall be effective law for no more than 90 days.

(d) No emergency measure may be approved by the Council without a legal sufficiency determination presented to the Council at the time of its consideration; provided, that the Chairman may waive these requirements if the Chairman concurs with the General Counsel that the amendment is legally sufficient.

(e) The Chairman may rule out of order an emergency measure that is subject to inclusion in an approved budget and financial plan.

413. TEMPORARY LEGISLATION.

If the Council approves an emergency bill under section 412, the Council may, at the same legislative meeting, consider a temporary bill on first reading without committee referral. The temporary bill must be substantially similar to the emergency bill and may remain effective for no more than 225 days.

414. TECHNICAL-AMENDMENT LEGISLATION.

(a) On an occasional basis, the General Counsel shall prepare a technical-amendment bill for introduction by the Chairman.

(b) Notwithstanding section 501(a), no hearing is required before final adoption of a technical-amendment bill prepared in accordance with this section.

(c) A technical-amendment bill shall contain only amendments to existing law and no amendment included in the technical-amendment bill may make substantive changes to the existing law. Any amendment to the technical-amendment bill must be certified as technical by the General Counsel.

(d) An amendment to a technical-amendment bill that has not been certified as technical by the General Counsel shall be out of order for Council consideration.

415. ENACTMENT LEGISLATION.

(a) On an occasional basis, the General Counsel shall prepare an enactment bill for introduction by the Chairman.

(b) Notwithstanding section 501(a), no hearing is required before final adoption of an enactment bill prepared in accordance with this section.

(c) An enactment bill shall present, for each title of the District of Columbia Official Code proposed to be enacted into positive law, a compilation, restatement, and revision of the general and permanent laws of the District of Columbia that conforms to the understood policy, intent, and purpose of the Council or Congress in the original enactments, with such amendments and corrections as to remove ambiguity, contradictions, and other imperfections, both of substance and of form.

(d) An amendment to an enactment bill that has not been proposed by the General Counsel as an amendment consistent with subsection (c) of this section shall be out of order for Council consideration.

416. VETOED LEGISLATION.

(a) Whenever the Mayor disapproves and returns an act pursuant to section 404(e) of the Charter (D.C. Official Code § 1-204.04(e)), the disapproved act shall be the property of the full Council. The Chairman may solicit comments or recommendations on the disapproved act from a committee or committees. A Councilmember may move for the Council to reenact the disapproved act before the end of the 30-day review period provided in section 404(e) of the Charter. If 2/3rds of the Councilmembers present and voting vote to reenact the act, the act shall become law subject to the provisions of section 602(c) of the Home Rule Act (D.C. Official Code § 1-206.02(c)).

(b) Whenever the Mayor disapproves and returns any item or provision of a budget act pursuant to section 404(f) of the Charter (D.C. Official Code § 1-204.04(f)), the act containing the disapproved item or provision shall be the property of the full Council. The Chairman may solicit comments or recommendations on the disapproved item or provision from a committee or committees. A Councilmember may move for the Council to reenact any disapproved item or provision of the budget act before the end of the 30-day review period provided in section 404(f) of the Charter. If 2/3rds of the Councilmembers present and voting vote to reenact any item or provision of the budget act, the item or provision so reenacted shall be transmitted by the Chairman to the President of the United States.

417. TRANSMISSION OF ACTS.

The Chairman shall transmit adopted acts to the Mayor and enacted acts to the United States Senate and the United States House of Representatives as required by the Charter.

418. EFFECT OF END OF COUNCIL PERIOD.

(a)(1) A measure that has not been finally adopted by the Council before the end of the Council Period in which the measure was introduced lapses without prejudice to the measure's reintroduction in a subsequent Council Period.

(2) If temporary legislation has been passed on first reading pursuant to section 413 at the last legislative meeting in a Council Period, it may be considered on final reading during the next Council Period.

(3) Except as provided in paragraph (4) of this subsection, a matter transmitted by the Mayor or an independent agency for a designated period of Council review that is pending at the end of a Council period shall be in the same status that the matter was at the end of the prior Council period and the legislation assigned a new number. If notice required by these Rules has been given in the prior Council period, no additional notice shall be required before action on the matter.

(4) Except for confirmation resolutions that are pending as of January 2, 2015, confirmation resolutions shall lapse without prejudice to the resolution's reintroduction in a subsequent Council Period.

(b) Legislation that has been finally adopted by the Council during a Council Period shall not lapse simply because any of the following occurs:

(1) Approval or veto by the Mayor;

(2) Approval by operation of law;

(3) Reenactment after a veto;

(4) Submission to referendum; or

(5) Transmittal to Congress.

(c) Records of measures that lapsed at the end of a Council Period may be incorporated by reference in the records of substantially similar measures considered in a later Council Period, including the record of any hearing or roundtable that was held in a prior Council Period.

C. NOTICE AND PUBLICATION OF INTENDED ACTIONS.

421. GENERAL NOTICE BY PUBLICATION OF INTENDED ACTIONS AND HEARINGS.

(a)(1) Except as provided in these Rules, 15 days' notice by publication in the Register is required before Council adoption of a measure.

(2) Abbreviated notice under this subsection may be given upon good cause found and published in the Register with the notice.

(b) Except as provided in these Rules, 15 days' notice by publication in the Register or abbreviated notice published in the Register is required before the conduct of a hearing.

(c) Abbreviated notice under subsection (b) of this section may be given:

(1) For a hearing on a permanent bill for the purpose of rescheduling the hearing when the hearing was previously noticed in the Register.

(2) For a hearing on a resolution, when a hearing is required, upon good cause found and published in the Register with the notice, and when the abbreviated notice provides at least 3 business days' notice; or

(3) For an oversight or investigative hearing, when such notice is posted on the Council website.

(d) No prior notice by publication is required for the adoption of a ceremonial resolution, an emergency bill or resolution, an emergency-declaration resolution, or a resolution adopting Council Rules, appointing Council officers and committee chairpersons and members, or pertaining to the internal operation or organization of the Council.

422. PERSONAL SERVICE OR ACTUAL NOTICE.

Notice by publication is not required if all persons subject to an intended action are named, and in accordance with law, either are served personally or have actual notice of the Council's intended action.

423. METHODS OF NOTICE.

(a) When not otherwise required by these Rules or other provisions of law to be done in specific fashion, notice may be given by:

(1) Publication in the Register;

(2) Publication in one or more newspapers of general circulation;

(3) Mailing notices to a mailing list of organizations and individuals established and maintained by the Secretary;

(4) Use of other news media;

(5) Posting notice in a prominent place in the John A. Wilson Building and other public buildings or posting places;

(6) Facsimile;

(7) E-mail;

(8) Posting on the Council's official website; or

(9) In any other manner directed by the Council.

(b) When notice to the public is required under these Rules, by law, or otherwise, the Secretary shall post the notices on the Council website.

424. NOTICE OF EMERGENCY ACTIONS.

(a) When an emergency measure is to be considered, a notice that includes a statement of the reasons for the emergency and the intended effect of the emergency measure shall be filed, and a draft of the emergency measure and emergency-declaration resolution shall be circulated, by noon on the third business day before the legislative meeting at which the emergency measure is to be considered, unless the nature of the emergency precludes such notice. If the nature of the emergency precludes the notice, the sponsor of the legislation shall circulate and file the measure with the Secretary and take steps to ensure that Councilmembers have notice at the earliest possible time before the meeting at which the emergency measure is to be considered.

(b) Notwithstanding the provisions of subsection (a) of this section, public notice of intended emergency action shall be given before adoption of an emergency bill or resolution by at least one method provided in section 423.

425. NOTICE OF TEMPORARY LEGISLATION.

(a) Each temporary bill adopted pursuant to section 413, shall be circulated and filed with the accompanying emergency measure in accordance with section 424. Following approval on first reading, the Secretary shall publish a notice of intent to adopt the temporary bill on second reading in the Register.

(b) When temporary legislation is to be considered under section 413, the notice of emergency action under section 424 shall include notice of the temporary legislation.

426. NOTICE OF WAIVER OF SECTION 231(C).

(a) A notice of a request to waive section 231(c) shall be filed and circulated no later than noon on the third business day before the legislative meeting at which a measure is to be considered. The notice shall include a rationale for the request.

(b) If the committee report for a measure is not filed before noon on the third business day before the legislative meeting, a motion to waive 231(c) may not be placed on the legislative agenda.

(c) Before approval of a motion to waive section 231(c), a certification shall be made of a measure's legal sufficiency and technical compliance with the drafting rules of the Council; the economic analysis; the completion of the record; and a determination made of the sufficiency of the fiscal-impact statement.

(d) Approval of a motion to waive section 231(c) shall require a vote of 2/3rds of the members present and voting.

(e) A motion to waive section 231(c) is not in order if the legislation includes amendments made by one or more committees that are beyond the jurisdiction of the committee or committees.

427. NOTICE OF CEREMONIAL RESOLUTIONS.

Each ceremonial resolution shall be filed by noon on the business day before the legislative meeting at which it is to be considered. Without objection, ceremonial resolutions scheduled for presentation at a legislative meeting, may be presented at a Committee of the Whole meeting scheduled for the same day.

428. NOTICE AND PUBLICATION OF ADOPTED LEGISLATION.

Each measure adopted by the Council shall be published in the Register. Except as provided in section 204 of the District of Columbia Codification Act of 1975, effective October 8, 1975 (D.C. Law 1-19; D.C. Official Code § 2-602), no measure shall become effective until after its publication. Once notice by publication has been given in accordance with this section, no additional publication is necessary for an act completing Congressional review to become effective law as provided in section 602 of the Home Rule Act (D.C. Official Code § 1-206.02).

429. NOTICE OF NEW BUSINESS.

Except as provided in these Rules, a Councilmember shall file a notice of intent by noon on the third business day before a legislative meeting, to make any of the following motions:

(1) A motion to reconsider a measure that was considered at a prior legislative meeting;

(2) A motion to take from the table a measure that was laid on the table at a prior legislative meeting;

(3) A motion to discharge;

(4) A point of personal privilege; or

(5) Any other motion that brings new business before the Council.

430. NOTICE OF COMMITTEE MEETINGS.

(a) A committee shall file and circulate notice, at least 24 hours before a meeting, of the date, hour, and place of a committee meeting, along with a copy of the agenda and a draft of any measures to be considered at the meeting.

(b) If at least 4 members of the committee agree, in a written record, to a shorter notice, the committee may consider matters not included on the agenda.

(c) A committee shall file and circulate notice, at least 24 hours before a meeting, of the cancellation of a committee meeting.

ARTICLE V—HEARING PROCEDURES.

A. PROCEDURES FOR HEARINGS.

501. AUTHORITY TO CALL HEARINGS.

(a)(1) The Council shall hold a hearing when required by law and may hold a hearing on any matter relating to the affairs of the District. A Council hearing may be called by the Chairman.

(2) A hearing shall be held on all permanent bills before final adoption by the Council. A hearing or roundtable is not required when a hearing on the same or a similar bill was held in the same or immediately preceding Council Period.

(b) A committee of the Council shall hold a hearing when required by law and may hold a hearing on any matter relating to the affairs of the District that is properly within the committee's jurisdiction as provided in these Rules.

(c) Unless a hearing is required by law or regulation, a committee may hold a roundtable on any matter relating to the affairs of the District that is properly within the committee's jurisdiction as provided in these Rules. A roundtable shall comply with the hearing requirements set forth in this Article. A committee is not required to meet the notice requirements of section 421 to hold a roundtable.

(d) A notice of a hearing or a roundtable shall be filed with the Secretary.

502. QUORUM.

One Councilmember, for the Council, or one member of a committee, for the committee, shall constitute a quorum for the purpose of holding a hearing or a roundtable.

503. PARTICIPATION BY MEMBERS.

(a) Each Councilmember may participate in hearings of the Council or of a committee, without regard to whether the Councilmember is a member of the committee conducting the hearing.

(b) Each Councilmember may question witnesses for no more than 10 minutes until after each Councilmember has had an opportunity to question the witnesses.

504. OPEN TO PUBLIC.

(a) All hearings and roundtables shall be open to the public unless, upon good cause shown, a majority of the Council or a committee approves the convening of a hearing in an executive meeting, and as provided in sections 371-375.

(b) Except as provided in subsection (c) of this section, testimony taken and evidence received in a closed hearing or roundtable shall be confidential and may not be released to the public.

(c)(1) Upon good cause shown and after notice as provided in this subsection, a majority of the Council or committee members may approve the release of testimony or evidence received in a closed hearing or roundtable.

(2) Ten days before the release of testimony or evidence under this subsection, the Council or committee must notify, in writing, the affected witness that the Council or committee intends to release the testimony or evidence.

(3) Before the expiration of the 10-day period, the affected witness may request, in writing directed to the presiding Council or committee member, and the Council or committee may consider withholding the testimony or evidence described in the notice.

(d)(1) If a committee, in the publication of notice of a hearing or roundtable, sets a deadline before which a person must contact the committee to be permitted to be a witness at the public hearing, then at the time that the public hearing is held, each person who complied with the committee's requirements shall be given an opportunity to testify.

(2) A person who fails to comply with the requirements of this subsection may not testify unless the presiding member allows the person to testify.

B. RECEIVING TESTIMONY.

511. QUESTIONING WITNESSES.

Witnesses may be questioned by Councilmembers and, with the consent of the presiding member, by authorized staff or counsel.

512. DECORUM OF WITNESSES.

(a) A witness may address a Councilmember only through the presiding member.

(b) A witness shall confine his or her remarks to the question under discussion and shall avoid making negative personal comments.

(c) The presiding member shall maintain order in the hearing or roundtable and, after issuing a warning, may order the removal of a disorderly person as provided in section 322.

C. RIGHTS OF WITNESSES.

521. RIGHT TO COUNSEL.

Any witness who appears before the Council or a committee has the right to be represented by counsel.

522. RIGHT TO MAKE OPENING STATEMENT.

Any witness testifying at a hearing or roundtable may submit an opening statement, which shall be placed in the record of the hearing or roundtable. The

presiding member may permit the witness to read his or her statement at the hearing or roundtable.

D. RECORD OF HEARINGS.

531. HEARING RECORDS, REQUIRED.

(a) Within 10 business days after the close of the record for a hearing or roundtable, a committee chairperson shall file with the Secretary a hearing record, which shall be a complete record of the hearing or roundtable. The hearing record shall contain the following:

(1) A copy of the published notice;

(2) A copy of the witness list;

(3) Copies of written testimony;

(4) Statements or other materials submitted for the record;

(5) Important correspondence with the Mayor, if applicable; and

(6) Other information that the committee chairperson considers necessary.

(b) If new materials are provided to the committee after the close of the record, the committee chairperson may supplement the hearing record.

532. CLOSE OF RECORD.

Unless otherwise provided, the record for a hearing or roundtable shall close 10 business days after the hearing or roundtable.

ARTICLE VI—INVESTIGATIONS AND SUBPOENAS.

A. PROCEDURES FOR INVESTIGATIONS USING SUBPOENAS.

601. RESOLUTION AUTHORIZING THE USE OF SUBPOENAS IN AN INVESTIGATION.

(a) In order to use subpoenas to obtain testimony or documents, the Council shall adopt a resolution authorizing an investigation by the Council or a special committee.

(b) In order to use subpoenas to obtain testimony or documents, a committee must adopt a resolution of the committee authorizing an investigation subject to the limits of section 501. This resolution must be filed in the Office of the Secretary.

(c) A resolution authorizing an investigation under this section shall delineate the purpose of the investigation and the subject matter to be investigated to afford witnesses adequate notice of the scope of the inquiry.

602. NOTICE OF INVESTIGATION.

Pursuant to section 421, the Secretary shall publish a notice of each investigation authorized under section 601 in the Register, which notice shall include a copy or description of the resolution authorizing the investigation and the date the resolution was filed in the Office of the Secretary.

603. REPORT OF INVESTIGATION.

(a) Within 90 days of the conclusion of an investigation under this article, a committee shall submit to the Council the results of the investigation, unless the Council, by majority vote of the members present and voting, extends the time limit.

(b) The committee, by a majority of the members present and voting, may vote not to release all or part of its report. The Council, by a majority of members present and voting, may direct a committee to release its report under terms that the Council sets.

604. TESTIMONY UNDER OATH.

A witness may be affirmed or sworn to give truthful testimony.

605. ISSUING THE OATH.

Any person authorized by law may issue an oath or affirmation to a witness.

606. DEPOSITIONS.

The Council or committee may authorize a Councilmember, staff, or counsel to take the testimony of witnesses by oral or written depositions.

B. SUBPOENAS.

611. ISSUANCE OF SUBPOENAS.

The Council, any standing committee of the Council, and, if authorized by the resolution establishing it, any special committee, may subpoena the attendance and testimony of witnesses and the production of documents and other tangible items at meetings, hearings, and depositions in connection with an investigation. Subpoenas shall be issued in the form set forth in Appendix A, and, except as provided in section 613(b), shall be served not less than 5 business days before the return date.

612. REPORT TO SECRETARY REGARDING USE OF SUBPOENA.

Before issuing a subpoena, the Council, a standing committee, or authorized special committee shall submit a report to the Secretary outlining the nature and scope of the investigation and the type of information sought through the use of the subpoena.

613. SERVICE OF SUBPOENAS.

(a) Except as provided in subsection (b) of this section, a subpoena shall be served personally on the witness or the witness's designated agent in one of the following ways, which may be attempted concurrently or successively:

(1) By a person at least 18 years of age, designated by the committee or the Council from among the staff appointed by the Secretary who is not directly involved in the investigation; or

(2) By a person, at least 18 years of age, engaged by the committee or the Council for this purpose.

(b) If, after a reasonable attempt, personal service on a witness or witness's designated agent cannot be obtained, service may be effectuated by registered or certified mail not less than 8 business days before the return date.

614. ENFORCEMENT OF SUBPOENAS.

A committee may refer to the Council any case of contumacy by a person subpoenaed to appear before the committee. The Council may refer by resolution any case of contumacy by any person subpoenaed by the Council or a committee to the Superior Court of the District of Columbia as provided in section 413 of the Charter (D.C. Official Code § 1-204.13).

C. RIGHTS OF WITNESSES.

621. RIGHT TO ASSERT PRIVILEGES.

(a) A witness has the right to refuse to answer a question that might tend to incriminate him or her by claiming his or her Fifth Amendment privilege against self-incrimination, other Constitutional privileges, or statutory or common law privileges recognized in the Superior Court of the District of Columbia.

(b) If a witness asserts a privilege, the presiding member shall inquire into the witness's reasons for claiming the privilege. If the presiding member determines that the claim of privilege is not warranted, the presiding member shall direct the witness to answer the question. A witness's continued claim of privilege in the face of an order by the presiding member to answer a specific question constitutes contumacy by the witness.

622. NOTIFICATION OF RIGHTS.

When a witness under subpoena is not represented by counsel, the presiding member shall advise the witness of his or her privilege against self-incrimination.

623. RIGHT TO TRANSCRIPT.

A witness under subpoena is entitled to receive, at the cost of producing it, a written transcript or a transcription of his or her testimony in connection with an investigation.

624. RIGHTS OF PERSONS WHO ARE SUBJECTS OF INVESTIGATIONS.

Any person who is the subject of an investigation authorized under section 601 may submit written questions for the cross-examination of other witnesses at a public investigative hearing called by the Council or a committee. With the consent of the Councilmembers present and voting, the questions may be put to the witness by a Councilmember, by staff, or by counsel.

625. RIGHTS OF PERSONS IDENTIFIED IN INVESTIGATIONS.

Any person, who is named or specifically identified in connection with an investigation and who believes that the testimony or other evidence or comment by a member of the Council or a committee or its staff does not comport with the truth, may file a sworn statement of facts relevant to the testimony or other evidence or comment complained of.

D. CENSURE, REPRIMAND, AND EXPULSION PROCEDURES.

651. AD HOC COMMITTEES.

(a) An ad hoc committee shall be established for the purposes of considering evidence of a violation of the Code of Conduct, policy, or law and making recommendations for further action. An ad hoc committee shall be established by request of any 5 members of the Council, or if a member is censured by the Ethics Board.

(b) The ad hoc committee shall be composed of 5 members appointed by the Chairman or, if the Chairman is the subject of the request or Ethics Board sanction,

by the Chairman Pro Tempore. The committee shall not include the member who is the subject of the request. The committee's proceedings may be conducted in executive session in accordance with section 504, except that its recommendation for further action shall be made public

(c) No penalty pursuant to sections 655 and 656, shall be imposed unless first recommended by an ad hoc committee of the Council.

652. AD HOC COMMITTEE INITIATED BY AN ETHICS BOARD CENSURE.

(a) An ad hoc committee shall be established by the Council within 72 hours of a censure of one of its members by the Ethics Board, or as soon as practicable. An ad hoc committee shall consider the findings of the Ethics Board, conduct an investigation if warranted, and report its findings and penalty recommendations, if any, to the Council within 45 days of being convened. The penalty recommendations may include:

(1) Reprimand;

(2) Censure; or

(3) Expulsion.

(b) The Council shall meet to consider the recommendation within 7 days of receiving the recommendations from the committee.

653. AD HOC COMMITTEE BY REQUEST.

(a) A request for censure or expulsion of a member of the Council may be submitted to the Secretary by any 5 members of the Council. The request shall contain the specific charges on which the proposed sanction is based.

(b) The Secretary shall deliver a copy of the request for an ad hoc committee and the charges to each member of the Council at least 48 hours prior to the first meeting of the committee at which the request will be first considered.

(c) The committee's proceedings may be conducted in executive session in accordance with section 504. The committee shall permit testimony from both the

member making the request and the member subject to the request and shall determine whether:

(1) Further investigation of the charges is required to determine if a hearing is warranted;

(2) The matter is to be set for a hearing; or

(3) No further action should be taken with respect to the request.

(d) If the committee determines no further action should be taken with respect to the request, the committee shall report that to the Council at its earliest opportunity. If the committee determines that further investigation is required, the committee shall conduct an investigation and report a summary of its proceedings and its findings, along with penalty recommendations, if any, to the Council at its earliest opportunity. The penalty recommendations, if any, may include:

(1) Reprimand;

(2) Censure; or

(3) Expulsion.

(e) If the committee does not report its recommendation and findings to the Council within 90 calendar days of the receipt of the request to convene the committee, the matter shall be sent to the Council for its consideration.

(f) Upon receipt of the report of the committee, or at the expiration of the time for the committee to report to the Council, the Chairman shall place the matter on the Council's agenda to determine whether or not a hearing is warranted. If the Chairman decides to set the matter for a hearing, it shall be scheduled for no sooner than one week after the determination to hear the matter. Written notice of the hearing shall be delivered in person to the member of the Council who is the subject of the request or to the member's Council office at least 48 hours in advance of the scheduled hearing.

(g)(1) The hearing shall be conducted by the Chairman or, if the Chairman is the subject of the hearing, by the Chairman Pro Tempore. At the hearing, the member of the Council who is the subject of the request shall be given the

opportunity to make an opening and a closing statement, to call witnesses on his or her behalf, and to question his or her accusers. The member who is the subject of the request may be represented by a person of the member's choice whether or not the person is an attorney at law and may have that representative speak or question witnesses on the member's behalf.

(2) The questioning or cross-examining of witnesses may be reasonably limited by the presiding member.

(3) Testimony shall be taken only from witnesses having direct knowledge of facts or circumstances relevant to the specific charges under consideration.

(4) The rules of evidence and judicial procedure applicable in courts of law shall not be applicable to this hearing, and the procedures shall be generally informal.

(h) Notwithstanding any other provision of this rule, the Chairman, pursuant to an authorizing resolution, may appoint any person or a standing or special committee to perform any investigation authorized by the rule.

654. REPRIMAND.

(a) A reprimand is a formal statement of the Council officially disapproving the conduct of one of its members. A reprimand shall be directed to a particular member of the Council based on a particular action or set of actions that is determined to be in violation of the Council's Rules, law, or policy, but is considered to be not sufficiently serious to require censure. A reprimand is distinguished from censure in that it is not punishment or discipline and, therefore, does not require an investigation or hearing.

(b) The Council may adopt a resolution of reprimand in the same manner as provided for the adoption of any resolution; provided, that the Councilmember who is the subject of the resolution is permitted to speak in his or her defense prior to action on the motion for adoption of the resolution. The fact that the Councilmember who is the subject of a reprimand does not choose to respond to the resolution or does not attend the meeting at which the resolution is to be adopted shall not prevent the Council from adopting the resolution; provided, that the

Councilmember had actual notice of the inclusion of the resolution on the agenda and had a reasonable opportunity to attend the meeting.

655. CENSURE.

(a) Censure is a formal statement of the Council officially disciplining one of its members. It is a punitive action, which serves as a penalty imposed for wrongdoing, but it carries no fine or suspension of the rights of the member as an elected official. Censure should be used for cases in which the Council determines that the violation of law or policy is a serious offense. To protect the overriding principle of freedom of speech, the Council shall not impose censure on any member for the exercise of his or her First Amendment right, no matter how distasteful the expression of that right was to the Council and the District. Nothing in this rule shall be construed to prohibit the Council, as a body, from condemning and expressing its strong disapprobation.

(b)(1) The Council may, by a 2/3rd vote of Councilmembers present and voting, adopt a resolution of censure if it finds, based on substantial evidence, that a Councilmember took an action that amounts to a gross failure to meet the highest standards of personal and professional conduct.

(2) Substantial evidence is proof that a reasonable person would accept as adequate to support a conclusion or decision in favor of censure.

656. EXPULSION.

(a) Expulsion is the most severe punitive action, serving as a penalty imposed for egregious wrongdoing. Expulsion results in the removal of the member. Expulsion should be used for cases in which the Council determines that the violation of law is of the most serious nature, including those violations that substantially threaten the public trust. To protect the exercise of official councilmember duties and the overriding principle of freedom of speech, the Council shall not impose expulsion on any member for the exercise of his or her First Amendment right, no matter how distasteful the expression of that right was to the Council and the District, or in the official exercise of his or her office.

(b)(1) The Council may, by a 5/6 vote of Councilmembers, adopt a resolution of expulsion if it finds, based on substantial evidence, that a Councilmember took an

action that amounts to a gross failure to meet the highest standards of personal and professional conduct.

(2) Substantial evidence is proof that a reasonable person would accept as adequate to support a conclusion or decision in favor of expulsion.

ARTICLE VII—BUDGET PROCEDURES.

A. BUDGET REVIEW PROCEDURES.

701. ROLE OF THE COMMITTEE OF THE WHOLE.

The Mayor's annual budget request for the District government and any supplement or amendments to the budget submitted to the Council pursuant to section 442 of the Charter (D.C. Official Code § 1-204.42) shall be referred to the Committee of the Whole.

702. BUDGET-REVIEW SCHEDULE.

The Budget Director, at the direction of the Chairman, shall prepare a budget-review schedule that includes a hearing schedule, establishes dates for closing hearing records, provides a template for the required format of and the submitting and filing of committee budget reports, and schedules other budget activities as necessary or appropriate. The budget-review schedule shall be presented to the Committee of the Whole for approval. The Budget Director, at the direction of the Chairman, may change the schedule as necessary or appropriate and shall circulate the updated budget-review schedule and publish it on the Council website.

703. ROLE OF COUNCIL COMMITTEES.

(a) Each standing committee shall be responsible, in accordance with the budget-review schedule, for reviewing the budget requests for agencies within its purview, including:

(1) Holding public hearings on the proposed budget requests of agencies and receiving testimony on those budget requests from agency

representatives, Advisory Neighborhood Commissions, other organizations, and private citizens;

(2) Recommending funding and personnel levels for each agency;

(3) Recommending appropriations language changes;

(4) Identifying additional budget needs not included in the committee's recommendation under paragraph (2) of this subsection, for which funding is sought;

(5) Identifying legislative actions required to implement the committee's budget recommendations; and

(6) Identifying issues for further analysis by the Mayor pursuant to section 442(a)(6) of the Charter (D.C. Official Code § 1-204.42(a)(6)).

(b) Each committee shall submit, in accordance with the budget-review schedule, the original committee markup and report with the Committee of the Whole. No committee may submit a markup or report that results in a net increase in the total amount of the budget request for all agencies under its purview, unless that markup or report also identifies additional revenue sources, additional budget reductions, or both, within the committee jurisdiction, sufficient to provide funding for the increase, unless another committee has directed funds to the committee for a specific purpose.

704. COMMITTEE OF THE WHOLE CONSIDERATION OF BUDGET REQUEST.

(a) The Budget Director, at the direction of the Chairman, upon receipt of committee reports and markups, shall prepare a summary of committee recommendations for presentation to the Committee of the Whole. This summary shall also include a comparison of the budget levels recommended by committees with any revenue level recommended by the Budget Director, at the direction of the Chairman, and the Chairman.

(b) The Budget Director, at the direction of the Chairman, shall refer any additional budget reductions recommended by a committee pursuant to section

703(b) to the committee having purview over the agency affected by the additional budget reduction for review and comment.

(c) The Committee of the Whole shall meet to consider committee reports, recommendations, and comments, and the Chairman's recommendations, if any, and shall proceed to mark up the Mayor's budget request. No amendment shall have the effect of putting the budget out of balance. The Budget Director, at the direction of the Chairman, shall prepare a draft report and act reflecting the Committee of the Whole action.

705. COUNCIL CONSIDERATION OF THE BUDGET REQUEST.

Following the markup and report on the full budget request by the Committee of the Whole, the reported budget request shall be presented for a single reading at the next legislative meeting or additional meeting called by the Chairman for that purpose.

B. REPROGRAMMING POLICY ACT PROCEDURES.

711. EFFECT OF RECESS ON PROCEDURES.

Reprogramming requests and grant budget-modification requests may not be submitted to the Council during a recess of the Council. No time period provided in this part for the consideration of the requests will continue to run during a recess of the Council.

712. COMMITTEE REFERRAL OF REQUESTS.

The Chairman may refer reprogramming requests and grant budget-modification requests to the Committee of the Whole. The Chairman may also refer reprogramming requests for comments to the standing committee having oversight responsibility for the program or agency affected.

713. CIRCULATION OF REQUESTS.

The Secretary shall circulate a copy of a reprogramming request within one business day of the filing of the request with the Secretary.

714. PUBLICATION OF NOTICE.

Upon receipt of a reprogramming request or a grant budget-modification request, the Secretary shall publish a "notice of reprogramming request" or a "notice of grant budget-modification request", as the case may be, in the Register that, at a minimum, includes:

(1) A description of the action requested;

(2) The date the request was received by the Council; and

(3) A statement that the request will be deemed approved 14 days from the date it was received by the Council unless a notice of disapproval has been filed before that time by a member of the Council, and that, if a notice of disapproval is filed, the request will be deemed approved 30 days from the date the request was received unless, before that time, the Council adopts a resolution to disapprove the request.

715. WITHDRAWAL OF REPROGRAMMING REQUESTS.

The Mayor may withdraw a reprogramming request or grant budget-modification request at any time before the Council's taking final action on the request, or before its taking effect without Council action.

716. REQUIREMENTS FOR DISAPPROVAL OF REQUESTS.

(a) To initiate disapproval of a reprogramming request or a grant budget-modification request, a Councilmember shall file a written notice of disapproval with the Secretary within 14 days after the Council receives the request. The Secretary shall circulate copies of the written notice of disapproval.

(b) If this notice is given, the Council may consider and take final action, as provided in this section, to disapprove the request within 30 calendar days after the Council receives the request.

717. AUTOMATIC APPROVAL OF REQUESTS.

If the notice of disapproval provided in section 716 is not given within 14 days after the Council receives the request, the reprogramming request shall be

deemed approved. If the notice is given as provided in section 716(a) and the Council does not take final action to disapprove the request as provided in section 716(b), the reprogramming request shall be deemed approved.

718. TRANSMITTAL TO MAYOR.

The Chairman shall transmit, by letter to the Mayor, notification of the Council's disapproving or failure to disapprove a reprogramming request.

C. FUNDS CONTROL ACT PROCEDURES.

[RESERVED].

D. SPECIFIED FUNDING ALLOCATION PROCEDURES.

730. REQUIRED INFORMATION PRIOR TO APPROVAL.

(a) To receive an earmarked grant through the budget process or a supplemental budget, each named grantee shall submit 2 copies of the following, postmarked or hand delivered to the Budget Director no later than 7 days following the date of the scheduled vote of the Council on the Budget Request Act:

(1) The organization's Articles of Incorporation;

(2) Internal Revenue Service certification that the organization is tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3));

(3)(A) The organization's most recent financial audit, not more than 2 years old; or

(B) A recent financial statement, not more than one year old, prepared by a certified accountant that shows that the organization is in good financial standing and that delineates its:

(i) Existing assets and liabilities;

(ii) Pending lawsuits, if any; and

(iii) Pending and final judgments, if any;

(4) Internal Revenue Service Form 990 covering the organization's most recently completed fiscal year;

(5) A notarized statement from the grantee certifying that:

(A) The organization is current on District and federal taxes;

(B) The Council of the District of Columbia is authorized to verify the organization's tax status with the District of Columbia Office of Tax and Revenue and the Office of Tax and Revenue is authorized to release this information to the Council, the Mayor, and the Auditor;

(C) The organization focuses primarily on services to District of Columbia; and

(D) The District government shall have access to its financial, administrative, and operational records, including specific consent for the Auditor to access its books, accounts, records, findings, and documents related to the grant; and

(6) A comprehensive program statement that includes a detailed:

(A) Scope of work; and

(B) Budget that describes how the grant funds shall be spent.

(b) Nothing in this title shall be construed as waiving the requirements to submit information required of all grantees by the grantor agencies or organizations.

(c)(1) If an organization cannot meet the submission requirements established in subsection (a) of this section, the organization shall be required to submit:

(A) A notarized statement designating a nonprofit organization that does meet the criteria to serve as its fiscal agent or fiscal sponsor postmarked or hand delivered to the Council's Office of the Budget Director no later than the time prescribed in subsection (a) of this section; and

(B) The information required by subsection (a)(5) of this section.

(2) The fiscal agent or fiscal sponsor shall be required to submit the following, postmarked or hand delivered to the Council's Office of the Budget Director no later than the time prescribed in subsection (a) of this section.

(A) A notarized statement agreeing to serve as fiscal agent or fiscal sponsor; and

(B) The information required by subsection (a) of this section.

(d) All earmarked grants shall be listed in the Budget Support Act to include the grantee name, grant amount, and purpose of the grant. Before the second reading of the Budget Support Act, the Council's Budget Director shall certify which grantees have met the requirements of subsection (a) of this section. Any grantee that has not met the requirements shall be removed from the Budget Support Act on second reading, and shall not receive funding through an earmarked grant.

731. PROHIBITION ON CONSECUTIVE ALLOCATIONS.

(a) An organization may not receive a specified funding allocation if the organization has received an award in the prior fiscal year.

(b) An organization that receives a specified funding allocation for a capital project shall be limited to only one capital award, annually.

732. LIMITS ON AWARD AMOUNTS.

Specified funding allocations shall be limited to $250,000 for non-capital projects and $1 million for all capital projects.

733. AUDIT REQUIREMENTS.

(a) Grantees shall be notified that the District of Columbia Auditor will randomly audit grant recipients.

(b) The District of Columbia Auditor's report shall be issued no later than March 1st of the fiscal year immediately following the year for which the grant was awarded.

734. DISCLOSURE REQUIREMENTS.

Councilmembers and staff and the officers and directors of a proposed grantee shall be required to disclose the existence of any personal, familial, or financial relationship between a Councilmember or staff and any officer or director of the grantee.

E. REPORTS ON BILLS SUBJECT TO INCLUSION IN THE BUDGET AND FINANCIAL PLAN.

735. REPORTS ON BILLS SUBJECT TO INCLUSION IN THE BUDGET AND FINANCIAL PLAN.

The Budget Director shall circulate quarterly reports in accordance with section 283(b) no later than 15 days after the end of each quarter, identifying the bills adopted by the Council that reference that the bills are subject to inclusion in the financial plan and budget or subject to appropriations.

ARTICLE VIII—COUNCIL RECORDS

A. COUNCIL RECORDS.

801. RESPONSIBILITY FOR RECORDS.

(a) The Secretary shall maintain accurate and up-to-date Council records, described in sections 806 and 807, and shall make the records available to the public.

(b) Each committee shall make records on legislation assigned to the committee and on other committee activities and shall file the records with the Secretary. When records are in the custody of the committee, the committee shall make them available to the public.

802. FORM FOR INTRODUCTIONS.

(a) Each measure shall be introduced in typewritten form, signed by the Councilmember introducing it, include a long title that identifies the subject matter of the measure, and be in substantial compliance with the form required for final

adoption. The Secretary shall make the determination as to whether the measure complies with this subsection.

(b) Co-introduction of a measure shall be evidenced by the signature of the co-introducer on the face of the measure. Co-sponsorship shall be permitted up to the close of business the day following the legislative meeting or Committee of the Whole work session at which the measure was officially referred or by indication on the record at the legislative meeting.

(c) A Councilmember may withdraw as a co-introducer or a co-sponsor by filing a notice of withdrawal with the Secretary within one business day of the legislative meeting or Committee of the Whole work session at which the measure was officially referred.

803. REPORTS ON LEGISLATION.

(a) Each measure that is adopted by a committee shall be accompanied by a report.

(b) The report shall be adopted by the committee at the same meeting at which the measure is approved.

(c) Each adopted report on a measure shall be in writing, signed by the committee's chairperson, accompanied by the final measure, and dated as of the date of the markup.

(d) Each adopted report shall contain the following information, in the order listed, regarding the reported legislation:

(1) A section stating the measure's background, need, purpose, and effect. This section shall also include the committee's reasoning, analysis of relevant issues, legislative intent, and, if applicable, guidance on statutory construction;

(2) A chronology of action, including the date:

(A) Of introduction;

(B) That the notice of intent to act on the measure was published in the Register;

(C) That each notice of hearing or roundtable was published in the Register;

(D) Of each hearing or roundtable on the measure; and

(E) Of the committee meeting at which the measure and report were adopted;

(3) The position of the Executive, if any, on the measure;

(4) The committee's response to each relevant issue and concern raised in a recommendation adopted by a resolution of an affected Advisory Neighborhood Commission, if any, that has been provided to the committee before the close of the record;

(5) A list of witnesses who testified at the hearing, or who submitted a statement for the record before close of the record, and a brief summary of each witness's position;

(6) An explanation of the impact on existing provisions of law that the measure would modify or affect;

(7) A summary of the fiscal impact;

(8) A detailed section-by-section analysis of the measure's provisions;

(9) Any additional information that the committee decides to include; and

(10) A summary of the committee's mark-up of the measure, including:

(A) Dissenting, separate, and individual views of committee members, if members demanded the opportunity to state their views;

(B) A record of the results of a voice vote or, if a roll-call vote, the votes to adopt the legislation and the motion to adopt the report; and

(C) Any recorded votes on amendments to the measure or other motions.

(e) Attached to each report, in the following order, shall be:

(1) The measure, as introduced, along with the Mayor's transmittal letter, if applicable (but not necessarily any other attachments to the introduction), and the Secretary's memorandum of referral;

(2) Any written statements or materials that the committee decides to attach;

(3) The fiscal-impact statement prepared by the Chief Financial Officer or the Budget Director;

(4) A legal-sufficiency determination by the General Counsel;

(5) If reporting a bill repealing or amending existing law, a comparative print showing, by italic, underscore, strikethrough, or other typographical device, the changes proposed; and

(6) A committee print that states the number of the measure and, in the top left-hand corner of the measure, the name of the committee, the date of the committee markup, and the words "committee print".

(f) Each report prepared by the Committee of the Whole on a Council appointment to another body and each report prepared by another committee on a confirmation shall include a current resume of the nominee.

(g) Except for confirmation and sense of the Council resolutions, no bill or resolution may be approved by a committee without a fiscal-impact statement on the measure that is reviewed and approved by the Budget Director or the Chief Financial Officer, and is included in the committee report at the time of its consideration.

(h) No measure may be approved by a committee without a written legal-sufficiency determination prepared by the General Counsel and attached to the committee report at the time of its consideration.

(i)(1) A committee chairperson shall file a reported bill or resolution with the Secretary within 20 business days of committee action on the bill or resolution unless the committee votes to reconsider the bill or resolution.

(2) If a committee chairperson has failed to file a reported measure within the period of time specified in paragraph (1) of this subsection, the committee, by a majority vote of the members of the committee, may vote to have the measure as reported filed immediately with the Secretary, to be agendized at the next scheduled Committee of the Whole meeting.

(j) This section shall not apply to a budget support act or budget request act.

(k) The Secretary shall determine whether the report complies with this section.

804. ADDENDUM TO A COMMITTEE REPORT.

On final passage of a bill, a majority of the Councilmembers or a committee chairman may request that a committee submit an addendum to a committee report that explains the Council reasoning for any amendments when amendments, including amendments in the nature of a substitute, have been passed by the full Council. A committee shall vote on an addendum to a committee report before it may be filed with the Secretary.

805. IDENTIFICATION OF COUNCIL DOCUMENTS.

(a) Legislative documents shall be identified by a name that describes the type of document and a 2-part document number.

(b) Legislative documents shall be identified by the following names:

(1) A bill, whether permanent, temporary, or emergency, shall be known as a "Bill";

(2) A resolution, before its adoption, shall be known as a "Proposed Resolution";

(3) An enacted bill signed by the Mayor, a bill vetoed by the Mayor and approved by members of the Council, or an approved initiative certified by the Board of Elections shall be known as a "District of Columbia Act";

(4) An adopted resolution shall be known as a "Resolution";

(5) A ceremonial resolution, whether proposed or adopted, shall be known as a "Ceremonial Resolution";

(6) An act that has taken effect following a congressional-review period shall be known as a "District of Columbia Law";

(7) A proposed reorganization plan shall be known as a "Reorganization Plan";

(8) A request for a reprogramming shall be known as a "Reprogramming Request";

(9) A proposed state plan shall be known as a "Proposed State Plan";

(10) A request for a grant budget modification shall be known as a "Grant Budget Modification"; and

(c) The Secretary shall assign 2-part numbers to Council documents identified in subsection (b) of this section in the order of introduction, filing, adoption, or approval. The first part of the number consists of the current Council Period, and the second part consists of a consecutive serial number beginning with the number "1" in each Council Period.

(d) A report on a measure or a topic shall be titled as a "Report on _____" (with the name to be filled in as appropriate under subsection (b) of this section). Titled reports shall be further identified by:

(1) a number corresponding to the number, if any, assigned to a measure; or

(2) if the report is not on a measure, a sequential number preceded by the year filed.

806. LEGISLATIVE FILES.

(a) The Secretary shall maintain an official file on each bill and proposed resolution, which shall include the original of the following:

(1) The introduced version of the bill or proposed resolution;

(2) Any recordings, transcripts, or items submitted for the record of hearings on the legislation;

(3) The committee report on the legislation;

(4) Files transmitted from the committee regarding committee consideration of the bill or resolution;

(5) Any amendments to the bill or proposed resolution presented in legislative meetings;

(6) The engrossed and enrolled versions of the legislation;

(7) Records of the publication and notice given of Council consideration of the legislation; and

(8) Records of official transmittal of the legislation to the Mayor, to Congress, or other agencies or entities as required by law or the legislation.

(b) The posting of draft measures and associated notices on the Council's website shall not be considered official documents unless expressly incorporated in the official file by the Secretary pursuant to subsection (a) of this section.

807. OTHER OFFICIAL RECORDS.

The Secretary shall maintain other official Council records, including, but not limited to the following:

(1) Transcripts and recordings of all legislative meetings;

(2) Tape recordings and minutes of all committee meetings;

(3) Tape recordings and documents submitted for the record of all legislative hearings;

(4) Tape recordings and documents submitted for the record of investigative hearings, recordings and transcripts of depositions and other testimony taken in connection with investigations, and reports of investigations; and

(5) Any other document or record required by law or these Rules to be filed with the Council or with the Secretary.

808. RECORDS OF LEGISLATIVE MEETINGS.

A recording of each legislative meeting shall be produced and maintained by the Secretary. A written transcript or a transcription of each legislative meeting shall be made available upon request. The Council may establish a fee to cover the cost of production of any recording or transcript.

809. COMMITTEE RECORDS.

Whenever there is a change in the chairperson of a committee, the incumbent committee chairperson shall ensure that official committee files and records are maintained and transmitted to the incoming committee chairperson.

B. FREEDOM OF INFORMATION AND SERVICE OF PROCESS.

811. FOIA PROCEDURES.

(a) For the purposes of the Freedom of Information Act (D.C. Official Code § 2-531 *et seq*.), the Secretary, or the Secretary's designee, shall be the Council's FOIA Officer.

(b) To ensure accurate and timely compliance with the law, whenever a request is received under the Freedom of Information Act (D.C. Official Code § 2-531 *et seq*.), it shall be forwarded to the Secretary within one business day of receipt. The FOIA Officer shall endeavor to provide documents under FOIA to requesters as soon as possible, and within the 15-day requirement established by D.C. Official Code § 2-532.

(c) Within one business day after receiving a FOIA request, the FOIA Officer shall inform the Councilmember or Council office that is the subject of the request. The FOIA Officer shall instruct the subject to put a preservation hold on, to search for, and to provide copies of any documents, emails, or other records responsive to the request.

(d)(1) Upon receipt of a written request for access to a record, the FOIA Officer shall make a good-faith effort to determine if the record requested is a public record and whether the Council possesses the identified record.

(2) If a requester specifically identifies an email that is a public record that is not in the possession of the Council, and when the requester has made a reasonable showing that the record is in the possession of a Council employee, including the Chairman and each Councilmember, the FOIA Officer shall request that the employee search for and produce the record believed to be in the employee's possession. An employee receiving a request under this paragraph shall make reasonable efforts to search for and produce the record to the FOIA Officer within the time and in the form prescribed by the FOIA Officer.

(e) Before releasing any documents, emails, or materials, the FOIA Officer shall give the subject 48 hours to review the documents, emails, and materials, and to assert any legally cognizable privileges or statutory exemptions from disclosure for a specific document, email, or material.

(f) The General Counsel shall make the final determination on whether particular records are privileged or otherwise subject to disclosure.

(g) A Council employee, including the Chairman and each Councilmember, shall use the employee's government-provided email account to transact public business, including official action of any kind, unless the employee takes steps to ensure that any emails transmitted or received on an account other than the account provided by the government are otherwise incorporated into the Council's records.

812. SERVICE OF PROCESS.

(a) For the purpose of receiving legal correspondence (including summonses, complaints, and subpoenas), only the Secretary and the General Counsel, or their designees, may accept service of process for the Council or any Councilmember in an official capacity.

(b) To ensure timely responses to legal pleadings, and to timely assert the Council's legislative privilege for actions taken within the scope of a Member's

legislative duties, legal correspondence shall be transmitted to the Office of the General Counsel within one business day of receipt.

(c) A Member may not accept service of process of a legal document on behalf of the Council or for another Member.

(d) The General Counsel shall provide legal representation on behalf of, or make a request of the Office of Attorney General for legal representation for, every Member and Council staff person for actions taken within the scope of their legislative duties.

ARTICLE IX—AUDITOR.

901. SELECTION.

The Chairman shall nominate the Auditor and the Council shall, by resolution, act on the nomination.

902. TERM AND COMPENSATION.

The Auditor shall serve for a term of 6 years and shall be paid at a rate of compensation as may be established from time to time by the Council.

903. VACANCY.

A vacancy in the Office of the Auditor shall be filled in the manner prescribed for full-term appointments to that office and any person appointed to fill the vacancy shall serve until the end of the predecessor's term.

904. STAFF.

The Auditor shall appoint, remove, and set the relative remuneration (pursuant to the budget of the Office of the Auditor) of the Auditor's subordinate staff.

905. REPORTS AVAILABLE TO THE PUBLIC.

The Council shall make audit reports submitted to the Council by the Auditor, and any other material it deems pertinent to the report, available for public inspection.

ARTICLE X—CONSTRUCTION, SUSPENSION, AND AMENDMENT OF RULES.

1001. PARLIAMENTARY AUTHORITY.

Matters not covered by these Rules shall be governed by Mason's Manual of Legislative Procedure. It is the duty of the Chairman to interpret the Rules. Matters not covered by Mason's Manual of Legislative Procedure shall be determined by the Chairman subject to the right of a member to appeal the Chairman's ruling.

1002. GENDER RULE OF CONSTRUCTION.

Unless the context indicates otherwise, words importing one gender include the other gender.

1003. SUSPENSION OF RULES.

(a) Except for rules regarding notice, quorum, or amendment of these Rules and any requirement of the Charter or other law, any Rule governing procedures of the Council may be suspended during the consideration of a specified matter by motion to suspend the Rules approved by 2/3rds of the members present and voting.

(b) A motion to suspend the rules is not debatable and may not be reconsidered.

1004. AMENDMENT OF RULES.

(a) These Rules may be amended by a vote of a majority of the Council.

(b) An amendment must be proposed in writing, signed by the proposer, circulated and filed, and posted in prominent places in the John A. Wilson Building at least 15 days before consideration of the amendment.

(c) Seven Councilmembers may vote to waive or shorten the 15-day notice period.

(d) The current version of these Rules should be featured prominently on the Council website, including any amendments adopted since the rules were first adopted at the organizational meeting held pursuant to section 301.

1005. EFFECTIVE PERIOD.

These Rules shall be effective until superseded by Rules of Organization and Procedure adopted in a succeeding Council Period as provided in section 301.**APPENDIX A.**

TO: _____

_____

(Address)

PURSUANT TO D.C. Official Code § 1-204.13, YOU ARE COMMANDED TO APPEAR before the (Council/Committee on) _____, of the Council of the District of Columbia, at ____(a.m./p.m.) on the day of _____, 20__, to testify before the Council/Committee concerning: _____ and bring with you:_____.

ISSUED BY: _____ ATTEST: _____

Chairman/Member of the Secretary to the Council

Council of the District of Columbia (Seal of the District)

IMPORTANT: If you fail to appear at the time and place stated or to bring with you the documents or items requested, the Council may refer the matter to the Superior Court of the District of Columbia for an order compelling your attendance or the production of the documents or items requested.

Failure to obey such an order may be punished as contempt of Court. DO NOT FAIL TO APPEAR OR PRODUCE THE REQUESTED ITEMS AT THE REQUIRED TIME.

RETURN:

I, _____ certify that I served a copy of this subpoena on the named party at _____ (address), on the _____ day of _____, 20__, at _____, (a.m./p.m.) by the following means:

PROCESS SERVER: _____

(Address) Washington, D.C.

DISTRICT OF COLUMBIA: SS

SUBSCRIBED AND AFFIRMED TO ME BEFORE THIS __ DAY OF _____, 20__

_____

NOTARY PUBLIC, D.C.

MY COMMISSION EXPIRES:

You may obtain a copy of the Rules of Organization and Procedure for the Council of the District of Columbia and the Resolution authorizing this investigation from the Council's Legislative Services Division, John A. Wilson Building, Room 10, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

COUNCIL OF THE DISTRICT OF COLUMBIA
CODE OF OFFICIAL CONDUCT
COUNCIL PERIOD 21

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I. CONFLICTS OF INTEREST

(a) GENERALLY. No employee shall use his or her official position or title, or personally and substantially participate, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter, or attempt to influence the outcome of a particular matter, in a manner that the employee knows is likely to have a direct and predictable effect on the employee's financial interests or the financial interests of a person closely affiliated with the employee.

(b) WAIVERS. An employee other than an elected official may seek a waiver, and the prohibition in subsection (a) of this section shall not apply, if:

(1) The employee advises the employee's supervisor and the Ethics Board of the nature and circumstances of the particular matter;

(2) Makes full disclosure of the financial interest; and

(3) Receives in advance a written determination made by both the supervisor and the Ethics Board that:

(A) The interest is not so substantial as to be deemed likely to affect the integrity of the services that the government may expect from such employee; or

(B) Another legally cognizable basis for waiver exists.

(c)(1) RECUSAL STATEMENT. Any elected official who, in the discharge of the elected official's official duties, would be required to act in any matter prohibited under subsection (a) of this section shall make full disclosure of the financial interest, prepare a written statement describing the matter and the nature of the potential conflict of interest, and deliver the statement to the Council Chairman. In the case of elected officials other than members of the Council, the statement shall be delivered to the Ethics Board.

(2) Any employee other than an elected official who, in the discharge of the employee's official duties, would be required to act in any matter prohibited under subsection (a) of this section shall make full disclosure of the financial interest and:

(A) Prepare a written statement describing the matter and the nature of the potential conflict of interest; and

(B) Deliver the statement to the employee's supervisor, and to the Ethics Board.

(3) During a proceeding in which an elected official would be required to take action in any matter that is prohibited under subsection (a) of this section, the Chairman shall:

(A) Read the statement provided in subsection (c)(1) of this section into the record of proceedings; and

(B) Excuse the elected official from votes, deliberations, and other actions on the matter.

(C) No Councilmember excused from votes, deliberations, or other actions on a matter shall in any way participate in or attempt to influence the outcome of the particular matter in a manner that is likely to have a direct and predictable effect on the employee's financial interests or the financial interests of a person closely affiliated with the employee.

(4) Upon receipt of the statement provided in subsection (c)(2) of this section, the employee's supervisor shall assign the matter to another employee who does not have a potential conflict of interest.

(d) SPECIFIC CONFLICT SITUATIONS.

(1) An employee shall not receive any compensation, salary, or contribution to salary, gratuity, or any other thing of value from any source other than the District government for the employee's performance of official duties.

(2) No employee or member of the employee's household may knowingly acquire:

(A) Stocks, bonds, commodities, real estate, or other property, whether held individually or jointly, the acquisition of which could unduly influence or give the appearance of unduly influencing the employee in the conduct of his or her official duties and responsibilities; and

(B) An interest in a business or commercial enterprise that is related directly to the employee's official duties, or which might otherwise be involved in an official action taken or recommended by the employee, or which is in any way related to matters over which the employee could wield any influence, official or otherwise.

(e) DEFINITIONS. For the purposes of this Rule, the term:

(1) "Affiliated organization" means:

(A) An organization or entity:

(1) In which the employee serves as officer, director, trustee, general partner, or employee;

(2) In which the employee or member of the employee's household is a director, officer, owner, employee, or holder of stock worth $1,000 or more at fair market value; or

(3) That is a client of the employee or member of the employee's household; or

(B) A person with whom the employee is negotiating for or has an arrangement concerning prospective employment.

(2) "Direct and predictable effect" means there is:

(A) A close causal link between any decision or action to be taken in the matter and any expected effect of the matter on the financial interest; and

(B) A real, as opposed to a speculative possibility, that the matter will affect the financial interest.

(3) "Member of the employee's household" means a person who resides in the same household as the employee and is:

(A) A spouse or domestic partner of the employee;

(B) A parent, sibling, or child of the employee or of any person in subparagraph (A) of this paragraph; or

(C) A spouse or domestic partner of any person in subparagraph (B) of this paragraph.

(4) "Particular matter" is limited to deliberation, decision, or action that is focused upon the interests of specific persons, or a discrete and identifiable class of persons.

(5) "Person closely affiliated with the employee" means a spouse, dependent child, general partner, a member of the employee's household, or an affiliated organization.

II. OUTSIDE ACTIVITIES

(a) GENERALLY.

(1) No employee shall engage in outside employment or private activity that conflicts or would appear to conflict with the fair, impartial, and objective performance of the employee's official duties and responsibilities or with the efficient operation of the Council.

(2) Before engaging in outside employment, an employee shall obtain the approval of his or her supervisor.

(b) LIMITATIONS ON PERMISSIBLE ACTIVITIES.

(1) An employee may engage in outside employment or activities such as teaching, writing for publication, consultative activities, and speaking engagements if the activities are:

(A) Consistent with subsection (a) of this Rule;

(B) Not otherwise prohibited by law or regulation; and

(C) Conducted outside of regular working hours, while the employee is on annual leave or leave without pay, or at a minimal level during work hours in a manner that does not interfere with the employee's official duties.

(2) The information used by an employee engaging in outside employment or activities shall not draw on official data or ideas that are not public information, unless the employee has written authorization from the employee's supervisor to use such information.

(c) SPECIFIC RESTRICTION ON REPRESENTATION.

(1) Except as provided in paragraph (2) of this subsection, an employee shall not:

(A) Represent another person, have a financial interest, or provide assistance in prosecuting a claim against the District of Columbia before any regulatory agency or court of the District of Columbia; or

(B) Represent another person before any regulatory agency or court of the District of Columbia in a matter in which the District of Columbia is a party or has a direct and substantial interest.

(2) The prohibition in paragraph (1) of this subsection shall not apply to an employee, who, if not inconsistent with the faithful performance of the employee's duties, and acting without compensation, represents:

(A) A person who is the subject of disciplinary or other personnel administration proceedings in connection with those proceedings; or

(B) A nonprofit cooperative, voluntary, professional, recreational, or similar organization or group, if a majority of the organization's or group's members are current officers or employees of the United States government or of the District of Columbia government, or their spouses or dependent children; provided, that this exception shall not apply to any matter that:

(i) Is a claim under paragraph (1)(A) of this subsection;

(ii) Is a judicial or administrative proceeding where the organization or group is a party; or

(iii) Involves a grant, contract, or other agreement (including a request for any such grant, contract, or agreement) providing for the disbursement of federal funds to the organization or group.

III. GIFTS FROM OUTSIDE SOURCES

(a) Except as provided in subsection (c) of this Rule and Rule IV, employees shall not solicit or accept, either directly or indirectly, any gift from a prohibited source.

(b) An employee who receives a gift from a prohibited source shall:

(1) Return the gift to the donor;

(2) Reimburse the donor the market value of the gift; or

(3) If the gift is perishable and it would not be practical to return it to the donor, donate the gift to charity, share it with the office staff, or destroy it.

(c) Notwithstanding subsection (a) of this Rule, an employee may accept the following gifts:

(1) Greeting cards and items with little intrinsic value, such as plaques, certificates, and trophies, which are intended solely for presentation;

(2) Loans from banks and other financial institutions on terms generally available to the public;

(3) Rewards and prizes given to competitors in contests or events, including random drawings, open to the public;

(4) Opportunities and benefits, including favorable rates and commercial discounts:

(A) Available to the public or to a class consisting of all District employees;

(B) Offered to members of a group or class in which membership is unrelated to District employment; or

(C) Offered to members of an organization, such as an employees' association or agency credit union, in which membership is related to District employment if the same offer is broadly available to large segments of the public through organizations of similar size;

(5) Pension and benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer;

(6) Anything that is paid for by the Council or the District or secured by the Council or the District under contract;

(7) Any donation accepted by the Council under specific authority, including:

(A) Travel, food, and related expenses accepted by the Council in connection with an employee's attendance at a meeting or similar event that takes place away from the employee's duty station;

(B) Other donations provided in-kind that have been accepted by the Council; or

(C) Anything for which market value is paid by the employee;

(8)(A) Unsolicited gifts having an aggregate market value of $50 or less per source per occasion, provided that the aggregate market value of individual gifts received from any prohibited source under the authority of this paragraph shall not exceed $100 in a calendar year.

(B) When the market value of a gift or the aggregate market value of gifts offered on any single occasion under this paragraph exceeds $50, the employee may not pay excess value over $50 in order to accept that portion of the gift or those gifts worth $50;

(C) When the aggregate value of tangible items offered on a single occasion exceeds $50, the employee may decline any distinct and separate item in order to accept those items aggregating $50 or less; or

(D) This paragraph shall not apply to gifts of cash, stock, bonds, or certificates of deposit;

(9) Gifts given to an employee under circumstances that make it clear that the gift is motivated by a family relationship or personal friendship rather than the position of the employee. Relevant factors in making such a determination include the history of the relationship and whether the family member or friend personally pays for the gift;

(10) Reduced membership or other fees for participation in organization activities offered to all District employees by professional organizations if the only restrictions on membership relate to professional qualifications;

(11) Gifts approved in advance by the employee's supervising Councilmember in exceptional circumstances that are disclosed in writing, filed with the Office of the Secretary to the Council, and posted on the Council's website.

(d) A gift that is solicited or accepted indirectly includes a gift given:

(1) With the employee's knowledge and acquiescence to his parent, sibling, spouse, domestic partner, child, or dependent relative because of that person's relationship to the employee; or

(2) To any other person, including any charitable organization, on the basis of designation, recommendation, or other specification by the employee, except as permitted for the disposition of perishable items.

(e) SPECIFIC GIFT RESTRICTIONS. Notwithstanding any other provision in this Code of Conduct, no employee shall:

(1) Solicit or accept anything of value from a registered lobbyist that is given for the purpose of influencing the actions of the employee in making or influencing the making of an administrative decision or legislative action.

(2) Directly or indirectly demand, seek, receive, accept, or agree to receive or accept anything of value personally or for any other person or entity, in return for:

(A) Any official act performed or to be performed by the employee;

(B) Being influenced in the performance of any official act;

(C) Being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the District of Columbia; or

(D) Being induced to do or omit to do any act in violation of the employee's official duty.

(f) DEFINITIONS. For the purposes of this Rule, the term:

(1) "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. Gifts may also consist of training, transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has incurred.

(2) "Prohibited source" means any person or entity that:

(A) Has or is seeking to obtain contractual or other business or financial relations with the District government;

(B) Conducts operations or activities that are subject to regulation by the District government; or

(C) Has an interest that may be favorably affected by the performance or non-performance of the employee's official responsibilities.

IV. CONFERENCES, TRAVEL, AND RECEPTIONS AND DONATIONS TO THE COUNCIL

(a) CONFERENCES AND TRAVEL.

(1) Employees may accept reasonable expenses for food, travel, lodging, and scheduled entertainment to attend a meeting, conference, or to participate in educational travel, if:

(A) The donor is neither a registered lobbyist nor a prohibited source (an entity that has substantial interests before the Council);

(B) The meeting or conference is an organized event;

(C) The topics or subjects are related to official Council business;

(D) The event is widely attended by a range of attendees other than District employees; and

(E) Other attendees are treated similarly in terms of the food, travel, lodging, and entertainment expenses that they are offered.

(2) Spouses and domestic partners of employees may share lodging with the employee who is attending an event under this subsection; however, the spouse or domestic partner may not accept food, travel, or entertainment expenses unless the spouse or domestic partner pays market value for the same.

(3) Employees are encouraged to submit a copy of the itinerary of the meeting, conference, or educational travel in advance to the General Counsel for review.

(b) WIDELY ATTENDED EVENTS.

(1) An employee may accept:

(A) An offer of free attendance at a convention, conference, symposium, forum, panel discussion, diner, gala, viewing, reception, or similar event; provided, that:

(i) At least 25 persons from outside the District government are expected to be in attendance;

(ii) Attendance at the event is open to members from throughout a given industry or profession, or to a range of persons interested in an issue; and

(iii) Attendance is connected to the attendee's official Council duties.

(B) Free attendance for one accompanying individual to the event described in subparagraph (A) of this paragraph; and

(C) A meal that is offered to all attendees as part of the event described in subparagraph (A) of this paragraph.

(2) For the purposes of this subsection, the term "connected to the attendee's official Council duties" includes participation in the event as a speaker or a panel participant, presenting information related to the Council or matters before the Council, performing a ceremonial function appropriate to the official position of such individual, or attending when otherwise appropriate to the representative function of the Council.

(c) DONATIONS TO THE COUNCIL. An employee may accept, pursuant to D.C. Official Code § 1-329.01(a), a thing of a value as a donation made to the Council to carry out authorized functions or duties of the Council. Donations are considered Council property and may not be used for unauthorized purposes.

(d) GIFT BAGS. An employee may not accept a gift bag for an event under subsections (a) or (b) of this Rule if the organizing event sponsor is a prohibited source, unless the contents of the bag meet the requirements under Rule III.

(e) DISCLOSURE.

(1) An employee accepting a thing of value under this rule shall disclose the acceptance in accordance with paragraph (2) of this subsection.

(2)(A) An employee accepting a thing of value under this rule shall, by the last business day of the month, provide to the Office of the Secretary a list of the following for each event and thing of value:

(i) Offeror;

(ii) Date; and

(iii) Estimated value.

(B) The Secretary shall publish on the Council's website a list of each thing of value accepted under this Rule on the first Friday in the first full week of each month or, if the Friday is a holiday, the next business day.

(C) Councilmembers who do not attend a qualifying event or accept a donation during the reporting period shall file a report indicating that nothing of value was accepted during the period.

(3) For the purposes of this subsection, the term "thing of value" shall not include an offer of free attendance to an event if the employee does not attend the event.

V. GIFTS BETWEEN EMPLOYEES

(a) Except as provided in subsections (c) and (d) of this Rule, an employee may not:

(1) Directly or indirectly, give a gift to or make a donation toward a gift for an official superior; or

(2) Solicit a contribution from another employee for a gift to either the employee's official superior or the other employee's official superior.

(b) An employee may not accept a gift, directly or indirectly, from an employee receiving less pay unless:

(1) The two employees are not in a subordinate-official superior relationship; and

(2) There is a personal relationship between the two employees that would justify the gift.

(c) On an occasional basis, including any occasion on which gifts are traditionally given or exchanged, the following may be given to an official superior or accepted from a subordinate or other employee receiving less pay:

(1) Items, other than cash, with an aggregate market value of $50 or less per occasion;

(2) Items such as food and refreshments to be shared in the office among several employees;

(3) Personal hospitality provided at a residence that is of a type and value customarily provided by the employee to personal friends; or

(4) Items given in connection with the receipt of personal hospitality if of a type and value customarily given on such occasions.

(d) A gift appropriate to the occasion may be given to an official superior or accepted from a subordinate or other employee receiving less pay:

(1) In recognition of special occasions of personal significance such as marriage, illness, or the birth or adoption of a child; or

(2) Upon occasions that terminate a subordinate-official superior relationship, such as retirement, resignation, or transfer.

VI. USE OF GOVERNMENT RESOURCES

(a) GENERALLY. Employees shall not:

(1) Use Council time or government resources for purposes other than official business or other government-approved or sponsored activities, with the exception of *de minimis* use that does not interfere with an employee's official duties and responsibilities, including the incidental use of Council time or resources for purposes of scheduling;

(2) Order, direct, or request subordinate employees to perform during regular working hours any personal services not related to official Council functions and activities, with the exception of incidental use of Council time or resources for purposes of scheduling; or

(3) Use or permit the use of government resources to support or oppose any candidate for elected office, to promote a political committee, or to support or oppose any initiative, referendum, or recall measure.

(b) GOVERNMENT RESOURCES AVAILABLE TO THE PUBLIC. Employees are not prohibited from accepting any material, article, or service that is available as part of any District government program or provided free to District residents or visitors.

(c)(1) PRESTIGE OF OFFICE. An employee may not knowingly use the prestige of office or public position for that employee's private gain or that of another.

(2) The performance of usual and customary constituent services, without additional compensation, is not prohibited under paragraph (1) of this subsection.

(3) Council employees shall not use or permit the use of their position or title or any authority associated with their public office in a manner that could reasonably be construed to imply that the Council sanctions or endorses the personal or business

activities of another, unless the Council has officially sanctioned or endorsed the activities.

(4) A Councilmember may serve as an honorary chair or honorary member of a nonprofit entity's fundraising event, so long as the entity for which funds are raised supports a nongovernmental bona fide charitable activity. Use of the Councilmember's name or title in fundraising solicitations or announcements of general circulation shall be in accordance with such terms and limitations as the Councilmember may prescribe. The authority granted by this paragraph shall not extend to the use of the Councilmember's name or title in solicitations made by or on behalf of the Councilmember directly to individual contributors.

(d)(1) SPECIAL RULES FOR LETTERS OF RECOMMENDATION. Employees may sign a letter of recommendation using their official titles only in response to a request for an employment recommendation or character reference based upon personal knowledge of the ability or character of an individual or entity with whom they have dealt in the course of their Council employment.

(2) Letters of recommendation may be written on Council letterhead if the applicant is a current or former Council employee or has worked with the Council in an official capacity and the letter relates to the duties performed by the applicant.

(3) If an employee does not have personal knowledge of an individual or entity's work ability or performance, the employee may sign a letter of recommendation on Council letterhead addressing only the character or residence of the individual or entity requesting the letter.

(e) DEFINITIONS.

For the purposes of this Rule, the term:

(1) "Government Resources" means any property, equipment, or material of any kind, including that acquired through

lease, and the personal services of an employee during his or her hours of work.

(2) "Usual and customary constituent services" includes an employee's representational activities, such as advocacy, communications, inquiry, oversight, and other actions, made on another person's behalf; provided, that the employee does not, directly or indirectly,:

(A) Threaten reprisal or promise favoritism for the performance or nonperformance of another person's duties; or

(B) Request that another person abuse or exceed the discretion available to that person under law.

VII. USE OF CONFIDENTIAL INFORMATION

Employees and former employees may not:

(1) Willfully or knowingly disclose or use confidential or privileged information acquired by reason of their position without authorization or unless authorized or required by law to do so.

(2) Divulge information in advance of the time prescribed for its authorized issuance or otherwise make use of or permit others to make use of information not available to the general public.

VIII. POST-GOVERNMENTAL EMPLOYMENT CONFLICTS OF INTEREST

(a) PERMANENT RESTRICTIONS ON REPRESENTATION ON PARTICULAR MATTERS. No employee, after the termination of his or her service or employment with the Council, shall knowingly make, with the intent to influence, any communication to or appearance before any officer or employee of any department, agency, court, or court-martial of the District of Columbia, on behalf of any other person (except the District of Columbia) in connection with a particular matter:

(1) In which the District of Columbia is a party or has a direct and substantial interest;

(2) In which the person participated personally and substantially as such officer or employee; and

(3) Which involved a specific party or specific parties at the time of such participation.

(b) TWO-YEAR RESTRICTIONS CONCERNING PARTICULAR MATTERS UNDER OFFICIAL RESPONSIBILITY. No employee shall, within 2 years after the termination of his or her service or employment with the Council, knowingly make, with the intent to influence, any communication to or appearance before any officer or employee of any department, agency, court, or court-martial of the Council, on behalf of any other person (except the District of Columbia), in connection with a particular matter:

(1) In which the District of Columbia is a party or has a direct and substantial interest;

(2) Which the person knows or reasonably should know was actually pending under his or her official responsibility as such officer or employee within a period of one year before the termination of his or her service or employment with the Council; and

(3) Which involved a specific party or specific parties at the time it was pending.

(c) SPECIAL RULES FOR FORMER COUNCIL EMPLOYEES. A former Council employee shall not, within one year after leaving government service or employment, knowingly make, with the intent to influence, any communication to or appearance before the Councilmember for whom the employee worked or any former subordinate employee, on behalf of any other person, other than the District of Columbia, in connection with any matter on which the former employee seeks action by a Councilmember or Council employee in his or her official capacity.

(d)(1) EXCEPTIONS. The prohibitions contained in this Rule shall not apply to acts done in carrying out official duties on behalf of:

(A) The United States or the District of Columbia, as an elected official of a state or local government;

(B) An agency or instrumentality of a state or local government if the appearance, communication, or representation is on behalf of such government; or

(C) An accredited, degree-granting institution of higher education, as defined in the Higher Education Act of 1965, approved November 8, 1965 (79 Stat. 1219; 20 U.S.C. § 1001), or a hospital or medical research organization, exempted and defined under section 501(c)(3) of the Internal Revenue Code of 1986, if the appearance, communication, or representation is on behalf of such institution, hospital, or organization.

(2) Nothing in this Rule shall prevent an individual from giving testimony under oath, or from making statements required to be made under penalty of perjury. Notwithstanding the preceding sentence, a former employee of the Council who is subject to the restrictions in subsection (a) of this Rule with respect to a particular matter may not, except pursuant to court order, serve as an expert witness for any other person, other than the District of Columbia, in that matter.

IX. POLITICAL ACTIVITIES

(a) PROHIBITIONS. No Council employee shall:

(1) Use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;

(2) Directly or indirectly solicit, accept, or receive a political contribution from any person;

(3) Run for nomination or as a candidate for election to a partisan political office; or

(4) Knowingly solicit or discourage the participation in any political activity of any person who:

(A) Has a measure pending before the Council; or

(B) Is the subject of or a participant in an ongoing audit, investigation, or enforcement action being carried out by the Council;

(5) Engage in political activity:

(A) While the employee is on duty;

(B) In any room or building occupied in the discharge of official duties by an individual employed or holding office in the District government or in the Government of the United States or any agency or instrumentality thereof;

(C) While wearing a uniform or official insignia identifying the office or position of the employee; or

(D) Using any vehicle owned or leased by the District government or the Government of the United States or any agency or instrumentality thereof.

(b) DEFINITIONS. For purposes of this Rule, the term:

(1) "Employee" shall not include members of the Council.

(2) "Political activity" means an activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group.

(c) CONSTRUCTION. Nothing in this rule should be construed as prohibiting a Council employee from taking an active part in political management or in political campaigns unless the employee's activity violates subsection (a) of this Rule.

X. OFFICIAL MAIL RULES

(a) DEFINITIONS. For the purposes of this rule, the term:

(1) "Electronic newsletter" means the transmission through the internet at public expense of more than 500 substantially identical emails during any 30-day period related to a Councilmember's activities, including such matters as the impact of laws and decisions on the government and its citizens, reports on public and official action taken by a Councilmember, and discussions of proposed or pending legislation or governmental action.

(2) "Mass mailing" means the transmission through the mails of more than 100 substantially identical newsletters, news releases or similar types of material during any 30-day period, but shall not include a response to a communication initiated by a constituent.

(3) "Newsletter" or "news release" means the usual and customary correspondence that deals with such matters as the impact of laws and decisions on the government and its citizens, reports on public and official action taken by a Councilmember, and discussions of proposed or pending legislation or governmental action.

(4) "Official mail" means correspondence suitable to be mailed at public expense that pertains directly or indirectly to the legislative process or to a Council legislative function, including any matter related to a past or current Council, the performance of official duties by a Councilmember in connection with a Council function, or other related matters of public concern or public service.

(b) CONTENT OF OFFICIAL MAIL. To be mailed at public expense, a member's newsletter or report on constituent service activities must come within the definition of "official mail" set forth in subsection (a) and must conform to the Official Correspondence Regulations,

effective April 7, 1977 (D.C. Law 1-118; D.C. Official Code § 2-701 *et seq.*).

(c) PERMITTED CATEGORIES OF OFFICIAL MAIL. Except as otherwise provided in this Rule, an employee may not mail, as official mail, any matter, article, material, or document for any reason other than the following:

(1) A request for a matter, article, material, or document that has been previously received by the Council;

(2) The mailing of the document is required by law;

(3) The material or matter requests information pertinent to the conduct of the official business of the Council;

(4) The material contains information relating to the activities of the Council or to the availability of Council publications or other documents;

(5) The enclosures are forms, blanks, cards, or other documents necessary or beneficial to the administration of the Council;

(6) The materials are copies of federal, state, or local laws, rules, regulations, orders, instructions, or interpretations thereof; or

(7) The materials are being mailed to federal, state, or other public authorities.

(d) OFFICIALLY MARKED ENVELOPES. An envelope or other material that is used to enclose official mail shall bear on its face the name and address of the Council and the words "official business." Envelopes and other materials shall not be used to enclose materials, documents, or other articles except those enumerated in subsections (c) and (f) of this Rule or other materials not prohibited by subsection (e) of this Rule.

(e) PROHIBITED USES OF OFFICIAL MAIL BY ELECTED OFFICIALS.

(1) A Councilmember may not mail, as official mail, a mass mailing within the 90-day period that immediately precedes a primary,

special, or general election in which the Councilmember is a candidate for office.

(2) A Councilmember may mail, as official mail, news releases or newsletters; provided, that these materials do not contain any of the following:

(A) Autobiographical articles;

(B) Political cartoons;

(C) Reference to past or future campaigns;

(D) Announcements of filings for reelection;

(E) Announcements of campaign schedules;

(F) Announcements of political or partisan meetings;

(G) Reports on family life;

(H) Personal references that are included for publicity, advertising, or political purposes;

(I) Pictures of the official members with any partisan label such as "Democrat," "Republican," "Statehood Party," or any other label that purports to advertise the member rather than to illustrate the accompanying text;

(J) Articles about community events that are unrelated to official government business; and

(K) Reports on non-official activities of the Councilmember that have the effect of lending the franking privilege to others, no matter how worthwhile or charitable the endeavors of those to whom the franking privilege would be loaned.

(3) A Councilmember may not use official mail to solicit directly or indirectly funds for any purpose.

(4) A Councilmember may not use official mail for transmission of matter that is purely personal to the sender and is unrelated to the official duties, activities, and business of the member.

(5) A Councilmember may not mail, as official mail, cards or other materials that express holiday greetings from the Councilmember or the Councilmember's family;

(f) AUTHORIZED USES OF OFFICIAL MAIL. The provisions of subsection (e) of this Rule do not prohibit a Councilmember or the Councilmember's staff from mailing, as official mail, any of the following:

(1) The whole or part of a record, speech, debate, or report of the Council or a committee of the Council;

(2) The tabulation of a Councilmember's vote or explanation of the vote;

(3) An expression of condolences to a person who has suffered a loss or congratulations to a person who has achieved some personal or public distinction; provided, that mass mailings of a congratulatory nature that are substantially the same except for individualized addresses are not authorized;

(4) Information concerning the Councilmember's schedule of meeting constituents;

(5) Information concerning the meeting schedule and agenda for committees and subcommittees upon which the Councilmember serves;

(6) Information concerning financial disclosure information, whether or not required by law;

(7) Matter that consists of federal, state, or local laws, regulations or publications paid for by public funds;

(8) Questionnaires that relate to matters on public policy or administration; and

(9) Matter that contains a picture of the member or biographical or autobiographical data whenever the matter is mailed in response to a specific request.

(g) USE OF ELECTRONIC NEWSLETTERS.

(1) A Councilmember or Council employee shall not transmit an electronic newsletter within the 90-day period immediately before a primary, special, or general election in which the Councilmember is a candidate for office, unless the electronic newsletter conforms with the following requirements:

(A) The recipients have individually subscribed to receive the electronic newsletter;

(B) The electronic newsletter contains a clear and conspicuous notice of the method by which a recipient can request not to receive future electronic newsletters; and

(C) The proposed newsletter has been submitted for review by the General Counsel or the Office of Campaign Finance.

(2) An electronic newsletter shall comply with the requirements of subsection (e)(2) of this Rule.

(3) An electronic newsletter shall not be transmitted at public expense unless, when viewed as a whole, it:

(A) Is informational rather than self-promotional; or

(B) Is directly related to a Councilmember's official legislative or representative duties.

(h) PHOTOGRAPHS AND SKETCHES CONTAINED IN NEWSLETTERS. Each photograph or sketch contained in a newsletter or report on constituent service activities shall relate to the official legislative duties of the Councilmember and shall not, because of excessive use and size, have the effect of advertising or publicizing the Councilmember. In addition, to be mailed at public expense as official mail, a newsletter or report on constituent service activities may not contain any of the following:

(1) More than one photograph or likeness of the Councilmember appearing alone;

(2) A photographic likeness of the Councilmember appearing alone that covers more than 6% of a single page or that exceeds 6 square inches on 8 ½" x 11" paper;

(3) More than 2 photographs per page that include the Councilmember with other persons;

(4) Two photographs on a single page that include the Councilmember and exceed 20% of the page;

(5) A photograph of a Councilmember with a label such as "Democrat," "Republican," "Statehood Party," or any other label that purports to advertise the Councilmember rather than to illustrate the accompanying text; and

(6) A photograph that does not relate to, illustrate, or explain the accompanying text.

(i) SIZE AND PRINT TYPES FOR NAMES.

(1) A Councilmember's name in the masthead of a newsletter shall not appear in print type larger than ½" in height.

(2) A Councilmember's name in the text of a newsletter shall not appear in type style or size larger than the other matter, nor in print size larger than 1/4" in height.

(j) USE OF OFFICIAL MAIL BY OFFICIALS-ELECT. In addition to Councilmembers, the Chairman elect and members elect of the Council may mail materials as official mail.

(k) GENERAL COUNSEL REVIEW. The General Counsel shall be available to Councilmembers and their staff to review materials intended to be mailed as official mail to ensure that the materials comply with the laws and rules governing official mail. Upon written request of a Councilmember, the General Counsel shall provide a written opinion concerning whether the materials, submitted by the Councilmember and intended to be mailed as official mail, comply with the laws and rules governing official mail.

XI. ETHICS TRAINING, FINANCIAL DISCLOSURES, AND ETHICS COUNSELING

(a) DEFINITIONS. For the purposes of the Code of Conduct, the term:

(1) "Employee" shall include all Council staff and Councilmembers, unless specifically stated otherwise.

(2) "General Counsel" means the General Counsel to the Council of the District of Columbia, or a designated employee within the Office of the General Counsel to the Council of the District of Columbia.

(b) ETHICS TRAINING.

(1) NEW EMPLOYEES. All employees shall complete a mandatory ethics-training course within 2 months of beginning employment with the Council.

(2) ANNUAL CERTIFICATION. The General Counsel shall conduct mandatory training on the conflict of interest and ethics laws and regulations applicable to employees on at least an annual basis.

(3) MATERIALS ON COUNCIL WEBSITE. The General Counsel shall ensure that ethics training materials, including summary guidelines to all applicable laws and regulations, shall be made readily available online and in print.

(c) FINANCIAL DISCLOSURE. An employee who is covered under sections 224 and 225 of the Campaign Finance Reform and Conflict of Interest Public Disclosure Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code §§ 1-1162.24 and 1-1162.25), shall file the required disclosures in accordance with that act.

(d) ETHICS COUNSELING AND SAFE HARBOR.

(1) The General Counsel shall provide at the request of an employee confidential advice about compliance with the Code of Conduct and any other applicable laws and regulations.

(2)(A) An employee who, after providing full disclosure of all relevant facts, obtains advice from the General Counsel and acts in accordance with that advice, even if that action is later found to constitute a violation of this Code of Conduct, shall not, subject to subparagraph (B) of this paragraph, be found to have violated the provisions of the Code of Conduct.

(B) If the employee knows or has reason to know that the General Counsel's advice was based upon fraudulent, misleading, or otherwise incorrect information provided by the employee, subparagraph (A) of this paragraph shall not apply.

(C) An employee is responsible for providing and maintaining appropriate documentation of the underlying facts.

XII. DECORUM OF COUNCILMEMBERS

(a) GENERALLY. During any meeting of the Council that is open to the public, as defined by section 405 of the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-575), a Councilmember shall treat other Councilmembers with dignity and respect and refrain from using profane, indecent, or abusive language directed at another Councilmember or the Council as an institution.

(b) REMOVAL OF COUNCILMEMBERS.

(1) The Chairman shall maintain order during any meeting of the Council. The Chairman may order the removal of a Councilmember from a meeting if:

(A) The Chairman determines that:

(1) The Councilmember has violated subsection (a) of this Rule; and

(2) Removal of the Councilmember is necessary to maintain order; and

(B) The Chairman has warned the Councilmember to come to order.

(2) This subsection shall not be construed to apply to any regular, additional, or special meeting of the Council or Committee of the Whole held pursuant to Rules 231, 301, 302, or 303 of the Rules of Organization and Procedure for the Council of the District of Columbia.

(3) This subsection shall not be construed to otherwise limit the ability of the Council to enforce this Rule.

(c) CONSTRUCTION.

(1) The conduct prohibited by subsection (a) of this Rule shall not be considered a violation of the Code of Official Conduct for purposes of discipline if a Councilmember promptly comes to order upon warning by the Chairman.

(2) This Rule shall not be construed to prohibit the exercise of a Councilmember's First Amendment rights.

A RESOLUTION

Proposed Resolution 21-2

To appoint the Chairperson Pro Tempore and chairpersons and members of each standing committee of the Council of the District of Columbia during Council Period 21.

Council Period 21 Appointment of Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Period 21 Appointment of Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution of 2015".

Sec. 2. Pursuant to section 212 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 21, effective January 2, 2015 (Res. 21-1; ___ DCR ___) ("Rules"), the Council appoints Kenyan McDuffie as Chairperson Pro Tempore.

Sec. 3. Pursuant to section 221 of the Rules, the Council appoints the following committee chairpersons and members:

(1) The chairperson of the Committee on Business, Consumer, and Regulatory Affairs, established by section 232 of the Rules, shall be Vincent Orange, and its members shall be Charles Allen, Brianne Nadeau, and Elissa Silverman.

(2) The chairperson of the Committee on Education, established by section 233 of the Rules, shall be David Grosso, and its members shall be Yvette Alexander, Charles Allen, and Anita Bonds.

(3) The chairperson of the Committee on Finance and Revenue, established by section 234 of the Rules, shall be Jack Evans, and its members shall be David Grosso, Kenyan McDuffie, Vincent Orange, and Elissa Silverman.

(4) The chairperson of the Committee on Health and Human Services, established by section 235 of the Rules, shall be Yvette Alexander, and its members shall be Mary Cheh, David Grosso, and Brianne Nadeau.

(5) The chairperson of the Committee on Housing and Community Development, established by section 236 of the Rules, shall be Anita Bonds, and its members shall be Brianne Nadeau, Vincent Orange, and Elissa Silverman.

(6) The chairperson of the Committee on the Judiciary, established by section 237 of the Rules, shall be Kenyan McDuffie, and its members shall be Anita Bonds, Mary Cheh, and Jack Evans.

(7) The chairperson of the Committee on Transportation and the Environment, established by section 238 of the Rules, shall be Mary Cheh, and its members shall be Charles Allen, Jack Evans, and Kenyan McDuffie.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-3

To reappoint Mr. V. David Zvenyach as General Counsel to the Council of the District of Columbia.

General Counsel to the Council of the District of Columbia V. David Zvenyach Reappointment Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "General Counsel to the Council of the District of Columbia V. David Zvenyach Reappointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia reappoints:

Mr. V. David Zvenyach
707 10th Street, N.E.
Washington, D.C. 20002
(Ward 6)

as General Counsel to the Council of the District of Columbia, beginning January 2, 2015.

Sec. 3. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-4

To reappoint Ms. Jennifer Budoff as the Budget Director to the Council of the District of Columbia.

Budget Director to the Council of the District of Columbia Jennifer Budoff Reappointment Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Budget Director to the Council of the District of Columbia Jennifer Budoff Reappointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia reappoints:

Ms. Jennifer Budoff
4410 49th Street, N.W.
Washington, D.C. 20016
(Ward 3)

as Budget Director to the Council of the District of Columbia, beginning January 2, 2015.

Sec. 3. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-5

To reappoint Ms. Nyasha Smith as the Secretary to the Council of the District of Columbia.

Secretary to the Council of the District of Columbia Nyasha Smith Reappointment Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Secretary to the Council of the District of Columbia Nyasha Smith Reappointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia reappoints:

Ms. Nyasha Smith
6101 16th Street, N.W.
Washington, D.C. 20011
(Ward 4)

as Secretary to the Council of the District of Columbia, beginning January 2, 2015.

Sec. 3. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-6

To appoint Mr. Jack Evans, Councilmember of the District of Columbia, as a member of the Board of Directors of the Washington Metropolitan Area Transit Authority.

Board of Directors of the Washington Metropolitan Area Transit Authority Jack Evans Appointment Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Directors of the Washington Metropolitan Area Transit Authority Jack Evans Appointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia appoints:

Mr. Jack Evans
3141 P Street, N.W.
Washington, D.C. 20007
(Ward 2)

Councilmember of the District of Columbia, as a member of the Board of Directors of the Washington Metropolitan Area Transit Authority, in accordance with section 5(a) of the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01).

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee, the Mayor, and the Washington Metropolitan Area Transit Authority.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-34

***See* Emergency D.C. Act 21-2 21 DCStat 799**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Procurement Practices Act of 1985 to align minimum qualifications for the position of Inspector General with federal standards.

Inspector General Qualifications Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Inspector General Qualifications Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Inspector General, who serves in an independent role to investigate waste, fraud, and abuse, is vital to the efficient and effective operation of the District government.

(b) In 2014, the Council enacted legislation to amend the requisite qualifications for the position of Inspector General to reflect best practices criteria generally adhered to nationally to enable the District to obtain the most highly accomplished candidate for the position.

(c) The Inspector General Qualifications Emergency Amendment Act of 2014, effective November 6, 2014 (D.C. Act 20-464; 61 DCR 11828) ("emergency legislation"), will expire on February 4, 2015.

(d) The Inspector General Qualifications Temporary Amendment Act of 2014, enacted on December 8, 2014 (D.C. Act 20-505; 61 DCR 12711) ("temporary legislation"), and the Inspector General Qualifications Amendment Act of 2014, enacted on January 6, 2015 (D.C. Act 20-562; 62 DCR 489) ("permanent legislation), must both complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and will not become law until after the expiration of the emergency legislation.

(e) The temporary legislation is projected to become law on March 7, 2015. The permanent legislation does not yet have a projected law date.

(f) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Inspector General Qualifications Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-32

***See* Emergency D.C. Act 21-1 21 DCStat 797**

To declare the existence of an emergency, due to congressional review, with respect to the need to establish that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) In late 2014, it was reported that the Safeway at 4865 MacArthur Boulevard was offered for sale. In previous store and property sales, Safeway required that a purchaser of its property agree to a covenant prohibiting reuse of the property for a similar or analogous use; that is, that the property may not be used as a grocery store or retail food establishment of any kind. This type of restriction is harmful to residents. And, in the Macarthur Boulevard instance, it is harmful to the residents of the neighborhood as the next closest grocer is approximately 2.5 miles away.

(b) Restrictive covenants and other use restriction policies related to grocery stores are harmful and limit a community's access to fresh food.

(c) Maintaining a grocery store within an urban neighborhood is vital, particularly since many residents rely heavily on walking as a means of access to fresh food.

(d) Seniors and low-income residents especially rely on food retailers in close proximity to their homes as they often face mobility challenges or have limited access to vehicles.

(e) A lack of stores offering healthy food options leads to unhealthy food choices and related health problems.

(f) These restrictive covenants are contrary to the American standard of a free market and open competition.

(g) As development in the District continues and the city sees continued population increases, it is vital that every neighborhood has access to essential grocery-store services. Restrictive covenants undermine food-services competition and the advent of revitalized communities with large and small retailers, including independent butchers and bakeries.

(h) The circumstances described in this section underscore the need for the Council to act to prohibit such restrictive covenants and prevent the creation of food deserts in the District.

(i) Further, this congressional review emergency legislation is necessary to ensure that there is no gap between when the original emergency legislation expires and when the temporary version of this legislation becomes effective.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-35

***See* Emergency D.C. Act 21-3 21 DCStat 801**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1998 to expand the definition of a qualifying medical condition to allow physicians to determine whether a patient would benefit from medical marijuana treatment and to increase the number of living plants a medical marijuana cultivation center can possess at any time.

Medical Marijuana Expansion Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Expansion Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) In 2010, the Council passed the Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), in order to "ensure that the cultivation, distribution, possession, and use of medical marijuana is properly regulated."

(b) Four years later, the District's medical marijuana program had only 452 registered patients.

(c) On October 21, 2013, during a Committee on Health public roundtable on the medical marijuana program and how the program can be improved 2 primary suggestions emerged from that discussion: (1) Expanding the list of qualifying conditions; and (2) Allowing cultivation centers to possess more living marijuana plants.

(d) At the time, the current law severely limited the qualifying conditions, leaving many District residents suffering unnecessarily from significant pain, seizures, and numerous other conditions that are alleviated by medical marijuana use.

(e) The limits on the number of plants impeded cultivators' ability to provide medical marijuana to patients in a manner other than smoking.

(f) A joint hearing was held on June 12, 2014, between the Committee on the Judiciary and Public Safety and the Committee on Health. There was only one public witness who spoke in opposition to the legislation and the Executive was supportive.

(g) On July 1, 2014, the Judiciary Committee marked up the combined bills and favorably approved them. On September 17, 2014, the Committee on Health marked up the combined bills and favorably approved them.

(h) In light of the significant time for permanent legislation to work its way through the congressional review period and the wrenching testimony of witnesses on conditions they are experiencing, the Council passed emergency legislation, the Medical Marijuana Expansion Emergency Amendment Act of 2014, effective August 15, 2014 (D.C. Act 20-396; 61 DCR 8255). It expired on October 27, 2014.

(i) On October 28, 2014, the Council passed a congressional review emergency, the Medical Marijuana Expansion Congressional Review Emergency Amendment Act of 2014 (D.C. Act 20-0479; 61 DCR 12129). It expires on February 9, 2015.

(j) Temporary legislation, the Medical Marijuana Expansion Temporary Amendment Act of 2014, enacted on October 8, 2014 (D.C. Act 20-396; 61 DCR 8255), was recently re-transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)). It is projected to become law on February 26, 2015.

(k) A second congressional review emergency is needed to prevent a gap in the law as the Department of Health has already begun accepting patient registrations for an expanded range of medical conditions. The permanent legislation is projected to become law on March 10, 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Expansion Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-36

Emergency D.C. Bill 21-45 Tabled, March 3, 2015

H Street, N.E., Retail Priority Area Incentive Congressional Review Emergency Declaration Resolution of 2015

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the H Street, N.E., Retail Priority Area Incentive Act of 2010 to include other neighborhood-serving retail uses.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "H Street, N.E., Retail Priority Area Incentive Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) In October of 2014, the Council enacted Bill 20-963, the H Street, N.E., Retail Priority Area Incentive Emergency Amendment Act of 2014, and Bill 20-964, the H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014 to amend the H Street, N.E., Retail Priority Area Incentive Act of 2010 to include restaurants whose annual alcohol sales do not exceed 20% as eligible retail development projects, and to clarify that, although eligible retail development projects must have direct frontage on a commercial corridor within the H Street, N.E., Retail Priority Area, they are not limited to having direct frontage on the H Street, N.E., corridor from 3rd Street, N.E., to 15th Street, N.E.

(b) Bill 20-963 (the "emergency legislation") was signed by the Mayor on October 24, 2014 (D.C. Act 20-460; 61 DCR 11377) and expired on January 22, 2015. Bill 20-964 (the "temporary legislation") was signed by the Mayor on November 10, 2014 (D.C. Act 20-475; 61 DCR 12121) and will not become effective until March 7, 2015.

(c) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the H Street, N.E., Retail Priority Area Incentive Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-37

***See* Emergency D.C. Act 21-7 21 DCStat 807**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Statehood Constitutional Convention Initiative of 1979 to repeal the Statehood Commission, repeal the Statehood Compact Commission, to establish the Office of the Statehood Delegation, and to establish the New Columbia Statehood Commission and Fund; to repeal the 51st State Commission Establishment Act of 2010; to amend section 47-1812.11c of the District of Columbia Official Code to reflect the establishment of the New Columbia Statehood Fund; to amend the District of Columbia Comprehensive Merit Personnel Act of 1978 to establish personnel authority for the Statehood Delegation over the Office of the Statehood Delegation; to amend the District of Columbia Health Occupations Revision Act of 1985 to repeal the Health Occupation Advisory Committees; to amend the Department of Health Functions Clarification Act of 2001 to re-establish the Health Occupation Advisory Committees under the Department of Health; to amend the Retail Service Station Act of 1976 to modify the membership and scope of the Gas Station Advisory Board; to amend the District of Columbia Comprehensive Merit Personnel Act of 1978 to modify the personnel authority for the District of Columbia Law Revision Commission; to amend the District of Columbia Law Revision Commission Act of 1980 to modify the membership of the Commission and provide that members shall not be compensated for service; to amend section 47-355.07 of the District of Columbia Official Code to codify the role and responsibilities of the Board of Review for Anti-Deficiency Violations, and to revise the membership of the board; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify the compensation provisions for various boards and commissions, and to increase the statutory compensation cap for certain boards and commissions; to abolish certain boards and commissions; to amend Chapter 24 of Title 17 of the District of Columbia Municipal Regulations to repeal the authority for the Notary Public Board of Review; to make conforming amendments; and to provide for the orderly transition of duties and responsibilities to the newly elected Mayor and Attorney General.

New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) On January 18, 2014, Chairman Phil Mendelson, at the request of the Mayor, introduced Bill 20-71, the Boards and Commissions Reform Act of 2013. That legislation was referred to the Committee of the Whole, which held a hearing on the bill on June 5, 2014, and approved the bill with amendments on October 7, 2014. That bill had 1st and 2nd readings on October 7, 2014 and October 28, 2014.

(b) On October 28, 2014, the Council enacted Bill 20-986, the New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Emergency Amendment Act of 2014 on an emergency basis. Emergency action was warranted because it

was important to implement the reforms set forth in Bill 20-71 without delay, particularly given the need to assist the incoming Mayor-elect and Attorney General-elect with their transitions into office.

(c) The emergency legislation expires on February 16th, and the corresponding permanent legislation (D.C. Act 20- 615) has not yet been transmitted for congressional review. The congressional review emergency is necessary to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-38

See Emergency D.C. Act 21-4 21 DCStat 803

To declare the existence of an emergency, due to congressional review, with respect to the need to amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater.

Extension of Time to Dispose of the Strand Theater Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Extension of Time to Dispose of the Strand Theater Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) In July 2014, the Council passed the Extension of Time to Dispose of the Strand Theater Emergency Amendment Act of 2014, effective July 29, 2014 (D.C. Act 20-394; 61 DCR 8076) ("emergency legislation"), and in October 2014, the Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2014, enacted on October 8, 2014 (D.C. Act 20-442; 61 DCR 10751) ("temporary legislation"). These bills amended An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater.

(b) The emergency legislation expired on October 27, 2014, and the temporary legislation is not projected to become law until February 26, 2015.

(c) The previous congressional review emergency legislation, the Extension of Time to Dispose of the Strand Theater Second Congressional Review Emergency Amendment Act of 2014, effective November 13, 2014 (D.C. Act 20-478; 61 DCMR 12127), will expire on February 10, 2015, before the temporary legislation is projected to become law.

(d) It is important that the provisions of the emergency legislation continue in effect, without further interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Extension of Time to Dispose of the Strand Theater Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-33

***See* Emergency D.C. Act 21-5 21 DCStat 804**

To declare the existence of an emergency with respect to the need to amend the Recreation Act of 1994 to clarify that the Department of Parks and Recreation's implementation of its nutritional requirements is not contingent upon the agency's promulgation of unrelated regulations concerning field and facility permitting.

Department of Parks and Recreation Fee-based Use Permit Authority Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Department of Parks and Recreation Fee-based Use Permit Authority Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) In December 2012, the Council enacted D.C. Law 19-280, the Department of Parks and Recreation Fee-based Use Permit Authority Amendment Act of 2012. This law authorized the Department of Parks and Recreation ("DPR") to issue fee-based use permits and made other changes to the agency's permitting process. Additionally, this law enacted Bill 19-930, the Healthy Parks Act, which established nutritional standards for DPR facilities.

(b) Technical amendments to this law inadvertently made the implementation of the nutritional standards contingent upon the agency's adoption of an unrelated set of new regulations concerning permitting that the agency has not yet issued. During the Fiscal Year 2013 oversight process, the agency cited this language in explaining why it has not implemented its nutritional standards.

(c) This emergency legislation clarifies that the nutritional standards for DPR are not contingent upon an unrelated set of rules concerning permitting.

(d) Further, this emergency legislation is necessary to ensure that there is no gap between when the Department of Parks and Recreation Fee-based Use Permit Authority Clarification Temporary Amendment Act of 2014 expires and when the Department of Parks and Recreation Fee-based Use Permit Authority Clarification Amendment Act of 2014 becomes effective.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Department of Parks and Recreation Fee-based Use Permit Authority Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-40

***See* Emergency D.C. Act 21-8 21 DCStat 830**

To declare the existence of an emergency with respect to the need to amend the Wage Theft Prevention Amendment Act of 2014 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees; to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer knows that second language to be the employee's primary language or the employee requests notice in that second language; and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend section 2 of An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month; provided, that the employer pays wages to such employees at least once per month..

Wage Theft Prevention Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Wage Theft Prevention Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) On July 14, 2014, the Council unanimously passed the Wage Theft Prevention Amendment Act of 2014to prevent employers' failure to pay earned wages through enforcement by the District and to create a private right of action for injured employees.

(b) The Mayor signed the Wage Theft Prevention Amendment Act of 2014 on September 19, 2014 (D.C. Act 20-246; 61 DCR 10157)("Act"), and it is currently under congressional review with a projected law date of February 26, 2015.

(c) Subsequently, on December 2, 2014, the Council passed clarifying and technical corrections to the Act through an emergency measure, the Wage Theft Prevention Correction and Clarification Emergency Act of 2014.

(d) Since the passage of both bills, the Council has identified several unintended consequences of the bills, including the requirement that all employees, including white-collar, salaried employees, be paid at least twice per month, the requirement that employers keep records of the "precise time worked" each day and each workweek by all employees, including those not compensated on an hourly or other unit-of-time basis, and the requirement that an employer provide notice to an employee regarding payment in an employee's primary language, without providing a limit on the languages in which that notice must be furnished.

(e) It was not the Council's intent to require that white-collar, salaried employees be paid at least twice a month or to require an employer to keep records of the precise time worked

by all employees, including those not compensated on an hourly or other unit-of-time basis. Further, requiring notice to be furnished in any language that might be an employee's primary language will be unnecessarily burdensome and costly.

(f) Because the Wage Theft Prevention Amendment Act of 2014 is projected to become District law on February 26, 2015, approval of emergency legislation is necessary to avoid these unintended effects.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Wage Theft Prevention Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-39

See Emergency D.C. Act 21-6 21 DCStat 805

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 2015 Budget Support Act of 2014 and the Retail Incentive Act of 2004 to modify the boundaries of the Bladensburg Road, N.E., Retail Priority Area; to amend the H Street, N.E., Retail Priority Area Incentive Act of 2010 to clarify that restaurants whose annual alcohol sales exceed 20% are not eligible for retail development project grants and to clarify the location of businesses that are eligible to receive retail development project grants; and to repeal the H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014.

H Street, N.E., Retail Priority Area Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "H Street, N.E., Retail Priority Area Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to amend, on an emergency basis, the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), and section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), to modify the boundaries of the Bladensburg Road, N.E., Retail Priority Area; to repeal the H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014, enacted on November 10, 2014 (D.C. Act 20-475; 61 DCR 12121); and to amend section 4 of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.173), to clarify that restaurants whose annual alcohol sales exceed 20% are not eligible for retail development project grants and to clarify the location of businesses that are eligible to receive retail development project grants.

(b) The Fiscal Year 2015 Budget Support Act of 2014 and subsequent emergency legislation amended the Bladensburg Road, N.E., Retail Priority Area, and included it as part of the H Street, N.E., Retail Priority Area.

(c) The H Street, N.E., Retail Priority Area Incentive Emergency Amendment Act of 2014, effective October 24, 2014 (D. C. Act 20-0460; 61 DCMR 11377), amended the criteria for eligible retail development projects eligible to receive grants.

(d) There is concern about the clarity and accuracy of the language amending the Bladensburg Road, N.E., Retail Priority Area, including it into the H Street, N.E., Retail Priority Area, and amending the criteria for retail development projects to be eligible to receive grants.

(e) This emergency legislation addresses those immediate concerns with new language to effectuate the intent of the Fiscal Year 2015 Budget Support Act of 2014 and the H Street, N.E., Retail Priority Area Incentive Emergency Amendment Act of 2014.

(f) This emergency legislation also contains conforming provisions that amend the Fiscal Year 2015 Budget Support Act of 2014 and repeal the pending H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014 to ensure the timely effectiveness of this emergency legislation.

(f) There exists an immediate need to pass this measure clarifying the boundaries of the H Street, N.E., Retail Priority Area and eligible retail development projects so that they are in effect before the conclusion of the current grant cycle, which closes February 23, 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the H Street, N.E., Retail Priority Area Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-73

See Emergency D.C. Act 21-45 21 DCStat 877

To declare the existence of an emergency, due to congressional review, with respect to the need to amend section 47-4658 of the District of Columbia Official Code to clarify the real property tax abatement for Lot 808 in Square 5041 and Lot 811 in Square 5056.

Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) In December 2014, the Council passed the Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Emergency Amendment Act of 2014, effective December 18, 2014 (D.C. Act 20-526; 61 DCR 13117) ("emergency legislation"). The emergency legislation amended section 47-4658 of the District of Columbia Official Code to clarify the real property tax abatement for Lot 808 in Square 5041 and Lot 811 in Square 5056.

(b) The emergency legislation will expire on March 18, 2015, before the temporary legislation, the Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2014, enacted on January 25, 2015 (D.C. Act 20-611; 62 DCR 1876), is projected to become law.

(c) It is important that the provisions of the emergency legislation continue in effect, without further interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-78

See Emergency D.C. Act 21-15 21 DCStat 842

To declare the existence of an emergency, due to congressional review, with respect to the need to amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to clarify that the posting requirement in section 5a is satisfied by posting the initial vacant or blight determination.

Nuisance Abatement Notice Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Nuisance Abatement Notice Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Nuisance Properties Abatement Reform and Real Property Classification Amendment Act of 2008, effective August, 15, 2008 (D.C. Law 17-216; 55 DCR 7500), created a requirement that all notices specified by the nuisance act be provided by mail and by posting at the subject property. Previously, posting was required only when the registration status of the subject property changed or needed to change.

(b) On October 17, 2014, a judge in the Office of Administrative Hearings dismissed a notice of infraction issued by the Department of Consumer and Regulatory Affairs because, inter alia, the notice failed to satisfy the posting requirement.

(c) Prior to the decision of the Office of Administrative Hearings, the Department of Consumer and Regulatory Affairs had been posting notice at the subject property only when the subject property changed or needed to change.

(d) Without clarifying that the provision should apply only to registration-status changes, the Department of Consumer and Regulatory Affairs would be required to devote considerable resources to posting duplicative notices at a subject property rather than devoting those resources to registering and monitoring other vacant properties. All notices would still be required to be provided by United States mail.

(e) In January, the Council enacted the Nuisance Abatement Notice Emergency Amendment Act of 2014, effective January 13, 2015 (D.C. Act 20-569; 62 DCR 1056) ("emergency legislation"), and the Nuisance Abatement Notice Temporary Amendment Act of 2015, signed by the Mayor on February 5, 2015 (D.C. Act 20-622; 62 DCR 1953) ("temporary legislation"), to address the above-referenced issue.

(f) The emergency legislation expires on April 13, 2015. The temporary legislation must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and shall not become law until after the emergency legislation has expired.

(g) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Nuisance Abatement Notice Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-79

See Emergency D.C. Act 21-16 21 DCStat 843

To declare the existence of an emergency, due to congressional review, with respect to the need to amend An Act To provide for voluntary apprenticeship in the District of Columbia and the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978 to make technical and conforming amendments to allow the District of Columbia to continue to be recognized by the U.S. Department of Labor to operate as a State Apprenticeship Agency.

Apprenticeship Modernization Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Apprenticeship Modernization Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District of Columbia is currently recognized by the U.S. Department of Labor as able to operate as a State Apprenticeship Agency pursuant to Title 29 CFR, part 29.13, and has been since 1946.

(b) Beginning in 2008, the U.S. Department of Labor began the process of updating the Federal rules governing apprenticeship programs, labor standards for registration, and amending its regulations.

(c) To conform to the new regulations, for Federal purposes, each State Apprenticeship Agency must update its existing apprenticeship statutes and regulations for continued recognition as an apprenticeship registration agency.

(d) The District of Columbia, through its Office of Apprenticeship, Information and Training within the Department of Employment Services, has worked closely with the U.S. Department of Labor, Office of Apprenticeship, to draft mutually agreeable changes to the District's apprenticeship statutes and regulations.

(e) The U.S. Department of Labor indicated by letter that once the drafted changes are enacted, the District will retain its more than 60 years of recognition as a State Apprenticeship Agency.

(f) In January, the Council enacted the Apprenticeship Modernization Emergency Amendment Act of 2015, effective January 13, 2015 (D.C. Act 20-579; 62 DCR 1258) ("emergency legislation"), and the Apprenticeship Modernization Temporary Amendment Act of 2015, signed by the Mayor on February 5, 2015 (D.C. Act 20-626; 62 DCR 2259) ("temporary legislation").

(g) The emergency legislation expires on April 13, 2015. The temporary legislation must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and shall not become law until after the emergency legislation has expired.

(h) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Apprenticeship Modernization Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-77

See Emergency D.C. Act 21-14 21 DCStat 841

To declare the existence of an emergency, due to congressional review, with respect to the need to amend Chapter 5 of Title 24 of the District of Columbia Municipal Regulations to regulate the sale of tickets from public space.

Ticket Sale Regulation Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Ticket Sale Regulation Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.08), and subsequent amendments did not address the sale of tickets from public space, or ticket scalping.

(b) In January, the Council enacted the Ticket Sale Regulation Emergency Amendment Act of 2014, effective January 13, 2015 (D.C. Act 20-586; 62 DCR 1292) ("emergency legislation"), and the Ticket Sale Regulation Temporary Amendment Act of 2015, signed by the Mayor on February 5, 2015 (D.C. Act 20-630; 62 DCR 2274) ("temporary legislation"), to address the above-referenced issue.

(c) The emergency legislation expires on April 13, 2015. The temporary legislation must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and shall not become law until after the emergency legislation has expired.

(d) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Ticket Sale Regulation Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-72

***See* Emergency D.C. Act 21-28 21 DCStat 863**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Animal Control Act of 1979 to clarify that animals at educational institutions are permitted for educational and instructional purposes.

Classroom Animal for Educational Purposes Clarification Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Classroom Animal for Educational Purposes Clarification Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) There is an immediate need to amend section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), to make clear that animals at educational institutions are permitted for educational and instructional purposes.

(b) The Department of Health has previously notified schools across the District that they must remove animals – such as geckos, frogs, toads, tadpoles, and other species historically used for instructional purposes but not specifically cited in section 9 of the Animal Control Act of 1979 – or the District will seize and destroy them.

(c) This interpretation has caused concern among educators and school administrators and potentially disrupts the teaching and learning opportunities for students.

(d) This bill will prevent classroom and instructional animals from being removed and ensure that the schools can continue teaching sciences and biology with living creatures that are treated and maintained humanely and safely.

(e) This bill is necessary to prevent a gap in the law as the emergency legislation, the Classroom Animal for Educational Purposes Clarification Second Emergency Amendment Act of 2014, effective January 13, 2015 (D.C. Act 20-0578; 62 DCR 1256), expires on April 13, 2015.

(f) Temporary legislation, the Classroom Animal for Educational Purposes Clarification Second Temporary Amendment Act of 2014, enacted on February 5, 2015 (D.C. Act 20-0625; 62 DCR 2257), was transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(g) The temporary legislation may not become law until after the expiration of the emergency legislation; therefore, a congressional review emergency is needed to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Classroom Animal for Educational Purposes Clarification Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-60

***See* Emergency D.C. Act 21-11 21 DCStat 836**

To declare the existence of an emergency, due to congressional review, with respect to the need to clarify the applicability date of the market-based sourcing legislation and the tax sale interest rate to be paid to certain purchasers; and to amend the Fiscal Year 2015 Budget Support Act of 2014 to provide grant-making authority for a specified purpose to the Deputy Mayor for Planning and Economic Development for Fiscal Year 2015.

Market-based Sourcing Inter Alia Clarification Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Market-based Sourcing Inter Alia Clarification Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) Amendments to Title 47 of the District of Columbia Official Code in the Fiscal Year Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990) ("Budget Support Act"), were intended to clarify the tax sale interest rate to be paid to certain purchasers at 1.5% beginning after December 31, 2014.

(b) The Budget Support Act was to have included a grant award to the Washington, DC Economic Partnership for Fiscal Year 2015 but through inadvertence did not.

(c) In January, the Council enacted the Market-based Sourcing Inter Alia Clarification Emergency Amendment Act of 2014, effective January 13, 2015 (D.C. Act 20-585; 62 DCR 1288) ("emergency legislation), and the Market-based Sourcing Inter Alia Clarification Temporary Amendment Act of 2015, signed by the Mayor on February 5, 2015 (D.C. Act 20-629; 62 DCR 2270) ("temporary legislation"), to further clarify the interest rate and the date of its applicability and to add the inadvertently omitted grant.

(d) The emergency legislation expires on April 13, 2015. The temporary legislation must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and shall not become law until after the emergency legislation has expired.

(e) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Market-Based Sourcing Inter Alia Clarification Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

A RESOLUTION

Proposed Resolution 21-74

See Emergency D.C. Act 21-29 21 DCStat 864

To declare the existence of an emergency, due to congressional review, with respect to the need to authorize the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Act of 2015, effective January 13, 2015 (D.C. Act 20-584; 62 DCR 1285) ("Emergency Act"), expires on April 13, 2015.

(b) The Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Temporary Act of 2015, enacted on February 5, 2015 (D.C. Act 20-628; 62 DCR 2267) ("Temporary Act"), is pending congressional review.

(c) The Council's next legislative meeting is scheduled for April 14, 2015; one day after the Emergency Act is set to expire.

(d) This congressional review emergency is necessary to prevent the possibility of a gap in the law if the Temporary Act does not become law before April 13, 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Congressional Review Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-81

***See* Emergency D.C. Act 21-33 21 DCStat 870**

To declare the existence of an emergency, due to congressional review, with respect to the need to allow a subsidy to be transferred to a relative caregiver when a grandparent is no longer able to care for the child.

Grandparent Caregivers Program Relative Subsidy Transfer Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Grandparent Caregivers Program Relative Subsidy Transfer Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Grandparent Caregivers Program Subsidy Transfer Emergency Amendment Act of 2014, effective December 8, 2014 (D.C. Act 20-508; 61 DCR 12717) ("Emergency Act"), allows the Grandparent Caregivers Program ("GPC") subsidy, established by the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq*.), to be transferred to another relative who is related to the child by blood, marriage, domestic partnership, or adoption or is a godparent of the child. The Emergency Act expires on March 8, 2015.

(b) The Grandparent Caregivers Program Subsidy Transfer Temporary Amendment Act of 2014, enacted on December 19, 2014 (D.C. Act 20-536; 62 DCR 21), is pending congressional review.

(c) The congressional review emergency is necessary to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Grandparent Caregivers Program Subsidy Transfer Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-80

***See* Emergency D.C. Act 21-32 21 DCStat 868**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Health Services Planning Program Re-establishment Act of 1996 to exempt the Not-for-Profit Hospital Corporation from the certificate-of-need requirements for a period of one year for the establishment of an ambulatory care clinic in Ward 8, provided that it establishes 2 mobile health clinics to operate in Wards 7 and 8.

Not-for-Profit Hospital Corporation Certificate of Need Exemption Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Not-for-Profit Hospital Corporation Certificate of Need Exemption Congressional Review Emergency Declaration Resolution of 2015."

Sec. 2. (a) The Council passed the Not-for-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014, effective January 6, 2014 (D.C. Act 20-563; 62 DCR 491) ("emergency legislation"), and the Not-for-Profit Hospital Corporation Certificate of Need Exemption Temporary Amendment Act of 2014, enacted on February 5, 2015 (D.C. Act 20-623; 62 DCR 1960) ("temporary legislation"), which amended the Health Services Planning Program Re-establishment Act of 1996 to exempt the Not-for-Profit Hospital Corporation from the certificate-of-need requirements for a period of one year for the establishment of an ambulatory care clinic in Ward 8; provided, that it establishes 2 mobile health clinics to operate in Wards 7 and 8.

(b) The emergency legislation will expire on April 6, 2015, before the temporary legislation is projected to become law.

(c) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Not-For-Profit Hospital Corporation Certificate of Need Exemption Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-20

To confirm the appointment of Mr. Eric D. Shaw as the Director of the District of Columbia Office of Planning.

Director of the Office of Planning Eric D. Shaw Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office of Planning Eric D. Shaw Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Eric D. Shaw
1301 U Street, N.W., #208
Washington, D.C. 20009
(Ward 1)

as the Director of the Office of Planning, established by Mayor's Order 83-25, dated January 3, 1983, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-29

To confirm the appointment of Mr. Brian T. Kenner as the Deputy Mayor for Planning and Economic Development for the District of Columbia.

Deputy Mayor for Planning and Economic Development Brian T. Kenner Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Deputy Mayor for Planning and Economic Development Brian T. Kenner Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Brian T. Kenner
Apartment #D
1650 Beekman Place, N.W.
Washington, D.C. 20009
(Ward 1)

as the Deputy Mayor for Planning and Economic Development, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-25

To confirm the appointment of Ms. Mary R. ("Polly") Donaldson as the Director of the Department of Housing and Community Development.

Director of the Department of Housing and Community Development Mary R. ("Polly") Donaldson Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Housing and Community Development Mary R. ("Polly") Donaldson Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Mary R. ("Polly") Donaldson
1728 Kenyon Street, N.W.
Washington, D.C. 20010
(Ward 1)

as the Director of the Department of Housing and Community Development, established by Reorganization Plan No. 3 of 1975, effective July 3, 1975, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-23

To confirm the appointment of Ms. Jennifer C. Niles as the Deputy Mayor for Education of the District of Columbia.

Deputy Mayor for Education Jennifer C. Niles Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Deputy Mayor for Education Jennifer C. Niles Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Jennifer C. Niles
2853 Ontario Road, N.W., Apartment 510
Washington, D.C. 20009
(Ward 1)

as the Deputy Mayor for Education, in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-26

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $30 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist KIPP DC in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

KIPP DC Revenue Bonds Project Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "KIPP DC Revenue Bonds Project Approval Resolution of 2015".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be KIPP DC, a nonprofit corporation organized under the laws of the District of Columbia, which is exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3) and organized under the laws of the District and which is liable for the repayment of the Bonds.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Mayor" means the Mayor of the District of Columbia.

(13) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) The acquisition, development, construction and renovation of an approximately 112,883 square foot public charter school campus located at 5300 Blaine Street N.E., Washington, D.C. 20019 (Square 5236, Lot 0104) ("Facility"), which may include the refinancing of certain existing debt relating to the acquisition of the Facility, including acquisition of its various existing assets;

(B) The purchase of equipment and furnishings, together with other property, real and personal, functionally related and subordinate thereto;

(C) Funding certain working capital costs directly related to the Facility, to the extent financeable;

(D) Funding any credit enhancement costs, liquidity costs, or debt service reserve fund; and

(E) Paying Issuance Costs and other related costs to the extent permissible.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal

entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed $30 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of elementary and secondary school facilities, within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $30 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor’s manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant,

undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec.12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec.13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall not rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-27

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $200 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist National Public Radio, Inc., in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

National Public Radio, Inc., Refunding Revenue Bonds Project Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "National Public Radio, Inc., Refunding Revenue Bonds Project Approval Resolution of 2015".

Sec. 2. Definitions.

For the purpose of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be National Public Radio, Inc., a nonprofit corporation organized and existing under the laws of the District of Columbia, and exempt from federal income taxes under 26 U.S.C. § Section 501(a) as an organization described in 26 U.S.C. § 501(c)(3).

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents other than Closing Documents that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan contemplated thereby, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs (including payments of principal of, and interest on, the bonds being refunded) to refund all or a portion of the outstanding District of Columbia Revenue Bonds (National Public Radio, Inc., Issue) Series 2010, the proceeds of which were used to finance, refinance, or reimburse all or a portion of the costs incurred by the Borrower to acquire, develop, renovate, furnish, and equip a new office, production, and distribution center located at 1111 North Capitol Street, N.E., Washington, D.C. 20003-1438 (Square 673, Lot 837).

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may by resolution authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the costs of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in an aggregate principal amount not to exceed $200 million and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of education and contributes to the health, education, safety, or welfare of residents of the District within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $200 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec.12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec.13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147 (f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sect. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

D.C. Resolution 21-32, effective March 3, 2015

A RESOLUTION

Proposed Resolution 21-43

See Emergency D.C. Act 21-22 21 DCStat 856

To declare the existence of an emergency with respect to the need to approve the modification to Contract No. CW25390 with Precision Truck Repair, Inc. for school-bus maintenance services to increase the not-to-exceed amount to $1,500,000, and to authorize payment for the services received and to be received under the contract.

Modification to Contract No. CW25390 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification to Contract No. CW25390 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve the modification to Contract No. CW25390 for school-bus maintenance services to increase the not-to-exceed amount to $1,500,000, and to authorize payment for the services received and to be received under the contract.

(b) On June 1, 2014, Contract No. CW25390 was awarded to Precision Truck Repair, Inc. for the period from June 1, 2014, to May 31, 2015 in an amount not to exceed $900,000.

(c) The proposed modification would increase the contract ceiling to $1,500,000, which is the maximum amount that the District now anticipates spending

(d) Council approval of the modification to Contract No. CW25390 is required pursuant to section 451(b)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(b)(1)), because the modification would increase the contract value to an amount in excess of $1,000,000 during a 12-month period.

(e) Approval of the modification to Contract No. CW25390 is necessary to allow the continuation of these vital services. Without this approval, Precision Truck Repair, Inc. cannot be paid for services provided in excess of $1,000,000.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification to Contract No. CW25390 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-46

See Emergency D.C. Act 21-23 21 DCStat 857

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 with the BLOC-Atlantic, LLC/Shinberg/Levinas Architectural Design, Inc. Joint Venture for architectural and engineering services for the Hyde-Addison Elementary School Complex, and to authorize payment for the goods and services received and to be received under the contract and change orders.

Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2.(a) There exists an immediate need to approve Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 with the BLOC-Atlantic, LLC/Shinberg/Levinas Architectural Design, Inc. Joint Venture for architectural and engineering services for the Hyde-Addison Elementary School Complex in the aggregate amount of $1,248,102 and to authorize payment for the goods and services received and to be received under the contract and change orders.

(b) The District competitively bid and awarded Contract No. DCAM-13-AE-0138 to BLOC-Atlantic, LLC/Shinberg/Levinas Architectural Design, Inc. Joint Venture. The initial value of Contract No. DCAM-13-AE-0138 was $675,102. Thereafter, the District issued Change Order No. 001 to Contract No. DCAM-13-AE-0138 in the amount of $163,287.67 and Change Order No. 002 to Contract No. DCAM-13-AE-0138 in the amount of $87,500, increasing the total aggregate value of Contract No. DCAM-13-AE-0138 to $925,889.67; thus, Council approval was not required.

(c) Change Order No. 003 in the amount of $222,212.33 will increase the aggregate value of Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 to $1,148,102.

(d) Council approval of Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the total expenditure under Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 will be in an amount in excess of $1,000,000 during a 12-month period.

(e) Approval of Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 in the aggregate amount of $1,148,102 is necessary to

compensate the BLOC-Atlantic, LLC/Shinberg/Levinas Architectural Design, Inc. Joint Venture for work completed and to be completed pursuant to Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 for architectural and engineering services for the Hyde-Addison Elementary School Complex.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-13-AE-0138 and Change Orders Nos. 001 through 003 to Contract No. DCAM-13-AE-0138 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-50

See Emergency D.C. Act 21-24 21 DCStat 858

To declare the existence of an emergency with respect to the need to approve Change Orders Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 with Prince Construction Company/W.M. Schlosser Company, Inc. JV for the renovation and expansion of the inmate processing center at the District's Central Detention Facility, and to authorize payment in the aggregate amount of $2,930,168 for the goods and services received and to be received under these change orders.

Change Orders Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Orders Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2.(a) There exists an immediate need to approve Change Orders Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 with Prince Construction Company/W.M. Schlosser Company, Inc. JV for the renovation and expansion of the inmate processing center at the District's Central Detention Facility in the aggregate amount of $2,930,168 and to authorize payment for the goods and services received and to be received under these change orders.

(b) The Council previously approved the underlying contract (CA19-0481) and Change Orders Nos. 001 through 003 (A20-0407). Thereafter, the Department issued Change Order No. 004 with a value of $937,600. The value of Change Order No. 004 was less than $1 million; thus, Council approval was not required.

(c) Change Order No. 005 in the amount of $1,992,569 will increase the aggregate value of Change Orders Nos. 004 and 005 to $2,930,168.

(d) Council approval of Change Orders Nos. 004 and 005 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the total expenditure under Change Orders Nos. 004 and 00 will be in an amount in excess of $1,000,000 during a 12-month period.

(e) Approval of Change Orders Nos. 004 and 005 in the aggregate amount of $2,930,168 is necessary to compensate Prince Construction Company/W.M. Schlosser Company, Inc. JV for work completed and to be completed pursuant to Change Order Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 for the renovation and expansion of the inmate processing center at the District's Central Detention Facility.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 004 and 005 to Contract No. DCAM-12-CS-0165 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-62

See Emergency D.C. Act 21-9 21 DCStat 834

To declare the existence of an emergency with respect to the need to approve Contract No. CW31686 with Seagrave Fire Apparatus, LLC to provide ladder-truck refurbishment services, and to authorize payment for the services received and to be received under the contract.

Contract No. CW31686 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW31686 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Contract No. CW31686 with Seagrave Fire Apparatus, LLC to provide ladder-truck refurbishment services, and to authorize payment for the services received and to be received under the contract.

(b) Contract No. CW31686 will be in the estimated contract amount of $2,218,720 for services provided during the period January 14, 2015 through January 13, 2016.

(c) Council approval of Contract No. CW31686 is necessary pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the estimated contract amount is in excess of $1 million during a 12-month period.

(d) Approval of Contract No. CW31686 is necessary to allow the continuation of vital services. Without this approval, the District can only order services up to the amount of $1 million, which will not satisfy its need to refurbish 16 trucks.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW31686 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-54

See Emergency D.C. Act 21-25 21 DCStat 859

To declare the existence of an emergency with respect to the need to approve the exercise of the first option year of Contract No. CW25933 with Public Performance Management, LLC to provide mission-oriented business integrated services, and authorize payment for the goods and services received and to be received under the contract.

Contract No. CW25933 Option Year One Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW25933 Option Year One Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve the exercise of the first option year of Contract No. CW25933 with Public Performance Management, LLC to provide mission-oriented business integrated services, and to authorize payment for the goods and services received and to be received under the contract.

(b) On January 29, 2014, the Office of Contracting and Procurement ("OCP") awarded District of Columbia Supply Schedule Contract No. CW25933 ("Contract") to Public Performance Management, LLC for the base term of January 29, 2014 through January 28, 2015, in the not-to-exceed amount of $950,000.

(c) By Modification No. 2, dated January 21, 2015, OCP exercised a partial option for option year one of the Contract for the period of January 29, 2015 through February 28, 2015, in the not-to-exceed amount of $500,000.

(d) By Modification No. 3, OCP intends to exercise the remainder of the option for option year one in the aggregate not-to-exceed amount of $10,000,000.

(e) Council approval of the exercise of the first option year of Contract No. CW25933 is necessary pursuant to section 451(b)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(b)(1)), because exercising the option year for payment in the aggregate not-to-exceed amount of $10,000,000 would increase the contract value to an amount in excess of $1,000,000 during a 12-month period.

(f) Approval of the exercise of the first option year of Contract No. CW25933 is necessary to allow the continuation of these vital services. Without this approval, Public Performance Management, LLC cannot be paid for goods and services provided in excess of $1,000,000 during option year one.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW25933 Option Year One Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-63

See Emergency D.C. Act 21-10 21 DCStat 835

To declare the existence of an emergency with respect to the need to approve Contract No. CW31163 with Accenture Federal Services LLC for independent verification and validation of the District of Columbia Access System (DCAS), and to authorize payment for the services received and to be received under the contract.

Contract No. CW31163 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW31163 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve proposed Contract No. CW31163 with Accenture Federal Services LLC, and to authorize payment for the services received and to be received under the contract.

(b) On September 25, 2014, the Office of Contracting and Procurement ("OCP") issued Contract No. CW31163 to Accenture Federal Services LLC as a letter contract to run from October 1, 2014, to October 31, 2014 in the amount of $158,750.

(c) On October 23, 2014, OCP issued Modification No. 1 to Contract No. CW31163 to extend the Contract through December 31, 2014, in the amount of $689,896.69.

(d) On December 23, 2014, OCP issued Modification No. 3 to Contract No. CW31163 to extend the Contract from December 31, 2014 through January 31, 2015 in the amount of $149,230.61.

(e) On January 29, 2015, OCP issued Modification No. 5 to Contract No. CW31163 to extend the Contract from January 31, 2015 through February 23, 2015 at no cost.

(f) OCP now proposes to definitize Contract No. CW31163 , incorporating the letter contract and the subsequent modifications, for the period from October 1, 2014 through September 30, 2015, in the aggregate estimated amount of $1,876,872.

(g) Council approval of the definitized Contract No. CW31163 is necessary pursuant to section 451(b)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(b)(1)), because the estimated contract amount is in excess of $1 million during a 12-month period.

(h) Approval of the definitized Contract No. CW31163 is necessary to allow the continuation of these vital services. Without this approval, Accenture Federal Services LLC cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW31163 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-67

***See* Emergency D.C. Act 21-12 21 DCStat 839**

To declare the existence of an emergency with respect to the need to approve the exercise the third option year of Contract No. DCPO-2011-T0079 with Cellco d/b/a/ Verizon Wireless to supply the District with wireless telecommunications products and services related to enterprise communications and information technology, and to authorize payment for the services received, and to be received under the contract.

Contract No. DCPO-2011-T0079 Option Year Three Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCPO-2011-T0079 Option Year Three Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve the exercise of the third option year of Contract No. DCPO-2011-T-0079 with Cellco d/b/a Verizon Wireless to supply the District with wireless telecommunications products and services related to enterprise communications and information technology, and to authorize payment for the services received, and to be received, under the Contract.

(b) On August 7, 2011, the District of Columbia Office of Contracting and Procurement (OCP) issued to Verizon Wireless Task Order Number DCPO-2011-T-0079 ("Contract") against a United States General Services Administration (GSA) Federal Supply Schedule Contract, GS-35F-0119P (BPA# 2010-0001). The initial term of the Contract was from the date of award for a period of one year, in the not-to-exceed amount of $4,200,000.

(c) OCP issued Modification No. 1 to the Contract on May 24, 2012 to extend the base year period of performance to September 30, 2012, at no additional cost, and to change the period of performance for option year one to October 1, 2012 through September 30, 2013.

(d) On September 25, 2012, OCP issued Modification No. 2 to the Contract to exercise option year one for the period from October 1, 2012 through September 30, 2013, in the not-to-exceed amount of $4,200,000.

(e) On September 26, 2013, OCP issued Modification No. 3 to the Contract to exercise option year 2 for the period from October 1, 2013, through September 30, 2014, in the not-to-exceed amount of $4,200,000.

(f) OCP issued Modification No. 4 to the Contract to partially exercise option year 3 for the period from October 1, 2014, through November 27, 2014, in the not-to-exceed amount of $685,000.

(g) On November 12, 2014, OCP issued Modification No. 5 to the Contract to partially exercise option year 3 for the period from November 28, 2014 to December 28, 2014, in the not-to-exceed amount of $350,000.

(h) On December 26, 2014, OCP issued Modification No. 6 to the Contract to reduce the not-to-exceed amount of Modification No. 5 from $350,000 to $250,000 and partially exercise option year 3 for the period from December 29, 2014 through January 31, 2015 in the amount of $60,000.

(i) On January 30, 2015, OCP issued Modification No. 7 to the Contract to partially exercise option year 3 for the period from February 1, 2015 through February 28, 2015 in the amount of $4,999.

(j) By Modification No. 8 to the Contract, OCP intends to exercise the remainder of option year 3 for the period from March 1, 2015, through September 30, 2015, in the aggregate not-to-exceed amount of $4,200,000.

(k) Council approval of the exercise of the third option year of the Contract is necessary pursuant to section 451(b)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(b)(1)), because exercising the option year for payment in the aggregate not-to-exceed amount of $4,200,000 would increase the contract value to an amount in excess of $1,000,000.00 during a 12-month period.

(l) Approval of the exercise of the third option year of the Contract is necessary to allow the continuation of these vital services. Without this approval, Cellco d/b/a Verizon Wireless cannot be paid for services provided in excess of $1,000,000.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCPO-2011-T-0079 Option Year Three Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-42

To approve multiyear Contract No. CFOPD-15-C-003 with ICMA Retirement Corporation to provide recordkeeping, administration, participant communication, education, investment management, and trustee services for the District's 457 deferred compensation and 401(a) defined contribution pension plans.

Contract No. CFOPD-15-C-003, 457 Deferred Compensation and 401(a) Defined Contribution Pension Plans Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-15-C-003, 457 Deferred Compensation and 401(a) Defined Contribution Pension Plans Approval Resolution of 2015".

Sec. 2. (a) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CFOPD-15-C-003 with ICMA Retirement Corporation for recordkeeping, administration, participant communication, education, investment management, and trustee services for the District's 457 deferred compensation and 401(a) defined contribution pension plans for the Office of the Chief Financial Officer, Office of Finance and Treasury.

(b) The proposed contract has a 5-year base term and 2 2-year option periods. The proposed multiyear contract cost is not to exceed $34,273,174.06.

Sec. 3. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-75

See Emergency D.C. Act 21-30 21 DCStat 867

To declare the existence of an emergency with respect to the need to amend the Vending Regulation Act of 2009 to maintain criminal penalties for a violation of the act or a vending regulation.

Vending Regulations Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Vending Regulations Emergency Declaration Resolution of 2015".

Sec. 2.(a) In 2009, the Council enacted the Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.01 *et seq.*), which authorized the Mayor to regulate vending in the District and required any proposed rules to be submitted to the Council for review and approval.

(b) On March 8, 2013, the Vending Business License Regulation Resolution of 2013, deemed disapproved on June 22, 2013 (PR20-125), was introduced in the Office of the Secretary to the Council by Chairman Mendelson at the request of the Mayor. The regulations in PR20-125 were adopted in part by the Council with the enactment of the Vending Regulation Emergency Amendment Act of 2013, effective June 19, 2013 (D.C. Act 20-84; 60 DCR 9534), and the subsequent enactment of the Vending Regulation Second Emergency Amendment Act of 2013, effective June 20, 2013 (D.C. Act 20-90; 60 DCR 9551).

(c) On September 20, 2013, the Office of the City Administrator had final rules published in the District of Columbia Register.

(d) The rules proposed in March 2013 inadvertently removed provisions establishing criminal penalties for violations of the vending regulations.

(e) The Council enacted the Vending Regulations Temporary Amendment Act of 2014, effective August 8, 2014 (D.C. Law 20-131; 61 DCR 9138) ("2014 act"), which reinstated criminal penalties for vending violations until March 21, 2015. No legislation has addressed criminal penalties for vending violations other than the 2014 act.

(f) To permit complete enforcement of vending violations and prevent the disruption of lawful vending operations, it is necessary to adopt emergency legislation to maintain criminal penalty provisions for vending violations beyond the March 21 expiration of the 2014 act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Vending Regulations Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-71

See Emergency D.C. Act 21-13 21 DCStat 840

To declare the existence of an emergency with the respect to the need to amend the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998 to allow the Chancellor, in consultation with the principal and local school advisory team, to direct at-risk student funds.

At-Risk Funding Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "At-Risk Funding Emergency Declaration Resolution of 2015".

Sec. 2. (a) In 1998, the Council passed the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*) ("Act"), in order to establish a funding Formula to determine annual payments to the District of Columbia Public Schools and annual payments to Public Charter Schools.

(b) In 2013, the Council amended the Act to establish an at-risk funding supplement to existing base funding, to be disbursed at the school level based on the projected enrollment of at risk students.

(c) The 2013 amendment also directed that at least 90% of the at-risk funds allocated to DCPS school-level budgets be spent at the principal's discretion, in consultation with the school's local school advisory team.

(d) Over the past few years, DCPS has identified several programs, interventions, and initiatives that have proven successful in providing additional supports for students, resulting in gains in student achievement, growth in enrollment, and an increase in student and parent satisfaction.

(e) The current law does not enable the Chancellor to fully ensure that all students across DCPS are continuing to access programs and interventions that work.

(f) Further, the turnaround for principals to make budget decisions after receiving their school budget allocations does not allow sufficient time to fully research, analyze, and vet the effectiveness of programs to implement on their own. DCPS' central office is prepared to help guide principals and school communities through this process.

(g) School budgets for school year 2015-2016 are currently being prepared; therefore, this emergency is needed to allow the Chancellor to have more discretion for the utilization of at-risk funds to ensure that money is directed to initiatives that will have the greatest impact for students and that equity in terms of access to programs is maintained.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the At-

Risk Funding Preservation Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-59

See Emergency D.C. Act 21-26 21 DCStat 860

To declare the existence of an emergency with respect to the need to amend the District of Columbia School Reform Act of 1995 to allow a public charter school to offer priority in enrollment to any students who were previously enrolled in the facility where that charter school will operate in the preceding school year; and to amend section 29-412.20 of the District of Columbia Official Code to grant the Attorney General the authority to dissolve a nonprofit corporation organized for the purpose of operating a public charter school if the charter for the public charter school has been revoked, non-renewed, or relinquished.

Public Charter School Priority Enrollment Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Charter School Priority Enrollment Emergency Declaration Resolution of 2015".

Sec. 2. (a) On October 27, 2014, D.C. Superior Court Judge Neal Kravitz, in a civil case filed on behalf of the District of Columbia by the Office of the Attorney General ("OAG"), ruled that Dorothy I. Height Community Academy Public Charter School ("CAPCS") had engaged in a pattern of fiscal mismanagement and violated the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*) ("SRA") as a result of the CAPCS Board's breach of its fiduciary duties. Based on this litigation the staff of the Public Charter School Board ("PCSB") informed the PCSB that there was a pattern of fiscal mismanagement because CAPCS paid 2 different entities for the same services over the course of at least 2 years, an unreasonable amount of money was paid to Community Action Partners and Charter School Management LLC ("CAPCSM") pursuant to the management agreement given the services that were performed, and staff founds that CAPCS was in violation of the SRA for breach of its fiduciary duties for permitting these payments to have occurred.

(b) On December 15, 2014, the PCSB voted to initiate charter revocation procedures on CAPCS for fiscal mismanagement; on January 27, 2015 the PCSB held a public hearing at CAPCS Amos 5 campus; on February 12, 2015, the PCSB held a special board meeting to vote on charter revocation for CAPCS and postponed the vote; and on February 19, 2015, in a special meeting the PCSB voted to revoked the charter for CAPCS effective June 30, 2015.

(c) After the vote to revoke the charter of CAPCS was taken, the Deputy Mayor for Education released a joint facilities plan in collaboration with Friendship Public Charter Schools, DC Bilingual Public Charter School, and the Chancellor of the District of Columbia Public Schools to provide continuity of education for students who are currently enrolled at one of CAPCS campuses or in its online program. For this plan to successfully ensure that current CAPCS students who would like to continue in the current facility where they enrolled there

needs to be a temporary safeguard in place to create an enrollment priority for students who wish to enroll in the public charter school operating in the school facility those students attended under the administration of CAPCS.

(d) It is the intent of the Council that this preference in enrollment is only for current CAPCS students who wish to enroll in one of the new operating charters that will take over the current CAPCS buildings in school year 2015-2016. This emergency will allow for their enrollment to be prioritized for the first year of operation under the newly authorized charter.

(e) The mandatory dissolution provision will provide OAG with the power to involuntarily dissolve a nonprofit organization operating a public charter school, including the relinquishment of its current assets, if the school's charter is revoked, not renewed, or voluntarily relinquished. This emergency fix is needed in order to address the possibility of CAPCS refusing to voluntarily dissolve as required by the SRA (D.C. Official Code § 38-1802.13a) after having its charter revoked by PCSB on February 19, 2015. If CAPCS, Inc., is not dissolved, students across the 4 CAPCS campuses would not have priority access to the 2 new Friendship campuses.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Public Charter School Priority Enrollment Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-43

***See* Emergency D.C. Act 21-18 21 DCStat 851**

To declare the existence of an emergency with the respect to the need amend the Human Rights Act of 1977 to clarify that the prohibition of discrimination on the basis of sex shall not be construed to require an employer to provide insurance coverage related to a reproductive health decision.

Reproductive Health Non-Discrimination Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Reproductive Health Non-Discrimination Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) On December 17, 2014, the Council passed the Reproductive Health Non-Discrimination Amendment Act of 2014, enacted on January 23, 2015 (D.C. Act 20-593; 62 DCR 1337), to ensure that protection of individuals from discrimination by an employer or employment agency on the basis of sex includes protection from discrimination based an individual's or a dependent's reproductive health decision making.

(b) Emergency legislation is needed to clarify that the prohibition of discrimination on the basis of sex shall not be construed to require an employer to provide insurance coverage related to a reproductive health decision.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Reproductive Health Non-Discrimination Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-82

***See* Emergency D.C. Act 21-17 21 DCStat 849**

To declare the existence of an emergency with respect to the need to amend the Health Benefit Exchange Authority Establishment Act of 2011 to provide for the financial sustainability of the Health Benefit Exchange Authority.

Health Benefit Exchange Authority Financial Sustainability Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Health Benefit Exchange Authority Financial Sustainability Emergency Declaration Resolution of 2015".

Sec. 2 (a) Pursuant to section 17(b)(1) of the Health Benefit Exchange Authority Establishment Act of 2011 ("Act"), effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.16(b)(1)), the Health Benefit Exchange Authority ("Authority") was required to "prepare a plan that identifies how the Authority will be financially self-sustaining by January 1, 2015."

(b) Pursuant to section 17(b)(2) of the Act (D.C. Official Code § 31-3171.16(b)(2)), the Authority submitted its "Report to the Mayor and Council of the District of Columbia on Financial Sustainability" on December 13, 2013.

(c) The Authority considered a wide range of options for achieving financial self-sustainability. It adopted a broad-based assessment of all health insurance carriers in the District to assure the lowest percentage assessment possible for the Authority's future funding.

(d) Section 4(e)(1) of the Act (D.C. Official Code § 31-3171.03(e)(1)) provides that "[t]he Authority is authorized to charge, through rulemaking:

(A) User fees;

(B) Licensing fees; and

(C) Other assessments on health carriers selling qualified dental plans or qualified health plans in the District, including qualified health plans and qualified dental plans sold outside the exchanges."

(e) The bill would amend this section to clearly authorize the Authority to assess all health carriers doing business in the District by utilizing the recommended low percentage, broad-based assessment.

(f) Emergency action is required to allow the Authority to proceed with a broad-based assessment of all health carriers doing business in the District to ensure its financial sustainability.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Health

Benefit Exchange Financial Sustainability Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-88

See Emergency D.C. Act 21-34 21 DCStat 873

To declare the existence of an emergency with respect to the need to amend the Testing Integrity Act of 2013 to allow for the use of computers and cell phones during the administration of computer-based Districtwide assessments as outlined in guidance issued by the Office of the State Superintendent of Education, and to clarify that the phrase "the Mayor" includes his or her designated representative.

Testing Integrity Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Testing Integrity Emergency Declaration Resolution of 2015".

Sec. 2. (a) During School Year ("SY") 2014-2015, the District of Columbia Public Schools ("DCPS") and the District's Public Charter Schools are implementing next generation assessments, moving from the D.C. Comprehensive Assessment System ("DC CAS") to the Partnership for Assessment of Readiness for College and Careers ("PARCC") for English/Language Arts, Composition, and Math, from the DC CAS Science to the Next Generation Science Standards ("NGSS") Assessment, and from the DC CAS Alt to the National Center and State Collaborative ("NCSC").

(b) While the DC CAS was administered on paper, the vast majority of students will take the next generation assessments on the computer this school year. Specifically, over 90% of the students taking the PARCC assessment will be doing so through computer-based testing, with all students taking PARCC and the other next generation assessments on the computer by SY 2017-2018.

(c) PARCC is composed of 2 components – a performance based assessment ("PBA") and an end of year ("EOY") assessment. The PBA is designed to be taken approximately 75% through the academic year, and the EOY is designed to be taken approximately 90% through the academic year.

(d) During SY 2014-2015, the testing window for the PBA portion of PARCC begins on March 2, 2015, with 7 local education agencies beginning to test on that day. DCPS will begin to test on March 7, 2015, and most District students will complete the PBA portion of the PARCC between March 23and April 3, 2015.

(e) The Testing Integrity Act of 2013, effective October 17, 2013 (D.C. Law 20-27; D.C. Official Code § 38-771.01 *et seq.*), prohibits individuals with access to Districtwide assessment materials or who are directly involved in the administration of a Districtwide assessment from using cell phones, unapproved electronics, or computer devices during the administration of a Districtwide assessment. Such prohibition effectively prevents the use of computer-based testing in the District.

(f) Additionally the Testing Integrity Act of 2013 prevents the use of cell phones during the administration of a Districtwide assessment. Since many of the computer labs and classrooms being utilized during the administration of PARCC and the other next generation assessments do not have landlines in the room, test administrators, test monitors, or school technology coordinators who may need to contact technology support during the administration of the test will not be able to do so.

(g) Under current law, if technological challenges are encountered during the administration of a computer-based test, and no landlines are present in the classroom in which the test is being administered, an individual would not be able to seek technological support without numerous delays that would prevent the efficient, effective, and timely administration of the assessment.

(h) Thus, it is imperative that the law be amended to allow for computer-based testing and for cell phone use during the testing environment, within a strict set of guidelines issued by the Office of the State Superintendent of Education. Given the fact that PARCC administration begins this week, an emergency exists and requires the amendment of D.C. Law 20-27.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Testing Integrity Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-46, effective March 3, 2015

A RESOLUTION

Proposed Resolution 21-89

***See* Emergency D.C. Act 21-35 21 DCStat 874**

To declare the existence of an emergency with respect to the need to amend the State Education Office Establishment Act of 2000 to exempt individual educator evaluation data from public disclosure; and to amend the District of Columbia Administrative Procedure Act to exempt the educator evaluation data from public disclosure.

Educator Evaluation Data Protection Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Educator Evaluation Data Protection Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to enact emergency legislation to amend the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), to exempt individual educator evaluation data from public disclosure.

(b) The Educator Evaluation Data Collection Temporary Amendment Act of 2014, effective August 8, 2014 (D.C. Law 20-132; 61 DCR 6338) ("Temporary Act"), which amended the State Education Office Establishment Act of 2000 to protect individual educator evaluation data from public disclosure, expires on March 21, 2015.

(c) Under current law, information of a personal nature of District of Columbia Public Schools ("DCPS") educators, including personnel files which consist of individual educator evaluation data, are protected from public disclosure. However, such protection is not offered to teachers in the public charter schools since they are not employees of the District of Columbia government. This lack of protection for public charter school educators creates an inequity across sectors and prevents the sharing of information about the District's public charter school teachers.

(d) If the Temporary Act expires without new protections in place, public charter school educator evaluation data will be subject to public disclosure beginning March 22, 2015. Thus, it is imperative that the law be amended to continue to protect the record of an educator's performance and evaluation, regardless of whether the educator teaches at DCPS or a public charter school.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Educator Evaluation Data Protection Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-41

See Emergency D.C. Act 21-21 21 DCStat 855

To declare the existence of an emergency with respect to the need to approve the exercise of the second option year of Task Order No. CW15546 with AT&T Mobility National Accounts LLC to supply the District with wireless telecommunications products and services and other wireless telecommunication solutions related to enterprise communications and information technology, and to authorize payment for the services received and to be received under the task order.

Task Order No. CW15546 Option Year Two Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Task Order No. CW15546 Option Year Two Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve the exercise of the second option year of Task Order No. CW15546 with AT&T Mobility National Accounts LLC to supply the District with wireless telecommunications products and services and other wireless telecommunication solutions related to enterprise communications and information technology, and to authorize payment for the services received and to be received under the task order.

(b) On August 1, 2012, the District signed a participating addendum to the Western States Contracting Alliance cooperative purchasing agreement between the State of Nevada and AT&T Mobility National Accounts LLC.

(c) On September 25, 2012, pursuant to the cooperative purchasing agreement, the District issued Task Order No. CW15546 ("Task Order"), to AT&T Mobility National Accounts LLC. The initial term of the Task Order was for the period from October 1, 2012, through September 30, 2013, for payment in the not-to-exceed amount of $2,000,000.

(d) Thereafter the District issued Modification No. 1 to the Task Order, exercising option year one effective October 1, 2013 and continuing performance for the period from October 1, 2013, through September 30, 2014, for payment in the not-to-exceed amount of $2,000,000.

(e) On September 19, 2014, the District issued Modification No. 2 to the Task Order, partially exercising option year 2 and continuing performance for the period from October 1, 2014, through November 30, 2014, for payment in the not-to-exceed amount of $333,333.34.

(f) On November 12, 2014, the District issued Modification No. 3 to the Task Order, partially exercising option year 2 and continuing performance for the period from December 1, 2014, through December 30, 2014, for payment in the not-to-exceed amount of $161,111.11.

(g) On December 30, 2014, the District issued Modification No. 4 to the Task Order, partially exercising option year 2 and continuing performance for the period from December 31, 2014 through January 31, 2015, for payment in the not-to-exceed amount of $165,555.55.

(h) Modification No. 5 to the Task Order would continue performance for the remainder of option year 2 from February 1, 2015 through September 30, 2015, for payment in the aggregate not-to-exceed amount of $2,000,000.

(i) Council approval of the exercise of the second option year of Task Order No. CW15546 is necessary pursuant to section 451(b)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(b)(1)), because exercising the option year for payment in the aggregate not-to-exceed amount of $2,000,000 would increase the contract value to more than $1,000,000 during a 12-month period.

(j) Approval of the exercise of the second option year of Task Order No. CW15546 is necessary to allow the continuation of these vital services. Without this approval, AT&T Mobility National Accounts LLC cannot be paid for services provided in excess of $1,000,000 during option year 2.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Task Order No. CW15546 Option Year Two Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-48, effective March 3, 2015

A RESOLUTION

Proposed Resolution 21-87

***See* Emergency D.C. Act 21-19 21 DCStat 852**

To declare the existence of an emergency with respect to the need to amend the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014; and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any certificate of occupancy or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the certificate of occupancy or permit.

Marijuana Possession Decriminalization Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Marijuana Possession Decriminalization Clarification Emergency Declaration Resolution of 2015".

Sec. 2.(a) On March 4, 2014, the Council of the District of Columbia enacted the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01).

(b) Although the Marijuana Possession Decriminalization Amendment Act of 2014 decriminalizes possession or transfer of one or fewer ounces of marijuana, it also makes plain that consumption of marijuana in a public space, which includes any place to which the public is invited, remains subject to criminal penalties.

(c) On November 4, 2014, District of Columbia voters approved the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; D.C. Official Code § 48-904 *et seq.*), which legalizes the possession and use of 2 or fewer ounces of marijuana under certain circumstances.

(d) When applied together, the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014 and the Marijuana Possession Decriminalization Amendment Act of 2014 continue to prohibit consumption of marijuana in a public space, including any place to which the public is invited. The measures do not further define a place to which the public is invited. Consequently, it is unclear whether a private club is a place to which the public is invited.

(e) In order to address whether marijuana consumption is permitted in a private club, it is necessary to amend the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014.

(f) It is also necessary to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Marijuana Possession Decriminalization Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-49, effective March 3, 2015

A RESOLUTION

Proposed Resolution 21-64

See Emergency D.C. Act 21-27 21 DCStat 862

Chancellor of the District of Columbia Public Schools Salary Adjustment Emergency Declaration Resolution of 2015

To declare the existence of an emergency with respect to the need to approve the salary adjustment for the Chancellor of the District of Columbia Public Schools.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chancellor of the District of Columbia Public Schools Salary Adjustment Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve a salary adjustment for the Chancellor of the District of Columbia Public Schools, pursuant to section 1052 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52).

(b) The legislation would approve an annual salary for the Chancellor of the District of Columbia Public Schools ("DCPS") of $284,000, based on the Chancellor's steady leadership and continued progress of DCPS.

(c) Kaya Henderson was appointed Interim Chancellor of the District of Columbia Public Schools on November 1, 2010, following the resignation of Michelle Rhee. On March 11, 2011, she was nominated to serve as Chancellor of the District of Columbia Public Schools. Chancellor Henderson was unanimously confirmed by the Council on June 21, 2011, and has served as Chancellor continuously since that time.

(d) Over the past 4 years under Chancellor Henderson's leadership, DCPS has realized dramatic improvements towards the goals of increasing District-wide math and reading proficiency, improving the proficiency rates of the DCPS' 40 lowest performing schools, increasing high school graduation rates, increasing student satisfaction, and increasing overall DCPS enrollment.

(e) DCPS has increased audited enrollment to the highest level in over 5 years, with 3 consecutive years of growth. In 2014, DCPS students reached their highest proficiency rates ever in reading and math. Graduation rates have been growing steadily each year with a goal of 75% in 2017. In-seat attendance has increased to 89% and truancy has been reduced by 18%. Since 2011, the results of the National Assessment of Education Progress show District students improved in math and reading and demonstrated the greatest growth of any state in the nation.

(f) Based on the dramatic improvements achieved under the steady leadership of the Chancellor over the last 4 years and the commitment to continuing the progress of DCPS, the Mayor has signed a new contract and made an adjustment to the Chancellor's present salary. This emergency is necessary to reflect the salary adjustment as approved by the Mayor on January 2, 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Chancellor of the District of Columbia Public Schools Salary Adjustment Emergency Amendment Act of 2015 be approved after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-85

To confirm the appointment of Ms. Kay F. Kendall to the Commission on the Arts and Humanities.

Commission on the Arts and Humanities Kay F. Kendall Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Arts and Humanities Kay F. Kendall Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Kay F. Kendall
2412 Tracy Place, N.W.
Washington, D.C. 20008
(Ward 2)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), for a term to end June 30, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-21

To confirm the appointment of Mr. Tommy Wells as the Director of the District Department of the Environment.

Director of the District Department of the Environment Tommy Wells Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the District Department of the Environment Tommy Wells Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Tommy Wells
311 4th Street, S.E. #3
Washington, D.C. 20003
(Ward 6)

as the Director of the District Department of the Environment, established by section 103(a) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.03(a)), in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-24

To confirm the appointment of Mr. Leif A. Dormsjo as the Director of the District Department of Transportation.

Director of the District Department of Transportation Leif A. Dormsjo Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the District Department of Transportation Leif A. Dormsjo Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Leif A. Dormsjo
315 12th Street, N.E. #301
Washington, D.C. 20002
(Ward 6)

as the Director of the District Department of Transportation, established by section 2 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01), in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-57

To appoint Mr. V. David Zvenyach as a member of the District of Columbia Uniform Law Commission.

District of Columbia Uniform Law Commission V. David Zvenyach Appointment Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Uniform Law Commission V. David Zvenyach Appointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia appoints:

Mr. V. David Zvenyach
707 10th Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a member of the District of Columbia Uniform Law Commission, established by section 2 of the District of Columbia Uniform Law Commission Act of 2010, effective March 2, 2011 (D.C. Law 18-313; D.C. Official Code § 3-1431), for a 3-year term to end on July 1, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-103

To appoint Mr. John Hoellen as Acting General Counsel to the Council of the District of Columbia.

Acting General Counsel to the Council of the District of Columbia John Hoellen Appointment Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Acting General Counsel to the Council of the District of Columbia John Hoellen Appointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia appoints:

Mr. John Hoellen
1324 Corbin Place, N.E.
Washington, D.C. 20002
(Ward 6)

as Acting General Counsel to the Council of the District of Columbia, beginning March 7, 2015.

Sec. 3. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-22

To confirm the appointment of Dr. LaQuandra S. Nesbitt as the Director of the Department of Health.

Director of the Department of Health LaQuandra Nesbitt Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Health LaQuandra Nesbitt Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Dr. LaQuandra S. Nesbitt
225 I Street, N.E.
Washington, D.C. 20002
(Ward 6)

as the Director of the Department of Health, established by Reorganization Plan No. 4 of 1996, effective July 17,1996, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-28

To confirm the appointment of Ms. Laura G. Zeilinger as the Director of the Department of Human Services.

Director of the Department of Human Services Laura G. Zeilinger Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Human Services Laura G. Zeilinger Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Laura G. Zeilinger
4319 Fessenden Street, N.W.
Washington, D.C. 20016
(Ward 3)

as the Director of the Department of Human Services, established by Reorganization Plan No. 3 of 1986, effective January 3, 1987, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-65

To approve the negotiated collective bargaining agreement for certain Not-for-Profit Hospital Corporation employees covered in the bargaining unit for the International Union of Operating Engineers Local 99-99A, AFL-CIO.

Collective Bargaining Agreement between the Not-for-Profit Hospital Corporation (United Medical Center) and the International Union of Operating Engineers Local 99-99A, AFL-CIO Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Collective Bargaining Agreement between the Not-for-Profit Hospital Corporation (United Medical Center) and the International Union of Operating Engineers Local 99-99A, AFL-CIO Approval Resolution of 2015".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(j)), the Council of the District of Columbia approves the compensation agreement and related pay schedules negotiated through collective bargaining between the Not-for-Profit Hospital Corporation and the International Federation of Special Police and Security Officers Local 99-99A, AFL-CIO, that were transmitted to the Council on February 20, 2015.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Not-for-Profit Hospital Corporation, and the International Union of Operating Engineers Local 99-99A, AFL-CIO.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-66

To approve the negotiated collective bargaining agreement for certain Not-for-Profit Hospital Corporation employees covered in the bargaining unit for the Federation of Special Police and Security Officers, Inc. on behalf of Affiliated Local 672.

Collective Bargaining Agreement between the Not-for-Profit Hospital Corporation (United Medical Center) and the Federation of Special Police and Security Officers, Inc. on behalf of Affiliated Local 672 Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Collective Bargaining Agreement between the Not-for-Profit Hospital Corporation (United Medical Center) and the Federation of Special Police and Security Officers, Inc. on behalf of Affiliated Local 672 Approval Resolution of 2015".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(j)), the Council of the District of Columbia approves the compensation agreement and related pay schedules negotiated through collective bargaining between the Not-for-Profit Hospital Corporation and the Federation of Special Police and Security Officers, Inc. on behalf of Affiliated Local 672, that were transmitted to the Council on February 20, 2015.

Sec.3. Transmittal

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Not-for-Profit Hospital Corporation, and the Federation of Special Police and Security Officers, Inc. on behalf of Affiliated Local 672.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-99

***See* Emergency D.C. Res. 21-61 21 DCStat 1205**

To declare the existence of an emergency with respect to the need to appoint Mr. Corbett A. Price as a principal member of the Board of Directors of the Washington Metropolitan Area Transit Authority.

Board of Directors of the Washington Metropolitan Area Transit Authority Principal Member Corbett Price Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Directors of the Washington Metropolitan Area Transit Authority Principal Member Corbett Price Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Washington Metropolitan Area Authority ("WMATA") was established by an act of Congress, approved on November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01)("Congressional act"), as an interstate compact between the District of Columbia, the State of Maryland, and the Commonwealth of Virginia to plan, finance, construct, and operate a mass-transit system for the Washington metropolitan area. A Board of Directors consisting of 2 principal members and 2 alternate members from each of the jurisdictions governs WMATA. The Congressional act and the interstate compact designate the Council as the appointing authority for the 4 District members.

(b) Mr. Corbett Price will be replacing Mr. Thomas Downs as a principal member to the WMATA Board of Directors for the remainder of a term that expires on June 30, 2015.

(c) There is an immediate need to confirm Mr. Price so that the District has both its principal members, in addition to both its alternate members, on the WMATA Board of Directors as soon as possible to ensure the District is fully represented regarding a number of critical safety, financial, operational, and personnel issues currently under consideration.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Board of Directors of the Washington Metropolitan Area Transit Authority Principal Member Corbett Price Emergency Appointment Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-100

Emergency Declaration Res. 21-60 21 DCStat 1204

Board of Directors of the Washington Metropolitan Area Transit Authority Principal Member Corbett Price Emergency Appointment Resolution of 2015

To appoint, on an emergency basis, Mr. Corbett A. Price as a principal member of the Board of Directors of the Washington Metropolitan Area Transit Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Directors of the Washington Metropolitan Area Transit Authority Principal Member Corbett Price Emergency Appointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia appoints:

Mr. Corbett A. Price
3520 Massachusetts Avenue, N.W.
Washington, D.C. 20007
(Ward 3)

as a principal member of the Board of Directors of the Washington Metropolitan Area Transit Authority, in accordance with the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), and section 2 of the Washington Metropolitan Area Transit Authority Board of Directors Act, effective April 27, 2013 (D.C. Law 19-286; D.C. Official Code § 9-1108.11), replacing Thomas Downs, for the remainder of a term that expires on June 30, 2015.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee, the Washington Metropolitan Area Transit Authority, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-101

See Emergency D.C. Res. 21-63 21 DCStat 1207

To declare the existence of an emergency with respect to the need to appoint, on an emergency basis, Mr. Leif A. Dormsjo as an alternate member of the Board of Directors of the Washington Metropolitan Area Transit Authority.

Board of Directors of the Washington Metropolitan Area Transit Authority Alternate Member Leif Dormsjo Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Directors of the Washington Metropolitan Area Transit Authority Alternate Member Leif Dormsjo Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Washington Metropolitan Area Authority ("WMATA") was established by an act of Congress, approved on November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01)("Congressional act"), as an interstate compact between the District of Columbia, the State of Maryland, and the Commonwealth of Virginia to plan, finance, construct, and operate a mass-transit system for the Washington metropolitan area. A Board of Directors consisting of 2 principal members and 2 alternate members from each of the jurisdictions governs WMATA. The Congressional act and the interstate compact designate the Council as the appointing authority for the 4 District members.

(b) Mr. Leif Dormsjo shall be appointed as an alternate member to the WMATA Board of Directors, replacing Matthew Brown, for the remainder of a term that expires on June 30, 2018.

(c) There is an immediate need to confirm Mr. Dormsjo so that the District has both its alternate members, in addition to both its principal members, on the WMATA Board of Directors as soon as possible to ensure the District is fully represented regarding a number of critical safety, financial, operational, and personnel issues currently under consideration.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Board of Directors of the Washington Metropolitan Area Transit Authority Alternate Member Leif Dormsjo Emergency Appointment Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-102

Emergency Declaration Res. 21-62 21 DCStat 1206

Board of Directors of the Washington Metropolitan Area Transit Authority Alternate Member Leif Dormsjo Emergency Appointment Resolution of 2015

To appoint, on an emergency basis, Mr. Leif A. Dormsjo as an alternate member of the Board of Directors of the Washington Metropolitan Area Transit Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Directors of the Washington Metropolitan Area Transit Authority Alternate Member Leif Dormsjo Emergency Appointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia appoints:

Mr. Leif A. Dormsjo
315 12th Street, N.E., #301
Washington, D.C. 20002
(Ward 6)

as an alternate member of the Board of Directors of the Washington Metropolitan Area Transit Authority, in accordance with the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), and the Washington Metropolitan Area Transit Authority Board of Directors Act, effective April 27, 2013 (D.C. Law 19-286; D.C. Official Code § 9-1108.11), replacing Matthew T. Brown, for the remainder of a term that expires on June 30, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee, the Washington Metropolitan Area Transit Authority, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-104

***See* Emergency D.C. Act 21-36 21 DCStat 876**

To declare the existence of an emergency with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to extend the time period that an applicant for a registration to operate a cultivation center whose application was pending as of June 20, 2012, shall be allowed to modify the application.

Medical Marijuana Cultivation Center Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Cultivation Center Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Council passed the Medical Marijuana Cultivation Center Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-0059; 60 DCR 15484) ("Act"), which amended the Legalization of Marijuana for Medical Treatment Initiative of 1999 to prohibit locating medical marijuana cultivation centers in certain Retail Priority Areas.

(b) In addition, the Act allowed any applicant that had an application pending as of the effective date of the Medical Marijuana Cultivation Center Temporary Amendment Act of 2012, effective June 20, 2012 (D.C. Law 19-146; 59 DCR 4164), for a registration to operate a cultivation center within a Retail Priority Area to modify the application within 180 days after the effective date of the Medical Marijuana Cultivation Center Temporary Amendment Act of 2013, effective May 1, 2013 (D.C. Law 20-1; 60 DCR 3962), without negatively affecting the current status of the application. The 180 days have passed.

(c) An affected applicant is close to establishing a new location for the cultivation center it intends to operate, but needs additional time to finalize its arrangements.

(d) It is important that the applicant execute its agreement and leases to conclude its relocation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Cultivation Center Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-18

***See* Emergency D.C. Act 21-20 21 DCStat 854**

To declare the existence of an emergency with respect to the need to approve an agreement to enter into a long-term subsidy contract for a multiyear term of 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-01A with Girard Street Community Partners, LLC, for affordable housing units at the Girard Street Senior Apartments located at 1545 Girard Street, N.E., and to authorize payment for housing services to be received under the contract.

Local Rent Supplement Program Contract No. 2014-LRSP-01A Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-01A Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) In 2007, the District passed title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely-low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely-low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or individuals with disabilities, through project-based, tenant-based and sponsor-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In April 2014, DCHA participated in a Request for Proposals issued by the Department of Housing and Community Development ("DHCD"). Of the total proposals received, 11 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely-low-income families earning between 0% and 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout the District. Upon approval by the Council, DCHA will enter into an Agreement to Enter into a Long Term Contract ("ALTSC") with the selected housing providers under the LRSP for housing services.

(c) There exists an immediate need to approve a certain ALTSC with Girard Street Community Partners, LLC, under the LRSP in order to provide long-term affordable housing units for extremely- low-income households for units at the Girard Street Senior Apartments located at 1545 Girard Street, N.E.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the DCHA and Girard Street Community Partners, LLC, with respect to the payment of rental subsidies, and allow the owner to lease the rehabilitated units at the Girard Street Senior Apartments and house extremely-low-income households.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2014-LRSP-01A Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-7 (Deemed Disapproved January 15, 2015)

A PROPOSED RESOLUTION

Officially Read October 7, 2014

To confirm the appointment of M. Jeffrey Miller to the District of Columbia Water and Sewer Authority Board of Directors.

District of Columbia Water and Sewer Authority Board of Directors M. Jeffrey Miller Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors M. Jeffrey Miller Confirmation Resolution of 2014".

Sec.2. The Council of the District of Columbia confirms the appointment of:

M. Jeffrey Miller
3310 Prospect St., N.W.
Washington, D.C. 20007
(Ward 2)

Deemed disapproved after 90-day Council review, if no Council action beforehand

as an alternate member of the District of Columbia Water and Sewer Authority Board of Directors, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11- 111; D.C. Official Code § 34-2202.04), and pursuant to section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), replacing Maurice Boissiere, for a term to end September 12, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-8 (Deemed Disapproved January 15, 2015)

A PROPOSED RESOLUTION

Officially Read October 7, 2014

To confirm the appointment of Brian J. Hanlon to the District of Columbia Water and Sewer Authority Board of Directors.

District of Columbia Water and Sewer Authority Board of Directors Brian J. Hanlon Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Brian J. Hanlon Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Brian J. Hanlon
246 8th Street, S.E.
Washington, D.C. 2003
(Ward 6)

Deemed disapproved after 90-day Council review, if no Council action beforehand

as an alternate member of the District of Columbia Water and Sewer Authority Board of Directors, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), and pursuant to section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), replacing James Bunn, for a term to end September 12, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-11 (Deemed Disapproved February 4, 2015)

A PROPOSED RESOLUTION

Officially Read October 28, 2014

To confirm the appointment of Ms. Kristin Murphy to the Police Complaints Board.

Police Complaints Board Kristin Murphy Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Kristin Murphy Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Kristin Murphy
29 O Street, S.W.
Washington, D.C.
20024
(Ward 6)

Deemed disapproved after 90-day Council review (excluding days of Council recess) if no Council action beforehand

as a member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), replacing Karl Fraser, for a term to end January 12, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-12 (Deemed Disapproved February 4, 2015)

A PROPOSED RESOLUTION

Officially Read October 28, 2014

To confirm the reappointment of Ms. Kathryn Allen to the Board of Zoning Adjustment.

Board of Zoning Adjustment Kathryn Allen Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Zoning Adjustment Kathryn Allen Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

S. Kathryn Allen
714 Whittier Street, N.W.
Washington, D.C. 20012
(Ward 4)

Deemed disapproved after 90-day Council review (excluding days of Council recess) if no Council action beforehand

as a member of the Board of Zoning Adjustment, pursuant to section 8 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes, approved June 20, 1938 (52 Stat. 799; D.C. Official Code § 6-641.07), and section 2 of the Confirmation Act of 1978, effective March 3, 1979, (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end September 30, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-14 (Deemed Approved January 13, 2015)

A PROPOSED RESOLUTION

Officially Read November 18, 2014

To confirm the reappointment of Mr. Tracy G. Hammond to the Board of Optometry.

Board of Optometry Tracy G. Hammond Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Optometry Tracy G. Hammond Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Tracy G. Hammond
450 Massachusetts Avenue, N.W. # 420
Washington, D.C. 20001
(Ward 2)

Deemed approved after 45-day Council review (excluding days of Council recess) if no Council action beforehand

as a consumer member of the Board of Optometry, established by section 207 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.07), and pursuant to section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end November 10, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-15 (Deemed Approved January 13, 2015)

A PROPOSED RESOLUTION

Officially Read November 18, 2014

To confirm the appointment of Ms. Kayla Futch to the Board of Accountancy.

Board of Accountancy Kayla Futch Confirmation Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Accountancy Kayla Futch Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Kayla Futch
1376A Talbert Ct., S.E.
Washington, D.C. 20020
(Ward 8)

Deemed approved after 45-day Council review (excluding days of Council recess) if no Council action beforehand

as a certified public accountant member of the Board of Accountancy, in accordance with section 1002(b)(l) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.06(b)(l)), and pursuant to section 2(f)(38) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § l-523.0l(f)(38)), for a term to end January 14, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-16 (Deemed Disapproved February 17, 2015)

A PROPOSED RESOLUTION

Officially Read December 5, 2014

To approve the proposed rules to prohibit the display of signs on public buildings.

Public Building Sign Prohibition Rules Approval Resolution of 2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Building Sign Prohibition Rules Approval Resolution of 2014".

Deemed disapproved after 45-day Council review (excluding Saturdays, Sundays, legal holidays, and days of Council recess) if no Council action beforehand

Sec. 2. Pursuant to section 2(a) of the Sign Regulation Authorization Amendment Act of 2012, effective April 27, 2013 (D.C. Law 19-289; 60 DCR 2328), on _____ the Mayor transmitted to the Council proposed rules to prohibit the display of signs on public buildings and other public property, except as specifically permitted by law or the written consent of the Mayor or independent agency or instrumentality with jurisdiction over the property. The proposed rules were published in the *D.C. Register* on October 31, 2014 at 61 DCR 11481. The Council of the District of Columbia approves the proposed rules as submitted.

Sec. 3. Fiscal impact statement.

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

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Attorney General.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-44 (Deemed Approved March 27, 2015)

A PROPOSED RESOLUTION

Officially Read February 24, 2015

To approve an amendment to the District of Columbia State Plan for Medical Assistance authorizing the extension of Transitional Medicaid .

Medicaid Transitional Medical Assistance State Plan Amendment Approval Resolution of 2015

Deemed approved after 30-day Council review, if no Council action beforehand

RESOLVED BY TIIE COUNCIL OF TIIE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Medicaid Transitional Medical Assistance State Plan Amendment Approval Resolution of 2015."

Sec. 2. Pursuant to section l(a) of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), (2012 Repl. & 2014 Supp.)) and section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance, which will enable the District Medicaid Program to extend Transitional Medicaid to families with low-incomes from two six-month periods to one twelve-month period.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by Section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes § 1-206.02 (c)(3).)

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-48 (Deemed Approved March 27, 2015)

A PROPOSED RESOLUTION

Officially Read February 24, 2015

To approve an amendment to the District of Columbia State Plan for Medical Assistance extending an existing primary care provider rate increase.

Medicaid Reimbursement for Increased Primary Care Service Payment Approval Resolution of 2015

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Medicaid Reimbursement for Increased Primary Care Service Payment Approval Resolution of 2015."

Deemed approved after 30-day Council review, if no Council action beforehand

Sec. 2. Pursuant to section l(a) of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance, which will enable the District's Medicaid Program to extend an existing primary care provider rate increase until September 30, 2015. The primary care provider rate increase is an important incentive for providers and it supports the adequacy of the District's provider network.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by Section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes §1-206.02(c)(3).)

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-49 (Deemed Approved March 27, 2015)

A PROPOSED RESOLUTION

Officially Read February 24, 2015

To approve an amendment to the District of Columbia State Plan for Medical Assistance extending an existing primary care provider rate increase.

Medicaid Reimbursement for Increased Primary Care Service Payment Approval Resolution of 2015

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Medicaid Reimbursement for Increased Primary Care Service Payment Approval Resolution of 2015."

Deemed approved after 30-day Council review, if no Council action beforehand

Sec. 2. Pursuant to section l(a)of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance, which will enable the District's Medicaid Program to extend an existing primary care provider rate increase until September 30, 2015. The primary care provider rate increase is an important incentive for providers and it supports the adequacy of the District's provider network.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by Section 602(c)(3)of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes §1-206.02(c)(3).)

Sect 5. This resolution shall take effect immediately.

Proposed Resolution 21-52 (Deemed Approved March 27, 2015)

A PROPOSED RESOLUTION

Officially Read February 24, 2015

To approve the proposed rules to amend Title 16 (Department of Consumer and Regulatory Affairs Civil Infractions) of the District of Columbia Municipal Regulations.

Synthetic Drugs Prohibition Approval Resolution of 2015

RESOLV ED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Synthetic Drugs Prohibition Approval Resolution of 2015."

Deemed approved after 30-day Council review, if no Council action beforehand

Sec. 2. Pursuant to Section 104 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.04(a)(l)), the Council approves the proposed rules, published at 61 DCR 8561, to amend Title 16 of the District of Columbia Municipal Regulations.

Sec. 3. The Council adopts the fiscal impact statement contained in the committee report as the fiscal impact statement required by section 603(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its adoption, to the Director of the Department of Consumer and Regulatory Affairs.

Sec. 5. This resolution shall take effect immediately.

D.C. Law 20-242, effective April 24, 2015

AN ACT

Bill 20-191
Act 20-416 effective August 1, 2014

To establish the criminal offense of harassing, interfering with, injuring, or obstructing a police animal.

Codification District of Columbia Official Code 2001 Edition

Prohibition of the Harm of Police Animals Act of 2014

New § 22-861

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prohibition of the Harm of Police Animals Act of 2014".

Sec. 2. Harassing, interfering with, injuring, or obstructing a police animal.

(a) For the purposes of this section, the term:

(1) "Police animal" means a dog, horse, or other animal used by a law enforcement agency, correctional facility, police department, fire department, or search and rescue unit or agency for the purpose of aiding in the detection of criminal activity, enforcement of laws, apprehension of criminal offenders, or search and rescue efforts, whether or not the dog, horse, or other animal is engaged in the performance of its official duties when a violation of this section occurs.

(2) "Significant bodily injury" means an injury that requires hospitalization or immediate medical attention.

(b)(1) Any person who intentionally and without justifiable and excusable cause, harasses, interferes with, injures, or obstructs a police animal when he or she has reason to believe the animal is a police animal shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned not more than 180 days or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.

(2) Any person who violates subsection (b) of this section and causes significant bodily injury to, or the death of, a police animal shall be guilty of a felony and, upon conviction, shall be imprisoned not more than 10 years, or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.

(3) The penalties set forth in paragraphs (1) and (2) of this subsection shall also apply to an owner or keeper of a dog or other animal who intentionally and without justifiable and excusable cause fails to restrain the dog or animal from attacking a police animal when the owner or keeper has reason to believe the animal is a police animal.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

AN ACT

Bill 20-323
Act 20-420
effective August 5, 2014

To amend Title 23 of the District of Columbia Official Code to provide that a law enforcement officer may arrest a person without a warrant when there is probable cause to believe that a person that has been released on citation to appear in court has violated a condition of release on citation issued by a releasing official to stay away from a particular place or person, to provide for a post-arrest process for individuals in the District of Columbia, to clarify the procedures for a releasing official to issue citations or take money or bond, and to provide authority for a releasing official to direct a person, as a condition of release on citation, to stay away from a particular place or person; to amend the First Amendment Assembly Enforcement and Procedure Act of 2004 to update and clarify provisions related to the post-and-forfeit procedure; and to amend the Human Rights Act of 1977 and Chapter 10 of Title 1 of the District of Columbia Municipal Regulations to make conforming amendments.

Codification District of Columbia Official Code 2001 Edition

Post-Arrest Process Clarification Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Post-Arrest Process Clarification Amendment Act of 2014".

Sec. 2. Title 23 of the District of Columbia Official Code is amended as follows:

(a) Chapter 5 is amended as follows:

(1) The table of contents is amended by adding to Subchapter V new section designations 23-583, 23-584, and 23-585 to read as follows:

"23-583. Processing arrests.

"23-584. Field arrest and release on citation.

"23-585. Violation of condition of release on citation; failure to appear.".

Amend § 23-501

(2) Section 23-501 is amended by adding new paragraphs (4), (5), and (6) to read as follows:

"(4) "Field arrest" means a non-custodial arrest made pursuant to § 23-584 that requires the person to appear within 15 days before an official of the relevant law enforcement agency to complete the arrest process.

"(5) "Release on citation" means the process by which a person arrested for eligible misdemeanors may be released on his or her promise to appear at a future date in court, or at some other designated place.

"(6) "Releasing official" shall have the same meaning as provided in § 23-1110(a)(1).".

Amend § 23-581

(3) Section 23-581 is amended by adding a new subsection (a-10) to read as follows:

"(a-10) A law enforcement officer may arrest a person without a warrant if the officer has probable cause to believe the person has been directed by a releasing official pursuant to § 23-

584(d)(1) as a condition of release on citation to stay away from a particular place or a particular person, and the person has violated that condition.".

(4) New sections 23-583, 23-584, and 23-585 are added to read as follows: **New § 23-583**

"§ 23-583. Processing arrests.

"Unless a person is not eligible for release under § 23-584, a person shall not be detained pending his or her first appearance before a judicial officer if he or she agrees to appear in court and abide by conditions set pursuant to § 23-584(d)(1), if any.

"§ 23-584. Field arrest and release on citation **New § 23-584**

"(a) In lieu of taking a person into custody, a law enforcement officer may issue a field arrest form to a person whom he or she has arrested without a warrant if the person:

"(1) Is eligible for release on citation pursuant to subsection (b)(2) of this section; and

"(2) Is charged with committing a misdemeanor prosecuted by the Office of the Attorney General for the District of Columbia and designated by the Chief of Police as being eligible for a field arrest.

"(b)(1) A releasing official shall determine whether a person taken into custody or appearing at a law enforcement agency following the issuance of a field arrest form is eligible:

"(A) For release on citation pursuant to paragraph (2) of this subsection; and

"(B) To use the post-and-forfeit procedure pursuant to § 5-335.01.

"(2) A releasing official may authorize a release on citation to a person arrested without a warrant unless:

"(A) There is reason to believe that the person may cause injury to him or herself or any other person, may cause damage to property, or will not appear in court to answer the charge; or

"(B) The person is:

"(i) Charged with a dangerous crime, as defined in §23-1331(3), or a crime of violence, as defined in § 23-1331(4);

"(ii) Subject to detention before trial pursuant to § 23-1322 or §23-1325;

"(iii) Charged with a felony offense;

"(iv) Charged with a misdemeanor offense that is not designated as eligible for release on citation by the responsible prosecuting authority;

"(v) Charged with intimate partner violence, as defined in § 16-1001(7), or intrafamily violence, as defined in § 16-1001(9);

"(vi) Charged with an interpersonal violence offense, as defined in § 16-1001(6), when the criminal offense committed or threatened to be committed is violent;

"(vii) Cannot reliably be identified or inaccurately reports information concerning his or her name or other identifying information;

"(viii) At the time of arrest, in violation of a court order;

"(ix) At the time of arrest, in violation of a condition of

release on citation issued pursuant to subsection (d)(1) of this section; or

"(x) Has not cooperated in the booking process.

"(c) A releasing official may authorize a release on citation to a person who is not otherwise eligible for release under subsection (b)(2) of this section if the release is approved by the prosecutor and:

"(1) The Chief Judge of the Superior Court of the District of Columbia has declared that an event or condition significantly impairs the functioning of the Superior Court of the District of Columbia;

"(2) A person has been admitted to a hospital during the course of the arrest processing; or

"(3) Court is not in session and there is reason to believe that the person should not be held in custody pending his or her first appearance before a judicial officer.

"(d)(1) A releasing official of the rank of sergeant or above may, as a condition of a release on citation, direct a person to stay away from a particular place and to stay away from and have no contact with a victim of or witness to the cited offense until the person's appearance before a judicial officer.

"(2) A releasing official shall not release a person if the person refuses to agree to abide by one or more conditions of release on citation issued pursuant to paragraph (1) of this subsection.

"(e) Nothing in this section shall be construed to create a private right of action or give rise to any rights enforceable by injunction, mandamus, or otherwise.

"§ 23-585. Violation of condition of release on citation; failure to appear. **New § 23-585**

"(a) A person who knowingly fails to abide by a condition of release on citation issued pursuant to § 23-584(d)(1) before his or her first appearance before a judicial officer shall be taken into custody in accordance with § 23-581 and presented before a judicial officer.

"(b) A person who, having been released on a citation issued pursuant to § 23-584 or having posted bond pursuant to § 23-1110, willfully fails to appear as required shall:

"(1) If the offense is a misdemeanor, be fined or imprisoned for not more than the maximum provided for the offense for which such citation was issued; or

"(2) If the offense is a felony, be fined not more than $5,000 and imprisoned for not more than 5 years, or both.

"(3) For the purposes of this section, section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C Law 19-317; D.C. Official Code § 22-357.01), shall not apply.".

(b) Chapter 11 is amended as follows:

(1) The table of contents is amended by striking the phrase "23-1110. Designation of official to take bail or collateral when court is not in session; issuance of citations." and inserting the phrase "23-1110. Designation of official to issue citations or take money or bond." in its place.

(2) Section 23-1110 is amended to read as follows: **Amend § 23-1110**

"§ 23-1110. Designation of official to issue citations or take money or bond.

"(a) For the purposes of this section, the term:

"(1) "Releasing official" means a sworn member of a law enforcement agency, as defined in § 23-501(2), appointed by the judges of the Superior Court to:

"(A) Act as a clerk of the court with authority to issue citations pursuant to § 23-584;

"(B) Take money pursuant to § 5-335.01;

"(C) Take bond imposed upon the issuance of a bench warrant by a judicial officer of the Superior Court, from persons charged with offenses triable in the Superior Court;

"(D) Release persons eligible for release pursuant to § 23-584; and

"(E) Tender offers to resolve criminal charges using post-and-forfeit procedures pursuant to § 5-335.01.

"(2) "Superior Court" means the Superior Court of the District of Columbia.

"(b) The judges of the Superior Court may remove releasing officials at any time.

"(c) A releasing official shall:

"(1) Be subject to the orders and rules of the Superior Court in the discharge of his or her duties; and

"(2) Receive no additional compensation for duties performed as a releasing official other than his or her salary as an official of the Metropolitan Police Department or other law enforcement agency operating in the District of Columbia.".

Sec. 3. The First Amendment Assembly Enforcement and Procedure Act of 2004, effective April 12, 2005 (D.C. Law 15-352; D.C. Official Code § 5-335.01 *et seq*.), is amended as follows:

Amend § 5-335.01

(a) Section 302 (D.C. Official Code § 5-335.01) is amended to read as follows:

"Sec. 302. Enforcement of the post-and-forfeiture procedure.

"(a) For the purposes of this subchapter, the term:

"(1) "MPD" means the Metropolitan Police Department.

"(2) "OAG" means the Office of the Attorney General for the District of Columbia.

"(3) "Post-and-forfeiture procedure" means the mechanism in the criminal justice system in the District of Columbia whereby a person charged with certain misdemeanor crimes may post and simultaneously forfeit an amount of money and thereby obtain a full and final resolution of the criminal charge.

"(4) "Releasing official" shall have the same meaning as provided in D.C. Official Code § 23-1110(a)(1).

"(5) "Superior Court" means the Superior Court of the District of Columbia.

"(b) The resolution of a criminal charge using the post-and-forfeit procedure is not a conviction of a crime and shall not be equated to a criminal conviction. The fact that a person resolved a charge using the post-and-forfeit procedure may not be relied upon by any District of

Columbia court or agency in a subsequent criminal, civil, or administrative proceeding or administrative action to impose any sanction, penalty, enhanced sentence, or civil disability.

"(c) The post-and-forfeit procedure may be offered by a releasing official to arrestees who:

"(1) Meet the eligibility criteria established by the OAG; and

"(2) Are charged with a misdemeanor that the OAG, in consultation with the MPD, has determined is eligible to be resolved by the post-and-forfeit procedure.

"(d) Whenever a releasing official tenders an offer to an arrestee to resolve a criminal charge using the post-and-forfeit procedure, the offer shall be accompanied by a written notice provided to the arrestee describing the post-and-forfeit procedure and the consequences of resolving the criminal charge using this procedure.

"(e) The written notice required by subsection (d) of this section shall include, at a minimum, the following information:

"(1) The amount of money that the arrestee must post-and-forfeit in order to terminate the criminal case;

"(2) That the arrestee has the right to choose whether to:

"(A) Accept the post-and-forfeit offer and terminate the criminal case; or

"(B) Proceed with the criminal case and a potential adjudication on the merits of the criminal charge;

"(3) That, if the arrestee elects to proceed with the criminal case, he or she will be eligible for a release on citation pursuant to D.C. Official Code § 23-584;

"(4) That the agreement to resolve the criminal charge using the post-and-forfeit procedure will be final 90 days after the date the written notice is signed unless, within the 90-day period, the arrestee or the OAG files a motion with the Superior Court to set aside the forfeiture and proceed with the criminal case;

"(5) That, if the arrestee or the OAG does not file a motion to set aside the forfeiture, the resolution of the criminal charge using the post-and-forfeit will preclude the arrestee from obtaining an adjudication on the merits of the criminal charge;

"(6) That the resolution of the criminal charge using the post-and-forfeit procedure is not a conviction of a crime and may not be equated to a criminal conviction, and may not result in the imposition of a sanction, penalty, enhanced sentence, or civil disability by any District of Columbia court or agency in a subsequent criminal, civil, or administrative proceeding or administrative action; and

"(7) That, following the resolution of the charge using the post-and-forfeit procedure, the arrestee will continue to have an arrest record for the charge at issue, unless the arrestee successfully moves in the Superior Court to seal his or her arrest record.

"(f) The written notice required by subsection (d) of this section shall comply with section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).

"(g) An arrestee who is provided the written notice required by subsection (d) of this section and who wishes to resolve the criminal charge using the post-and-forfeit procedure shall,

after reading the notice, sign the bottom of the notice, thereby acknowledging receiving the information provided in the notice and agreeing to accept the offer to resolve the charge using the post-and-forfeit procedure. After the arrestee signs the notice, the arrestee shall be provided with a copy of the signed notice.".

(b) New sections 303 and 304 are added to read as follows:

New § 5-335.02

"Sec. 303. Post-and-forfeit amounts.

"(a) The Superior Court shall determine the amount of money that is associated with each misdemeanor qualified for resolution using the post-and-forfeit procedure as determined by the OAG pursuant to section 302(c).

"(b) Within 90 days after the Superior Court issues an updated list of the amount of money associated with each qualified misdemeanor, the Chief of Police shall issue the list of misdemeanors that law enforcement officers are authorized to resolve using the post-and-forfeit procedure. The Chief of Police shall make the list available to the public, including placing the list on the MPD website and having it available for review in each police station.

New § 5-335.03

"Sec. 304. Reporting requirement.

"Beginning March 15, 2015, and on an annual basis thereafter, the Mayor shall submit a public report to the Council, identifying the total amount of money collected the previous year using the post-and-forfeit procedure and the number of criminal charges, by specific charge, resolved the previous year using the post-and-forfeit procedure.".

Amend § 2-1402.66

Sec. 4. Section 266(b)(1)(C) of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1402.66(b)(1)(C)), is amended by striking the phrase "was requested." and inserting the phrase "was requested; provided, that forfeitures of collateral in a court proceeding shall not include any forfeiture of collateral that was made pursuant to the post-and-forfeit procedure, as that term is defined in section 302(a) of the First Amendment Assembly Enforcement and Procedure Act of 2004, effective April 13, 2005 (D.C. Law 15-352; D.C. Official Code § 5-335.01(a))." in its place.

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Sec. 5. Section 1004.4 of Title 1 of Chapter 10 of the District of Columbia Municipal Regulations is amended by striking the phrase "court proceeding." and inserting the phrase "court proceeding. A forfeiture of collateral in a court proceeding shall not include a forfeiture of collateral that is made pursuant to the post-and-forfeit procedure, as that term is defined in D.C. Official Code § 5-335.01(a)." in its place.

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

AN ACT

Bill 20-294
Act 20-594
effective January 25, 2015

No Codified

To approve the exchange of certain District-owned real property with the Washington Metropolitan Area Transit Authority to further the redevelopment of a portion of the East Campus of St. Elizabeths Hospital.

St. Elizabeths East Redevelopment Support Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "St. Elizabeths East Redevelopment Support Act of 2014".

Sec. 2. Notwithstanding the requirements of section 1(a-1) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)), the Council authorizes the Mayor to take the following actions:

(1) Exchange, in fee, approximately 1.06 acres of real property owned by the District on the southern portion of the East Campus of St. Elizabeths Hospital to be designated as Lot 834 in Square S-5868 for approximately 0.57 acres of adjacent real property owned by the Washington Metropolitan Area Transit Authority ("WMATA") to be designated as Lots 17B and 107 in Parcel 228/144 to enable the extension of 13th Street, S.E., and development of the East Campus of St. Elizabeths Hospital in accordance with the Saint Elizabeths Master Plan;

(2) Convey to WMATA, in fee or via easement, the portions of real property within the East Campus of St. Elizabeths Hospital determined by the Mayor to be currently occupied or used by WMATA for the operation and maintenance of the Metrorail system, including the surface and subsurface easements required for the operation and maintenance of the green line Metrorail system and the Congress Heights metro station; and

(3) Adjust the approximate acreages and Lot parameters as necessary to effect the exchange or conveyance.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l-206.02(c)(l)), and publication in the District of Columbia Register.

AN ACT

Bill 20-418
Act 20-595 effective January2 6, 2015

To amend the Renewable Energy Portfolio Standard Act of 2004 to eliminate the use of black liquor and the use of biomass from old and inefficient facilities as eligible renewable energy sources for Tier 1 credits.

Codification District of Columbia Official Code 2001 Edition

Renewable Energy Portfolio Standard Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Renewable Energy Portfolio Standard Amendment Act of 2014".

Sec. 2. The Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*), is amended as follows:

Amend § 34-1431

(a) Section 3 (D.C. Official Code § 34-1431) is amended as follows:

(1) Paragraph (1) is redesignated as paragraph (1A).

(2) A new paragraph (1) is added to read as follows:

"(1) "Black liquor" means the spent cooking liquor from the Kraft process of paper making.".

(3) A new paragraph (6A) is added to read as follows:

"(6A) "Fuel input" means the higher heating value of the input fuel type, measured in BTU/LB, based on the standardized heating value of fuel type, multiplied by the annual fuel used in as delivered tons, multiplied by 2000.".

(4) Paragraph (9) is amended as follows:

(A) The lead-in language is amended by striking the phrase "old growth timber" and inserting the phrase "old growth timber, construction and demolition-derived wood, whole trees not part of a closed-loop biomass system that are cleared solely for the purpose of energy production," in its place.

(B) Subparagraph (B) is repealed.

(5) Paragraph (l5)(C) is amended to read as follows:

"(C) Qualifying biomass used at a generation unit that achieves a total system efficiency of at least 65% on an annual basis, can demonstrate that they achieved a total system efficiency of at least 65% on an annual basis through actual operational data after one year, and that started commercial operation after January 1, 2007.".

(6) Paragraph (16) is amended as follows:

(A) Subparagraph (A) is amended by striking the word "or".

(B) Subparagraph (B) is amended by striking the period and inserting the phrase "; or" in its place.

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

"(C) Qualifying biomass used at a generation unit that:

"(i) Started commercial operation on or before December 31, 2006; or

"(ii) Achieves a total system efficiency of less than 65%; or

"(iii) Uses black liquor.".

(7) A new paragraph (17) is added to read as follows:

"(17) "Total system efficiency" means the sum of the net useful thermal energy output measured in BTUs divided by the total fuel input. For the purposes of this paragraph, the term "useful thermal energy output" means energy in the form of direct heat, steam, hot water, or other thermal form that is used in production and beneficial measures for heating, cooling, humidity control, process use, or other valid thermal end use energy requirements and for which fuel or electricity would otherwise be consumed. The term "useful thermal energy output" does not include thermal energy used for the purpose of drying or refining biomass fuel.".

New § 34-1440

(b) A new section 11a is added to read as follows:

"Sec. 11a. Applicability.

"(a) The definitions added to section 3 by the Renewable Energy Portfolio Standard Amendment Act of 2014, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-418) ("amendment act"), shall apply to District of Columbia Standard Offer Service wholesale supply contracts effective on or after June 1, 2015.

"(b) The definitions added by the amendment act shall apply after December 31, 2017, to renewable energy credits included in PJM's Generator Attributes Tracking System that were or are generated by a facility that is certified by the commission as a Tier 1 energy source before the effective date of the amendment act and purchased by an electricity supplier pursuant to a contract executed before the effective date of the amendment act.".

Note, §§ 34-1432, 34-1434, 34-1436

Sec. 3. Section 3(b) of the Distributed Generation Amendment Act of 2011, effective October 20, 2011 (D.C. Law 19-36; 58 DCR 6839), is amended to read as follows:

"(b) This act shall not apply to contracts entered into before August 1, 2011; provided, that, for a contract entered into before August 1, 2011, this act shall apply to an extension or renewal of that contract executed on or after August 1, 2011.".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 20-603
Act 20-597 effective January 25, 2015

To symbolically designate the 500 block of V Street, N.E., in Ward 5, as Sonia Gutierrez Campus Way in acknowledgement of the adjacent public charter school.

Codification District of Columbia Official Code 2001 Edition

Sonia Gutierrez Campus Way Designation Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sonia Gutierrez Campus Way Designation Act of 2014".

Note, § 9-204.01

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding the requirements of sections 407 and 408 (D.C. Official Code §§ 9-204.07 and 9-204. 08), of the Act, the Council symbolically designates 500 block of V Street, N.E., in Ward 5, as "Sonia Gutierrez Campus Way".

Sec. 3. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

D.C. Law 20-247, effective April 30, 2015

AN ACT

Bill 20-645
Act 20-598 effective January 25, 2015

Not Codified

To order the closing of an unimproved public alley in Square 1412, bounded by Chain Bridge Road, N.W., in Ward 3, and to provide that the provisions of this act are nonseverable.

Closing of a Public Alley in Square 1412, S.O. 13-10159, Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 1412, S.O. 13-10159, Act of 2014".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq*.), the Council finds that the unimproved public alley in Square 1412, as shown on the Surveyor's plat filed under S.O. 13-10159, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The Council approves this closing on the following conditions:

(1) That the applicant pays $31,177.26 to the District; and

(2) That, following review by the National Capital Planning Commission, the National Capital Planning Commission does not object to the closing.

Sec. 3. Nonseverability.

If any provision of this act is held invalid, such invalidity shall invalidate this act in its entirety, and the provisions of this act are declared to be nonseverable.

Sec. 4. Transmittal.

The Chairman of the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 20-248, effective April 30, 2015
[Delayed Applicability]

AN ACT

Bill 20-677
Act 20-599 effective January 26, 2015

To amend the Food Production and Urban Gardens Program Act of 1986 to update existing law pertaining to urban farming, to create an urban farming land leasing initiative for District-owned land, to specify criteria for applicants to such initiative, to exempt property leased pursuant to such initiative from real property and possessory interest taxation, and to create a reporting requirement; to amend Title 47 of the District of Columbia Official Code to provide a 90% tax abatement for private land used, leased, or allowed to be used for an agricultural use under certain conditions, to provide that a tax exempt entity shall not lose its tax exempt status if its grounds are used for urban farming or community gardens, and to provide a tax credit for individual taxpayers, corporations, and unincorporated businesses that donate food grown from urban farming or community gardens.

Codification District of Columbia Official Code 2001 Edition

Urban Farming and Food Security Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Urban Farming and Food Security Amendment Act of 2014".

TITLE I – URBAN FARMING INITIATIVE

Sec. 101. The Food Production and Urban Gardens Program Act of 1986, effective February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as follows:

Amend § 48-401

(a) Section 2 (D.C. Official Code § 48-401) is amended to read as follows:

"Sec. 2. Definitions.

"For the purposes of this act, the term:

"(1) "Community garden" means an area managed and maintained by a group of individuals to grow and harvest food crops or non-food crops for personal or group consumption, donation, or fundraising that is incidental in nature, and that may:

"(A) Include individuals working their own portions of a larger garden, or tending a communal garden together;

"(B) Be located in the ground, on a roof, or within a building; and

"(C) Include common areas such as tool storage sheds.

"(2) "Farm cooperative" means a type of urban farm or farms where production resources for farming such as land and machinery are pooled and jointly held by members.

"(3) "Food" means any substance produced for human consumption and nourishment using horticultural techniques, such as vegetables, fruits, grains, mushrooms, honey, herbs, nuts, seeds, and rootstock.

"(4) "Horticultural techniques" means the scientific, artistic, and technological methods used to cultivate and manage an agricultural space, such as growing from the ground, hydroponics, container farming, vertical farming, or growing in greenhouses or raised beds.

"(5) "Urban agriculture" or "urban farming" means the practice of growing, cultivating, processing, and distributing vegetables, fruits, grains, mushrooms, honey, herbs, nuts, seeds, flowers, and rootstock within the District, including for profit, not for profit, and for educational purposes.

"(6) "Urban farm" means any property used for the growing, cultivating, processing, and distributing of vegetables, fruits, grains, mushrooms, honey, herbs, nuts, seeds, flowers, and rootstock within the District, including for profit, not for profit, and for educational purposes.

"(7) "Vacant lot" means any lot in the District on which there is no lawful structure.".

Amend § 48-402

(b) Section 3 (D.C. Official Code § 48-402) is amended to read as follows:

"Sec. 3. Urban Farming and Gardens Program established.

"The Mayor shall establish an Urban Farming and Gardens Program, which shall include the development, implementation, and promotion of policies that encourage the donation and cultivation of public and private vacant lots for use as urban farms or community gardens, including:

"(1) The development of a land leasing initiative for publicly-owned vacant lots;

"(2) The inclusion of community gardening projects in the summer employment programs operated by the District government;

"(3) The provision by the Cooperative Extension Service of the University of the District of Columbia of technical assistance and research in the form of educational materials and programs for community gardening, urban farming, and other self-help food production efforts;

"(4) Coordination with the Office of the State Superintendent of Education, both on the use of suitable portions of buildings and grounds for community gardens or urban farming, and on the development of instructional programs in science and gardening that prepare students for related career opportunities such as restaurant produce supply, landscaping, and floral design;

"(5) The encouragement of food buying clubs and produce markets throughout the District to increase the supply of and demand for urban farms; and

"(6) The development of incentives and community outreach efforts to promote the availability of public and private vacant lots for participation in the Urban Farming and Gardens Program.".

New § 48-402.01

(c) A new section 3a is added to read as follows:

"Sec. 3a. Urban Farming Land Leasing Initiative.

"(a)(1) By February 1, 2015, the Mayor shall identify at least 25 District-owned vacant lots for potential use for urban farming.

"(2) These lots shall:

"(A) Be a minimum of 2,500 square feet; and

"(B) Have no pending agreements for development or sale.

"(b) By February 1, 2015, the Mayor shall establish a land leasing initiative whereby qualified District applicants will be selected to develop certain District-owned vacant lots

identified in subsection (a) of this section for urban farming, pursuant to a lease agreement with the District.

"(c) All lease agreements entered into pursuant to subsection (b) of this section shall be for a term of at least 3 years.

"(d) In order to be considered for the land leasing initiative established pursuant to subsection (b) of this section, an applicant shall:

"(1) Be a resident of the District for at least one year before application;

"(2) Have at least one year of experience in agricultural production, as the sole farmer, an employee, a volunteer, or a significant partner of a farmer;

"(3) Not be ineligible for a license or permit pursuant to D.C. Official Code § 47-2862; and

"(4) Have no outstanding violations of District law or regulations on property owned by the applicant.

"(e) A lease agreement pursuant to subsection (b) of this section with an urban farm may permit the sale of the urban farm's products of urban agriculture on or off the leased land.

"(f) Property leased pursuant to subsection (b) of this section shall be exempt from real property taxation and possessory interest taxation.

"(g) Before the sale or consumption of food grown on property leased pursuant to subsection (b) of this section, the soil shall be tested for contamination.

"(h) By February 1st of each year, the Mayor shall submit an annual report to the Council on the status of the land leasing initiative pursuant to this section which shall include, at a minimum:

"(1) The number of active urban farms;

"(2) The names of the participants in the land leasing initiative;

"(3) Any educational or community programming or events hosted on the leased lots during the preceding calendar year; and

"(4) The amount of produce harvested by the participants during the preceding calendar year.".

TITLE II – TAX REBATE FOR AGRICULTURAL USE; TAX CREDITS FOR FARM TO FOOD DONATIONS

Sec. 201. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 8 is amended as follows:

(1) The table of contents is amended by adding a new section 47-868 to read as follows:

"47-868. Reduced tax liability for agricultural uses.".

(2) A new section 47-868 is added to read as follows: **New § 47-868**

"§ 47-868. Reduced tax liability for agricultural uses.

"(a) If an owner of real property uses the property, or leases the property or allows it to be used by an unrelated party, for an agricultural use, 90% of the real property tax otherwise levied by § 47-811 on the land value of the relevant portion of the real property shall be abated for

each real property tax year that the real property is actually used for an agricultural use; provided, that:

"(1) The soil on the property has been tested and found to be free from contaminants and safe for use in the growth of food fit for human consumption;

"(2)(A) The property must be producing a food commodity or put to another season-appropriate agricultural-related use (such as providing cover cropping, a bee hive, or growing seedlings in a greenhouse) throughout substantially all of the year pursuant to an annual planting plan; and

"(B) The annual planting plan referenced in subparagraph (A) of this paragraph shall be retained by the taxpayer for at least 3 subsequent years and shall be produced in the event of an audit;

"(3) No abatement shall be permitted for abutting real property with common or related ownership that is not leased or used for an agricultural use; and

"(4) In the event that the property is put to agricultural use at some time other than the beginning of the tax year, the 90% tax abatement shall apply for all portions of the first year during which the property is in agricultural use, notwithstanding any other provision of this section.

"(b) An abatement shall be permitted under this section only with respect to a real property tax year during which each of the following requirements is met:

"(1) If the agricultural use involves a lease to a third party, the lease shall have an initial term of at least 3 years;

"(2)(A) If the agricultural use is for urban farming, at least 2,500 square feet of land, which may be comprised of one or more abutting lots, shall be under active use and cultivation during the growing season of either the food commodity produced or other season-appropriate agricultural-related use on the land;

"(B) If the agricultural use is for a community garden, the relevant portion of the property used for a community garden shall be under active use and cultivation during the growing season of either the food commodity produced or other season-appropriate agricultural-related use on the land; and

"(3) The entire portion of the property receiving reduced tax liability shall be dedicated toward an agriculture use.

"(c) The Mayor, pursuant to subchapter I of Chapter 2 of Title 5, may issue rules to implement the provisions of this section.

"(d) A real property owner claiming the tax abatement shall apply for and provide documentation supporting the tax abatement claim in the form and manner as prescribed by the Mayor, and shall be subject to the provisions of §§ 47-1007 and 47-1009.

"(e) For the purposes of this section, the term:

"(1) "Agricultural use" means urban farming, as defined in § 48-401(5), or use as a community garden, as defined in § 48-401(1); and

"(2) "Food commodity" means vegetables, fruits, grains, mushrooms, honey, herbs, nuts, seeds, or rootstock grown in the District by urban farming, as defined in § 48-401(5),

or by a community garden, as defined in § 48-401(1), that are intended to be used as food in its perishable state and are approved by regulatory authorities.".

Amend § 47-1005

(b) Section 47-1005 is amended by adding a new subsection (c) to read as follows:

"(c) This section shall not apply to grounds used by individuals for the purpose of producing food commodities, as defined in § 47-1806.14(f).".

(c) Chapter 18 is amended as follows:

(1) The table of contents is amended as follows:

(A) A new section designation is added to read as follows:

"47-1806.14. Tax on residents and nonresidents – Credits – Tax credit for farm to food donations.".

(B) A new section designation is added to read as follows:

"47-1807.12. Tax on corporations and financial institutions – Credits – Tax credit for farm to food donations.".

(C) A new section designation is added to read as follows:

"47-1808.12. Tax on unincorporated businesses – Credits – Tax credit for farm to food donations.".

New § 47-1806.14

(2) A new section 47-1806.14 is added to read as follows:

"§ 47-1806.14. Tax on residents and nonresidents – Credits – Tax credit for farm to food donations.

"(a) For tax years beginning on or after January 1, 2015, a taxpayer may claim a nonrefundable credit against taxes imposed by this subchapter for food commodity donations made during the tax year to a District of Columbia food bank or shelter recognized as a tax-exempt organization pursuant to 26 U.S.C. § 501(c)(3).

"(b)(1) The credit claimed in subsection (a) of this section shall equal 50% of the value of the contribution and shall not exceed $2,500 per taxpayer per tax year.

"(2) If a taxpayer elects to claim the credit for a contribution, no deduction under § 47-1803.03(b) shall be allowed on account of the contribution.

"(c) A donated food commodity shall not be damaged, out-of-condition, nor of a condition that would be considered unfit for human consumption under District or federal law or regulations.

"(d) If the amount of a tax credit under this section exceeds a taxpayer's tax liability under this chapter for a tax year, the amount of the tax credit that exceeds the taxpayer's income liability may be carried forward for a period not to exceed the following 5 tax years.

"(e) A taxpayer claiming the tax credit shall provide documentation supporting the tax credit claim in a form and manner prescribed by the Chief Financial Officer.

"(f) For the purposes of this section, the term "food commodity" means vegetables, fruits, grains, mushrooms, honey, herbs, nuts, seeds, or rootstock grown in the District by urban farming, as defined in § 48-401(5), or by a community garden, as defined in § 48-401(1), that are intended to be used as food in its perishable state and are approved by regulatory authorities.".

New § 47-1807.12

(3) A new section 47-1807.12 is added to read as follows:

"§ 47-1807.12. Tax on corporations and financial institutions – Credits – Tax credit for

farm to food donations.

"(a) For taxable years beginning on or after January 1, 2015, any qualified incorporated business under § 6-1504 may claim a nonrefundable credit against taxes imposed by this subchapter equal to 50% of the value of food commodity donations made during the tax year to a District of Columbia food bank or shelter recognized as a tax-exempt organization pursuant to 26 U.S.C. § 501(c)(3).

"(b)(1) The credit shall not exceed $5,000 per corporation per tax year and shall not reduce the minimum tax liability under § 47-1807.02(b).

"(2) If the corporation elects to claim the credit for a contribution, no deduction under § 47-1803.03(a)(8) shall be allowable on account of the contribution.

"(c) A donated food commodity shall not be damaged, out-of-condition, nor of a condition that would be considered unfit for human consumption under District or federal law or regulations.

"(d) A corporation claiming the tax credit shall provide documentation supporting the tax credit claim in a form and manner prescribed by the Chief Financial Officer.

"(e) For the purposes of this section, the term "food commodity" means vegetables, fruits, grains, mushrooms, honey, herbs, nuts, seeds, or rootstock grown in the District by urban farming, as defined in § 48-401(5), or by a community garden, as defined in § 48-401(1), that are intended to be used as food in its perishable state and are approved by regulatory authorities.".

(4) A new section 47-1808.12 is added to read as follows: **New § 47-1808.12**

"§ 47-1808.12. Tax on unincorporated businesses – Credits – Tax credit for farm to food donations.

"(a) For taxable years beginning on or after January 1, 2015, any qualified unincorporated business under § 6-1504 may claim a nonrefundable credit against taxes imposed by this subchapter equal to 50% of the value of food commodity donations made during the tax year to a District of Columbia food bank or shelter recognized as a tax-exempt organization pursuant to 26 U.S.C. § 501(c)(3).

"(b)(1) The credit shall not exceed $5,000 per unincorporated business per tax year and shall not reduce the minimum tax liability under § 47-1808.03(b).

"(2) If the unincorporated business elects to claim the credit for a contribution, no deduction under § 47-1803.03(a)(8) shall be allowable on account of the contribution.

"(c) A donated food commodity shall not be damaged, out-of-condition, nor of a condition that would be considered unfit for human consumption under District or federal law or regulations.

"(d) An unincorporated business claiming the tax credit shall provide documentation supporting the tax credit claim in a form and manner prescribed by the Chief Financial Officer.

"(e) For the purposes of this section, the term "food commodity" means vegetables, fruits, grains, mushrooms, honey, herbs, nuts, seeds, or rootstock grown in the District by urban

farming, as defined in § 48-401(5), or by a community garden, as defined in § 48-401(1), that are intended to be used as food in its perishable state and are approved by regulatory authorities.”.

TITLE III – GENERAL PROVISIONS

Note all sections

Sec. 301. Non-liability of the District.

Nothing in this act shall be construed to create a governmental liability or cause of action against the District related to the safety of food purchased on District lands by non-governmental entities.

Delayed Applicability

Sec. 302. Applicability.

(a)(1) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

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

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

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

(b) Subject to subsection (a) of this section,

(1) Section 201(a) shall apply to tax years beginning after September 30, 2015.

(2) Section 201(c) shall apply to tax periods beginning after December 31, 2015.

Sec. 303. Fiscal impact statement.

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

Sec. 304. Effective date.

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

D.C. Law 20-249, effective April 30, 2015
[Delayed Applicability]

AN ACT

Bill 20-720
Act 20-600 effective January 25, 2015

To amend the Historic Landmark and Historic District Protection Act of 1978 to require certain notice requirements at the time of an application for a permit for demolition, alteration, or new construction on, or subdivision of, historic properties, or for preliminary or conceptual review of such projects.

Codification District of Columbia Official Code 2001 Edition

Notice Requirements for Historic Properties Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Notice Requirements for Historic Properties Amendment Act of 2014".

Sec. 2. The Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1101 *et seq.*), is amended as follows:

Amend § 6-1104

(a) Section 5(a) (D.C. Official Code § 6-1104(a)) is amended by striking the phrase "this section and place notice of the application in the District of Columbia Register" and inserting the phrase "this section and section 9c, and, for applications that will be submitted to the Historic Preservation Review Board or the Commission of Fine Arts for a public hearing, place notice of the application in the District of Columbia Register and on the website for the Historic Preservation Office" in its place.

Amend § 6-1105

(b) Section 6(a) (D.C. Official Code § 6-1105(a)) is amended by striking the phrase "this section and place notice of the application in the District of Columbia Register" and inserting the phrase "this section and section 9c, and, for applications that will be submitted to the Historic Preservation Review Board or the Commission of Fine Arts for a public hearing, place notice of the application in the District of Columbia Register and on the website for the Historic Preservation Office" in its place.

Amend § 6-1106

(c) Section 7(a) (D.C. Official Code § 6-1106(a)) is amended by striking the phrase "this section and place notice of the application in the District of Columbia Register" and inserting the phrase "this section and section 9c, and, for applications that will be submitted to the Historic Preservation Review Board or the Commission of Fine Arts for a public hearing, place notice of the application in the District of Columbia Register and on the website for the Historic Preservation Office" in its place.

Amend § 6-1107

(d) Section 8(a) (D.C. Official Code § 6-1107(a)) is amended by striking the phrase "this section and shall place notice of the application in the District of Columbia Register" and insert the phrase "this section and section 9c, and, for applications that will be submitted to the Historic Preservation Review Board or the Commission of Fine Arts for a public hearing, place notice of the application in the District of Columbia Register and on the website for the Historic Preservation Office" in its place.

(e) Section 9 (D.C. Official Code § 6-1108) is amended as follows: **Amend § 6-1108**

(1) Subsection (a) is amended by striking the phrase "considered by the Mayor" and inserting the phrase "considered by the Mayor, in accordance with this subsection and section 9c," in its place.

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

"(a-1) The Mayor shall place notice of applications for preliminary review that will be submitted to the Historic Preservation Review Board or the Commission on Fine Arts for a public hearing on the website for the Historic Preservation Office.".

(3) Subsection (b) is amended by striking the phrase "the application" and inserting the phrase "the application, in accordance with this subsection and section 9c," in its place.

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

"(b-1) The Mayor shall place notice of applications for conceptual review that will be submitted to the Historic Preservation Review Board or the Commission of Fine Arts for a public hearing on the website for the Historic Preservation Office.".

(f) A new section 9c is added to read as follows: **Amend § 6-1108.03**

"Sec. 9c. Notice requirements.

"(a) Immediately after the application is filed for a permit for demolition pursuant to section 5, alteration pursuant to section 6, subdivision pursuant to section 7, new construction pursuant to section 8, preliminary review pursuant to section 9(a), or conceptual review pursuant to section 9(b), that will be submitted to the Historic Preservation Review Board or the Commission of Fine Arts for a public hearing, the applicant shall:

"(1) Post notice of the application on a form provided by the Mayor, in plain view of the public, at each street frontage on the property that is subject to review and on the front of each building located on the property that is subject to review; and

"(2)(A) Provide, by hand delivery with a delivery receipt or via the United States Postal Service with a certificate of mailing, to the owners of record of all confronting or abutting properties, excluding streets and alleys, and to all affected Advisory Neighborhood Commissions, the following:

"(i) Notice of the application;

"(ii) Information regarding how to obtain the schedule for review by the Historic Preservation Review Board or the Commission of Fine Arts; and

"(iii) A copy of the plans for the demolition, alteration, new construction on, or subdivision of, the property that is subject to review, or instructions on how to access the plans on a publicly available website or, upon request, for in-person viewing.

"(B) In the case of a residential condominium or cooperative with 25 or more dwelling units, notice by hand delivery with a delivery receipt or via the United States Postal Service with a certificate of mailing as required by subparagraph (A) of this paragraph may be provided to the board of directors or to the association of the condominium or cooperative that represents all of the owners of all of the dwelling units.

"(b)(1) Before the Mayor approves a permit based on an application submitted to the Historic Preservation Review Board or the Commission of Fine Arts for a public hearing pursuant to section 5, section 6, section 7, section 8, or section 9(a) of this act, or before the Historic Preservation Review Board gives conceptual design approval pursuant to section 9(b) of this act for such an application, the Mayor shall require a certification by the owner that the requirements of subsection (a) of this section have been met.

"(2) The Mayor shall not approve a permit, and the Historic Preservation Review Board shall not grant conceptual design approval, pursuant to paragraph (1) of this subsection until 21 days have elapsed for citizen review of applications prior to the scheduling of a hearing, and following the date the Mayor receives the certification by the owner pursuant to paragraph (1) of this subsection.".

Delayed Applicability

Sec. 3. Applicability.

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

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

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

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

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 20-790
Act 20-593 effective January 23, 2015

To amend the Human Rights Act of 1977 to ensure that individuals are protected from discrimination by an employer, employment agency, or labor organization, based on an individual's or dependent's reproductive health decisions.

Codification District of Columbia Official Code 2001 Edition

Reproductive Health Non-Discrimination Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Reproductive Health Non-Discrimination Amendment Act of 2014".

Amend § 2-1401.05

Sec. 2. Section 105 of the Human Rights Act of 1977, effective July 17, 1985 (D.C. Law 6-8; D.C. Official Code § 2-1401.05), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "related medical conditions, or breastfeeding" and inserting the phrase "related medical conditions, breastfeeding, or reproductive health decisions" in its place.

(b) Subsection (b) is amended by striking the phrase "related medical conditions, or breastfeeding" and inserting the phrase "related medical conditions, or breastfeeding, and employees affected by reproductive health decisions" in its place.

(c) A new subsection (c) is added to read as follows:

"(c) For the purposes of this section, the term "reproductive health decisions" includes a decision by an employee, an employee's dependent, or an employee's spouse related to the use or intended use of a particular drug, device, or medical service, including the use or intended use of contraception or fertility control or the planned or intended initiation or termination of a pregnancy.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-721
Act 20-601 effective January 25, 2015

Codification District of Columbia Official Code 2001 Edition

To amend the Retail Incentive Act of 2004 to establish the U Street/14th Street Retail Priority Area; to amend the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007 to clarify the boundaries of the Ward 4 Georgia Avenue Priority Area; and to amend the H Street, N.E., Retail Priority Area Incentive Act of 2010 to expand eligibility requirements in the H Street, N.E., Retail Priority Area.

U Street/14th Street, N.W., and Georgia Avenue Great Streets Neighborhood Retail Priority Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "U Street/14th Street, N.W., and Georgia Avenue Great Streets Neighborhood Retail Priority Amendment Act of 2014".

Amend § 2-1217.73

Sec. 2. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended by adding a new subsection (m) to read as follows:

"(m) There is established the U Street/14th Street Retail Priority Area, which shall consist of the parcels, squares, and lots within and along the boundary of the following area: Beginning at the intersection of U Street, N.W., and 11th Street, N.W.; thence west on U Street, N.W., to 18th Street, N.W.; thence north on 18th Street, N.W., to Columbia Road, N.W.; thence northeast on Columbia Road, N.W., to Mount Pleasant Street, N.W.; thence northwest on Mount Pleasant Street, N.W., to Park Road, N.W.; thence southeast on Park Road, N.W., to 14th Street, N.W.; thence north on 14th Street, N.W., to Spring Road, N.W.; thence southeast on Spring Road, N.W., to 13th Street, N.W.; thence south on 13th Street, N.W., to V Street, N.W.; thence east on V Street, N.W., to 11th Street, N.W.; thence south on 11th Street, N.W., to the point of beginning.".

Sec. 3. Section 2(4) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended to read as follows:

"(4) Ward 4 Georgia Avenue Priority Area, consisting of the parcels, squares, and lots within and along the boundary of the following area: beginning at the intersection of Kenyon Street, N.W., and Sherman Avenue, N.W.; continuing north along Sherman Avenue, N.W., to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W., to Spring Road, N.W.; then continuing northwest along Spring Road, N.W., to 14th Street, N.W.; then continuing north along 14th Street, N.W., to Longfellow Street, N.W.; then continuing east along Longfellow Street, N.W., to Georgia Avenue, N.W.; then continuing north along Georgia Avenue, N.W., to Eastern Avenue, N.W.; then continuing southeast along Eastern Avenue,

N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E., to Blair Road, N.W.; then continuing south along Blair Road, N.W., to North Capitol Street, N.E.; then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W.; then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W.; then continuing southwest along Kansas Avenue, N.W., to Varnum Street, N.W.; then continuing east along Varnum Street, N.W., to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then continuing further south along Warder Street, N.W., to Kenyon Avenue, N.W.; and then continuing west along Kenyon Avenue, N.W., to the beginning point;".

Amend § 1-325.173

Sec. 4. Section 4(b)(2) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.173(b)(2)), is amended by striking the word "restaurants" and inserting the phrase "restaurants whose annual alcohol sales exceed 20%" in its place.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

AN ACT

Bill 20-773
Act 20-602 effective January 25, 2015

Codification District of Columbia Official Code 2001 Edition

To amend the Workforce Investment Implementation Act of 2000 to update and conform the law with the current functions of the Workforce Investment Council and federal law; and to amend the Workforce Investment Implementation Individual Training Accounts Limitation Amendment Act of 2004 to provide that beginning January 1, 2015, no eligible training provider shall be eligible to receive funding for more than 5 individual training accounts in a calendar year unless at least 25% of the students participating in the entity's training programs are funded by sources other than the individual training accounts and beginning January 1, 2016, to increase the minimum percent to 50%.

Workforce Investment Implementation Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Workforce Investment Implementation Amendment Act of 2014".

Sec. 2. The Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1601 *et seq.*), is amended as follows:

Amend § 32-1602

(a) Section 3 (D.C. Official Code § 32-1602) is amended as follows:

(1) Paragraph (1) is repealed.

(2) New paragraphs (1A) and (1B) are added to read as follows:

"(1A) "Eligible training provider" means an organization that is approved to receive funds for individual training accounts for employment and training services, in accordance with criteria and procedures established by the Workforce Investment Council.

"(1B) "Individual training account" or "ITA" means the primary way individuals receive funds for training pursuant to the Federal Act.".

(3) Paragraph (2) is amended as follows:

(A) Strike the phrase "means the" and insert the phrase "or "WIA" means the" in its place.

(B) Strike the phrase "§ 2822)" and insert the phrase "§ 2822) or the Workforce Innovation and Opportunity Act, approved July 22, 2014 (Pub. L. No. 113-128; 128 Stat. 1425), in accordance with section 13a" in its place.

(4) Paragraph (3) is amended to read as follows:

"(3) "Self-sufficiency" means the self-sufficiency level as established annually by the Workforce Investment Council.".

(5) Paragraph (4) is repealed.

(6) A new paragraph (5) is added to read as follows:

"(5) "WIC" means the Workforce Investment Council established by section 4.".

Amend § 32-1603

(b) Section 4 (D.C. Official Code § 32-1603) is amended as follows:

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

"(a) There is created a Workforce Investment Council that shall serve as the District's state workforce investment board pursuant to section 111 of the Federal Act, which shall carry out the functions of a local workforce investment board as assigned by the Mayor pursuant to section 117(c)(4) of the Federal Act.".

(2) Subsection (b) is repealed.

(3) New subsections (e), (f), (g), (h), (i), and (j) are added to read as follows:

"(e) The Mayor shall appoint members of WIC in a manner consistent with the requirements of section 111(b) and (c) of the Federal Act.

"(f) The WIC shall:

"(1) Assist the Mayor in the selection of the WIC Executive Director;

"(2) In cooperation with the WIA administrative entity:

"(A) Develop the District's state plan consistent with the requirements of section 112 of the Federal Act;

"(B) Negotiate the District's state performance measures as required under section 136(b) of the Federal Act; and

"(C) Develop the District's annual report as required under section 136(d) of the Federal Act;

"(3) Establish policies and guidance for the District's American Job Center system as required under section 134(c) of the Federal Act;

"(4) In coordination with the WIA administrative entity, develop and implement District-wide employment and training activities as required under section 134(a) of the Federal Act;

"(5) Develop and implement a workforce intermediary pilot project, as described in section 5b of the First Source Employment Agreement Act of 1984, effective February 24, 2012 (D.C. Law 19-84; D.C. Official Code § 2-219.04b); and

"(6) Develop applications for incentive grants pursuant to section 503 of the Federal Act.

"(g) The Mayor shall certify WIC as the local workforce investment board for the District of Columbia not less than once every 2 years, consistent with the requirements of section 117(c) of the Federal Act.

"(h) The Mayor shall designate WIC to:

"(1) Certify American Job Centers;

"(2) Select and terminate American Job Centers;

"(3) In coordination with the WIA administrative entity, develop a memorandum of agreement with mandatory partner programs for the administration of American Job Centers, which shall include a resource-sharing agreement;

"(4) Establish eligibility and performance requirements for training providers to be considered eligible to receive ITA funds;

"(5) Identify demand occupations for which training may be provided and develop a demand occupation list not less than once every 2 years;

"(6) Implement a procedure for determining initial and subsequent eligibility of training providers;

"(7) Establish and implement eligibility and performance requirements for providers of training services other than those provided through ITAs, including on-the-job training and customized training services;

"(8) Develop and implement a policy for the selection of providers of youth employment and training services consistent with section 123 of the Federal Act;

"(9) Establish a youth council consistent with section 117(h) of the Federal Act;

"(10) Develop an annual operating budget for WIC;

"(11) In cooperation with the WIA administrative entity, advise the Mayor and the Office of the Chief Financial Officer of the District of Columbia on the annual budget and spending plan for youth activities as described in section 129 of the Federal Act and employment and training activities as described in section 134 of the Federal Act; and

"(12) Coordinate workforce development activities with economic development strategies and other employer linkages.

"(i)(1) The WIC shall direct the WIA administrative entity to disburse funds received pursuant to sections 127 and 132 of the Federal Act to support the activities described in subsections (d) and (e) of this section, consistent with WIC policies.

"(2) The WIA administrative entity shall disburse the funds described in paragraph (1) of this subsection immediately upon the direction of the local workforce investment board; provided, that the direction does not violate a provision of the Federal Act or District law.

"(j) The WIC may hire staff to assist it in carrying out its responsibilities, as described in subsections (f) and (h) of this section.".

(c) A new section 4a is added to read as follows: **New § 32-1603.01**

"Sec. 4a. WIA administrative entity.

"The Mayor shall designate an agency to serve as the WIA administrative entity, which shall:

"(1) In cooperation with the WIC:

"(A) Develop the District's state plan;

"(B) Negotiate the District's state performance measures as required under section 136(b) of the Federal Act;

"(C) Develop the District's annual report as required under section 136(d) of the Federal Act;

"(D) Develop and submit all reports required under the Federal Act; and

"(E) Advise the Mayor and the Office of the Chief Financial Officer of the District of Columbia on the annual budget and spending plan for youth activities as described in section 129 of the Federal Act and employment and training activities as described in section 134 of the Federal Act;

"(2) Serve as the fiscal agent for all funds described in section 127 and section 132 of the Federal Act;

"(3) Develop and administer a District-wide employment statistics system consistent with section 309 of the Federal Act;

"(4) Subject to certification by WIC:

"(A) Serve as the operator of American Job Centers;

"(B) Provide core services as described in section 134(d)(2) of the Federal Act through the American Job Centers; and

"(C) Provide intensive services as described in section 134(d)(3) of the Federal Act through the American Job Centers;

"(5) Administer all grants and contracts for training services as described in section 134(d)(4) of the Federal Act, subject to policies established by WIC; and

"(6) Administer all grants and contracts with youth providers identified by WIC through the process described in section 11a.".

Amend § 32-1604

(d) Section 5 (D.C. Official Code § 32-1604) is amended to read as follows:

"Sec. 5. Council approval of state workforce plans.

"Upon the Mayor's approval of the state plan described in section 4(f)(2)(A), or any modification of such plan, the Mayor shall transmit the state plan to the Council for a 10-day period of review. If the Council does not approve or disapprove the state plan or modification, by resolution, within the 10-day review period, the state workforce plan shall be deemed approved.".

Repeal §§ 32-1605 32-1606

(e) Section 6 (D.C. Official Code § 32-1605) is repealed.

(f) Section 7 (D.C. Official Code § 32-1606) is repealed.

Amend § 32-1607

(g) Section 8 (D.C. Official Code § 32-1607) is amended as follows:

(1) The heading is amended to read as follows:

"Sec. 8. Training services criteria and performance accountability.".

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

(A) Designate the existing introductory text as paragraph (1).

(B) The newly designated paragraph (1) is amended to read as follows:

"(a)(1)(A) Except as provided in subsection (e) of this section, training services funded under section 133 of the Federal Act shall be provided through the use of individual training accounts. ITA funds may only be used to pay for employment and training services that are provided by organizations that have been approved as eligible training providers by WIC, according to criteria and procedures developed by WIC.

"(B) The criteria and procedures required by subparagraph (A) of this paragraph shall be submitted to the Council for a 10-day period of review, excluding days of Council recess. If the Council does not approve or disapprove the procedures and criteria, by resolution, within the 10-day period of review, the procedures and criteria shall be deemed approved.".

(C) Existing paragraphs (1) and (2) are redesignated as paragraphs (2) and (3).

(D) The newly designated paragraph (2) is amended by striking the phrase "Each service provider shall" and inserting the phrase "The criteria and procedures shall require organizations seeking to become eligible training providers to" in its place.

(E) The newly designated paragraph (3) is amended by striking the phrase "The service provider shall also" and inserting the phrase "The criteria and procedures shall require organizations seeking to become eligible training providers to" in its place.

(F) A new paragraph (4) is added to read as follows:

"(4)(A) The criteria and procedures required by this subsection shall include a list of demand occupations in the District for which training may be provided.

"(B) The criteria and procedures shall require eligible training providers to meet minimum performance requirements with respect to:

"(i) Placement in employment;

"(ii) Employment retention;

"(iii) Average wages; and

"(iv) Other requirements established by WIC.

"(C) Eligible training providers shall submit the required data to WIC to enable WIC to determine performance.".

(3) Subsection (c) is repealed.

(4) Subsection (d) is repealed.

(5) New subsections (e) and (f) are added to read as follows:

"(e)(1) Training services funded under section 133 of the Federal Act may be provided pursuant to a contract in lieu of an individual training account to the extent that such contracts are permitted under the Federal Act and District law.

"(2) No funds may be provided under this section except according to criteria and procedures developed by the Workforce Investment Council.

"(f)(1) All training services funded under section 133 of the Federal Act shall be provided in a manner that maximizes consumer choice.

"(2) The WIC shall publish annual report cards for each eligible training provider that includes performance data and cost information in a manner that helps enhance customer choice in selecting training services.".

Amend § 32-1608

(h) The lead-in text of section 9 (D.C. Official Code § 32-1608) is amended to read as follows:

"Participants in training activities funded pursuant to section 8 shall not be assigned or placed to work for any employer or worksite where:".

Amend § 32-1609

(i) Section 10 (D.C. Official Code § 32-1609) is amended by striking the phrase "Office of Human Rights" and inserting the phrase "Workforce Investment Council" in its place.

Amend § 32-1610

(j) Section 11 (D.C. Official Code § 32-1610) is amended as follows:

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

(A) Strike the word "Council" and insert the phrase "District's state workforce investment board" in its place.

(B) Strike the phrase "advise the Mayor as required pursuant to section 112 of the Federal Act and on matters" and insert the phrase "develop policies and procedures" in its place.

(2) Subsection (b) is repealed.

(3) New subsections (b-1) and (b-2) are added to read as follows:

"(b-1) The WIC shall establish policies and procedures for the development of a one-stop delivery system consistent with the requirements of sections 121 and 134(c) of the Federal Act, including policies and procedures for the certification of American Job Centers and the selection of one-stop operators consistent with the requirements of section 121(d) of the Federal Act.

"(b-2) The WIC shall develop policies and procedures to ensure that American Job Centers provide:

"(1) Core services, as described in section 134(d)(2) of the Federal Act;

"(2) Access to intensive career services, as described in section 134(d)(3) of the Federal Act; and

"(3) Training services, as described in 134(d)(4) of the Federal Act and consistent with the requirements in section 8.".

(4) Subsection (d) is repealed.

(5) A new subsection (d-1) is added to read as follows:

"(d-1) The policies and procedures required by subsection (b-2) of this section shall ensure that eligible individuals seeking services through American Job Centers receive an initial assessment of aptitudes and abilities that is non-gender biased and that assesses a woman's interest in high-wage employment, including for positions that are nontraditional employment for women.".

(k) A new section 11a is added to read as follows: **New § 32-1610.01**

"Sec. 11a. Youth activities.

"(a) The WIC shall develop policies and procedures for the selection of providers of youth employment and training services consistent with the requirements of section 123 of the Federal Act.

"(b) The policies and procedures required by subsection (a) of this section shall ensure that the providers of youth employment and training activities are selected on a competitive basis.".

(l) Section 12 (D.C. Official Code § 32-1611) is repealed. **Repeal § 32-1611**

(m) A new section 12a is added to read as follows: **New § 32-1611.01**

"Sec. 12a. Mandatory partner programs.

"(a) With the approval of the Mayor, WIC shall develop and enter into a memorandum of agreement with mandatory partner programs consistent with the requirements of section 121(c) of the Federal Act.

"(b) To the extent that they are available in the District, the mandatory partner programs required by subsection (a) of this section shall include the:

"(1) Workforce Investment Act Adult program;

"(2) Workforce Investment Act Youth program;
"(3) Workforce Investment Act Dislocated Worker program;
"(4) Wagner-Peyser Act programs and activities;
"(5) Local Veterans Outreach program;
"(6) Disabled Veterans Outreach program;
"(7) Trade Adjustment Assistance;
"(8) Senior Community Service Employment Program, as authorized under Title V of the Older Americans Act of 1965, approved October 17, 2006 (120 Stat. 2522; 42 U.S.C. § 3056);
"(9) Unemployment insurance programs authorized under District of Columbia unemployment compensation laws;
"(10) Vocational rehabilitation programs, as authorized under Parts A and B of the Title I of the Rehabilitation Act of 1973, approved August 7, 1998 (112 Stat. 1093; 29 U.S.C. § 720);
"(11) Any postsecondary career and technical education activities authorized under the Vocational Education Act of 1963, approved August 12, 2006 (120 Stat. 684; 20 U.S.C. § 2301);
"(12) Adult education and literacy activities authorized under Title II of WIA;
"(13) Employment and training activities carried out under the Community Services Block Grant Act, approved October 27, 1998 (112 Stat. 2728; 42 U.S.C.§ 9901);
"(14) Job-readiness training and employment-placement assistance under section 3 of the Housing and Urban Development Act of 1968, approved August 1, 1968 (82 Stat. 476; 12 U.S.C. § 1701u); or
"(15) Job Corps activities.".

New § 32-1612.01

(n) A new section 13a is added to read as follows:
"Sec. 13a. Reference.
"(a) Except as otherwise specified, a reference in this act to a section or provision of the Workforce Investment Act of 1998, approved August 7, 1998 (112 Stat. 936; 29 U.S.C. § 2822), shall be deemed to be a reference to the corresponding provision of the Workforce Innovation and Opportunity Act, approved July 22, 2014 (Pub. L. No 113-128; 128 Stat. 1425).
"(b) This section shall apply as of July 22, 1014.".

Amend § 32-1631

Sec. 3. Section 1142 of the Workforce Investment Implementation Individual Training Accounts Limitation Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 32-1631**)**, is amended as follows:
(a) Subsections (a) and (b) are amended to read as follows:
"(a) Beginning January 1, 2015, or upon the effective date of the Workforce Investment Implementation Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-773), whichever occurs first, no eligible training provider shall be eligible to receive funding for more than 5 individual training accounts in a calendar year unless at least

25% of the students participating in the entity's training programs are funded by sources other than the individual training accounts.

"(b) Beginning January 1, 2016, no eligible training provider shall be eligible to receive funding for more than 5 individual training accounts in a calendar year unless at least 50% of the students participating in the entity's training programs are funded by sources other than the individual training accounts.".

(b)(1) Subsection (c) is amended as follows:

(A) The lead-in text is amended to read as follows:

"WIC shall establish a procedure by which eligible training providers shall certify as to:".

(B) Paragraph (1) is amended by striking the word "entity's" and inserting the phrase "eligible training provider's" in its place.

(C) Paragraph (2) is amended by striking the phrase "the District government" and inserting the phrase "individual training accounts" in its place.

(2) This subsection shall apply as of October 1, 2014.

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

"(d) For the purposes of this section, the term:

"(1) "Eligible training provider" shall have the same meaning as provided in section 3(1A) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1602(1A)).

"(2) "Individual training account" shall have the same meaning as provided in section 3(1B) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1602(1B)).".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 20-796
Act 20-603 effective January 26, 2015

To amend An Act Making appropriations to provide for the expenses of the government of the District of Columbia for fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes, to authorize the Mayor to enter into an agreement with a Business Improvement District or DC Surface Transit Inc. for maintenance and improvement of public space or to engage in public space planning activities.

Codification District of Columbia Official Code 2001 Edition

Public Space Maintenance Contracting Authorization Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public Space Maintenance Contracting Authorization Amendment Act of 2014".

Amend § 9-401.06

Sec. 2. The text under the heading "ASSESSMENT AND PERMIT WORK" of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes, approved August 7, 1894 (28 Stat. 247; D.C. Official Code § 9-401.06), is amended as follows:

(a) The first paragraph is designated as subsection (a).

(b) The second paragraph is designated as subsection (b).

(c) A new subsection (c) is added to read as follows:

"(c)(1) Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Mayor may enter into an agreement, excluding grant agreements, with a BID corporation, as defined in section 2(4) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4)), or with DC Surface Transit Inc., a nonprofit corporation in the District of Columbia, to maintain or improve public space, such as sidewalks and signage, within the boundaries of the BID, as defined in section 2(7) of the Business Improvement District Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)), or to engage in public space planning activities in the District.

"(2) The Mayor shall pay or reimburse to a BID corporation or DC Surface Transit Inc. for reasonably incurred expenses in maintaining or improving public space or for engaging in planning activity under this subsection for services customarily provided by the District to any similar geographic area pursuant to section 20(a) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20(a)).

"(3) An agreement with a BID corporation or DC Surface Transit Inc. made pursuant to this subsection to complete work in public space shall contain provisions requiring adequate insurance and indemnification.

"(4)(A) An agreement with a BID corporation or DC Surface Transit Inc. made pursuant to this subsection shall not exceed $250,000 for a single fiscal year; provided, that a multiyear agreement shall be allowed, subject to annual appropriation.

"(B) Beginning October 1, 2015, the amount referenced in subparagraph (A) of this paragraph shall be indexed by the percentage that the average of the Consumer Price Index for the Washington-Baltimore Metropolitan Statistical Area for all-urban consumers published by the Department of Labor, as of the close of the 12-month period ending on March 31 ("Consumer Price Index") for the preceding fiscal year, exceeds the Consumer Price Index for the fiscal year beginning October 1, 2014, and each succeeding fiscal year.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-797
Act 20-604 effective January 25, 2015

Codification District of Columbia Official Code 2001 Edition

To authorize the Commissioner of the Department of Insurance, Securities and Banking to implement and enforce the health insurance market provisions of the federal Patient Protection and Affordable Care Act and the Public Health Service Act; to amend the Reasonable Health Insurance Ratemaking and Health Care Reform Act of 2010 to establish a benchmark plan that includes the essential health benefits and require that certain rating standards be used by health insurance issuers when setting rates; to amend the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Act of 1986, the Health Insurance Portability and Accountability Federal Law Conformity and No-Fault Motor Vehicle Insurance Act of 1998, and the Hospital and Medical Services Corporation Regulatory Act of 1996 to provide uniform definitions for the terms "large employer" and "small employer" and to define "excepted benefits"; and to regulate stop-loss insurance.

Federal Health Reform Implementation and Omnibus Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Federal Health Reform Implementation and Omnibus Amendment Act of 2014".

TITLE I. HEALTH INSURANCE PROVISIONS

New Chapter 34B, Title 31 New § 31-3461

Sec. 101. Compliance with federal health reform.

(a) Sections 1251, 1252, and 1304 of the Patient Protection and Affordable Care Act, approved March 23, 2010 (124 Stat. 119; 42 U.S.C. §§ 18011, 18021, and 18024), and sections 2701 through 2709, 2711 through 2719A, and 2794 of the Public Health Service Act, approved July 1, 1944 (58 Stat. 682; 42 U.S.C. §§ 300gg, 300gg-1, 300gg-2, 300gg-3, 300gg-4, 300gg-5, 300gg-6, 300gg-7, 300gg-8, 300gg-9, 300gg-11, 300gg-12, 300gg-13, 300gg-14, 300gg-15, 300gg-15A, 300gg-16, 300gg-17, 300gg-18, 300gg-19, 300gg-19A, and 300gg-94), (collectively "federal health acts") and any rules issued pursuant to the federal health acts are incorporated by reference and shall apply to all insurers, hospital and medical services corporations, and health maintenance organizations that deliver or issue for delivery individual or group health insurance policies or contracts in the District.

(b) The Commissioner of the Department of Insurance, Securities and Banking ("Commissioner") has the authority to take action to enforce violations of subsection (a) of this section pursuant to the Commissioner's authority under the Department of Insurance and Securities Regulation Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq*.).

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

Amend § 31-3101

Sec. 102. Section 2 of the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Act of 1986, effective February 28, 1987 (D.C. Law 6-195; D.C. Official Code § 31-3101), is amended as follows:

(a) Paragraph (10A) is amended to read as follows:

"(10A)(A)(i) Except as provided in sub-subparagraph (ii) of this subparagraph, "large employer" means, in connection with a group health plan with respect to a calendar year and a plan year, a single employer that employed an average of at least 51 employees on business days during the preceding calendar year and at least 2 employees on the first day of the plan year.

"(ii) Beginning in calendar year 2016 and for each succeeding year, "large employer" means, in connection with a group health plan with respect to a calendar year and a plan year, a single employer that employed an average of at least 101 employees on business days during the preceding calendar year and at least 2 employees on the first day of the plan year.

"(B) For the purposes of this paragraph:

"(i) All persons treated as a single employer under section 414(b), (c), (m), or (o) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 414(b), (c), (m), or (o)), shall be treated as a single employer;

"(ii) An employer and any predecessor employer shall be treated as a single employer;

"(iii) All employees shall be counted, including part-time employees and employees who are not eligible for health benefit coverage through the employer; and

"(iv) If an employer was not in existence throughout the preceding calendar year, the determination of whether that employer is a large employer shall be based on the average number of employees that the employer is reasonably expected to employ in the current calendar year.".

(b) Paragraph (19A) is amended to read as follows:

"(19A)(A)(i) Except as provided in sub-subparagraph (ii) of this subparagraph, "small employer" means a single employer that employed an average of not more than 50 employees during the preceding calendar year.

"(ii) Beginning in calendar year 2016 and for each succeeding year, "small employer" means a single employer that employed an average of not more than 100 employees during the preceding calendar year.

"(B) For the purposes of this paragraph:

"(i) All persons treated as a single employer under section 414(b), (c), (m), or (o) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 414(b), (c), (m), or (o)), shall be treated as a single employer;

"(ii) An employer and any predecessor employer shall be treated as a single employer;

"(iii) All employees shall be counted, including part-time employees and employees who are not eligible for health benefit coverage through the employer;

"(iv) If an employer was not in existence throughout the preceding calendar year, the determination of whether that employer is a small employer shall be based on the average number of employees that the employer is reasonably expected to employ in the current calendar year.".

Amend § 31-3301.01

Sec. 103. Section 101 of the Health Insurance Portability and Accountability Federal Law Conformity and No-Fault Motor Vehicle Insurance Act of 1998, effective April 13, 1999 (D.C. Law 12-209; D.C. Official Code § 31-3301.01), is amended as follows:

(a) Paragraph (15) is amended to read as follows:

"(15) "Excepted benefits" means benefits under one or more of the following:

"(A) Benefits not subject to the requirements of this act include:

"(i) Coverage only for accident, or disability income insurance, or any combination thereof;

"(ii) Coverage issued as a supplement to liability insurance;

"(iii) Liability insurance, including general liability insurance and automobile liability insurance;

"(iv) Workers' compensation or similar insurance;

"(v) Medical expense and loss of income benefits;

"(vi) Credit-only insurance;

"(vii) Coverage for on-site medical clinics; and

"(viii) Other similar insurance coverage, as specified in regulations, under which benefits for medical care are secondary or incidental to other insurance benefits;

"(B) Benefits not subject to the requirements of this act if offered separately include:

"(i) Limited scope dental or vision benefits so long as the benefits are offered in a manner not inconsistent with applicable federal law;

"(ii) Benefits for long-term care, nursing home care, home health care, community-based care, or any combination thereof; and

"(iii) Other similar, limited benefit plans as specified in regulations;

"(C) Benefits not subject to the requirements of this act if offered as independent, non-coordinated benefits, supplemental to minimum essential coverage include:

"(i) Coverage only for a specified disease or illness; and

"(ii) Hospital indemnity or other fixed indemnity insurance; and

"(D) Benefits not subject to the requirements of this act if offered as a separate insurance policy include:

"(i) Medicare supplemental health insurance (as defined under section 1882(g)(1) of the Social Security Act, approved June 9, 1980 (72 Stat. 1445; 42 U.S.C. § 1395ss(g)(1));

"(ii) Coverage supplemental to the coverage provided under Chapter 55 of Title 10, United States Code (10 U.S.C. § 1071 *et seq*.); and

"(iii) Similar supplemental coverage provided under a group health plan.

"(E) The term "excepted benefits" does not include any combination of benefits described in subparagraphs (A)(i), B(i), (C)(i) or (C)(ii) of this paragraph.".

(b) A new paragraph (19A) is added to read as follows:

"(19A) "Health Benefit Exchange Authority Establishment Act" means the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2011 (D.C. Law 19-94; D.C. Official Code § 31-3171.01 *et seq*.).".

(c) Paragraph (26) is amended to read as follows:

"(26) "Individual health insurance coverage" means health insurance coverage offered to individuals in the individual market, which includes a health benefit plan provided to individuals through a trust arrangement, association, or other discretionary group that is not an employer plan, but does not include coverage defined as excepted benefits. The term "individual health insurance coverage" does not include short-term limited duration coverage.".

(d) Paragraph (29) is amended to read as follows:

"(29)(A)(i) Except as provided in sub-subparagraph (ii) of this subparagraph, "large employer" means, in connection with a group health plan with respect to a calendar year and a plan year, a single employer that employed an average of at least 51 employees on business days during the preceding calendar year and at least 2 employees on the first day of the plan year.

"(ii) Beginning in calendar year 2016 and for each succeeding year, "large employer" means, in connection with a group health plan with respect to a calendar year and a plan year, a single employer that employed an average of at least 101 employees on business days during the preceding calendar year and at least 2 employees on the first day of the plan year.

"(B) For the purposes of this paragraph:

"(i) All persons treated as a single employer under section 414(b), (c), (m), or (o) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 414(b), (c), (m), or (o)), shall be treated as a single employer;

"(ii) An employer and any predecessor employer shall be treated as a single employer;

"(iii) All employees shall be counted, including part-time employees and employees who are not eligible for health benefit coverage through the employer; and

"(iv) If an employer was not in existence throughout the preceding calendar year, the determination of whether that employer is a large employer shall be based on

the average number of employees that the employer is reasonably expected to employ in the current calendar year.".

(e) Paragraph (42) is amended to read as follows:

"(42)(A)(i) Except as provided in sub-subparagraph (ii) of this subparagraph, "small employer" means a single employer that employed an average of not more than 50 employees during the preceding calendar year.

"(ii) Beginning in calendar year 2016 and for each succeeding year, "small employer" means a single employer that employed an average of not more than 100 employees during the preceding calendar year.

"(B) For the purposes of this paragraph:

"(i) All persons treated as a single employer under section 414(b), (c), (m), or (o) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 414(b), (c), (m), or (o)), shall be treated as a single employer;

"(ii) An employer and any predecessor employer shall be treated as a single employer;

"(iii) All employees shall be counted, including part-time employees and employees who are not eligible for health benefit coverage through the employer; and

"(iv) If an employer was not in existence throughout the preceding calendar year, the determination of whether that employer is a small employer shall be based on the average number of employees that the employer is reasonably expected to employ in the current calendar year.".

Sec. 104. The Reasonable Health Insurance Ratemaking and Health Care Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-360; D.C. Official Code § 31-3311.01 *et seq.*), is amended as follows:

(a) Section 102(f) (D.C. Official Code § 31-3311.01(f)) is amended by striking the phrase "The Commissioner of the Department of Insurance, Securities, and Banking ("Commissioner"), in his or her discretion," and inserting the phrase "The Commissioner, in the Commissioner's discretion," in its place. **Amend § 31-3311.01**

(b) New sections 104a and 104b are added to read as follows:

"Sec. 104a. Essential health benefits. **New § 31-3311.03a**

"(a) Consistent with federal law, the Commissioner, with the approval of the Executive Board of the Health Benefit Exchange Authority, shall, by rule, select the benchmark plan for the individual and small group markets for purposes of establishing the essential health benefits in the District pursuant to section 1302 of the Affordable Care Act.

"(b) If the essential health benefits benchmark plan for the individual and small group markets does not include all of the benefit categories specified by section 1302 of the Affordable Care Act, or a need exists to add additional benefits, the Commissioner, with the approval of the Executive Board of the Health Benefit Exchange Authority, may, by rule, supplement the

benchmark plan benefits as needed so long as the benchmark plan meets the minimum requirements of section 1302 of the Affordable Care Act.

"(c)(1) A health plan offering the required essential health benefits for the individual and small group markets, other than a health plan offered through the federal basic health program or Medicaid, may not be offered in the District unless the Commissioner determines that it is substantially equal to the benchmark plan.

"(2) When making this determination, the Commissioner shall:

"(A) Ensure that the plan covers the essential health benefits categories specified in section 1302 of the Affordable Care Act; and

"(B) Consider whether the health plan has a benefit design that would create a risk of biased selection based on health status and whether the health plan contains meaningful scope and level of benefits in each of the 10 essential health benefit categories specified by section 1302 of Affordable Care Act.

"(d)(1) Except as provided in paragraph (2) of this subsection, notwithstanding any other provision of benefits mandated by District law, the benchmark plan adopted by the Commissioner shall be the benefits required in all health benefit plans offered in the individual and small group markets.

"(2) Grandfathered health plans, as defined in section 1251 of the Affordable Care Act, shall be exempt from complying with the requirements of the benchmark plan.

"Sec. 104b. Underwriting ratemaking criteria. **New § 31-3311.03b**

"(a) To implement section 1201 of the Affordable Care Act, the Commissioner, with the approval of the Executive Board of the Health Benefit Exchange Authority, shall have the authority to establish by rule:

"(1)The geographic rating area for the District;

"(2)The age rating or curve; and

"(3)The rating for tobacco uses.

"(b)The Commissioner's authority to implement subsection (a) of this section shall be accomplished in a manner that is not inconsistent with, or would prevent the application of, the Affordable Care Act and its implementing regulations. In exercising the authority under subsection (a) of this section, the Commissioner may provide consumer protections and benefits that exceed those provided in the Affordable Care Act.

"(c) Health insurers are required to merge their experience in the individual and group markets for purposes of setting health insurance rates.".

(c) A new section 112 is added to read as follows: **New § 31-3311.11**

"Sec. 112. Definitions.

"For the purposes of this title, the term:

'(1) "Affordable Care Act" means the Patient Protection and Affordable Care Act approved March 23, 2010 (124 Stat. 111; 42 U.S.C. § 18001, note).

"(2) "Commissioner" means the Commissioner of the Department of Insurance, Securities, and Banking established by the Department of Insurance and Securities Regulations

Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq*.).".

Sec. 105. The Hospital and Medical Services Corporation Regulatory Act of 1996, effective April 9, 1997 (D.C. Law 11-245; D.C. Official Code § 31-3501 *et seq*.), is amended as follows:

(a) Section 2 (D.C. Official Code § 31-3501) is amended as follows: **Amend § 31-3501**

(1) A new paragraph (4A) is added to read as follows:

"(4A)(A)(i) Except as provided in sub-subparagraph (ii) of this subparagraph, "large employer" means, in connection with a group health plan with respect to a calendar year and a plan year, a single employer that employed an average of at least 51 employees on business days during the preceding calendar year and at least 2 employees on the first day of the plan year.

"(ii) Beginning in calendar year 2016 and for each succeeding year, "large employer" means, in connection with a group health plan with respect to a calendar year and a plan year, a single employer that employed an average of at least 101 employees on business days during the preceding calendar year and at least 2 employees on the first day of the plan year.

"(B) For the purposes of this paragraph:

"(i) All persons treated as a single employer under section 414(b), (c), (m), or (o) of the Internal Revenue Code of 1986, October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 414(b), (c), (m), or (o)), shall be treated as a single employer;

"(ii) An employer and any predecessor employer shall be treated as a single employer;

"(iii) All employees shall be counted, including part-time employees and employees who are not eligible for health benefit coverage through the employer; and

"(iv) If an employer was not in existence throughout the preceding calendar year, the determination of whether that employer is a large employer shall be based on the average number of employees that the employer is reasonably expected to employ in the current calendar year.".

(2) A new paragraph (7C) is added to read as follows:

"(7C)(A)(i) Except as provided in sub-subparagraph (ii) of this subparagraph, "small employer" means a single employer that employed an average of not more than 50 employees during the preceding calendar year.

"(ii) Beginning in calendar year 2016 and for each succeeding year, "small employer" means a single employer that employed an average of not more than 100 employees during the preceding calendar year.

"(B) For the purposes of this paragraph:

"(i) All persons treated as a single employer under section 414(b), (c), (m), or (o) of the Internal Revenue Code of 1986, October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 414(b), (c), (m), or (o)), shall be treated as a single employer;

"(ii) An employer and any predecessor employer shall be treated as a single employer;

"(iii) All employees shall be counted, including part-time employees and employees who are not eligible for health benefit coverage through the employer; and

"(iv) If an employer was not in existence throughout the preceding calendar year, the determination of whether that employer is a small employer shall be based on the average number of employees that the employer is reasonably expected to employ in the current calendar year.".

Amend § 31-3503

(b) Section 4 (D.C. Official Code § 31-3503) is amended as follows:

(1) Paragraph (27) is amended by striking the phrase "reports; and" and inserting the phrase "reports;" in its place.

(2) Paragraph (28) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (29) is added to read as follows:

"(29) Section 101(a) of the Federal Health Reform Implementation and Omnibus Amendment Act of 2014, passed on 2nd reading on November 18, 2014 (Enrolled version of Bill 20-797), making applicable sections 1251, 1252, and 1304 of the Patient Protection and Affordable Care Act, approved March 23, 2010 (124 Stat. 119; 42 U.S. C. §§ 18011, 18021 and 18024), and sections 2701 through 2709, 2711 through 2719A, and 2794 of the Public Health Service Act, approved July 1, 1944 (58 Stat. 682; approved July 1, 1944 (58 Stat. 682; 42 U.S.C. §§ 300gg, 300gg-1, 300gg-2, 300gg-3, 300gg-4, 300gg-5, 300gg-6, 300gg-7, 300gg-8, 300gg-9, 300gg-11, 300gg-12, 300gg-13, 300gg-14, 300gg-15, 300gg-15A, 300gg-16, 300gg-17, 300gg-18, 300gg-19, 300gg-19A, and 300gg-94), (collectively "federal health acts") and any implementing rules issued pursuant to the federal health acts.".

Amend § 31-3512

(c) Section 13(1) (D.C. Official Code § 31-3512(1)) is amended to read as follows:

"(1) A provision that the group contract holder is entitled to a grace period of the last day of the month for which the premium is due for the payment of any premium due except the first, during which grace period the contract shall continue in force, unless the group contract holder has given the corporation written notice of discontinuance in advance of the date of discontinuance and in accordance with the terms of the contract; except, that the contract may provide that the contract holder shall be liable to the corporation for the payment of a pro rata premium for the time the contract was in force during such grace period;".

Repeal § 31-3514

(d) Section 15 (D.C. Official Code § 31-3514) is repealed.

Amend § 31-4712

Sec. 106. Section 12(c)(1)(C)(i) of the Life Insurance Act of 1934, approved June 1934 (48 Stat. 1166; D.C. Official Code § 31-4712(c)(1)(C)(i)), is amended to read as follows:

"(C)(i) A provision as follows:

"*GRACE PERIOD*: A grace period of . . . . . (insert the last day of the month for which the premium is due for policies issued on a calendar month basis and a period not less than 31 days for all other policies) will be granted for the payment of each premium falling due after the 1st premium, during which grace period the policy shall continue in force.".

TITLE II. STOP-LOSS INSURANCE

Sec. 201. Definitions.

New Chapter 38A, Title 31 New § 31-3821

For the purposes of this title, the term:

(1) "Aggregate attachment point" means the total amount of health claims incurred by a small employer in a policy year for all covered employees and their dependents, and covered by a stop-loss insurance policy, above which the stop-loss insurer incurs a liability for payment under aggregate stop-loss coverage.

(2) "Attachment point" means the claims amount incurred by an insured group beyond which the insurer incurs a liability for payment.

(3) "Commissioner" means the Commissioner of the Department of Insurance, Securities and Banking.

(4) "Expected claims" means the total amount of claims that, in the absence of medical stop-loss insurance, are projected to be incurred by the insured using reasonable and accepted actuarial principles in a policy year.

(5) "Individual attachment point" means the amount of health claims incurred by a small employer in a policy year for an individual employee or dependent of an employee, and covered by a stop-loss insurance policy, above which the stop-loss insurer incurs a liability for payment, under individual stop-loss coverage.

(6) "Stop-loss insurance" means coverage that insures an employer or an employer-sponsored health plan against the risk that:

(A) One claim will exceed a specific dollar amount; or

(B) The entire loss of a self-insurance plan will exceed a specific dollar amount.

Sec. 202. Stop-loss policy.

New § 31-3822

(a) An insurer shall not issue or deliver to a small employer, as defined in section 101(42) of the Health Insurance Portability and Accountability Federal Law Conformity Act of 1998, effective April 13, 1999 (D.C. Law 12-209; D.C. Official Code § 31-3301.01(42)), a stop-loss insurance policy unless the employer has a fully-insured employee health benefit plan.

(b) Stop-loss insurance is subject to the following:

(1) The policy must be issued to and insure the employer, the trustee, or other sponsor of the plan, or the plan itself, but not the employees, members, or participants;

(2) Payment by the insurer must be made to the employer, trustee, or other sponsor of the plan, or to the plan itself, but not to the employees, members, participants, or health care providers; and

(3) Stop-loss insurance policies issued or renewed after the effective date of this

act shall not contain any of the following provisions:

(A) An individual attachment point for a policy year that is less than $40,000.

(B) An aggregate attachment point for a policy year that is less than the greater of one of the following:

(i) Five thousand dollars times the total number of group members;

(ii) One hundred twenty percent of expected claims; or

(iii) Forty thousand dollars.

(c)(1) A stop-loss insurer shall not exclude any employee or dependent on the basis of an actual or expected health status-related factor.

(2) Health status-related factors include any of the following: health status; medical condition, including both physical and mental illnesses; claims experience; medical history; receipt of health care; genetic information; disability; evidence of insurability, including conditions arising out of acts of domestic violence of the employee or dependent; or any other health status-related factor as determined by the Commissioner.

(d) A stop-loss insurer shall not cancel or not renew a stop-loss insurance policy except if:

(1) The employer has failed to make the required premium payments;

(2) The employer demonstrates fraud or an intentional misrepresentation of material fact under the terms of the stop-loss insurance policy;

(3) The stop-loss insurer has been determined by the Commissioner to be financially impaired; or

(4) The stop-loss insurer ceases to write, issue, or administer new stop-loss insurance policies in the District; provided, that the following conditions are satisfied:

(A) The insurer provides notice to the Commissioner and employer of its intent to cease writing, issuing, or administering new or existing stop-loss insurance policies in the District at least 180 days before the date the insurer seeks to discontinue the coverage; and

(B) The insurer provides the employer at least 180 days advance written notice of its intent to cancel stop-loss insurance coverage beginning from the date of discontinuation provided to the Commissioner pursuant to subparagraph (A) of this paragraph.

(e) If an insurer elects to cancel or not renew an employer's stop-loss insurance pursuant to subsection (d)(1) of this section, the insurer shall:

(1) Provide the employer notice no less than 30 days before the date of cancellation or expiration of the policy period;

(2) Accept any premium payment by the employer that would satisfy any outstanding amounts owed to the insurer and cure the deficiency giving rise to the cancellation or non-renewal; and

(3) Continue the policy in full force until the date of cancellation or expiration provided in the notice.

(f) Nothing in this section shall be construed to extinguish, limit, or otherwise impair any existing right in law or equity arising under a stop-loss insurance policy.

(g) On April 1, 2015, and on April 1 annually thereafter, a stop-loss insurer shall report to the Commissioner the number of small employer stop-loss policies it had issued and in effect as of December 31 of the previous year. The information in the report shall include new policies issued and policies reissued or renewed in the previous year for groups that have 1 to 50 employees and 51 to 100 employees.

(h) The provisions of this section shall apply to stop-loss insurance policies issued or renewed after the effective date of this act.

(i) The Commissioner, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue rules to implement the requirements of this section, including rules providing for:

(1) Additional standards for employee benefit stop-loss insurance policies; and

(2) Required disclosures to policyholders by an insurance carrier providing employee benefit stop-loss insurance.

TITLE III. GENERAL PROVISIONS

Sec. 301. Fiscal impact statement.

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

Sec. 302. Effective date.

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

AN ACT

Bill 20-803
Act 20-605
effective January 25, 2015

To amend the Office of Human Rights Establishment Act of 1999 to require the Director of the Office to have a demonstrated professional background in human rights law; to amend the Human Rights Act of 1977 to require the annual report include information on investigations and inquiries undertaken by the Director or the Office; to repeal the exemption allowing religiously-affiliated educational institutions to discriminate on the basis of sexual orientation; and to clarify that the section 12-309 notice requirement does not apply to Human Rights Act claims.

Codification District of Columbia Official Code 2001 Edition

Human Rights Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Human Rights Amendment Act of 2014".

Amend § 2-1411.01

Sec. 2. Section 202 of the Office of Human Rights Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1411.01), is amended by adding a new subsection (c) to read as follows:

"(c)(1)The Director shall have a demonstrated professional background in human rights law.

"(2)(A) For the purposes of this subsection, the term "human rights law" means District or federal laws related to discrimination by reason of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, and place of residence or business.

"(B) For the purposes of subparagraph (A) of this paragraph, the terms "age", "marital status", "personal appearance", "sexual orientation", "gender identity or expression", "familial status", "family responsibilities", "matriculation", "political affiliation", "genetic information", "disability", "source of income", and "intrafamily offense" shall have the same meanings as provided in section 102 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.02).".

Amend § 2-1402.41
Amend § 2-1403.01

Sec. 3. The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), is amended as follows:

(a) Section 241(3) (D.C. Official Code § 2-1402.41(3)), is repealed.

(b) Section 301(g) (D.C. Official Code § 2-1403.01(g)) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) A new paragraph (2) is added to read as follows:

"(2) The annual report required by paragraph (1) of this subsection shall

include information regarding concluded investigations, including concluded inquiries by the Director conducted pursuant to subsection (b) of this section; provided, that the Director may withhold information relating to a concluded investigation or inquiry if the Director finds that including the information in the annual report would:

"(A) Undermine the integrity of the concluded investigation or inquiry; or

"(B) Violate a work-sharing agreement with the Equal Employment Opportunity Commission, the U.S. Department of Housing and Urban Development, or any other federal agency.".

Amend § 2-1403.16

(c) Section 316 (D.C. Official Code § 2-1403.16) is amended by adding a new subsection (c) to read as follows:

"(c) The notice requirement of D.C. Official Code § 12-309 shall not apply to any action brought against the District of Columbia under this section.".

Amend § 12-309

Sec. 4. Section 12-309 of the District of Columbia Official Code is amended as follows:

(a) The existing text is designated as subsection (a).

(b) The newly designated subsection (a) is amended by striking the phrase "An action" and inserting the phrase "Except as provided in subsection (b) of this section, an action" in its place.

(c) A new subsection (b) is added to read as follows:

"(b) This section shall not apply to claims brought under § 2-1403.16 or § 1-615.54.".

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

AN ACT

Bill 20-855
Act 20-606 effective January 25, 2015

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to add an Executive Schedule for subordinate agency heads in medical officer and public safety positions.

Codification District of Columbia Official Code 2001 Edition

Executive Service Compensation System Changes and Pay Schedule Approval Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Executive Service Compensation System Changes and Pay Schedule Approval Amendment Act of 2014".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) The table of contents is amended as follows:

(1) A new section designation is added to read as follows:

"Sec. 1052a. Public Safety Executive Service pay schedule.".

(b) The section heading for section 1056 is amended to read as follows:

"Sec. 1056. Additional income allowance. [Repealed].".

Amend § 1-609.03

(b) Section 903(a)(1) (D.C. Official Code § 1-609.03(a)(1)) is amended by striking the number "160" and inserting the number "220" in its place.

New § 1-610.52a

(c) A new section 1052a is added to read as follows:

"Sec. 1052a. Public Safety Executive Service pay schedule.

"(a) The Executive Service Public Safety Schedule ("DX Public Safety Schedule") shall be divided into 4 pay levels and shall be the basic pay schedule for subordinate agency heads within the public safety cluster who are required to hold a medical degree or another advanced health-related degree.

"(b) The Mayor shall designate the appropriate pay level for each subordinate agency head within the public safety cluster based on market analyses considering the qualifications and work experience of each individual appointee, and other relevant criteria.

"(c) A person paid from the DX Public Safety Schedule shall not be entitled to premium pay.

"(d) Each level within the schedule shall have a minimum and maximum salary range established by the Mayor, subject to Council review and approval by resolution. Initial salary ranges shall be submitted by the Mayor to the Council for a 60-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove of the proposed changes to the salary ranges by resolution within this 60-day period, the proposed salary ranges shall be deemed approved.

"(e) Any changes to the salary ranges established pursuant to subsection (d) of this section shall be submitted by the Mayor to the Council for a 15-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove of the proposed changes to the salary ranges by resolution within this 15-day period, the proposed salary ranges shall be deemed approved.

"(f) Initial salary ranges and any changes to the salary ranges shall become effective upon approval and shall be published in the District of Columbia Register no later than 45 days after their approval.

"(g) For the purposes of this section, the term "public safety cluster" means the following District agencies or any successor agencies:

"(1) Department of Forensic Sciences;

"(2) Office of the Chief Medical Examiner;

"(3) Department of Fire and Emergency Medical Services;

"(4) Department of Youth Rehabilitation Services;

"(5) Metropolitan Police Department;

"(6) Department of Corrections;

"(7) Office of Unified Communications; and

"(8) Homeland Security and Emergency Management Agency.".

Amend § 1-610.53

(d) Section 1053 (D.C. Official Code § 1-610.53) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "DX Schedule" and inserting the phrase "DX Schedule or DX Public Safety Schedule" in its place.

(2) Subsection (c) is amended by striking the phrase "DX Schedule" and inserting the phrase "DX Schedule or DX Public Safety Schedule" in its place.

Repeal § 1-610.56

(e) Section 1056 (D.C. Official Code § 1-610.56) is repealed.

Sec. 3. Pursuant to section 1052a of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-855), the Council approves the proposed initial salary ranges established by the Mayor as the DX Public Safety Schedule for fiscal years 2015 through 2017, as follows:

District of Columbia Government Salary Schedule: PUBLIC SAFETY PAY EXECUTIVE SCHEDULE

Public Safety and Justice Cluster (Medical Services)

Effective Date: ***October 5, 2014*** ***Fiscal Year:*** 2015
Nonunion: Nonunion ***% Increase:***
Service Code Definition:

CBU/Service Code: ***XXX/A87***
Resolution #:
Date of Resolution:
Peoplesoft Plan:

Level	Minimum	Midpoint	Maximum
PS 1	$164,800	$189,520	$214,240
PS 2	$192,816	$221,738	$250,661
PS 3	$225,595	$259,434	$293,273
PS 4	$263,946	$303,538	$343,130

The levels on this pay Schedule are 1, 2, 3, AND 4
Levels 1,2,3,and 4 = (fully trained and/or board eligible)/Supervisory Public Safety Positions
The following factors will be considered when making salary placements:
Area of Specialized Expertise and Education
As it pertains to Supervisory Medical Positions only:
Board Certified In Primary
Board certified in primary specialty and in a subspecialty or a second primary specialty
Each year spent in a fellowship related to the specialty area generally practiced for the employer shall be counted as one year of "post training experience"

District of Columbia Government Salary Schedule: PUBLIC SAFETY PAY EXECUTIVE SCHEDULE

Public Safety and Justice Cluster (Medical Services)

Effective Date:	***October 4, 2015***	***Fiscal Year:***	2016
Nonunion:	Nonunion	***% Increase:***	
Service Code Definition:			
CBU/Service Code:	***XXX/A87***		
Resolution #:			
Date of Resolution:			
Peoplesoft Plan:			

Level	Minimum	Midpoint	Maximum
PS 1	$169,744	$195,206	$220,667
PS 2	$198,600	$228,391	$258,181
PS 3	$232,363	$267,217	$302,071
PS 4	$271,864	$312,644	$353,423

The levels on this pay Schedule are 1, 2, 3, AND 4

Levels 1,2,3,and 4 = (fully trained and/or board eligible)/Supervisory Public Safety Positions

The following factors will be considered when making salary placements:

Area of Specialized Expertise and Education

As it pertains to Supervisory Medical Positions only:

Board Certified In Primary

Board certified in primary specialty and in a subspecialty or a second primary specialty
Each year spent in a fellowship related to the specialty area generally practiced for the employer shall be counted as one year of "post training experience"

District of Columbia Government Salary Schedule: PUBLIC SAFETY PAY EXECUTIVE SCHEDULE
Public Safety and Justice Cluster (Medical Services)

Effective Date:	***October 2, 2016***	***Fiscal Year:***	2017
Nonunion:	Nonunion	***% Increase:***	
Service Code Definition:			
CBU/Service Code:	***XXX/A87***		
Resolution #:			
Date of Resolution:			
Peoplesoft Plan:			

Level	Minimum	Midpoint	Maximum
PS 1	$174,836	$201,062	$227,287
PS 2	$204,558	$235,242	$265,926
PS 3	$239,333	$275,233	$311,133
PS 4	$280,020	$322,023	$364,026

The levels on this pay Schedule are 1, 2, 3, AND 4
Levels 1,2,3,and 4 = (fully trained and/or board eligible)/Supervisory Public Safety Positions
The following factors will be considered when making salary placements:
Area of Specialized Expertise and Education
As it pertains to Supervisory Medical Positions only:
Board Certified In Primary
Board certified in primary specialty and in a subspecialty or a second primary specialty
Each year spent in a fellowship related to the specialty area generally practiced for the employer shall be counted as one year of "post training experience"

Sec. 4. The compensation system changes approved in section 3 shall apply as of October 5, 2014.

Note, §§ 1-609.03, 1-610.52a, 1-610.53

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

AN ACT

Bill 20-891
Act 20-607 effective January 25, 2015

To establish the Office of Motion Picture and Television Development as an agency within the executive branch of government, to require that the office be headed by a director, and to require that the Director be appointed by the Mayor and confirmed with the advice and consent of the Council.

Codification District of Columbia Official Code 2001 Edition

Office of Motion Picture and Television Development Establishment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office of Motion Picture and Television Development Establishment Act of 2014".

New Part A, Subchapter II-A, Chapter 12, Title 2

New § 2-1204.01

Sec. 2. Establishment of the Office of Motion Picture and Television Development.

Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Official Code § 1-204.04(b)), the Council establishes the Office of Motion Picture and Television Development, established by Mayor's Order 79-218, dated September 14, 1979, as an agency within the executive branch of the government of the District of Columbia to market and promote the District to the visual media industry as a prime location for films, television, and other visual media productions and events.

New § 2-1204.02

Sec. 3. Appointment of Director.

The Office of Motion Picture and Television Development shall be headed by a Director. The Director shall be appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), and serve at the pleasure of the Mayor.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-898
Act 20-608 effective January 25, 2015

To amend An Act To regulate the placing of children in family homes, and for other purposes to allow private adoption agencies licensed in the District of Columbia to charge adoptive parents for reasonable fees for the transportation, living, medical, and legal expenses of the birth mother in connection with the adoption of a child, and to clarify the 14-calendar day right of revocation for parents relinquishing parental rights.

Codification District of Columbia Official Code 2001 Edition

Adoption Fee Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Adoption Fee Amendment Act of 2014".

Sec. 2. An Act To regulate the placing of children in family homes, and for other purposes, approved April 22, 1944 (58 Stat. 194; D.C. Official Code § 4-1401 *et seq*.), is amended as follows:

Amend § 4-1406

(a) Section 6(g)(1) (D.C. Official Code § 4-1406(g)(1)) is amended by striking the number "10" and inserting the number "14" in its place.

Amend § 4-1410

(b) Section 12 (D.C. Official Code § 4-1410) is amended as follows:

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

"(b-1) In addition to the fee set forth in subsection (b) of this section, a child-placing agency providing domestic or international adoption services that is authorized to charge a fee pursuant to subsection (a) of this section may charge an adoptive parent reasonable fees, but not more than the actual cost, for the following:

"(A) Customary and reasonable legal expenses of the child-placing agency;

"(B) Costs of locating an absent birthparent;

"(C) Foster care expenses incurred by the child-placing agency for a period not to exceed 120 days of foster care;

"(D) The living expenses of the birthmother, including food, shelter, and clothing;

"(E) Transportation costs to obtain medical services, adoption- related services, or costs associated with any required court appearance related to the adoption, including food and lodging expenses;

"(F) Expenses for adoption counseling or counseling for the birthparents by an independent mental health professional;

"(G) The birthmother's legal, hospital, and medical expenses;

"(H) Legal fees and costs in connection with contested adoption proceedings;

"(I) Expenses incurred by the child-placing agency in connection with an adoption dissolution and alternative placement of a child; and

"(J) Expenses incurred by the child-placing agency in obtaining the documents required to complete the homestudy assessment.".

(2) Subsection (d) is amended as follows:

(A) Designate the existing text as paragraph (1).

(B) A new paragraph (2) is added to read as follows:

"(2) No later than May 31, 2015, the Mayor shall issue rules to implement the provisions of subsection (b-1) of this section.".

Sec. 3. Fiscal impact statement

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

Sec. 4. Effective date

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

AN ACT

Bill 20-902
Act 20-609 effective January 26, 2015

Codification District of Columbia Official Code 2001 Edition

To amend Title 25 of the District of Columbia Official Code to establish a class C manufacturer's license, to clarify who can apply for a hotel license, to clarify that class CX and DX licenses are eligible to obtain a sidewalk café or summer garden endorsement, to clarify that the holder of a manufacturer's license, class A, may allow the sampling of wine with a tasting permit, to allow a holder of a manufacturer's license, class A, to apply for an on-site sales and consumption permit, to create a new festival license, to provide that when a licensee is transferred to a new location the burden shall be on the applicant to demonstrate that provisions of an existing settlement agreement do not apply to the new location, to clarify that an applicant for a manager's license is not required to be the true and actual owner of an existing or proposed business, to clarify that the 400-foot distance prohibition between off-premises retail licensees does not apply to internet businesses that are not open to the public, to clarify that the Alcoholic Beverage Control Board is not required to schedule an administrative review hearing in those instances when no protests have been received by the Board, to clarify when the record closes for a protested license application, to define the term license's renewal period to clarify when a request to amend or terminate a settlement agreement must be filed with the Board, to clarify that a Board-approved settlement agreement submitted by an affected Advisory Neighborhood Commission does not dismiss a valid protest filed by an abutting property owner, to clarify that a Board-approved manager or owner who personally superintends the establishment during licensed hours of sale shall not be under the influence of alcohol or illegal drugs, to clarify that the failure to post a warning sign regarding the dangers of alcohol consumption during pregnancy is a secondary tier violation, to eliminate the requirement that extended-hours applications be submitted by licensees annually, to require that all advertisements relating to alcoholic beverages can only be displayed in the window of a licensed establishment if the total area covered by the advertisements does not exceed 25% of the window space, to enhance the penalties for the prohibited sale of alcohol to minors or intoxicated persons, to provide Alcoholic Beverage Regulation Administration investigators with the authority to seize a liquor license from an establishment that has been suspended, revoked, or cancelled by the Board or is out of business or has been closed by another government agency, to clarify that it is a violation for a licensee to fail to follow the terms of its license approved by the Board, to clarify that it is a violation for a licensee to fail to preserve a crime scene, to allow the Board to hold licensees responsible for a single assault, sexual assault, or other violent act, to clarify that a licensee may be held accountable for a single violation of its settlement agreement, security plan, or Board order, to clarify that the summary suspension deadlines are business days, and to establish a process in those instances when a licensee fails to timely remit a fine.

Omnibus Alcoholic Beverage Regulation Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Omnibus Alcoholic Beverage Regulation Amendment Act of 2014".

Sec. 2. Title 25 of the District of Columbia Official Code is amended as follows:
(a) Chapter 1 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

"25-127. Festival license.".

Amend § 25-101

(2) Section 25-101 is amended as follows:

(A) Paragraph (19A) is redesignated as paragraph (19B).

(B) A new paragraph (19A) is added to read as follows:

"(19A) The term "disc jockey" shall not include anyone who plays or changes prerecorded music or programs prerecorded music; provided, that the person does not:

"(A) Make announcements or comments;

"(B) Take song requests;

"(C) Run contests or games;

"(D) Manipulate or mix the music;

"(E) Provide live entertainment;

"(F) Play music from a disc-jockey booth; or

"(G) Alter or manipulate a playlist while it is being played, including adding elements such as sound effects or additional pieces of music.".

Amend § 25-110

(3) Section 25-110(a) is amended as follows:

(A) Paragraph (1)(A)(ii) is amended by striking the phrase "The licensee may sell spirits to the consumer" and inserting the phrase "Except as provided in § 25-126, the licensee may sell wine and spirits to the consumer" in its place.

(B) A new paragraph (3) is added to read as follows:

"(3)(A) A manufacturer's license, class C, shall authorize the licensee to operate a facility for the manufacture of alcohol-infused confectionery food products at the establishment described in the license.

"(B) The license shall authorize the licensee to sell the alcohol-infused confectionary food products manufactured under the license to:

"(i) Another licensee licensed under this title for resale;

"(ii) A dealer licensed under the law of any state or territory of the United States for resale; and

"(iii) A consumer.

"(C) The licensee shall sell the alcohol-infused confectionery food products in a sealed or closed container.

"(D) Alcohol-infused confectionery food products shall not contain alcohol in excess of 5% by volume.

"(E) All alcohol-infused confectionery food products that are manufactured or sold that contain between one-half of one percent and 5% of alcohol by volume:

"(i) Shall not be sold to individuals under 21 years of age;

"(ii) Shall state on the label that the sale of the product to an individual under 21 years of age is prohibited;

"(iii) Shall state on the label the brand of alcohol used in the alcohol-infused confectionery food product; and

"(iv) Shall state on the label that the alcohol-infused confectionery food product contains alcohol up to 5% by volume.

"(F) A manufacturer's license, class C, shall be required to obtain and maintain all appropriate licenses required by the Department of Health related to the sale and manufacture of alcohol-infused confectionery food products.

"(G) The minimum annual fee for a class C manufacturer's license shall be $1,000.".

Amend § 25-113

(4) Section 25-113(e) is amended by adding a new paragraph (6) to read as follows:

"(6) A restaurant operating inside of a hotel shall be eligible to obtain a hotel license; provided, that the restaurant has a written agreement with the hotel to sell and serve alcoholic beverages in the hotel's dining rooms, lounges, banquet halls, other similar facility, or in the private rooms of registered guests.".

Amend § 25-113a

(5) Section 25-113a(c) is amended by striking the phrase "CN, and DN," and inserting the phrase "CN, DN, CX, and DX," in its place.

Amend § 25-118

(6) Section 25-118 is amended as follows:

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

"(a) A tasting permit shall be issued only to a licensee under a manufacturer's license, class A or B, or a retailer's license, class A or B, to utilize a portion of its licensed premises for the tasting of products as listed in subsection (c) of this section.".

(B) Subsection (e) is amended by striking the phrase "of spirits," and inserting the phrase "of wine and spirits," in its place.

Amend § 25-126

(7) Section 25-126 is amended as follows:

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

"(a) The holder of a manufacturer's license, class A or B, may apply for an on-site sales and consumption permit to use a portion of the licensed premises for the on-premises sale, service, and consumption of beer brewed by the brewery, wine manufactured by the winery, and beverages with spirits distilled by the distillery.".

(B) Subsection (b) is amended by striking the phrase "beer brewed by the brewery" and inserting the phrase "beer brewed by the brewery, wine manufactured by the winery, and beverages with spirits distilled by the distillery" in its place.

(C) Subsection (c) is amended to read as follows:

"(c) The on-premises sales and consumption permit shall not obviate the requirement of the holder of a manufacturer's license, class A or B, to obtain a tasting permit pursuant to § 25-118, to be authorized to provide samples of beer, wine, or spirits.".

(D) New subsections (e) and (f) are added to read as follows:

"(e) Any additional spirits that are added to beverages primarily containing spirits distilled by the distillery shall be purchased from a wholesaler or manufacturer licensed under this title.

"(f) For the purposes of this section, the term "beverages" means brandy, cordials, fortified wines, liqueur, and non-alcoholic beverages.".

(8) A new section 25-127 is added to read as follows:

New § 25-127

"§ 25-127. Festival license.

"(a) A festival license shall authorize a licensee temporarily to sell, serve, and permit the consumption of alcoholic beverages at the specific premises described for consumption on the premises where sold; provided, that a festival license may be issued only for an event that includes the performance of sports or a cultural or tourism-related activity.

"(b) A festival license shall be issued for an event that is at least 5 consecutive days but no more than 15 consecutive days.

"(c) The issuance of a festival license shall be solely at the discretion of the Board.

"(d) The Board may deny the license application if the applicant had failed to control the environment of a previous event associated with either a festival license or a temporary license, or has sustained community complaints or police action.

"(e) There shall be 2 classes of festival licenses:

"(1) Class H (beer and wine); and

"(2) Class I (spirits, beer, and wine).

"(f) The holder of a festival license shall be permitted to receive deliveries from a wholesaler for up to 48 hours before a Board-licensed event occurring on a Saturday, Sunday, or a legal District or federal holiday; provided, that the alcoholic beverages delivered pursuant to this subsection shall not be consumed until the date and time of the event and shall be stored at a secure location before the event.

"(g) The minimum annual fee for a class H license shall be $1,000. The minimum annual fee for a class I license shall be $2,000.

"(h) Only one festival license shall be issued to an applicant in a 3-month period.".

(b) Chapter 3 is amended as follows:

(1) Section 25-301(a)(5) is amended by striking the phrase "solicitor's license," and inserting the phrase "solicitor's or manager's license," in its place.

Amend § 25-301

(2) Section 25-317 is amended as follows:

Amend § 25-317

(A) Designate the existing text as subsection (a).

(B) A new subsection (b) is added to read as follows:

"(b)(1) Notwithstanding the requirements set forth in § 25-446(d), an applicant filing an application to transfer to a new location may petition the Board in writing to not have provisions of an existing settlement agreement applied at the new location.

"(2) The Board shall consider the petition; provided, that the Board shall deem the request to be a substantial change subject to the notice requirements set forth in §§ 25-421 and 25-423.

"(3) The burden shall be on the applicant to demonstrate to the satisfaction of the Board that the request will not adversely affect the locality, section, or portion of the District where the establishment is to be located under the appropriateness standards set forth in § 25-313 and that none of the provisions of the existing settlement agreement, or the agreement in its entirety, are applicable to the new location.

"(4) The Board may amend, terminate, or maintain the existing settlement agreement at the new location.".

(3) Section 25-333 is amended by adding a new subsection (d) to read as follows: **Amend § 25-333**

"(d) This section shall not prohibit the issuance of a retailer's license, class A or B, if the:

"(1) Applicant's establishment will not be open to the public; and

"(2) Sale of alcoholic beverages will occur only through the Internet.".

(4) Section 25-339(a) is amended to read as follows: **Amend § 25-339**

"(a) The number of nightclub or tavern license holders, class C or D, within the Georgetown historic district shall not exceed 6. No existing nightclub or tavern license shall be transferred to any other person or to any other location within the Georgetown historic district, except when the number of such licensed establishments in the Georgetown historic district is 6 or less.".

(5) Section 25-340.01(b) is amended by striking the phrase "class A or B" both times it appeals and inserting the phrase "class A or B off-premises retailer's" in its place. **Amend § 25-340.01**

(c) Chapter 4 is amended as follows:

(1) Section 25-432(a) is amended by striking the phrase "schedule an administrative review to". **Amend § 25-432**

(2) Section 25-433(b) is amended to read as follows: **Amend § 25-433**

"(b) For the purposes of this section, the record shall close 30 days after a hearing is concluded to allow the parties to submit proposed findings of fact and conclusions of law and any other document submissions requested by the Board.".

(3) Section 25-446(d) is amended by adding a new paragraph (6) to read as follows: **Amend § 25-446**

"(6) For the purposes of this subsection, the term "license's renewal period" means the 60-day period before the expiration date of a license.".

(d) Section 25-609(b) is amended by striking the phrase "ANC or by a citizens association" and inserting the phrase "ANC, a citizens association, or an abutting property owner" in its place. **Amend § 25-609**

(e) Chapter 7 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

"25-703. Manager and owner conduct requirement.".

(2) A new section 25-703 is added to read as follows: **New § 25-703**

"§ 25-703. Manager and owner conduct requirement.

"The Board-approved manager of an establishment or owner of the establishment who personally superintends the establishment during licensed hours of sale shall not be under the influence of alcohol or illegal drugs.".

(3) Section 25-712(e) is amended to read as follows: **Amend § 25-712**

"(e) A violation of this section shall be punishable as a secondary tier violation.".

(4) Section 25-721(c) is amended by striking the phrase "class A or B" and inserting the phrase "class A, B, or C" in its place. **Amend § 25-721**

(5) Section 25-723(c)(4) is amended by striking the phrase "Once each calendar year and no fewer" and inserting the phrase "No fewer" in its place. **Amend § 25-723**

(6) Section 25-731 is amended by striking the word "retailer" wherever it appears and inserting the phrase "retailer or manufacturer" in its place. **Amend § 25-731**

(7) Section 25-765(a) is amended by striking the phrase "to the prices of alcoholic" and inserting the phrase "to alcoholic" in its place. **Amend § 25-765**

(8) Section 25-781(f) is amended to read as follows: **Amend § 25-781**

"(f) Upon finding that a licensee has violated subsection (a), (b), or (c) of this section in the preceding 4 years:

"(1) Upon the 1st violation, the Board shall fine the licensee not less than $2,000, and not more than $3,000, and suspend the licensee for 5 consecutive days; provided, that the 5-day suspension may be stayed by the Board for one year if all employees who serve alcoholic beverages in the licensed establishment complete an alcohol training program within 3 months;

"(2) Upon the 2nd violation, the Board shall fine the licensee not less than $3,000, and not more than $5,000, and suspend the licensee for 10 consecutive days; provided, that the Board may stay up to 6 days of the 10-day suspension for one year if all employees who serve alcoholic beverages in the licensed establishment complete an alcohol training program within 3 months;

"(3) Upon the 3rd violation, the Board shall fine the licensee not less than $5,000, and not more than $10,000, and suspend the licensee for 15 consecutive days, or revoke the license; provided, that the Board may stay up to 5 days of the 15-day suspension for one year if all employees who serve alcoholic beverages in the licensed establishment complete an alcohol training program within 3 months; and

"(4) Upon the 4th violation, the Board may revoke the license.

(9) Section 25-783(c) is amended by striking the phrase "preceding 2" and inserting the phrase "preceding 4" in its place. **Amend § 25-783**

(f) Chapter 8 is amended as follows:

(1) Section 25-801 is amended by adding a new subsection (g) to read as follows: **Amend § 25-801**

"(g) ABRA investigators may seize a liquor license from an establishment if:

"(1) The liquor license has been suspended, revoked, or cancelled by the Board;

"(2) The business is no longer in existence; or

"(3) The business has been closed by another District government agency.".

(2) Section 25-823 is amended as follows: **Amend § 25-823**

(A) Designate the existing text as subsection (a).

(B) The newly designated subsection (a) is amended as follows:

(i) Paragraph (5) is amended by striking the phrase "investigation; or" and inserting the phrase "investigation;" in its place.

(ii) Paragraph (6) is amended by striking the period and inserting a semicolon in its place.

(iii) New paragraphs (7) and (8) are added to read as follows:

"(7) The licensee fails to follow the terms of its license approved by the Board; or

"(8) The licensee fails to preserve a crime scene.".

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

"(b) A single incident of assault, sexual assault, or violence shall be sufficient to prove a violation of subsection (a)(2) of this section; provided, that the licensee has engaged in a method of operation that is conducive to unlawful or disorderly conduct.

"(c) A licensee shall be required to comply with the terms and conditions of the licensee's settlement agreement, security plan, or order from the Board that is attached to the license during all times that it is in operation. A single violation of a settlement agreement, security plan, or order from the Board shall be sufficient to prove a violation of subsection (a)(6) of this section.".

Amend § 25-826

(3) Section 25-826(c) is amended to read as follows:

"(c) A licensee may request a hearing within 3 business days after service of notice of a summary revocation, suspension, fine, or restriction of license. The Board shall hold a hearing within 2 business days of receipt of a timely request and shall issue a decision within 3 business days after the hearing.".

Amend § 25-830

(4) Section 25-830 is amended by adding a new subsection (k) to read as follows:

"(k)(1) A licensee's failure to timely remit a fine issued pursuant to this section shall be cause for the Board to suspend the license until the licensee pays the fine.

"(2) If a licensee is 90 days delinquent on the payment of the fine, the Board shall give notice of its intent to revoke the licensee's license.

"(3) The licensee shall have 14 days to respond to the notice issued pursuant to paragraph (2) of this subsection.

"(4) If the Board determines that the failure to pay the fine issued pursuant to this section is not for good cause, the Board shall revoke the licensee's license.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

AN ACT

Bill 20-71
Act 20-615 effective January 29, 2015

Codification District of Columbia Official Code 2001 Edition

To amend the District of Columbia Statehood Constitutional Convention Initiative of 1979 to repeal the Statehood Commission, repeal the Statehood Compact Commission, to establish the Office of the Statehood Delegation, and to establish the New Columbia Statehood Commission and New Columbia Statehood Fund; to repeal the 51st State Commission Establishment Act of 2010; to amend section 47-1812.11c of the District of Columbia Official Code to reflect the establishment of the New Columbia Statehood Fund; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish personnel authority for the Statehood Delegation over the Office of the Statehood Delegation; to amend the District of Columbia Health Occupations Revision Act of 1985 to repeal the Health Occupation Advisory Committees; to amend the Department of Health Functions Clarification Act of 2001 to re-establish the Health Occupation Advisory Committees under the Department of Health; to amend the Retail Service Station Act of 1976 to modify the membership and scope of the Gas Station Advisory Board; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to modify the personnel authority for the District of Columbia Law Revision Commission; to amend the District of Columbia Law Revision Commission Act of 1980 to modify the membership of the commission and provide that members shall not be compensated for service; to amend section 47-355.07 of the District of Columbia Official Code to codify the role and responsibilities of the Board of Review for Anti-Deficiency Violations, and to revise the membership of the board; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify the compensation provisions for various boards and commissions, and to increase the statutory compensation cap for certain boards and commissions; to abolish certain boards and commissions; to amend Chapter 24 of Title 17 of the District of Columbia Municipal Regulations to repeal the authority for the Notary Public Board of Review; and to make conforming amendments.

New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014".

TITLE I – THE NEW COLUMBIA STATEHOOD INITIATIVE

Sec. 101. The District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Official Code § 1-121 *et seq*.), is amended as follows:

Repeal §§ 1-125, 1-126

(a) Sections 6 and 7 (D.C. Official Code §§ 1-125 and 1-126) are repealed.

(b) Title II (D.C. Official Code § 1-129.01 *et seq*.) is amended to read as follows:

"TITLE II -- NEW COLUMBIA STATEHOOD INITIATIVE

"SUBTITLE A. DEFINITIONS.

"Sec. 11. Definitions. **New § 1-129.21**

"For the purposes of this title, the term:

"(1) "Commission" means the New Columbia Statehood Commission established pursuant to section 31.

"(2) "Fund" means the New Columbia Statehood Fund established pursuant to section 32.

"(3) "Statehood Delegation" means, collectively, the United States Representative and the 2 United States Senators holding office pursuant to section 4.

"(4) "Statehood Fund" means the fund established by each United States Senator and United States Representative pursuant to section 4(g), and overseen by the Office of Campaign Finance.

"(5) "United States Representative" means the District of Columbia public official elected pursuant to section 4 to the office of Representative.

"(6) "United States Senator" means either of the 2 District of Columbia public officials elected pursuant to section 4 to the office of Senator.

"SUBTITLE B. DISTRICT OF COLUMBIA STATEHOOD DELEGATION

"Sec. 21. Office of the Statehood Delegation. **New § 1-129.22**

"(a) The Office of the Statehood Delegation ("Office") is established as an independent agency within the District of Columbia government, consistent with the meaning of the term independent agency as provided in section 301(13) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)).

"(b) The Office shall provide support to the Statehood Delegation in promoting statehood and voting rights for the citizens of the District of Columbia.

"(c) The Office shall be headed by an Executive Director who shall be appointed by the Statehood Delegation. The Executive Director shall support the members of the Statehood Delegation and provide administrative support to the Commission.

"(d) The Executive Director shall devote his or her full time to the duties of the Office. The salary of the Executive Director shall be determined by the Statehood Delegation, but shall not exceed 75% of the compensation for a Member of the Council as determined by section 1109(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.09(b)).

"(e) For Fiscal Year 2015, the compensation for the Executive Director shall be paid from funds budgeted for Statehood Initiatives under section 1112 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990). Beginning in Fiscal Year 2016, the salary for the Executive Director shall be paid from the New Columbia Statehood Fund, subject to the availability of funds.

"SUBTITLE C. NEW COLUMBIA STATEHOOD COMMISSION AND NEW COLUMBIA STATEHOOD FUND

"Sec. 31. Establishment of the New Columbia Statehood Commission. **New § 1-129.31**

"(a) The New Columbia Statehood Commission is established as an independent agency within the District of Columbia government, consistent with the meaning of the term independent agency as provided in section 301(13) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)).

"(b) The Commission shall:

"(1) Educate regarding, advocate for, promote, and advance the proposition of statehood and voting rights for the District of Columbia to District residents and citizens of the 50 states;

"(2) Solicit financial and in-kind contributions, grants, allocations, gifts, bequests, and appropriations from public and private sources to be deposited in the New Columbia Statehood Fund established pursuant to section 32 and used for the purposes of promoting statehood and voting rights; and

"(3) Develop an annual budget for, and oversee expenditures from, the New Columbia Statehood Fund.

"(c) The Commission shall be comprised of 5 voting members ("Commissioners") as follows:

"(1) The Mayor, or his or her alternate;

"(2) The Chairman of the Council, or his or her alternate;

"(3) The United States Representative for the District of Columbia; and

"(4) The 2 United States Senators for the District of Columbia.

"(d) The Mayor and the Chairman of the Council shall serve as co-chairs of the Commission.

"(e) By March 1, 2015, the Commission shall adopt bylaws, and may adopt guidelines, rules, and procedures for the governance of its affairs and the conduct of its business.

"(f) The Commission shall meet, at a minimum, on a semiannual basis. A majority of the Commissioners shall constitute a quorum for the conduct of business.

"(g) The Commission, in carrying out its duties, may utilize pro bono services; provided, that such services are reported pursuant to section 33.

"(h) The Commission may recruit honorary members based on criteria the Commission shall determine. The honorary members shall have no vote on the operation of the Commission.

"Sec. 32. Establishment of the New Columbia Statehood Fund. **New § 1-129.32**

"(a) There is established as a special fund the New Columbia Statehood Fund, which shall be administered in accordance with subsections (b), (c), and (d) of this section.

"(b)(1) All revenues from the following sources shall be deposited into the Fund:

"(A) An annual appropriation;

"(B) Any contributions to, and grants for, the benefit of the New Columbia Statehood Fund received from public and private sources;

"(C) Net receipts pursuant to the income tax check-off provided in D.C. Official Code § 47-1812.11c.

"(2) For Fiscal Year 2015, all funds not expended pursuant to section 21(e) from the funds budgeted for Statehood Initiatives under section 1112 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), shall be deposited into the Fund.

"(c) The Fund shall be used to support the Statehood Delegation, each of the members thereof, the Commission, and efforts to promote statehood and voting rights for the citizens of the District of Columbia.

"(d)(1) To the extent that disbursements are to be made to the Statehood Fund of each member of the Statehood Delegation, the disbursements, as decided by the Commission, shall be equal to each member, except as provided in this subsection.

"(2) No disbursement shall be made under this subsection to a member of the District of Columbia Statehood Delegation who is out of compliance with the filing and disclosure requirements of this title and applicable District or federal law, or who has used funds in violation of section 35, until such time as the violation has been corrected. In this instance, the 1/3 disbursement held back shall become part of the corpus from which the next disbursement pursuant to this subsection may be made.

"(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"(f) The Mayor shall submit to the Council, as part of the annual budget, a requested appropriation for expenditures from the Fund. The Mayor's submission shall be based on a budget prepared by the Commission, and shall include the rationale for any variance from the Commission's request.

"(g) The Chief Financial Officer shall transmit to the Mayor and the Council, at least annually, a report summarizing the revenues and expenditures of the Fund.

"(h) All revenues and expenses of the Fund shall be audited annually by the Chief Financial Officer, who shall transmit the audit to the Mayor and the Council. The expenses of the annual audit shall be defrayed by the Fund.

"Sec. 33. Annual reporting requirements. **New § 1-129.33**

"(a) The Commission shall submit to the Mayor and the Chairman of the Council by September 1, 2015, and on a biannual basis thereafter, a detailed report including:

"(1) The Commission's activities, revenues, and expenditures;

"(2) The full name, value, and form of each gift, grant, bequest, or appropriation to the New Columbia Statehood Fund; and

"(3) Any other information considered appropriate by the Commission.

"(b) The Commission shall make each report available to the general public upon request.

"Sec. 34. Tax-exempt status. **New § 1-129.34**

"Contributions to the New Columbia Statehood Fund shall be tax deductible.

"Sec. 35. Use of funds by Statehood Delegation members. **New § 1-129.35**

"(a) Except as provided in subsection (b) of this section, members of the Statehood Delegation shall use New Columbia Statehood Fund monies for any expense closely and directly related to the operation of their offices.

"(b)(1) Fund monies shall not be used by members of the Statehood Delegation for:

"(A) Campaign expenses related to any election, local or national;

"(B) To influence the outcome of any election, local or national;

"(C) Any contributions or loans to any political party or candidate for federal or non-federal office;

"(D) Any personal expenses, or travel expenses not closely and directly related to the office the member holds; or

"(E) Any personal salary or stipend for the member.

"(2) The prohibition in paragraph (1)(E) of this subsection shall not limit the ability of a member of the Statehood Delegation to pay salaries to employees other than the member, or to pay vendors providing services closely and directly related to the office the member holds.

"(c) Upon request, but at least annually, each Statehood Delegation member shall provide the Chief Financial Officer with an accounting of the expenditures made with the money received from the Fund. The date by which the accounting is due shall be set by the Chief Financial Officer. Information submitted by members of the Statehood Delegation shall be included in the report required by section 33.".

Repeal § 1-136.01 – 1-136.03

Sec. 102. The 51st State Commission Establishment Act of 2010, effective March 23, 2010 (D.C. Law 18-127; D.C. Official Code § 1-136.01 *et seq.*), is repealed.

Amend § 47-1812.11c

Sec. 103. Section 47-1812.11c of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase "the Statehood Delegation Fund ("Fund"), established by § 1-129.08" and inserting the phrase "the New Columbia Statehood Fund ("Fund"), established by section 32 of the New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Amendment Act of 2014, passed on 2nd reading on October 28, 2014 (Enrolled version of Bill 20-71)" in its place.

(b) Subsection (c) is repealed.

Amend § 1-604.06

Sec. 104. Section 406(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)), is amended as follows:

(a) Paragraph (21) is amended by striking the phrase "Administration; and" and inserting the phrase "Administration;" in its place.

(b) Paragraph (22) is amended by striking the phrase "Education." and inserting the phrase "Education; and" in its place.

(c) A new paragraph (23) is added to read as follows:

"(23) For the Executive Director of the Office of the Statehood Delegation, the personnel authority is the Statehood Delegation as defined in section 11(3) of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 16, 2005 (D.C. Law 15-226; D.C. Official Code § 1-209.01(3).".

Note, § 1-129.21

Sec. 105. Within 60 days of the effective date of the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, passed on 2nd reading on October 28, 2014 (Enrolled version of Bill 20-71), the Commission shall issue a report with findings as to whether the Statehood Delegation should receive compensation in the form of a salary or stipend and, if so, the appropriate amount of such compensation.

TITLE II -- OMNIBUS BOARDS AND COMMISSIONS REFORM

SUBTITLE A. STRUCTURAL REVISIONS TO CERTAIN BOARDS AND COMMISSIONS

PART 1. HEALTH OCCUPATIONS ADVISORY COMMITTEES

Amend § 3-1202.03

Sec. 201. Section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), is amended by repealing subsections (b), (c-1), (c-2), (d), (d-1), (d-2), (d-3), (e), and (f).

Sec. 202. The Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 *et seq.*), is amended as follows:

(a) Redesignate Part A, Part B, and Part C as Subtitle A, Subtitle B, and Subtitle C, respectively.

(b) A new Subtitle D is added to read as follows:

"Subtitle D. Health Occupation Advisory Committees.

New § 7-743.01

"Sec. 4941. Generally.

"(a) The Department of Health shall oversee the Health Occupation Advisory Committees established under this subtitle.

"(b) All appointments to the Health Occupation Advisory Committees shall be made by the Director of the Department of Health.

"(c) The Department of Health shall provide facilities and other administrative support for the Health Occupation Advisory Committees, as determined by the Director.

"(d) The Health Occupation Advisory Committees shall review applications for licensure to practice upon request of the Board of Medicine. The Health Occupation Advisory Committees shall submit their respective recommendations to the Board of Medicine for action.

"(e) For the purposes of this subtitle, the term:

(1) "Board of Medicine" means the Board of Medicine established pursuant to section 203(a) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03(a)).

(2) "Health Occupation Advisory Committees" means the advisory committees established pursuant to this subtitle.

"Sec. 4942. Advisory Committee on Acupuncture. **New § 7-743.02**

"(a) There is established an Advisory Committee on Acupuncture to consist of 5 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) Three non-physician acupuncturists licensed in the District;

"(3) A consumer member.

"(b) Of the appointees to the Advisory Committee on Acupuncture other than the Director, 2 shall serve an initial term of 2 years and 2 shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Acupuncture shall develop and submit to the Board of Medicine guidelines for licensing acupuncturists and regulating the practice of acupuncture in the District.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Acupuncture shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Acupuncture shall meet at least annually to review guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4943. Advisory Committee on Anesthesiologist Assistants. **New § 7-743.03**

"(a) There is established an Advisory Committee on Anesthesiologist Assistants to consist of 3 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) An anesthesiologist licensed in the District with experience working with anesthesiologist assistants; and

"(3) An anesthesiologist assistant licensed in the District.

"(b) Of the appointees to the Advisory Committee on Anesthesiologist Assistants other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Anesthesiologist Assistants shall develop and submit to the Board of Medicine guidelines for licensing and regulating anesthesiologist assistants in the District. The guidelines shall set forth the actions that anesthesiologist assistants may perform under the direct supervision of a licensed anesthesiologist, who shall be responsible for the overall medical direction of the care and treatment of patients.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Anesthesiologist Assistants shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Anesthesiologist Assistants shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4944. Advisory Committee on Naturopathic Medicine. **New § 7-743.04**

"(a) There is established an Advisory Committee on Naturopathic Medicine to consist of 3 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) A licensed physician with experience in naturopathic medicine or in working with naturopathic physicians; and

"(3) A licensed naturopathic physician.

"(b) Of the appointees to the Advisory Committee on Naturopathic Medicine other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Naturopathic Medicine shall develop and submit to the Board of Medicine guidelines for licensing naturopathic physicians and regulating the practice of naturopathic medicine in the District.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Naturopathic Medicine shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Naturopathic Medicine shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4945. Advisory Committee on Physician Assistants. **New § 7-743.05**

"(a) There is established an Advisory Committee on Physician Assistants to consist of 3 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) A physician or osteopath licensed in the District with experience working with physician assistants; and

"(3) A physician assistant licensed in the District.

"(b) Of the appointees to the Advisory Committee on Physician Assistants other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Physician Assistants shall develop and submit to the Board of Medicine guidelines for licensing and regulating physician assistants in the District. The guidelines shall set forth the actions that physician assistants may perform in collaboration with a licensed physician or osteopath, who shall be responsible for the overall medical direction of the care and treatment of patients and the level of collaboration required for each action.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Physician Assistants shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Physician Assistants shall meet at least annually to review guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4946. Advisory Committee on Polysomnography. **New § 7-743.06**

"(a) There is established an Advisory Committee on Polysomnography to consist of 3 members as follows:

"(1) The Director of the Department of Health, or his or her designee; and

"(2) Two polysomnographic technologists licensed in the District.

"(b) Of the appointees to the Advisory Committee on Polysomnography other than the Director, one shall serve an initial term of 2 years and one shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Polysomnography shall develop and submit to the Board of Medicine guidelines for licensing, registration, and regulation of polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees in the District. The guidelines shall set forth the education and experience requirements for registration and licensure and the actions that polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees may perform.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Polysomnography shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Polysomnography shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.

"Sec. 4947. Advisory Committee on Surgical Assistants. **New § 7-743.07**

"(a) There is established an Advisory Committee on Surgical Assistants to consist of 5 members as follows:

"(1) The Director of the Department of Health, or his or her designee;

"(2) A surgeon licensed in the District with experience working with surgical assistants; and

"(3) Three surgical assistants licensed in the District.

"(b) Of the appointees to the Advisory Committee on Surgical Assistants other than the Director, 2 shall serve an initial term of 2 years and 2 shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

"(c)(1) The Advisory Committee on Surgical Assistants shall develop and submit to the Board of Medicine guidelines for licensing and regulating surgical assistants in the District. The guidelines shall set forth the actions that surgical assistants may perform in collaboration with a licensed surgeon, who shall be responsible for the overall medical direction of the care and treatment of patients.

"(2)(A) Guidelines approved by the Board of Medicine under section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

"(B) The Advisory Committee on Surgical Assistants shall submit revised guidelines to the Board of Medicine by June 22, 2015.

"(3) The Advisory Committee on Surgical Assistants shall meet at least annually to review the guidelines and make necessary revisions for submission to the Board of Medicine.".

PART 2. GAS STATION ADVISORY BOARD

Amend § 36-304.01

Sec. 211. Section 5-301 of the Retail Service Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-304.01), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Strike the phrase "structurally altered" and insert the phrase "discontinued, nor may be structurally altered" in its place.

(2) Strike the phrase "nonfull service facility" and insert the phrase "nonfull service facility or into any other use" in its place.

(b) Subsection (d) is amended to read as follows:

"(d)(1) An exemption may be granted to the prohibitions contained in subsections (b) and (c) of this section if:

"(A) A petition for exemption has been filed with the Gas Station Advisory Board ("Board"), established pursuant to subsection (e) of this section, by both a distributor and a retail dealer (collectively referred to as "petitioners") that complies with the requirements of paragraph (2) of this subsection;

"(B) The Board makes a determination, pursuant to paragraph (3) of this subsection, that an exemption should be granted and makes a recommendation to the Mayor to grant the exemption; and

"(C) The Mayor, in agreement with the Board, grants the exemption.

"(2) To be considered for an exemption under this subsection, petitioners must file a petition with the Board that includes:

"(A) Plans and a certification by petitioners that the station will be improved in the following ways:

"(i) By improving or increasing the lighting of the facility (to a reasonable level);

"(ii) By improving customer accessibility to the gasoline dispensers; and

"(iii) By improving customer conveniences, including separate restroom facilities for men and women, a working air hose for automobile and bicycle tires, and water for windshield cleaning equipment;

"(B) Any existing site market studies that justify the conversion;

"(C) Certification that petitioners have notified the Advisory Neighborhood Commission ("ANC") in which the station is located and any ANC within one-quarter mile of the station, and has met or offered to meet with any affected ANC before submission of the petition for exemption regarding their plans for the station and its impact on the neighborhood; and

"(D) Certification by petitioners that, should the application be granted, any later changes to the building design or lighting will be submitted to any affected ANC before the application for building permits.

"(3)(A) The Board shall only make a recommendation to grant an exemption if the Board finds that:

"(i) The operator of the full service retail service station is experiencing extreme financial hardship; and

"(ii) Another full service retail service station exists within one mile of the station which provides equivalent service facilities.

"(B) In addition to the requirements in subparagraph (A) of this paragraph, the Board shall give due weight to the views of the community and the affected ANC.

"(4) If the Board makes a recommendation to the Mayor that an exemption should be granted under this subsection, the Mayor shall issue a determination on the petition not less than 45 days, nor more than 60 days, after the date the petition is submitted, deemed complete, and notice of thereof has been published in the District of Columbia Register. If the Mayor does not issue a determination within the 60 days, the petition shall be deemed approved.".

(b) Subsection (e) is amended to read as follows:

"(e)(1) There is established a Gas Station Advisory Board to consider petitions for exemption from the requirements contained in subsections (b) and (c) of this section.

"(2) The Board shall consist of 5 members as follows:

"(A) One member representing the retail service station dealers, appointed by the Mayor;

"(B) One member representing the oil companies, appointed by the Mayor;

"(C) One member representing the community interest, appointed by the Mayor;

"(D) One member representing the community interest, appointed by the Council;

"(E) One member representing the Mayor.

"(3) Members of the Board appointed under this subsection shall continue to serve until their successors are appointed.

"(4) The Board shall establish and publish, for 30 days comment, the rules and procedures which shall govern its conduct. The Board may establish and publish, for 30 days comment, additional criteria which shall be used in reviewing the petitions for exemptions.".

PART 3. LAW REVISION COMMISSION

Amend § 1-604.06

Sec. 221. Section 406(b)(11) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(11)), is amended by striking the phrase "the personnel authority is the District of Columbia Law Revision Commission" and inserting the phrase "the personnel authority is the Chairman of the Council" in its place.

Amend § 45-301

Sec. 222. Section 2 of the District of Columbia Law Revision Commission Act of 1980, effective February 26, 1981 (D.C. Law 3-119; D.C. Official Code § 45-301), is amended as follows:

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

"(a) There is established as an advisory body to the Council of the District of Columbia the District of Columbia Law Revision Commission ("Commission"), which shall be composed of 9 members, as follows:

"(1) Four members appointed by the Council of the District of Columbia;

"(2) Two members appointed by the Mayor of the District of Columbia;

"(3) Two members appointed by Joint Committee on Judicial Administration in the District of Columbia; and

"(4) The Attorney General of the District of Columbia, or his or her designee.".

(b) Subsection (b) is repealed.

(c) Subsection (c) is amended by striking the phrase "Except as provided in subsection (d) of this section, no" and inserting the phrase "No" in its place.

(d) Subsection (d) is repealed.

(e) Subsection (h) is amended to read as follows:

"(h) Each member of the Commission shall serve without compensation; provided, that each member may be reimbursed for actual expenses pursuant to section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08).".

(f) Subsection (j) is repealed.

PART 4. BOARD OF REVIEW FOR ANTI-DEFICIENCY VIOLATIONS

Sec. 231. Section 47-355.07 of the District of Columbia Official Code is amended to read as follows:

Amend § 47-355.07

"Sec. 47-355.07. Board of Review for Anti-Deficiency Violations.

"(a) The Board of Review for Anti-Deficiency Violations ("Review Board") is established as an independent agency within the District of Columbia government, consistent with the meaning of the term independent agency, as provided in section 301(13) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)).

"(b) The Review Board shall:

"(1) Advise and make recommendations to the Mayor, Council, Chief Financial Officer, and Inspector General on issues relative to anti-deficiency law violations in the District of Columbia; and

"(2) Convene within 30 days of learning of an alleged violation of § 47-355.02 to determine whether a violation occurred.

"(c)(1) The Review Board shall be comprised of 5 members of the District of Columbia government appointed as follows:

"(A) Two representatives who serve at the pleasure of the Chief Financial Officer, one of whom shall be appointed by the Chief Financial Officer to serve as Chairperson of the Review Board;

"(B) One representative who serves at the pleasure of the Mayor;

"(C) One representative of the Council, who shall be an employee of the Council and shall be appointed by the Chairman of the Council; and

"(D) One representative who serves at the pleasure of the Inspector General.

"(2) Members shall be appointed to a term of 3 years. Each member may serve beyond the end of their term until reappointed or replaced by the appropriate appointing authority.

"(3) Members shall serve without compensation; provided, that a member may be reimbursed for expenses incurred in the authorized execution of official duties of the Review Board if those expenses are approved in advance by the Chief Financial Officer.

"(d) If the Review Board determines that a violation of § 47-355.02 has occurred, it shall:

"(1) Assess the responsibility of culpable employees;

"(2) Except as provided in subsection (e) of this section, recommend an appropriate disciplinary action; and

"(3) Present a report to the Council within 30 days of the determination of a violation that includes all relevant facts, including:

"(A) The violation;

"(B) The name and title of the employees who were responsible for the violation;

"(C) Any justification; and

"(D) A statement of the action taken or proposed to be taken.

"(e)(1) A finding by the Review Board that a violation of § 47-355.02 has occurred shall not be a prerequisite for adverse personnel action under § 47-355.06.

"(2) In recommending appropriate disciplinary action under subsection (d) of this section, the Review Board may make a recommendation that no action be taken where it finds justification for the violation. Justification may include overspending as a result of court orders, entitlements, or explicit authorization in an appropriations act.

"(f) The Review Board is authorized to establish subcommittees as needed. A subcommittee may include District government employees who are not members of the Review Board; provided, that each subcommittee is chaired by a member of the Review Board.

"(g) The Review Board may establish its own bylaws and rules of procedure, subject to the approval of the Chief Financial Officer or his or her designee.

"(h) The Office of the Chief Financial Officer shall provide administrative and staff support to the Review Board.".

PART 5. COMMISSION ON THE ARTS AND HUMANITIES

Amend § 1-523.01

Sec. 232. Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), is amended as follows:

(a) Subsection (e) is amended as follows:

(1) Paragraph 31 is amended by striking the period and inserting the phrase "; and" in its place.

(2) A new paragraph (32) is added to read as follows:

"(32) Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203).".

(b) Subsection (f)(11) is repealed.

SUBTITLE B. COMPENSATION FOR SERVICE ON CERTAIN BOARDS AND COMMISSIONS

Amend § 1-611.08

Sec. 241. Section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08), is amended as follows:

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

"(a-1) Except as provided in subsection (a) of this section, members of boards and commissions shall not be compensated for time expended in the performance of official duties except as authorized by subsections (b), (c), (c-1), (c-2), and (c-3) of this section.".

(b) Subsection (c) is amended to read as follows:

"(c) Members of the following boards and commissions shall be entitled to compensation in the form of a salary as currently authorized by law:

"(1) Public Service Commission;

"(2) Contract Appeals Board;

"(3) Rental Housing Commission;

"(4) The Chairperson of the District of Columbia Taxicab Commission;

"(5) District of Columbia Board of Ethics and Government Accountability; and

"(6) Full-time members of the Real Property Tax Appeals Commission.".

(c) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

"(c-1) Members of the following boards and commissions shall be entitled to compensation in the form of an hourly rate of pay as follows:

"(1) Board of Zoning Adjustment members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $12,000 for each board member per year;

"(2) Office of Employee Appeals members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $3,000 for each member per year;

"(3) District of Columbia Retirement Board Members shall be entitled to compensation as provided in section 121(c) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711(c));

"(4) Police and Firefighters Retirement and Relief Board members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $8,000 for each board member per year;

"(5) Public Employee Relations Board members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings , not to exceed $3,000 for each board member per year;

"(6) Zoning Commission members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $12,000 for each commission member per year;

"(7) Historic Preservation Review Board members shall be entitled to compensation at the hourly rate of $25 for time spent in performance of duties at meetings, not to exceed $3,000 for each board member per year;

"(8) Alcoholic Beverage Control Board members shall be entitled to compensation at the hourly rate of $40 for time spent in performance of duties at meetings, not to exceed $18,000 for each board member per year;

"(9) Part-time members of the Real Property Tax Appeals Commission shall be entitled to compensation at the hourly rate of $50 for time spent in performance of duties at meetings;

"(10) District of Columbia Board of Elections members shall be entitled to compensation at the hourly rate of $40 while actually in the service of the board, not to exceed the $12,500 for each member per year and $26,500 for the Chairman per year.

"(c-2) Members of the following boards and commissions shall be entitled to compensation in the form of stipend as follows:

"(1) Each Commissioner, other than the ex officio Commissioner and the Chairperson, of the Board of Commissioners of the District of Columbia Housing Authority shall be entitled to a stipend of $3,000 per year for their service on the board; the Chairperson shall be entitled to a stipend of $5,000 per year. Each Commissioner also shall be entitled to reimbursement of actual travel and other expenses reasonably related to attendance at board

meetings and fulfillment of official duties. Stipends and reimbursements shall be made at least quarterly;

"(2) Each member of the Education Licensure Commission shall be entitled to a stipend of $4,000 per year for their service on the commission. Each member also shall be entitled to reimbursement of actual travel and other expenses reasonably related to the performance of the duties of the commission while away from their homes or regular places of business; and

"(3)(A) Public and industry members of the District of Columbia Taxicab Commission shall be entitled to compensation of $25 per meeting or work session, not to exceed $1,350 for each public or industry member per year.

"(B) Total compensation for all Commission members shall not exceed $10,800, for all meetings and work sessions.

"(c-3) Chairpersons of the boards and commissions specified in subsections (c-1) and (c-2) of this section who are public members shall be entitled to an additional compensation of 20% above the annual maximum.".

(d) Subsection (d) is amended to read as follows:

"(d) Members of boards and commissions shall not be entitled to reimbursement for expenses unless specifically authorized by law; except, that transportation, parking, or mileage expenses incurred in the performance of official duties may be reimbursed, not to exceed $15 per meeting or currently authorized amounts, whichever is less.".

SUBTITLE C. ABOLISHMENT OF CERTAIN BOARDS AND COMMISSIONS

Repeal §§ 2-1221.31 – 2-1221.34

Sec. 251. The Emerging Technology Opportunity Development Task Force Act of 2006, effective March 2, 2007 (D.C. Law 16-190; D.C. Official Code § 2-1221.31 *et seq.*), is repealed.

Repeal §§ 3-1001 – 3-1005

Sec. 252. The Litter and Solid Waste Act of 1985, effective February 21, 1986 (D.C. Law 6-84; D.C. Official Code § 3-1001 *et seq.*), is repealed.

Repeal § 5-129.21

Sec. 253. Section 101 of the Enhanced Professional Security Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-187; D.C. Official Code § 5-129.21), is repealed.

Sec. 254. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

Amend § 6-201, § 6-211

(a) Section 2(2) (D.C. Official Code § 6-201(2)) is repealed.

(b) Section 12 (D.C. Official Code § 6-211) is amended as follows:

(1) Subsection (b)(1) is amended by striking the phrase "Advisory Committee" and inserting the phrase "Executive Director" in its place.

(2) Subsection (c) is amended by striking the phrase "Advisory Committee" and inserting the phrase "Executive Director" in its place.

(3) Subsection (s) is amended to read as follows:

"(s) Commissioners shall be entitled to compensation as provided in section 1108 of the

District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08).".

(c) Section 13 (D.C. Official Code § 6-212) is repealed. **Repeal § 6-212**

Sec. 255. The Tobacco Settlement Trust Fund Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 7-1811.01 *et seq*.), is amended as follows:

(a) Section 2302(b) (D.C. Official Code § 7-1811.01(b)) is amended by striking the phrase "Board of Trustees of the Tobacco Settlement Trust Fund established under section 2302a" and inserting the phrase "Office of the Chief Financial Officer" in its place. **Amend § 7-1811.01**

(b) Section 2302a (D.C. Official Code § 7-1811.02) is repealed. **Repeal § 7-1811.02**

Sec. 256. Section 15 of the Choice in Drug Treatment Act of 2000, effective July 18, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3014), is repealed. **Repeal § 7-3014**

Sec. 257. Section 7 of the District of Columbia Soil and Water Conservation Act of 1982, effective September 14, 1982 (D.C. Law 4-143; D.C. Official Code § 8-1706), is repealed. **Repeal § 8-1706**

Sec. 258. The Make a Difference Selection Committee Establishment Act of 1998, effective April 30, 1998 (D.C. Law 12-98; D.C. Official Code § 9-1215.01 *et seq.*), is repealed. **Repeal §§ 9-1215.01 – 9-1215.08**

Sec. 259. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq*.), is amended as follows:

(a) Section 4(d) (D.C. Official Code § 10-303(d)) is amended by striking the phrase "with recommendations from the Recreation Assistance Board established by section 7". **Amend § 10-303**

(b) Section 7 (D.C. Official Code § 10-306) is repealed. **Repeal § 10-306**

Sec. 260. Section 501 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 22-4251), is repealed. **Repeal § 22-4251**

Sec. 261. Section 802 of the Securities Act of 2000, effective October 26, 2000 (D.C. Law 13-203; D.C. Official Code § 31-5608.02), is repealed. **Repeal § 31-5608.02**

Sec. 262. The Cable Television Communications Act of 1981, effective August 21, 1982 (D.C. Law 4-142; D.C. Official Code § 34-1251.01 *et seq*.), is amended as follows:

(a) Section 103(1) (D.C. Official Code § 34-1251.03(1)) is amended repealed.

(b) Section 202(17) (D.C. Official Code § 34-1252.02(17)) is repealed. **Amend § 34-1251.03, § 34-1252.02,**

(c) Section 301 (D.C. Official Code § 34-1253.01) is repealed. **Repeal § 34-1253.01**

Sec. 263. The District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Official Code § 38-1208.01 *et seq.*), is amended as follows:

(a) Section 801(1) (D.C. Official Code § 38-1208.01(1)) is repealed.

(b) Section 803 (D.C. Official Code § 38-1208.03) is repealed.

(c) Section 804 (D.C. Official Code § 38-1208.04) is repealed.

Amend § 38-1208.01
Repeal §§ 38-1208.03, 38-1208.04

Sec. 264. The School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2973.01 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Official Code § 38-2973.01) is repealed.

(b) Section 202 (D.C. Official Code § 38-2973.02) is repealed.

Repeal §§ 38-2973.01 38-2973.02

Sec. 265. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-101 *et seq.*), is amended as follows:

(a) Section 9 (D.C. Official Code § 39-109) is repealed.

(b) Section 10 (D.C. Official Code § 39-110) is repealed.

(c) Section 11 (D.C. Official Code § 39-111) is repealed.

Repeal §§ 39-109, 39-110, 39-111

Sec. 266. The Office of the Chief Tenant Advocate Establishment Act of 2005, effective October 20, 2005 (D.C. Law 16-33, D.C. Official Code § 42-3531.01 *et seq.*), is amended as follows:

(a) Section 2064(3) (D.C. Official Code § 42-3531.04(3)) is repealed.

(b) Section 2068 (D.C. Official Code § 42-3531.08) is repealed.

Amend § 42-3531.04
Repeal § 42-3531.08

Sec. 267. Chapter 45 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-4501(3) is repealed.

(b) Section 47-4504 is repealed.

(c) Section 47-4512(b)(1) is amended by striking the phrase "and the Advisory Board".

Amend § 47-4501,
Repeal § 47-4504
Amend § 47-4512

Sec. 268. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 954; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Section 1(10) (D.C. Official Code § 51-101(10)) is repealed.

(b) Section 3 (D.C. Official Code § 51-103) is amended as follows:

(1) Subsection (d) is amended by striking the phrase "in accordance with such regulations as the Board may prescribe".

(2) Subsection (h) is amended as follows:

(A) Paragraph (1)(F) is amended by striking the phrase ", in accordance with such regulations as the Board may prescribe,".

Amend § 51-101
Amend § 51-103

(B) Paragraph (4) is amended by striking the word "Board" and inserting the word "Director" in its place.

(c) Section 7 (D.C. Official Code § 51-107) is amended as follows: **Amend § 51-107**

(1) Subsection (a) is amended by striking the phrase ", in accordance with such regulations as the Board may prescribe".

(2) Subsection (c)(2) is amended by striking the phrase ", under regulations prescribed by the Board,".

(3) Subsection (g) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase "as provided in the regulations of the Board,".

(B) Paragraph (6)(A) is amended by striking the phrase "as provided in the regulations of the Board".

(d) Section 9 (D.C. Official Code § 51-109) is amended by striking the phrase "in accordance with such regulations as the Board may prescribe". **Amend § 51-109**

(e) Section 10 (D.C. Official Code § 51-110) is amended as follows: **Amend § 51-110**

(1) Subsection (b)(3) is repealed.

(2) Subsection (e) is amended by striking the phrase "under regulations prescribed by the Board".

(f) Section 15 (D.C. Official Code § 51-115) is repealed. **Repeal § 51-107**

Sec. 269. 17 DCMR § 2411 through 17 DCMR § 2422 are repealed. **DCMR**

TITLE III -- TECHNICAL, CONFORMING, AND OTHER AMENDMENTS

SUBTITLE A. DEPARTMENT OF PARKS AND RECREATION NAME CLARIFICATION

Sec. 301. An Act To vest in the Commissioners of the District of Columbia control of street parking in said District, approved July 1,1898 (30 Stat. 570; codified in scattered cites in the D.C. Official Code), is amended as follows:

(a) Section 6a (D.C. Official Code § 10-137.01) is amended by striking the phrase "Department of Recreation and Parks" in the title and inserting the phrase "Department of Parks and Recreation" in its place. **Amend § 10-137.01**

(b) A new section 8 is added to read as follows: **New § 10-137.02**

"Sec. 8. Name change to Department of Recreation and Parks.

"The Department of Recreation and Parks, established by Organization Order No. 10, approved June 27, 1968, shall be renamed the Department of Parks and Recreation.".

Sec. 302. Section 2 of the Division of Park Services Act of 1988, effective March 16, 1989 (D.C. Law 7-209; D.C. Official Code § 10-166), is amended as follows: **Amend § 10-166**

(a) Subsection (a) is amended by striking the phrase "Department of Recreation" and inserting the phrase "Department of Parks and Recreation" in its place.

(b) Subsection (c) is amended by striking the phrase "Department of Recreation" and inserting the phrase "Department of Parks and Recreation" in its place.

(c) Subsection (f) is amended by striking the phrase "Department of Recreation and Parks" and inserting the phrase "Department of Parks and Recreation" in its place.

Amend § 10-213.01

Sec. 303. Section 4a of Article II of An Act to create a Recreation Board for the District of Columbia, to define its duties and for other purposes, effective May 16, 1995 (D.C. Law 10-255; D.C. Official Code § 10-213.01), is amended by striking the phrase "Department of Recreation and Parks" and inserting the phrase "Department of Parks and Recreation" in its place.

Sec. 304. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq*.), is amended as follows:

Amend § 10-302

(a) Section 3 (D.C. Official Code § 10-302) is amended by striking the phrase "Department of Recreation and Parks" in the section heading and inserting the phrase "Department of Parks and Recreation" in its place.

Amend § 10-306

(b) Section 7(a)(7) (D.C. Official Code § 10-306(a)(7)) is amended by striking the phrase "Department of Recreation and Parks" and inserting the phrase "Department of Parks and Recreation" in its place.

SUBTITLE B. CONFORMING AMENDMENTS

Amend § 1-523.01

Sec. 311. Section 2(f)(45) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(45)), is repealed.

Amend § 8-151.03

Sec. 312. Section 103(b)(ii)(V)(ee) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.03(b)(ii)(V)(ee)), is amended by striking the phrase "in conjunction with the Environmental Planning Commission".

Sec. 313. The District of Columbia Solid Waste Management and Multi-Material Recycling Act of 1988, effective March 16, 1989 (D.C. Law 7-226; D.C. Official Code § 8-1001 *et seq.*), is amended as follows:

Amend § 8-1004

(a) Section 5(c) (D.C. Official Code § 8-1004(c)) is amended by striking the phrase "the Environmental Planning Commission established pursuant to section 2 of the Litter and Solid Waste Act of 1985, effective February 21, 1986 (D.C. Law 6-84; D.C. Official Code § 3-1001), and".

Amend § 8-1008

(b) Section 8(b)(3) (D.C. Official Code § 8-1008(b)(3)) is amended by striking the phrase ", in conjunction with the Environmental Planning Commission,".

Amend § 38-1304

Sec. 314. Section 4(f) of the Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1304(f)), is amended to read as follows:

"(f) Members of the Commission shall be entitled to compensation as provided in section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08).".

Amend § 38-1805.52

Sec. 315. Section 2552 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1805.52), is amended by striking the phrase "representatives of public charter schools, and the Public School Modernization Advisory Committee" and inserting the phrase "and representatives of public charter schools" in its place.

Amend § 38-2803

Sec. 316. Section 1104(c) of the School Based Budgeting and Accountability Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 38-2803(c)), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase "schools;" and inserting the phrase "schools; and" in its place.

(b) Paragraph (5) is repealed.

Amend § 50-301.05

Sec. 317. Section 6(c) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-305(c)), is amended by striking the phrase "pursuant to section 1108(c)(2)(K) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c)(2)(K))" and inserting the phrase "pursuant to section 1108(c-2)(3) of the District of Columbia Government Comprehensive Merit Personnel Act of 1974, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(3))" in its place.

TITLE IV -- FISCAL IMPACT; EFFECTIVE DATE

Sec. 401. Fiscal impact statement.

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

Sec. 402. Effective date.

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

AN ACT

Bill 20-289
Act 20-618 effective February 2, 2015

To amend the District of Columbia Health Occupations Revision Act of 1985 to establish an Advisory Committee on Clinical Laboratory Practitioners that shall develop and submit to the Board of Pharmacy guidelines to regulate the practices of cytotechnology, histotechnology, and medical technology; to regulate the practices by cytotechnologists, histologic technicians, histotechnologists, medical laboratory technicians, medical technologists, and phlebotomists; and to establish the minimum qualifications for licensure of cytotechnologists, histologic technicians, histotechnologists, medical laboratory technicians, medical technologists, and registration of phlebotomists.

Codification District of Columbia Official Code 2001 Edition

Clinical Laboratory Practitioners Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Clinical Laboratory Practitioners Amendment Act of 2014".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) The table of contents is amended as follows:

(1) Strike the phrase "Sec. 208. Board of Pharmacy." and insert the phrase "Sec. 208. Board of Pharmacy and Advisory Committee on Clinical Laboratory Practitioners." in its place.

(2) A new TITLE VII-F is added to read as follows:

"TITLE VII-F

"QUALIFICATIONS FOR LICENSURE TO PRACTICE AS A CLINICAL LABORATORY PRACTITIONER.

"Sec. 761. Qualifications for licensure.

"Sec. 762. Waiver.

"Sec. 763. Exemption from licensure for select clinical laboratory practitioners.

"Sec. 764. Transition of licensed and registered clinical laboratory practitioners.".

(3) A new section is added to Title IX to read as follows:

"Sec. 912. Phlebotomist.".

Amend § 3-1201.01

(b) Section 101 (D.C. Official Code § 3-1201.01) is amended by adding a new paragraph (1C) to read as follows:

"(1C) "Clinical laboratory practitioner" means a cytotechnologist, histologic technician, histotechnologist, medical laboratory technician, medical technologist, or a phlebotomist.".

Amend § 3-1201.02

(b) Section 102 (D.C. Official code § 3-1201.02) is amended as follows:

(1) A new paragraph (3A) is added to read as follows:

"(3A) "Practice of cytotechnology" means the microscopic study or examination of body fluids, tissues, or cells desquamated from a body surface or lesion for the practice of clinical laboratory science, including detecting malignancy and microbiologic changes and the measurement of hormonal levels.".

(2) The existing paragraph (6A) is re-designated as paragraph (6A-ii)

(3) A new paragraph (6A) is added to read as follows:

"(6A) "Practice by histologic technicians" means the preparation of human and animal tissue samples for microscopic examination.".

(4) A new paragraph (6A-i) is added to read as follows:

"(6A-i) "Practice of histotechnology" means the preparation and processing of sections of body tissue for examination through the processes of fixation, dehydration, embedding, sectioning, decalcification, microincineration, mounting, and routine staining, and includes the identification of tissue structures, cell components, and their staining characteristics, and relating them to physiologic functions.".

(5) New paragraphs (6B-i) and (6B-ii) are added to read as follows:

"(6B-i) "Practice by medical laboratory technicians" means performing tests on tissue, blood, and body fluids for the purpose of assisting in the diagnosis and treatment of diseases while working under the supervision of a medical technologist or physician.

"(6B-ii) "Practice of medical laboratory technology" means performing clinical laboratory tests and procedures, including: monitoring tests and procedures, and preparing blood, urine, and tissue specimens for analysis; using sophisticated laboratory equipment to look for bacteria, parasites, and other microorganisms; analyzing the chemical content of fluids, matching blood for transfusions; and, testing for drug levels in the blood to show how a patient is responding to treatment, in areas of a clinical laboratory, with the exception of cytotechnology. ".

(c) Section 208 (D.C. Official Code § 3-1202.08) is amended as follows: **Amend § 3-1202.08**

(1) The section heading is amended to read as follows:

"Sec. 208. Board of Pharmacy and Advisory Committee on Clinical Laboratory Practitioners.".

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended to read as follows:

"(1) The Board shall regulate the practice of pharmacy, the practice of pharmaceutical detailing, the practice of pharmacy technicians, and the practice of clinical laboratory practitioners with guidelines approved by the Advisory Committee on Clinical Laboratory Practitioners.".

(B) A new paragraph (1A) is added to read as follows:

"(1A) The Board shall administer the examination required for cytotechnologists, histologic technicians, histotechnologists, medical laboratory technicians, and medical technologists.".

(3) Subsections (i), (j), (k), (l), and (m) are added to read as follows:

"(i) There is established an Advisory Committee on Clinical Laboratory Practitioners, which shall consist of 5 members appointed by the Mayor.

"(j) The Advisory Committee on Clinical Laboratory Practitioners shall develop and submit to the Board guidelines for the licensure of cytotechnologists, histologic technicians, histotechnologists, medical laboratory technicians, medical technologists, and the registration of phlebotomists.

"(k) Of the members of the Advisory Committee on Clinical Laboratory Practitioners, one shall be a pathologist certified by the American Board of Pathology or the American Board of Osteopathic Pathology; one shall be a medical technologist and supervisor; one shall be a medical technologist who is not a supervisor; one shall be a medical laboratory technician; and one shall be a consumer member with no direct affiliation with clinical laboratory practitioners or another health profession.

"(l) The qualifications for the professional members of the Advisory Committee on Clinical Laboratory Practitioners shall be as follows:

"(1) The pathologist, for at least 3 years preceding appointment, shall have been actively engaged as a pathologist in rendering professional services in pathology or in the education and training of medical personnel in pathology.

"(2) The medical technologist, for at least 3 years preceding the appointment, shall have been actively engaged as a medical technologist in rendering professional services in medical technology or in the education and training of medical technologists.

"(3) The medical laboratory technician, for at least 3 years preceding the appointment, shall have been actively engaged as a medical laboratory technician in rendering professional services as a medical technician.

"(m) The initial appointees of the Advisory Committee on Clinical Laboratory Practitioners, with the exception of the pathologist and the consumer representative, shall become licensed in the profession in which they have been practicing immediately upon their appointment and qualification as members of the Advisory Committee on Clinical Laboratory Practitioners.".

§ 3-1204.01

(d) Section 401(b)(2) (D.C. Official Code § 3-1204.01(b)(2)) is amended by striking the phrase "the audiologist and speech-language pathologist members initially appointed to the Board," and inserting the phrase "the audiologist and speech-language pathologist members initially appointed to the Board, the clinical laboratory practitioner members initially appointed to the Board," in its place.

§ 3-1205.01

(e) Section 501(a) (D.C. Official Code § 3-1205.01(a)) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Strike the phrase "chiropractic," and insert the phrase "chiropractic, cytotechnology," in its place.

(B_ Strike the phrase "dietetics," and insert the phrase "dietetics, histotechnology," in its place.

(C) Strike the phrase "massage therapy," and insert the phrase "massage therapy, medical laboratory technology," in its place.

(2) Paragraph (2) is amended by striking the phrase "nursing assistive personnel," and inserting the phrase "nursing assistive personnel, phlebotomist," in its place.

(f) A new Title VII-F is added to read as follows:

New Subchapter VII-F, Chapter 12, Title 3,

New § 3-1207.61

"TITLE VII-F

"QUALIFICATIONS FOR LICENSURE TO PRACTICE AS A CLINICAL LABORATORY PRACTITIONER.

"Sec. 761. Qualifications for licensure.

"(a) The Board of Pharmacy shall license as a cytotechnologist a person who, in addition to meeting the requirements of Title V, has:

"(1) At least a baccalaureate degree from an accredited institution that incorporates the academic coursework and minimum hours of supervised training required by the regulations adopted by the Board and whose program is accredited by an agency recognized by the U.S. Department of Education, or has qualified as a cytotechnologist under federal regulations; and

"(2) Passed a national certification examination given by the Board or from a body recognized by the Board.

"(b) The Board of Pharmacy shall license as a histologic technician a person who, in addition to meeting the requirements of Title V, has demonstrated, to the satisfaction of the Board, that he or she possesses the medical laboratory education, training, or experience that is appropriate for medical laboratory technicians concentrating in histology.

"(c) The Board of Pharmacy shall license as a histotechnologist a person who, in addition to meeting the requirements of Title V, has:

"(1)(A) At least a baccalaureate degree in biological sciences and chemistry from an accredited institution recognized by the U.S. Department of Education; or

"(B) Successfully completed a histotechnology program accredited by an agency recognized by the U.S. Department of Education or one year of full-time laboratory work experience in histology deemed acceptable by the Board of Pharmacy; and

"(2) Passed a national certification examination given by the Board or from a body recognized by the Board.

"(d) The Board of Pharmacy shall license as a medical laboratory technician a person who, in addition to meeting the requirements of Title V, has:

"(1) Successfully completed a medical laboratory technician program accredited by an agency recognized by the U.S. Department of Education or a military medical laboratory specialists program;

"(2) Obtained an associate degree or has at least 60 semester hours or 90 quarter hours from an accredited institution recognized by the U.S. Department of Education, including a minimum of 6 semester hours or 9 quarter hours of biological science and 6 semester hours or 9 quarter hours of chemical science, and has 3 years of full-time acceptable medical laboratory work experience within the last 5 years; or

"(3) Been previously qualified as a medical laboratory technologist under federal regulations; and

"(4) Passed a national certification examination given by the Board or from a body recognized by the Board.

"(e)(1) The Board of Pharmacy shall license as a medical technologist a person who, in addition to meeting the requirements of Title V, has:

"(A) At least a baccalaureate degree from an accredited institution that includes courses in biological science, chemistry, and mathematics, and has successfully completed a medical technology program accredited by an agency recognized by the U.S. Department of Education;

"(B) A baccalaureate degree from a regionally accredited institution recognized by the U.S. Department of Education, including a minimum of 16 semester hours or 24 quarter hours of biological science, 16 semester hours or 24 quarter hours of chemical science, including one semester or one quarter in organic chemistry or biochemistry, one semester or one quarter of mathematics, and 3 years of full-time, clinical laboratory work experience in the major disciplines of laboratory practice deemed acceptable by the Board of Pharmacy, within the last 5 years and one of the following:

"(i) Certification as a medical laboratory technologist by a national certifying organization acceptable to the Board;

"(ii) Successful completion of a medical laboratory technology program accredited by an agency recognized by the U.S. Department of Education; or

"(iii) Successful completion of an advanced military medical laboratory specialist program;

"(C) A baccalaureate degree from an accredited institution, including a minimum of 16 semester hours or 24 quarter hours of biological science, 16 semester hours or 24 quarter hours of chemical science, including one semester or one quarter in organic chemistry or biochemistry, one semester or one quarter of mathematics, and 5 years of full-time clinical laboratory work experience in the major disciplines of laboratory practice deemed acceptable by the Board of Pharmacy, within the last 10 years; or

"(D) Been previously qualified as a medical technologist under federal regulations, or has a baccalaureate degree and training or experience as the Board determines is appropriate for medical technologists concentrating in categories such as blood banking, chemistry, hematology, immunology, microbiology, and virology; and

"(E) Passed a national certification examination given by the Board or from a body recognized by the Board.

"(2) For the purposes of this subsection, the term "major disciplines of laboratory practice" includes blood banking, chemistry, immunology, and microbiology.".

"Sec. 762. Waiver. **New § 3-1207.62**

"The Board shall waive the requirements specified in section 761 for any cytotechnologist, histologic technician, histotechnologist, medical laboratory technician, or medical technologist who has passed an examination required by the Board, and who has received a certification from a national certifying organization acceptable to the Board that has current eligibility requirements that are equivalent to or exceed the qualifications

established under this act.

New § 3-1207.63

"Sec. 763. Exemption from licensure for select clinical laboratory practitioners.

"(a) Section 1001 shall not apply to a cytotechnologist, histotechnologist, medical laboratory technologist, medical technologist, histologic technician, or phlebotomist who is:

"(1) Licensed or registered in the District of Columbia under any other act and who engages in the practice for which he or she is licensed or registered;

"(2) Employed by the United States government or any bureau, division, or agency thereof while in the discharge of the employee's official duties;

"(3) Engaged exclusively in education or research; provided, that the results of any examination performed are not used in the diagnosis, prevention, or treatment of a disease, or assessment of a medical condition;

"(4) A student or trainee enrolled in a medical laboratory education program; provided, that the activities constitute a part of a planned course in the program, the person is designated by a title such as intern, trainee, or student, and the person works directly under a person licensed under section 761;

"(5) Exclusively performing laboratory tests, classified as waived pursuant to 42 CFR § 493, which are determined by the Secretary of the U.S. Department of Health and Human Services to have an insignificant risk of an erroneous result, including those which:

"(A) Have been approved by the United Stated Food and Drug Administration;

"(B) Employ methodologies that are so simple and accurate as to render the likelihood of erroneous results negligible; or

"(C) The Secretary of the U.S. Department of Health and Human Services has determined pose no reasonable risk of harm to the patient if performed incorrectly;

"(6) A pathologist or other licensed physician;

"(7) A laboratory manager who does not perform or supervise laboratory tests; or

"(8) Performing point-of-care testing; provided, that:

"(A) A laboratory director, or other licensed individual to whom the laboratory director has delegated his or her duties as a laboratory director, provides oversight and is responsible for ensuring the development and implementation of:

"(i) A protocol of implementation, including tests to be performed and staff who will perform the tests;

"(ii) Criteria to be used in selecting the method of testing to be used for point-of-care testing;

"(iii) Minimum training and education requirements for those who will perform point-of-care testing;

"(iv) Documented in-service training, initial and ongoing competency validation of personnel performing point-of-care testing;

"(v) An appropriate internal and external quality control

protocol; and

"(vi) Record keeping requirements; and

"(B) Processes are in place and are acceptable to the Board that ensure and document the continued competency of point-of-care testing personnel.

"(b) For the purposes of this section, the term

(1) "Laboratory director" means:

"(A) A physician or dentist who is qualified and eligible to supervise and direct the technical and scientific operation of a medical laboratory by possessing the following:

"(i) Certification in anatomic or clinical pathology, or both, by the American Board of Pathology, the American Osteopathic Board of Pathology, or qualifications that are equivalent to those required for certification;

"(ii) Certification by the American Board of Pathology or the American Osteopathic Board of Pathology in at least one of the laboratory specialties;

"(iii) Certification by the American Board of Medical Microbiology, the American Board of Clinical Chemistry, the American Board of Bioanalysts, or another national accrediting board in at least one of the laboratory specialties;

"(iv) Certification by the American Society of Cytopathology to practice cytopathology or qualifications that are equivalent to those required for certification;

"(v) Subsequent to graduation, 4 or more years of full-time general laboratory training or experience, of which at least 2 years were spent acquiring proficiency in one of the laboratory specialties in a licensed medical laboratory; or

"(vi) Subsequent to graduation, other documented clinical laboratory training and experience as the Board determines by regulation is appropriate, taking into consideration the complexity and diversity of the laboratory tests to be performed; or

"(B) A dentist, certified by the American Board of Oral Pathology for the specialty of oral pathology only, or qualifications which are equivalent to those required for certification.

"(2) "Point-of-care testing" means analytical patient-testing activities that are performed under the supervision of the laboratory director within an institution, but are performed outside the physical facilities of the central medical laboratory and do not require permanent dedicated space, and include the use of analytical instruments that are temporarily brought to a patient care location.

"Sec. 764. Transition of licensed and registered clinical laboratory practitioners. **New § 3-1207.64**

"For a period of 2 years after the effective date of the Clinical Laboratory Practitioners Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-289), all references in this act to "clinical laboratory practitioners"shall be deemed to refer to persons meeting the requirements for licensure or

registration in the District of Columbia, regardless of whether that person is licensed or registered.".

(g) A new section 912 is added to read as follows: **New § 3-1209.12**

"Sec. 912. Phlebotomist.

"(a) For the purposes of this section, the term "phlebotomist" means an unlicensed person trained in the proper procedure for withdrawing blood by venipuncture or skin puncture for clinical laboratory test purposes.

"(b) A person who is engaged as a phlebotomist in the District of Columbia shall register with the Mayor, renew the registration as required by rule, and pay the required registration fee established by the Mayor.

"(c) Any person registered to practice as a phlebotomist shall work under the general supervision of a licensed physician, advanced practice nurse, or other licensed health professional as the Mayor determines by rule.".

(h) Section 1003 (D.C. Official Code § 3-1210.03) is amended by adding a new subsection (jj) to read as follows: **Amend § 3-1210.03**

"(jj) Unless authorized to practice as a clinical laboratory practitioner under this act, a person shall not use or imply the use of the words or terms "medical technologist", "cytotechnologist", "medical laboratory technologist", "histotechnologist", "histologic technician", "clinical laboratory scientist-generalist", "clinical laboratory scientist-specialist", "medical laboratory technician", "phlebotomist", or any similar title or description of services with the intent to represent that the person is a clinical laboratory practitioner.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

D.C. Law 20-273, effective May 2, 2015
[Delayed Applicability]

AN ACT

Bill 20-265
Act 20-620 effective February 6, 2015

To amend the District of Columbia Election Code of 1955 to alter the date of District of Columbia primary elections and make conforming amendments to facilitate compliance with federal election law.

Codification District of Columbia Official Code 2001 Edition

Primary Date Alteration Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Primary Date Alteration Amendment Act of 2014".

Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 702; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

Amend § 1-1001.05

(a) Section 5 (D.C. Official Code § 1-1001.05) is amended as follows:

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

(A) Paragraph (4) is amended to read as follows:

"(4) Provide for recording and counting votes by means of ballots or machines or both; provided, that the Board may begin counting votes 15 days before the day of the election, but may not publish or disclose tabulation results before 8:00 p.m. on the day of the election;".

(B) A new paragraph (10A) is added to read as follows:

"(10A) Accept absentee ballots received by the Board by 8:00 p.m. on the day of the election;".

(C) Paragraph (11) is amended to read as follows:

"(11) Certify nominees and the results of elections in sufficient time to comply with the requirements of the Uniformed and Overseas Citizens Absentee Voter Act, approved August 28, 1986 (100 Stat. 924; 42 U.S.C. § 1973ff *et seq.*);".

(D) Paragraph (16) is amended by striking the word "and".

(E) Paragraph (17) is amended by striking the period and inserting the phrase "; and" in its place.

(F) A new paragraph (18) is added to read as follows:

"(18) Tabulate all ballots in sufficient time to comply with the requirements of the Uniformed and Overseas Citizens Absentee Voter Act, approved August 28, 1986 (100 Stat. 924; 42 U.S.C. § 1973ff *et seq.*).".

(2) Subsection (b)(1) is amended by striking the phrase "shall, on the 1st Tuesday in April" and inserting the phrase "shall, on the 2nd Tuesday in June" in its place.

(3) Subsection (i) is amended as follows:

(A) Paragraph (5) is amended by striking the phrase ", and".

(B) Paragraph (6) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new paragraph (7) is added to read as follows:

"(7) The documentation required for a qualified elector to verify residency and register to vote at the polling place.".

(4) Subsection (k) is amended as follows:

(A) Paragraph (7) is amended by striking the word "and".

(B) A new paragraph (7A) is added to read as follows:

"(7A) Recommendations for means by which the efficiency, accuracy, and speed of counting and reporting election results can be improved, including equipment or technology and an estimate of associated costs; and".

Amend § 1-1001.07

(b) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

(1) Subsection (g)(5) is amended by striking the phrase "or Board regulation. Each individual who registers on Election Day shall cast a special ballot, subject to the Board's verification of residence." and inserting the phrase "or Board regulation, including a current and valid government photo identification or a copy of a current utility bill, bank statement, government check, pay check, or other document specified by the Board, that shows the current name and address of the voter. Each individual who successfully registers on Election Day shall cast a regular ballot." in its place.

(2) Subsection (h) is amended by adding a new paragraph (2A) to read as follows:

"(2A) The Board shall publish and display on its website for a period of not less than 14 days preceding each election held under this act a searchable copy of the list of qualified electors registered to vote as of the date the voter registry closed.".

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

(A) Subparagraph (A) is amended by striking the phrase "polling place serving the current residence address." and inserting the phrase "polling place serving the former residence address, subject to the requirements of section 302 of the Help America Vote Act, approved October 29, 2002 (116 Stat. 1706; 42 U.S.C. § 15483); provided, that the voter shall provide proof of address change in the form of a current and valid government photo identification or a copy of a current utility bill, bank statement, government check, pay check, or other document specified by the Board that shows the current name and address of the voter either in person on election day or at the Board's office or a voter registration agency following the election." in its place.

(B) Subparagraph (B) is repealed.

(C) Subparagraph (C) is amended to read as follows:

"(C) A registered voter who files an election day change of address may vote by regular ballot on election day only within the polling place assigned by the Board before election day.".

Amend § 1-1001.08

(c) Section 8(r) (D.C. Official Code § 1-1001.08(r)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase "not later than 4:45 p.m. on the third day immediately following the date of the election" and inserting the phrase "not later than 4:45 p.m. on the day following the date of the election" in its place.

(2) Paragraph (3) is amended by striking the phrase "not later than 4:45 p.m. on the seventh day immediately following the date of the election" and inserting the phrase "not later than 4:45 p.m. on the third day immediately following the date of the election" in its place.

Amend § 1-1001.09

(d) Section 9 (D.C. Official Code § 1-1001.09) is amended as follows:

(1) Subsection (b)(3) is amended to read as follows:

"(3) Except pursuant to section 7(i)(4), no registered qualified elector of the District may cast a vote in a precinct that does not serve his or her current residence; provided, that a senior or voter with a disability whose precinct is inaccessible as defined by section 8 of the Voting Accessibility for the Elderly and Handicapped Act, approved September 28, 1984 (98 Stat. 1678; 42 US.C. § 1973ee-6), may be assigned by the Board to an accessible polling place.".

(2) Subsection (b-1) is amended as follows:

(A) Paragraph (1) is amended to read as follows:

"(1) For each primary and general election, the Board shall designate no fewer than 8 early voting centers, with at least one early voting center available in a central location within each election ward.".

(B) Paragraph (2) is amended by striking the number "7" and inserting the number "10" in its place.

(3) Subsection (e) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase "Not later than the Tuesday following the election" and inserting the phrase "In sufficient time to comply with the requirements of the Uniformed and Overseas Citizens Absentee Voter Act, approved August 28, 1986 (100 Stat. 924; 42 U.S.C. § 1973ff *et seq.*)" in its place.

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

"(3) If the Board has made a preliminary determination that a challenged ballot shall not be counted, it shall afford the challenged voter an opportunity to contest that determination in a hearing before the Board. The hearings authorized pursuant to this paragraph shall take place not later than 2 days after that election. The Board shall inform the voter of the date scheduled for the hearing and the manner by which he or she may learn the Board's final decision to count or reject the voter's challenged ballot. The notice shall be in writing and shall be provided to the voter at the time of voting. At the hearing, the voter may appear and testify. The Board shall make a final determination within one day after the date of the hearing. The voter may appeal the decision of the Board to the Superior Court of the District of Columbia within one business day after the date of the Board's decision. The decision of the court shall be final and not appealable.".

(C) Paragraph (4) is amended to read as follows:

"(4) If the Board has determined that a special ballot shall not be counted, it shall afford the voter an opportunity to contest that determination in a hearing held before the Board not later than 2 days after any election held pursuant to this act. The Board shall inform the voter

in writing, at the time of voting, of the date scheduled for the hearing and the manner by which the voter may learn whether the Board has decided to count or reject his or her special ballot. The Board shall make a final determination within one day after the date of the hearing. The voter may appeal the decision of the Board to the Superior Court of the District of Columbia within one business day after the date of the Board's decision. The decision of the court shall be final and not appealable.".

Amend § 1-1001.09a

(e) Section 9a(b) (D.C. Official Code § 1-1001.09a(b)) is amended by striking the phrase "primary, general, and special election," and inserting the phrase "general and special election," in its place.

Amend § 1-1001.10

(f) Section l0(a) (D.C. Official Code § 1-1001.l0(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "1st Tuesday in April" and inserting the phrase "2nd Tuesday in June" in its place.

(2) Paragraph (3) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase "1st Tuesday in April of each even-numbered year" and inserting the phrase "2nd Tuesday in June of 2016 and the 1st Tuesday in September of each even-numbered year thereafter;" in its place.

(B) Subparagraph (B) is amended by striking the phrase "1st Tuesday in April in 1974, and every 2nd year thereafter," and inserting the phrase "2nd Tuesday in June of 2016 and the 1st Tuesday in September of each even-numbered year thereafter," in its place.

(C) Subparagraph (C) is amended by striking the phrase "1st Tuesday in April of every 4th year, commencing with calendar year 1974," and inserting the phrase "1st Tuesday in September of every 4th year, commencing with calendar year 2018," in its place.

Amend § 1-1021.01

Sec. 3. Section 101 of the Initiative, Referendum and Recall Procedures Act of 1979, effective June 7, 1979 (D.C. Law 3-1; D.C. Official Code § 1-1021.01), is amended by striking the word "thereafter" and inserting the phrase "thereafter; provided, that if the action is required for compliance with the Uniformed and Overseas Citizens Absentee Voter Act, approved August 28, 1986 (100 Stat. 924; 42 U.S.C. § 1973ff *et seq.*), and the final date for completing the action falls on a Saturday, Sunday, or legal holiday, it shall be considered timely if taken on the immediately preceding regular business day" in its place.

Sec. 4. The Uniform Military and Overseas Voters Act of 2012, effective June 5, 2012 (D.C. Law 19-137; D.C. Official Code § 1-1061.01 *et seq.*), is amended as follows:

Amend § 1-1061.03

(a) Section 103 (D.C. Official Code § 1-1061.03) is amended as follows:

(1) Paragraph (2) is repealed.

(2) Paragraph (3) is repealed.

(3) Paragraph (4) is repealed.

Amend § 1-1061.04

(b) Section 104(d)(2) (D.C. Official Code § 1-1061.04(d)(2)) is repealed.

Amend § 1-1061.08

(c) Section 108 (D.C. Official Code § 1-1061.08) is repealed.

Amend § 1-1061.10

(d) Section 110 (D.C. Official Code § 1-1061.10) is amended by striking the phrase "submitted by the voter on the date of the election by mailing or other authorized means of delivery no later than 12:01 a.m. at the place where the voter completes the ballot" and inserting the phrase "received by the Board of Elections no later than 8:00 p.m. on the date of the election" in its place.

Repeal § 1-1061.12

(e) Section 112 (D.C. Official Code § 1-1061.12) is repealed.

Amend § 1-1061.16

(f) Section 116(a) (D.C. Official Code § 1-1061.16(a)) is amended by striking the number "100" and inserting the number "60" in its place.

Repeal § 1-1061.19

(g) Section 119 (D.C. Official Code § 1-1061.19) is repealed.

Delayed Applicability

Sec. 5. Applicability.

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

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

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

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

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 20-760
Act 20-473 effective November 12, 2014

To amend the Omnibus Public Safety Act of 2006 to repeal the provision authorizing the use of prostitution free zones; and to repeal the Anti-Loitering/Drug Free Zone Act of 1996.

Codification District of Columbia Official Code 2001 Edition

Repeal of Prostitution Free Zones and Drug Free Zones Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Repeal of Prostitution Free Zones and Drug Free Zones Amendment Act of 2014".

Repeal § 22-2731

Sec. 2. Section 104 of the Omnibus Public Safety Act of 2006, effective April 24, 2007 (D.C. Law 16-306; D.C. Official Code § 22-2731), is repealed.

Repeal §§ 48-1001 – 48-1005

Sec. 3. The Anti-Loitering/Drug Free Zone Act of 1996, effective June 3, 1997 (D.C. Law 11-270; D.C. Official Code § 48-1001 *et seq.*), is repealed.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

AN ACT

Bill 20-903
Act 20-534 effective December 19, 2014

To criminalize the unauthorized disclosure of a sexual image of another person.

Codification District of Columbia Official Code 2001 Edition

Criminalization of Non-Consensual Pornography Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Criminalization of Non-Consensual Pornography Act of 2014".

New Chapter 30A, Title 22

New § 22-3051

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Disclose" means to transfer or exhibit to 5 or fewer persons.

(2) "Harm" means any injury, whether physical or nonphysical, including psychological, financial, or reputational injury.

(3) "Internet" means an electronically available platform by which sexual images can be disseminated to a wide audience, including social media, websites, and smartphone applications; provided, that the term "Internet" does not include a text message.

(4) "Private area" means the genitals, anus, or pubic area of a person, or the nipple of a developed female breast, including the breast of a transgender female.

(5) "Publish" means to transfer or exhibit to 6 or more persons, or to make available for viewing by uploading to the Internet.

(6) "Sexual conduct" shall have the same meaning as provided in section 2(5) of the District of Columbia Protection of Minors Act of 1982, effective March 9, 1983 (D.C. Law 4-173; D.C. Official Code § 22-3101(5)).

(7) "Sexual image" means a photograph, video, or other visual recording of an unclothed private area or of sexual conduct.

New § 22-3052

Sec. 3. Unlawful disclosure.

(a) It shall be unlawful in the District of Columbia for a person to knowingly disclose one or more sexual images of another identified or identifiable person when:

(1) The person depicted did not consent to the disclosure of the sexual image;

(2) There was an agreement or understanding between the person depicted and the person disclosing that the sexual image would not be disclosed; and

(3) The person disclosed the sexual image with the intent to harm the person depicted or to receive financial gain.

(b) A person who violates this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), imprisoned for not more than 180 days, or both.

Sec. 4. First-degree unlawful publication. **New § 22-3053**

(a) It shall be unlawful in the District of Columbia for a person to knowingly publish one or more sexual images of another identified or identifiable person when:

(1) The person depicted did not consent to the disclosure or publication of the sexual image;

(2) There was an agreement or understanding between the person depicted and the person publishing that that the sexual image would not be disclosed or published; and

(3) The person published the sexual image with the intent to harm the person depicted or to receive financial gain.

(b) A person who violates this section shall be guilty of a felony and, upon conviction, shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), imprisoned for not more than 3 years, or both.

Sec. 5. Second degree unlawful publication. **New § 22-3054**

(a) It shall be unlawful in the District of Columbia for a person to knowingly publish one or more sexual images of another identified or identifiable person obtained from a third party or other source when:

(1) The person depicted did not consent to the disclosure or publication of the sexual image; and

(2) The person published the sexual image with conscious disregard that the sexual image was obtained as a result of a previous disclosure or publication of the sexual image made with an intent to harm the person depicted or to receive financial gain.

(b) A person who violates this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), imprisoned for not more than 180 days, or both.

Sec. 6. Exclusions. **New § 22-3055**

(a) This act shall not apply to:

(1) Constitutionally protected activity; or

(2) A person disclosing or publishing a sexual image that resulted from the voluntary exposure of the person depicted in a public or commercial setting.

(b) Nothing in this act shall be construed to impose liability on an interactive computer service, as defined in section 230(e)(2) of the Communications Act of 1934, approved February 8, 1996 (110 Stat. 139; 47 U.S.C. § 230(f)(2)), for content provided by another person.

Sec. 7. Affirmative defenses. **New § 22-3056**

It shall be an affirmative defense to a violation of section 3, 4, or 5 if the disclosure or publication of a sexual image is made in the public interest, including the reporting of unlawful conduct, the lawful and common practices of law enforcement, or legal proceedings.

Sec. 8. Jurisdiction. **New § 22-3057**

A violation of section 3, 4, or 5 shall be deemed to be committed in the District of Columbia if any part of the violation takes place in the District of Columbia, including when either the person depicted or the person who disclosed or published the sexual image was a resident of, or located in, the District of Columbia at the time that the sexual image was made, disclosed, or published.

Sec. 9. Fiscal impact statement.

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

Sec. 10. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

D.C. Law 20-276, effective May 7, 2015
[Partial Delayed Applicability]

AN ACT

Bill 20-714
Act 20-560 effective January 6, 2015

Codification District of Columbia Official Code 2001 Edition

To amend the Prevention of Child Abuse and Neglect Act of 1977 to create procedures for screening children under the custodial care of the Child and Family Services Agency who may be at risk for sex trafficking; to amend the Department of Youth Rehabilitation Services Establishment Act of 2004 to create procedures for screening youth under the custodial care of the Department of Youth Rehabilitation Services who may be at risk for sex trafficking; to amend An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children to require the Metropolitan Police Department to file reports with the Child and Family Services Agency of children suspected of engaging in commercial sex; to create procedures for reporting by the Child and Family Services Agency of missing children at risk for sex trafficking to the Metropolitan Police Department, to clarify that mandatory reporters of child abuse and neglect may file missing person reports, and to require the Metropolitan Police Department to report critically missing children to the National Center for Missing and Exploited Children; to amend the Prohibition Against Human Trafficking Act of 2010 to require human trafficking training for law enforcement officers, social workers, and case workers employed by the Metropolitan Police Department, the Child and Family Services Agency, and the Department of Youth Rehabilitation Services; to amend An Act For the suppression of prostitution in the District of Columbia to create immunity for children suspected of engaging in or offering to engage in a sexual act or contact in return for receiving anything of value and instead requiring the Metropolitan Police Department to refer those children to appropriate services, and to clarify the definition of prostitution; and to amend section 16-2309 of the District of Columbia Official Code to specify that an employee of the Child and Family Services Agency or a law enforcement officer may take into custody a child suspected of engaging in commercial sex.

Sex Trafficking of Children Prevention Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sex Trafficking of Children Prevention Amendment Act of 2014".

Amend § 4-1303.03e

Sec. 2. Section 303e(a) of the Prevention of Child Abuse and Neglect Act of 1977, effective June 7, 2012 (D.C. Law 19-141; D.C. Official Code § 4-1303.03e(a)), is amended as follows:

(a) The existing text is designated as paragraph (1).

(b) A new paragraph (2) is added to read as follows:

"(2) As part of the behavioral health screening required by paragraph (1) of this subsection, the Agency shall identify children who are victims of, or who may be at risk for becoming victims of, sex trafficking of children under section 104 of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1834).".

Amend § 2-1515.04a

Sec. 3. Section 104a(a) of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective June 7, 2012 (D.C. Law 19-141; D.C. Official Code § 2-1515.04a(a)), is amended as follows:

(a) The existing text is designated as paragraph (1).

(b) A new paragraph (2) is added to read as follows:

"(2) As part of the behavioral health screening required by paragraph (1) of this subsection, the Department shall identify youth who are victims of, or who may be at risk for becoming victims of, sex trafficking of children under section 104 of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1834).".

Amend § 4-1321.02

Sec. 4. Section 2 of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02), is amended by adding a new subsection (h) to read as follows:

"(h) The Metropolitan Police Department shall immediately report or have a report made to the Child and Family Services Agency of any knowledge, information, or suspicion of a child engaging in or offering to engage in a sexual act, as defined in section 101(8) of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001(8)), or sexual contact, as defined in section 101(9) of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001(9)), in return for receiving anything of value.".

New § 4-1323.01

Sec. 5. Missing persons.

(a) The Child and Family Services Agency shall file a missing person report with the Metropolitan Police Department ("MPD") for any child in the custody of the Child and Family Services Agency immediately after discovering that the child is missing from the child's home or out-of-home placement.

(b) A person required to make a report of abuse or neglect under section 2(b) of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02(b)), may file a missing person report with the MPD.

(c) The MPD shall immediately report a missing child to the National Center for Missing and Exploited Children if the child has been:

(1) Deemed critical missing by the MPD, as defined by MPD General Order 304-03; or

(2) Missing for more than 30 days from the date the Child and Family Services Agency filed a missing person report with MPD pursuant to subsection (a) of this section.

(d) For the purposes of this section, the term "child" means a person who has not attained the age of 18 years.

Sec. 6. The Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1831 *et seq.*), is amended as follows:

(a) A new section 112 is added to read as follows: **New § 22-1842**

"Sec. 112. Training program.

"(a) The Metropolitan Police Department ("MPD"), the Child and Family Services Agency ("CFSA"), and the Department of Youth Rehabilitation Services ("DYRS") shall provide training on human trafficking to:

"(1) New law enforcement officers, social workers, and case managers; and

"(2) Current law enforcement officers, social worker employees, and case managers who have not previously received comparable training.

"(b) The training shall be a minimum of 4 hours and shall include:

"(1) The nature and dimension of human trafficking;

"(2) The legal rights and remedies available to a victim of human trafficking;

"(3) The services and facilities available to a victim of human trafficking;

"(4) The legal duties imposed on a police officer, social worker, or case manager to enforce the provisions of the Sex Trafficking of Children Prevention Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-714), and to offer protection and assistance to a victim of human trafficking;

"(5) Techniques for determining when a person may be a victim of trafficking;

"(6) Techniques for handling a human trafficking offense that promotes the safety of the victim; and

(7) The particular needs of youth and minor trafficking victims;

"(c) MPD, CFSA, and DYRS shall consult with community organizations that provide training, resources, advocacy, or services to victims of human trafficking for assistance in developing and presenting training on human trafficking.".

(b) A new section 113 is added to read as follows: **New § 22-1843 Delayed Applicability**

"Sec. 113. Public posting of human trafficking hotline.

"(a) The Mayor shall require a property owner or person in control of the premises of the following businesses to post a sign described in subsection (b) of this section in a conspicuous location in clear view of all employees and the public:

"(1) A property found to be a prostitution-related nuisance as defined by section 2(5) of the Drug-Related Nuisance Abatement Act of 1998, effective March 26, 1999 (D.C. Law 12-194; D.C. Official Code § 42 -3101(5));

"(2) An intercity rail or bus station;

"(3) A nude performance establishment as defined by D.C. Official Code §25-101(34);

"(4) A massage establishment regulated pursuant to section 4902(a)(12) of the Fiscal Year 2002 Budget Support Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a)(12)), that is located on property where conduct resulting in a conviction

of an offense pursuant to the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1831 *et seq.*), has occurred; provided, that a posting shall only be required for one year after a conviction of an offense in this paragraph has occurred, and a posting shall not be required if an owner or person in control of a massage establishment reports an allegation of the conduct leading to a conviction of an offense in this paragraph to a law enforcement agency; and

"(5) A hotel that is located on property where conduct resulting in a conviction of an offense pursuant to the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1831 *et seq.*), has occurred; provided, that a posting shall only be required for one year after a conviction of an offense in this paragraph has occurred, and a posting shall not be required if an owner or person in control of a hotel reports an allegation of the conduct leading to a conviction of an offense in this paragraph to a law enforcement agency.

"(b) The notice to be posted pursuant to subsection (a) of this section shall be at least 8.5 by 11 inches in size, and shall state the following:

"REPORT HUMAN TRAFFICKING: National Human Trafficking Resource Center -- 1-888-373-7888. CALL FOR HELP IF YOU OR SOMEONE YOU KNOW:

"• Is being forced to have sex without consent

"• Has had an ID or documents taken away

"• Is being threatened by or is in debt to an employer

"• Wants to leave a job but cannot freely do so.

"TOLL-FREE. 24/7. CONFIDENTIAL. INTERPRETERS AVAILABLE.

"This sign is required under District law.

"(c) The notice to be posted pursuant to subsection (a) of this section in accordance with subsection (b) of this section shall be available on District government websites, as determined by the Mayor, for an owner or person in control of the premises to print as needed.

"(d)(1) Failure of an owner or person in control of the premises of an establishment under subsection (a) of this section to comply with the requirements of this section shall be subject to a civil fine of no more than $500 per violation; provided, that the Mayor shall provide an establishment with notice of non-compliance and an opportunity to comply before imposing a civil fine under this subsection. Procedures for adjudication of violations shall be those established by the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

"(2) Each day that an establishment covered under this section fails to have a sign posted after the opportunity to comply shall constitute a separate offense and the penalties described in paragraph (1) of this subsection shall be applicable to each separate offense.

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

Sec. 7. Section 1 of An Act For the Suppression of prostitution in the District of Columbia, approved August 15, 1935 (49 Stat. 651; D.C. Official Code § 22-2701), is amended as follows: **Amend § 22-2701**

(a) Subsection (a) is amended by striking the phrase "It is unlawful" and inserting the phrase "Except as provided in subsection (d) of this section, it is unlawful" in its place.

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

"(d)(1) A child who engages in or offers to engage in a sexual act or sexual contact in return for receiving anything of value shall be immune from prosecution for a violation of subsection (a) of this section.

"(2) The Metropolitan Police Department shall refer any child suspected of engaging in or offering to engage in a sexual act or sexual contact in return for receiving anything of value to an organization that provides treatment, housing, or services appropriate for victims of sex trafficking of children under section 104 of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1834).

"(3) For the purposes of this subsection, the term "child" means a person who has not attained the age of 18 years.".

Sec. 8. Section 2 of the Control of Prostitution and Sale of Controlled Substances in Public Places Criminal Control Act of 1981, effective December 10, 1981 (D.C. Law 4-57; D.C. Official Code § 22-2701.01), is amended as follows: **Amend § 22-2701.01**

(a) Paragraph (1) is amended by striking the phrase "a fee was paid" and inserting the phrase "anything of value was given or received" in its place.

(b) Paragraph (3) is amended by striking the phrase "a fee" and inserting the phrase "anything of value" in its place.

Sec. 9. Chapter 23 of Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-2309(a)(3) is amended by striking the phrase "is necessary" and inserting the phrase "is necessary, including when he or she has reasonable grounds to believe that the child is engaging in or offering to engage in a sexual act, as defined in section 101(8) of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001(8)), or sexual contact, as defined in section 101(9) of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001(9)), in return for receiving anything of value" in its place. **Amend § 16-2309**

(b) Section 16-2311(a)(4) is amended by striking the phrase "neglected child" and inserting the phrase "neglected child, or a child alleged to be engaging in or offering to engage in a sexual act, as defined in section 101(8) of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001(8)), or sexual contact, as defined in **Amend § 16-2311**

section 101(9) of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001(9)), in return for receiving anything of value," in its place.

Sec. 10. Applicability.

Note, § 22-1843 Delayed Applicability

(a) Section 6(b) shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

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

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

(2) The date of publication of the notice of the certification shall not affect the applicability of section 6(b).

Sec. 11. Fiscal impact statement.

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

Sec. 12. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

D.C. Law 20-277, effective June 4, 2015
[Partial Delayed Applicability]

AN ACT

Bill 20-726
Act 20-492 effective December 2, 2014

To require the Office of the State Superintendent of Education to develop a plan to provide healthy meals to low-income students on days when public schools are closed due to inclement weather.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Student Nutrition on Winter Weather Days Act of 2014".

Student Nutrition on Winter Weather Days Act of 2014

Sec. 2. (a) On or before July 1, 2015, the Office of the State Superintendent of Education ("OSSE"), shall submit a plan to the Mayor and the Council for providing free meals to District of Columbia Public Schools ("DCPS") students in high-poverty areas who qualify for free or reduced-price meals on school days when DCPS schools are closed due to inclement weather. The plan shall include, at a minimum:

Note, § 38-822.01

(1) A determination as to whether distributing meals to eligible students would be more feasible the day before school is likely be canceled due to inclement weather or on a day that school is actually cancelled due to inclement weather;

(2) A list of schools to receive meals based on meeting the following criteria:

(A) At least 50% of students qualify for free or reduced-price meals;

(B) At least 50% of the enrolled students have family incomes that are less than 185% of the federal poverty level; and

(C) The school has the physical capacity to store sufficient amounts of nonperishable food to distribute to students; and

(3) A plan to distribute as many meals and snacks as feasible and as allowed through the federal Summer Food Service Program, authorized by section 13 of the National School Lunch Act, approved May 8, 1968 (82 Stat. 117; 42 U.S.C. § 1761) ("Summer Food Service Program"), to an eligible student on a day when school is cancelled due to inclement weather.

(b) The plan required by subsection (a) of this section shall be implemented on October 1, 2015.

(c) In creating a plan for providing meals on days when school is cancelled due to inclement weather, the OSSE shall strive to comply with the nutritional requirements of section 202 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-822.02), where feasible.

(d) The meals provided to students in accordance with this section may be submitted for federal reimbursement through the Summer Food Service Program.

Sec. 3. Applicability.

Delayed Applicability

Section 2(b) shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 20-48
Act 20-619 effective February 5, 2015

Codification District of Columbia Official Code 2001 Edition

To provide a comprehensive scheme governing civil forfeiture in order to ensure that property owners are promptly notified after their property is seized and held for a civil forfeiture proceeding, to ensure that all property seized for purposes of a civil forfeiture proceeding is inventoried and catalogued by the Metropolitan Police Department, to eliminate the bond requirement as a prerequisite to a civil forfeiture proceeding, to ensure that property owners have an opportunity to request interim release of property pending the final disposition of a forfeiture hearing, to remove the burden of proof on the property owners to show that their property is not subject to forfeiture, to require law enforcement agencies to report data annually on civil forfeiture, and to provide that drug possession shall not be a forfeitable offense; to amend the District of Columbia Uniform Controlled Substances Act of 1981, the Firearms Control Regulations Act of 1975, the Illegal Dumping Enforcement Act of 1994, An Act To establish a code of law for the District of Columbia, and An Act For the suppression of prostitution in the District of Columbia to clarify the reforms to the burden of proof and the compliance procedures; and to amend section 2505 of Chapter 25 of Title 24 of the District of Columbia Municipal Regulations and the Fair Criminal Record Screening Amendment Act of 2014 to make technical amendments.

Civil Asset Forfeiture Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Civil Asset Forfeiture Amendment Act of 2014".

New Chapter 3, Title 41

New § 41-301

TITLE I. FORFEITURE.

Sec. 101. Definitions.

For the purposes of this title, the term:

(1) "By type of property" means the 4 distinct types of property: real property, vehicles, currency, and other personal property.

(2) "Court" means the Superior Court of the District of Columbia.

(3) "Currency" means cash, or the fair market value of seized property disposed of pursuant to section 103(e).

(4) "Forfeitable offense" means an alleged violation of District law that can give rise to forfeiture pursuant to the following provisions: section 706a of the Firearms Control Regulations Act of 1975, effective June 3, 1997 (D.C. Law 11-273; D.C. Official Code § 7-2507.06a), section 6 of the Illegal Dumping Enforcement Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Official Code § 8-905), section 3 of the Commercial Counterfeiting Criminalization Act of 1996, effective June 3, 1997 (D.C. Law 11-271; D.C. Official Code § 22-902), section 866 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1705), section 5 of An Act For the suppression of prostitution in the District of Columbia, effective May 7, 1993 (D.C. Law 9-267; D.C. Official Code § 22-2723), section 502 of the District of Columbia Uniform Controlled

Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-905.02), or section 4 of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 682; D.C. Official Code § 50-1501.04).

(5) "Indigent" means a person who is financially unable to give any bond or give a bond in the required amount.

(6) "Mayor" means the Mayor of the District of Columbia or the Mayor's designee.

(7) "Owner" means a person with a legal ownership interest in the property subject to seizure or forfeiture.

(8) "Relative" means a spouse, partner, sibling, parent, grandparent, child, grandchild, or the spouse, partner, or child thereof.

(9) "Sale proceeds" means all funds received by the District of Columbia as a result of the sale of seized property pursuant to section 103(e) or section 110.

Sec. 102. General provisions. **New § 41-302**

(a) Only property designated as forfeitable pursuant to a forfeitable offense shall be subject to forfeiture and may be forfeited only in accordance with the provisions of this act. Property that is contained within property subject to forfeiture does not automatically render that property subject to forfeiture.

(b) No property shall be subject to forfeiture by reason of an act or omission committed or omitted without the actual knowledge and consent of the owner, unless the owner was willfully blind to the knowledge of the act or omission.

(c) Except as provided in section 108, a conviction of a forfeitable offense shall not be required for the purpose of establishing that property is subject to forfeiture under this act.

(d) Property seized as evidence in a criminal case shall not be subject to this act while subject to evidentiary hold in a criminal case.

Sec. 103. Seizure; pre-seizure hearings for real property. **New § 41-303**

(a) Property subject to forfeiture under this title may be seized by the District:

(1) By judicial order; or

(2) Upon the District's determination that there is probable cause to believe that the property is subject to forfeiture.

(b)(1) Property seized for forfeiture under this title is deemed to be in the custody of the District. When property is seized pursuant to this title, the District shall:

(A) Place the property in an area designated by the District for safe storage until disposition;

(B) Ensure that the seized property is inventoried, including providing a full description of all property seized and all property contained therein;

(C) Assign an individual property identification number to each specific item of property seized, including any additional property contained therein; and

(D) Maintain the property identification numbers and description of all items seized.

(2) For the purposes of this subsection, a sum of currency shall be deemed to be a single item of property.

(c) If the District retains possession of the property pending the outcome of the forfeiture proceedings in Court, the District is responsible for the following:

(1) The costs of storage; and

(2) Keeping the interest or rent earned by the property and distributing the interest or rent earned to the owner of the property if the property is not ultimately declared forfeited.

(d) When property is seized by a law enforcement officer, the officer shall give to the person from whom the property was seized a receipt that provides a description of the property seized.

(e)(1) If seized property is likely to perish, or be greatly reduced in value by its seizure, or the expense of keeping the property is disproportionate to its value, the District may dispose of the property.

(A) If, pursuant to paragraph (1) of this subsection, the District sells seized property, the sale proceeds shall become substitute property for the original seized property and shall be subject to forfeiture in accordance with the standards and procedures set forth in this act; provided, that determination of whether the property is subject to forfeiture shall be made based on the nature of the original seized property and not based on its current form of proceeds.

(B) If, pursuant to paragraph (1) of this subsection, the District discards seized property, the fair market value of the discarded property before its disposal shall become substitute property for the original seized property and shall be subject to forfeiture in accordance with the standards and procedures set forth in this act; provided, that determination of whether the property is subject to forfeiture shall be made based on the nature of the original seized property and not based on its current form of currency value.

(2) The District shall provide notice to the owner of seized property regarding its intent to dispose of the seized property in accordance with section 104.

(f)(1) The District may not seize real property for forfeiture unless, before the seizure, the owner of the property is afforded notice and an opportunity to be heard at a hearing requested by the District and conducted in accordance with section 106(f).

(2)(A) A hearing requested pursuant to paragraph (1) of this subsection need not be held if, before the hearing, the District reaches a written agreement with the owner as to conditions for the owner to retain the real property pending forfeiture proceedings.

(B) Permissible conditions are limited to the following:

(i) An agreement by the owner to prohibit certain individuals from using the real property;

(ii) An agreement by the owner to prohibit the use of the real property to facilitate illegal conduct;

(iii) An agreement by the owner that he or she will not intentionally destroy, substantially damage, dispose of, or transfer title to the property;

(iv) A requirement that the owner present proof of ownership, which the owner may prove by the presentation of the title to the property; and

(v) An agreement by the owner to maintain property insurance.

(C) If, before the hearing under paragraph (1) of this subsection, the District reaches an agreement with the owner under paragraph (2) of this subsection, the District shall immediately notify the Court that it withdraws its request for a hearing.

(3) Any decision reached at a hearing conducted pursuant to this subsection shall be appealable pursuant to section 106(k).

(4) If the District alleges that the owner has violated a condition to retain custody of the real property pending final forfeiture proceedings, the allegation shall be made and heard in accordance with section 106(l).

Sec. 104. Notice.

New § 41-304

(a)(1)(A) Upon the seizure of any property by law enforcement, the District shall take all reasonable steps to identify the owner or owners of the seized property and provide the owner or owners with notice of the intent of the District to seek forfeiture of the property.

(B) The notice shall be in writing and shall be provided in person or by certified or registered mail, return receipt requested. If an owner is detained or otherwise in the custody of the government, the District shall provide notice to the owner where he or she is detained or in custody. The District shall also publish on its official website notice of the seizure.

(C) Notice provided in person shall not be valid unless:

(i) The owner signs a return receipt acknowledging acceptance of the notice; or

(ii) A representative of the District attests in a sworn document to personal knowledge that the owner received notice but refused to sign a return receipt.

(D) The District shall send or provide notice to the owner:

(i) Within 10 business days after the seizure, if the property is not subject to an evidentiary hold;

(ii) Within 10 business days after receiving written notice from the prosecutorial authority that the property will not be needed as evidence in a criminal case if the property was subject to an evidentiary hold for a case that was not charged by the prosecutorial authority after an arrest; or

(iii) Within 5 business days after receiving written notice from the prosecutorial authority that the property will not be needed as evidence in a criminal case if the property was subject to an evidentiary hold for a case that was charged by the prosecutorial authority after an arrest.

(2)(A) The written notice shall identify the property seized and the property identification number.

(B) For each item seized, the notice shall also include:

(i) Whether the item is immediately returnable to the owner;

(ii) Whether the District intends to seek forfeiture; and

(iii) Whether the District intends to dispose of the property or has disposed of the property pursuant to section 103(e).

(C) The notice shall explain:

(i) The process by which the owner may retrieve items deemed immediately returnable;

(ii) The legal basis upon which the District seeks forfeiture of the property, the time period within which the owner must file a claim of interest and intent to contest forfeiture in the seized property pursuant to section 105, and the consequence of an owner's failure to file a claim of interest and intent to contest forfeiture within the time provided under section 105(c);

(iii) The process by which the owner may request interim release of the item pending forfeiture proceedings, and by which the District may seek to retain the property in the interim, including the expedited timing of the possible court hearing pursuant to section 106(c)(4);

(iv) The affirmative defenses available under section 108(f); and

(v) That the District cannot condition either the interim or permanent release of the owner's property on a requirement that the owner communicate with any agent of the District or representative of law enforcement other than by submission of the form described in subparagraph (D) of this paragraph.

(D) The notice shall include a claim form which the owner may use to assert his or her interest in the seized property, his or her intent to contest forfeiture, and to request the interim release of property pending the final outcome of any forfeiture proceedings.

(E) The notice shall also include the name and contact information of the District official to whom the owner shall return the claim form and direct any other correspondence.

(b)(1) If the notice required by subsection (a)(1)(A) of this section is not sent or provided to the owner as required by subsection (a)(1)(D) of this section, the seized property shall be returned without conditions to the owner unless the District demonstrates good cause particular to the circumstances of the case for the delay in notification of the owner.

(2) Release of the property for failure to comply with notice requirements shall not prejudice the right of the District later to file a libel of information seeking forfeiture pursuant to section 107.

Sec. 105. Contesting forfeiture. **New § 41-305**

(a) An owner may contest the seizure and forfeiture of the property by filing a claim with the District stating his or her interest in the property and intent to contest forfeiture. When filing a claim, the owner may also request interim release of the property or a portion of the property.

The owner may request interim release of the property or of a portion of the property at any time before the District files a libel of information under section 107.

(b)(1) For purposes of making a claim of interest and intent to contest forfeiture pursuant to subsection (a) of this section, the owner shall be required to assert his or her claim under penalty of perjury. Neither a notarized statement nor additional documentary proof shall be required to make a claim. The owner filing the form provided pursuant to section 104(a)(2)(D), when signed by the owner under penalty of perjury, shall suffice to make a claim of interest and intent under this section.

(2) A claim of interest and intent filed pursuant to subsection (a) of this section must be made within 90 days after the owner of the seized property receives notice of the seizure pursuant to section 104.

(c)(1) If the District has on file a return receipt or a sworn document by the District indicating that the owner has received notice as required by section 104 and the owner has not filed a claim under section 104 within 90 days after the receipt of the notice, the District does not need to file a libel of information as required by section 107, but shall determine pursuant to this title whether the property is forfeitable and determine whether the forfeiture is proportional to the seriousness of the violation of District law that gave rise to the forfeiture.

(2) If the District determines that the property is forfeitable, the District shall declare the property forfeited and shall dispose of the property in accordance with section 110.

(3) If the District determines that the seized property, or a portion of the seized property, is not forfeitable, the District shall return the property, or, if applicable, the portion of the property, to its owner as soon as practicable.

(d)(1) If the District does not have on file a return receipt or a sworn document by the District indicating that the owner has received notice as required by section 104 within 180 days after the seizure if the property was not subject to an evidentiary hold or within 180 days after receiving written notice from the prosecutorial authority that the property will not be needed as evidence in a criminal case if the property was subject to an evidentiary hold, the District shall not pursue forfeiture.

(2) If the District is precluded from pursuing forfeiture pursuant to this subsection, the custody of the property, notification, and release to the owner or disposition by the District of the seized property shall be pursuant to sections 408 through 424a of the Revised Statutes of the United States Relating To The District of Columbia (D.C. Official Code §§ 5-119.01 – 5-119.10 and 5-119.12 – 5-119.19), and section 5 of An Act To amend provisions of law relating to personal property coming into the custody of the property clerk, Metropolitan Police Department, and for other purposes, approved September 25, 1962 (76 Stat. 591; D.C. Official Code § 5-119.11).

Sec. 106. Post-seizure property retention hearing. **New § 41-306**

(a) The District shall not release property seized for forfeiture while it is being retained as evidence in a criminal case.

(b) Except as prohibited by subsection (a) of this section, the District may, at any time, authorize interim release of property for use by the owner pending the final outcome of forfeiture proceedings.

(c)(1) Except as prohibited by subsection (a) of this section, upon an owner's request for interim release of the property, the District shall release the property to the owner without conditions pending the final outcome of a forfeiture proceeding or, if the District alleges compliance with the notice provisions of section 104(a), the District shall file a request for a hearing in accordance with paragraph (3) of this subsection seeking to retain possession of the property or to place conditions on the release of the property pending the final outcome of any forfeiture proceeding.

(2) Nothing in this subsection shall require the District to release a seized vehicle to its owner if the owner cannot demonstrate that the vehicle will be removed from the place at which it was stored by the District in a way that complies with District of Columbia law.

(3)(A) If the District intends to seek to retain possession of the property or to place conditions on the release of the property pending the final outcome of any forfeiture proceedings, the District shall file a request for a hearing with the Court within 5 business days after its receipt of the owner's request for interim release or within 5 business days after receiving written notice from the prosecutorial authority that the property will not be needed as evidence in a criminal case, whichever is later. The District shall not file a request for a hearing while property is being retained as evidence in a criminal case.

(B) A hearing with the Court shall be held as soon as practicable but no later than:

(i) If the seized property includes currency, 5 business days after the District requests an interim release hearing if the owner attests that the seized funds are necessary to either assist the owner in securing counsel of choice in a pending criminal matter related to the seizure or to meet the basic necessities of life, including the purchase of food, payment of utilities, provision of shelter, transportation costs, support of the owner's family, or operation of a lawful business;

(ii) If the seized property includes a motor vehicle, 5 business days after the District requests an interim release hearing; or

(iii) For all other property, 10 business days after the District requests an interim release hearing.

(C) Either party may request a continuance of the hearing of up to 5 business days.

(d)(1) A hearing requested pursuant to subsection (c) of this section need not be held if, before the hearing, the District reaches a written agreement with the owner as to conditions for interim release of the seized property. The District may not request any conditions for interim release if the District failed to provide notice as required by section 104(a)(1)(D), unless the District has demonstrated good cause under section 104(b)(1).

(2) Permissible interim release conditions are limited to the following:

(A) An agreement by the owner to prohibit certain individuals from using seized property;

(B) An agreement by the owner to prohibit the use of the seized property to facilitate illegal conduct;

(C) An agreement by the owner that he or she will not intentionally destroy, substantially damage, dispose of, or transfer title to the property;

(D) An agreement by the owner that he or she will deliver to the District the property subject to forfeiture if and when it is ultimately deemed forfeitable;

(E) If the owner is not indigent, the payment of a bond not to exceed 2.5% of the fair market value of the property, which for a vehicle shall be the bluebook value; and

(F) In the case of a vehicle:

(i) A requirement that the owner present proof of ownership, which the owner may prove by the presentation of the title to the vehicle; and

(ii) An agreement by the owner to maintain valid registration and insurance; or

(G) In the case of currency, an assignment of an interest in other property to the District to secure the fair market value of the property subject to forfeiture proceedings.

(3) If, before the hearing pursuant to subsection (c) of this section, the District reaches an agreement with the owner under subsection (d) of this section, the District shall immediately notify the Court that it withdraws its request for a hearing.

(e)(1) At the hearing, the Court shall determine if the District complied with the notice requirements of section 104 or had good cause particular to the circumstances of the case for failure to comply with section 104.

(2) If the Court concludes that the District did not comply with section 104, it shall deny the District's motion to retain the property and shall order the property released to the owner without conditions pending the final outcome of any forfeiture proceedings.

(f)(1)(A) At the hearing, the burden shall be on the District to establish that the seized property is subject to forfeiture under section 102.

(B) If the property is real property, a motor vehicle, or currency totaling $1000 or less, the District must establish the property is subject to forfeiture by a preponderance of the evidence.

(C) For all other property, the District must establish the property is subject to forfeiture by probable cause.

(2) If the Court concludes that the District has failed to meet its burden under paragraph (1) of this subsection, it shall deny the District's motion to retain the seized property and order the property shall be released to the owner without conditions pending the conclusion of any forfeiture proceedings.

(3)(A) If the Court concludes that the District has met its burden under paragraph (1) of this subsection, the Court shall consider whether there is any condition or combination of conditions, other than retention of seized property, that will reasonably protect the interests of the

District pending the conclusion of the forfeiture proceeding and whether those interests outweigh any countervailing interests of the owner.

(B) If the Court concludes that no condition or combination of conditions will reasonably protect the interests of the District pending the conclusion of the forfeiture proceedings and that those interests outweigh countervailing interests of the owner, the Court shall grant the District's motion to retain the property pending the conclusion of any forfeiture proceedings.

(C) If the Court concludes that a condition or combination of conditions will reasonably protect the interests of the District pending the conclusion of the forfeiture proceeding and that those interests do not outweigh the countervailing interests of the owner, the Court shall deny the District's motion and order the property released to the owner with any condition or combination of conditions necessary to protect the interests of the District pending the conclusion of the forfeiture proceeding, including:

(i) Any condition permitted by subsection (d) of this section; and

(ii) In the case of property other than real property and if the owner is not indigent, the payment of a bond not to exceed 5% of the fair market value of the property, which for a vehicle shall be the bluebook value.

(g)(1) If the owner establishes that there is probable cause that the seized currency is necessary to assist the owner in securing counsel in a pending criminal matter related to the seizure or to meet the basic necessities of life, including the purchase of food, payment of utilities, provision of shelter, transportation costs, support of the owner's family, or operation of a lawful business, the portion of the currency necessary for demonstrated needs shall be returned.

(2) If the District retains possession of the currency or any portion of the currency pending disposition of the forfeiture case, the currency shall continue to be treated in accordance with D.C. Official Code § 23-532.

(h) If the Court orders interim release of seized property with conditions, the order shall specify the official to whom the owner must submit documentation to prove compliance with the conditions.

(i) The District shall refund to the owner the bond the owner paid as a condition of interim release of property pursuant to subsection (d)(2)(E) or subsection (f)(3)(C)(ii) of this section when:

(1) The property has been determined by the Court not to be forfeitable;

(2) The District has decided not to pursue forfeiture; or

(3) If the property is declared forfeited, the owner surrenders the property to the District.

(j) The Court shall issue an order at the conclusion of the hearing or as soon thereafter as practicable unless the parties consent to the delay.

(k)(1) An order granting or denying the District's motion to retain the seized property is a final order for purposes of appeal.

(2) Upon motion of an appealing party, the Court may stay the effect of an order directing release of property pending appeal if the Court finds that:

(A) A substantial question is raised by the appeal;

(B) Irreparable harm is likely to occur to the moving party if the stay is not granted; and

(C) The hardship to the opposing party is outweighed by the threat of irreparable harm to the moving party.

(l)(1) If the District alleges that the owner has violated a condition of interim release, the District shall file a motion with the Court requesting a hearing for the owner to show cause why interim custody should not be revoked pending final forfeiture proceedings. If the condition the owner is alleged to have violated was imposed by agreement pursuant to subsection (d) of this section, the District shall file the motion in court at the time it files the libel of information pursuant to section 107.

(2) At the hearing, if the Court determines the owner violated a condition of interim release:

(A) The owner shall lose custody of the property pending final forfeiture proceedings; and

(B) Where the violation diminishes the value of the property, the owner shall be personally liable for diminished value if the property is ultimately deemed forfeitable; provided, that if the violation makes the property unavailable or entirely without value, the measure of the owner's liability shall be the fair market value of the property.

(m) Nothing in this section shall preclude the owner from seeking any other relief provided by law or regulation.

Sec. 107. Libel of information. **New § 41-307**

(a) If the owner of a seized property makes a claim contesting the seizure pursuant to section 105, the District shall return the property to the owner or file a libel of information seeking forfeiture of the property in Court.

(b)(1) If the owner is not in possession of all of the seized property, the District shall file a libel of information not later than 60 days after the owner has made a claim pursuant to section 105.

(2) If the owner is in possession of all of the seized property, the District shall file a libel of information not later than 90 days after the owner has made a claim pursuant to section 105.

(3) The Court may grant an extension of the time limits set forth in paragraphs (1) and (2) of this subsection upon a showing of good cause particular to the circumstances of the case or upon agreement by the parties.

(c) The District shall include in the libel of information a declaration, and any supporting documentation, to establish that the libel of information has been filed in accordance with the requirements of subsection (b) of this section.

(d) A libel of information seeking forfeiture is barred if it is not filed in accordance with the timing requirements set forth in subsection (b) of this section.

(e) If the property the District seeks to forfeit is real property, the District shall file a notice of the proceeding with the Recorder of Deeds within 10 business days after the libel of information is filed. The notice shall include the legal description of the property and indicate that civil forfeiture is being sought. The Recorder of Deeds shall record the notice against the title of any real property for which civil forfeiture is being sought. Upon resolution of the forfeiture proceeding, the District shall file with the Recorder of Deeds the disposition of the civil forfeiture action within 10 business days after the disposition.

Sec. 108. Forfeiture proceeding. **New § 41-308**

(a) An in rem civil forfeiture matter may be brought by the District against specific property, personal or real, by the filing of a civil libel of information in accordance with section 107.

(b) A party to a forfeiture action has a right to trial by jury.

(c) If the trial has not commenced within 60 days after the filing of the libel of information, the owner may move the court for interim release of the property or of a portion of the property pending the final outcome of the forfeiture proceeding. The court shall schedule a hearing on the request as soon as practicable. The court shall conduct the hearing in accordance with section 106.

(d)(1)(A) The burden of proof shall be on the District to establish that the property is subject to forfeiture under section 102.

(B) The District shall establish that the property is subject to forfeiture by a preponderance of the evidence, except if the property is a motor vehicle or real property, the District shall establish that the property is subject to forfeiture by clear and convincing evidence.

(C) There shall be a rebuttable presumption that currency totaling $1000 or less was not used or intended to be used in furtherance of a forfeitable offense, are not the proceeds of a forfeitable offense, and therefore are not subject to forfeiture under section 102. The government may rebut this presumption with clear and convincing evidence.

(2) A forfeiture of property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party:

(A) Did not have actual knowledge of the offense giving rise to the forfeiture;

(B) Did not consent to the commission of that offense; and

(C) Was not willfully blind to the commission of that offense.

(3) When determining whether an owner was willfully blind to acts or omissions that subjected the property to forfeiture:

(A) A showing of negligence or mistake is insufficient to support a finding that the owner was willfully blind; and

(B) A person’s past criminal behavior shall not form the sole basis for an inference that the owner was willfully blind.

(4) If the property is the primary residence of the owner, in order for the property

to be subject to forfeiture, the District must establish that an owner of the property was convicted of the crime giving rise to the forfeiture.

(e)(1) At any time after the filing of the libel of information, the Court, sua sponte or on motion of the owner, may determine whether the forfeiture is disproportional to the offense giving rise to the forfeiture.

(2) In determining whether the forfeiture is disproportional to the offense, the Court may not consider the value to the District of the property, but shall consider all relevant factors, including:

(A) The gravity of the forfeitable offense, including:

(i) The nature and duration of the forfeitable offense;

(ii) Any direct harm caused to other people as a result of the forfeitable offense;

(B) The fair market value of the property;

(C) The importance of the property to the owner, including the role of the property in the life of the owner or non-culpable members of the owner's family;

(D) The degree to which the forfeitable property was integral to the performance of the forfeitable offense;

(E) Whether the primary use of the property was to commit or attempt to commit a forfeitable offense;

(F) The likelihood that the forfeitable property will be used again to commit similar illegal activity and the availability of other means for the District to address the illegality;

(G) The extent to which the owner of the forfeitable property participated in the forfeitable offense;

(H) The hardship caused by the forfeiture on the owner of the forfeitable property; and

(I) Any other criminal or civil penalties imposed on the owner of the forfeitable property for the same conduct.

(3) If the Court determines the forfeiture is disproportional to the offense giving rise to the forfeiture, the Court shall dismiss the libel of information. In the case of seized currency, the Court may dismiss the libel of information in total or as to the amount it determines to be disproportionate to the offense.

(f)(1) It shall be an affirmative defense to a forfeiture action that:

(A) The owner took reasonable action under the circumstances to prevent or stop the commission of the offense or the involvement of the property in the offense; or

(B) The owner did not take action to prevent or stop the commission of the offense or the property's involvement in the offense because the owner reasonably believed to have done so would have placed the owner or a third party in physical danger.

(2) The owner must establish an affirmative defense in paragraph (1) of this subsection by a preponderance of the evidence.

(g)(1) If the owner acquired his or her interest in the property after the commission of the forfeitable offense and the new owner did not know or had no reason to know of the property's forfeitability, there shall be a rebuttable presumption that the property is not subject to forfeiture.

(2) The government may rebut the presumption in paragraph (1) of this subsection with clear and convincing evidence that the property was proceeds of the forfeitable offense and that the current owner did not provide fair consideration in exchange for his interest in the property.

(h) If the District withdraws a forfeiture action or if the Court finds that property is not subject to forfeiture or otherwise issues a dispositive ruling that results in the termination of the action without an order of forfeiture, all claims of custody or title to the property by the District shall be relinquished. The Court, unless the parties agree otherwise, shall:

(1) Order the property returned to the owner or released from any conditions immediately or, if not immediately feasible, as soon as practicable;

(2) If the District disposed of the property pursuant to section 103(e)(1), determine the fair market value of the property at the time it was seized and award to the owner that value; provided, that if the property was disposed of by sale and the amount for which that property was sold is greater than the determined fair market value, the greater amount shall be awarded to the owner; or

(3) If the court enters a partial order of forfeiture, make any other rulings consistent with this subsection in the interests of justice.

(i) Evidence that was obtained as a result of a violation of the Fourth or Fifth Amendment of the Constitution shall not be admissible.

Sec. 109. Return of property. **New § 41-309**

(a) Property that is returnable under this title shall be returned to the owner.

(b) The owner shall acknowledge receipt and possession of each item of returnable property by reference to the specific property identification number assigned to the item pursuant to section 103(b)(1)(C). No receipt of acknowledgement shall be valid until the owner has viewed the item and confirmed that it is the item seized and returnable and that any returnable items contained within the item are also present and being returned.

(c)(1) No later than 6 months after the property is returned to the owner, the owner of returned property may make a claim against the District for:

(A) Total loss of property caused by the intentional or negligent conduct of the District or its employees;

(B) Any damage caused by the intentional or grossly negligent conduct of the District or its employees; provided, that wear and tear, decay, corrosion, act or omission of a third party other than employee of the District, or act of God shall not be subject to this subparagraph; or

(C) In the case of property disposed of pursuant to section 103(e)(1), the difference between the sale proceeds or compensation for disposal and the fair market value of the property at the time of seizure.

(2) For the purposes of paragraph (1)(B) of this subsection, the term "grossly negligent" shall have the same meaning as the term "gross negligence" as defined in section 5 of An Act To amend provisions of law relating to personal property coming into the custody of the property clerk, Metropolitan Police Department, and for other purposes, approved September 25, 1962 (76 Stat. 591; D.C. Official Code § 5-119.11).

(3) For the purposes of D.C. Official Code § 12-309, damages are sustained on the date the property is returned to the owner.

(d) When the owner acknowledges receipt and possession of returnable property pursuant to subsection (b) of this section, the District shall provide written explanation of the requirements, procedures, and deadlines to make a claim pursuant to subsection (c) of this section.

Sec. 110. Disposal of forfeited property. **New § 41-310**

(a) When property is declared forfeited pursuant to section 105(c) or section 108, the District shall:

(1) Sell property that is not required by law to be destroyed and that is not harmful to the public or dispose of the property in a manner consistent with District law or, consistent with section 113, return the property, or the sale proceeds, to the owner;

(2) Deposit in the General Fund of the District of Columbia any currency and any proceeds from the sale of property pursuant to paragraph (1) of this subsection; and

(3) Beginning October 1, 2018, deposit in the General Fund of the District of Columbia the currency and sale proceeds received by a District agency from any state or federal agency pursuant to a multiple-jurisdiction or shared forfeiture program.

(b) The law enforcement agency that seized property forfeited under this title may not retain the property for its own use or sell it directly or indirectly to an employee of the agency, to a relative of an employee, or to another law enforcement agency; provided, that nothing in this section shall prohibit an employee of the law enforcement agency or relative of an employee of the law enforcement agency from purchasing property offered for sale at a public auction.

Sec. 111. Prohibition on adoptive seizures. **New § 41-311**

Beginning October 1, 2018, the District shall not refer seized property to a federal agency seeking the adoption by the federal agency of the seized property. Nothing in this title shall be construed to prohibit the federal government, or any of its agencies, from seeking federal forfeiture.

Sec. 112. Reporting requirements. **New § 41-312**

By January 1, 2016, and on an annual basis thereafter, the Metropolitan Police Department and the Office of the Attorney General shall file with the Council of the District of Columbia and publish on their websites a report providing the following information for the preceding year:

(1) The number of seizures and the number of forfeitures, by type of property seized;

(2) The total quantity of each type of property seized and of each type of property forfeited;

(3) The number of seizures and the number of forfeitures by type of asserted violation of District law that gave rise to the seizure or forfeiture;

(4) The number of libels of information that were filed under section 107, by outcome;

(5) The number of times the District exercised its authority pursuant to section 105(c) and determined the property to be forfeitable and the number of times the District determined the property was not forfeitable;

(6) The number of seizures where the District either did not file a libel of information pursuant to section 107 or withdrew a libel of information, excluding seizures where the District had the authority to determine forfeitures pursuant to section 105(c);

(7) The number of settlements reached between the District and an owner, pursuant to section 106(d);

(8) Amount of currency received from forfeiture listed separately according to the provision of the District of Columbia law that gave rise to the forfeiture;

(9) Gross and net proceeds received from forfeiture, listed separately according to the provision of District law giving rise to the forfeiture;

(10) By type of property, the number of seized items determined to be returnable for which the District does not have on file a receipt of return as required by section 109(b); and

(11) The total quantity of each type of property seized for forfeiture that the District treated as abandoned under sections 408 through 424a of the Revised Statutes of the United States Relating To The District of Columbia (D.C. Official Code §§ 5-119.01 – 5-119.10 and 5-119.12 – 5-119.19), and section 5 of An Act To amend provisions of law relating to personal property coming into the custody of the property clerk, Metropolitan Police Department, and for other purposes, approved September 25, 1962 (76 Stat. 591; D.C. Official Code § 5-119.11).

Sec. 113. Remission or mitigation. **New § 41-313**

(a) Whenever an owner files with the Mayor, either before or after the sale or disposition of property pursuant to section 110, a petition for remission or mitigation of the forfeiture, the Mayor shall consider the petition and, if the Mayor finds that mitigating circumstances so justify, shall remit or mitigate the forfeiture upon the terms and conditions as the Mayor deems reasonable.

(b) The Mayor shall consider as a mitigating circumstance whether the forfeiture of property was proportional to the seriousness of the asserted violation of District law that gave rise to forfeiture, considering the factors set forth in section 108(e)(2).

Sec. 114. Rule of lenity; construction. **New § 41-314**

(a) Any ambiguities in this title relating to the District taking property through forfeiture shall be resolved in favor of the owner.

(b) Nothing in this title shall be construed to prohibit law enforcement from seizing and retaining property as evidence in a criminal case.

Sec. 115. Rules. **New § 41-315**

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

TITLE II. SPECIFIC CRIMINAL OFFENSES

Sec. 201. The District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-901.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 48-901.02) is amended by adding a new paragraph (3A) to read as follows: **Amend § 48-901.02**

"(3A) "Contraband" means an item the mere possession of which is unlawful under District or federal law.".

(b) Section 502 (D.C. Official Code § 48-905.02) is amended to read as follows: **Amend § 48-905.02**

"Sec. 502. Forfeitures.

"(a) The following property is subject to forfeiture if determined to be used in furtherance of or as proceeds of the manufacture or distribution of a controlled substance as prohibited by section 401(a): containers, conveyances, equipment, raw materials, real property, money, currency, securities, negotiable instruments, instrumentalities, books, records, and research products, including formulas and data.

"(b) Contraband is not subject to forfeiture under this section, but may be seized and disposed of in accordance with applicable law; provided, that controlled substances shall be retained until the prosecutorial authority responsible for prosecuting a violation under this act certifies that such controlled substances are no longer needed as evidence.

"(c) No property shall be subject to forfeiture for conduct involving only a violation of section 401(d).

"(d) All seizures and forfeitures under this section shall follow the standards and procedures set forth in the Civil Asset Forfeiture Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-48).".

TITLE III - CONFORMING AND TECHNICAL AMENDMENTS.

Sec. 301. Section 503 of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-905.03), is amended by adding a new subsection (c) to read as follows: **Amend § 48-905.03**

"(c) Subsections (a) and (b) of this section shall not apply to the Civil Asset Forfeiture Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-48).".

Amend § 7-2507.06a

Sec. 302. Section 706a of the Firearms Control Regulations Act of 1975, effective June 3, 1997 (D.C. Law 11-273; D.C. Official Code § 7-2507.06a), is amended to read as follows:

"Sec. 706a. Seizure and forfeiture of conveyances.

"Any conveyance in which a person or persons transport, possess, or conceal any firearm, as that term is defined in section 101, or in any manner use to facilitate a violation of section 202 or section 3 or section 4 of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code §§ 22-4503 and 22-4504), is subject to forfeiture pursuant to the standards and procedures set forth in the Civil Asset Forfeiture Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-48).".

Amend § 8-905

Sec. 303. Section 6 of the Illegal Dumping Enforcement Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Official Code § 8-905), is amended to read as follows:

"Sec. 6. Forfeitures.

"All motor vehicles which are used, or intended to be used, to transport, or in any manner to facilitate a violation of this act shall be subject to forfeiture. All seizures and forfeitures of motor vehicles under this section shall follow the standards and procedures set forth in the Civil Asset Forfeiture Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-48).".

Amend § 22-902

Sec. 304. Section 3(e)(1) of the Commercial Counterfeiting Criminalization Act of 1996, effective June 3, 1997 (D.C. Law 11-271; D.C. Official Code § 22-902(e)(1)), is amended by striking the phrase "shall be forfeited" and inserting the phrase "shall be subject to forfeiture pursuant to the standards and procedures set forth in the Civil Asset Forfeiture Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-48)" in its place.

Amend § 22-1705

Sec. 305. Section 866(c) of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1705(c)), is amended to read as follows:

"(c) All moneys, vehicles, furnishings, fixtures, equipment, stock (including, without limitation, furnishings and fixtures adaptable to nongambling uses, and equipment and stock for printing, recording, computing, transporting, safekeeping, or communication), or other things of value used or to be used in: (1) Carrying on or conducting any lottery, or the game or device commonly known as a policy lottery or policy, contrary to the provisions of section 863; (2) Setting up or keeping any gaming table, bank, or device contrary to the provisions of section

865; or (3) Maintaining any gambling premises shall be subject to forfeiture consistent with the standards and procedures set forth in the Civil Asset Forfeiture Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-48).".

Amend § 22-2723

Sec. 306. Section 5 An Act For the suppression of prostitution in the District of Columbia, effective May 7, 1993 (D.C. Law 9-267; D.C. Official Code § 22-2723), is amended to read as follows:

"Sec. 5.Property subject to seizure and forfeiture.

"(a) The following are subject to forfeiture:

"(1) All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate a violation of a prostitution-related offense; and

"(2) All money, coins, and currency which are used, or intended for use, in violation of a prostitution-related offense.

"(b) All seizures and forfeitures of property under this section shall be pursuant to the standards and procedures set forth in the Civil Asset Forfeiture Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-48).".

Amend § 50-1501.04

Sec. 307. Section 4(b)(2) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 682; D.C. Official Code § 50-1501.04(b)(2)), is amended to read as follows:

"(2) A motor vehicle being used in violation of subsection (a)(4) of this section shall be subject to forfeiture pursuant to the standards and procedures set forth in the Civil Asset Forfeiture Amendment Act of 2014, passed on 2nd reading on December 2, 2014 (Enrolled version of Bill 20-48). Such forfeiture may be in addition to the imposition of a fine or imprisonment as provided for in paragraph (1) of this subsection.".

DCMR

Sec. 308. Section 2505 of Chapter 25 of Title 24 of the District of Columbia Municipal Regulations is amended by striking the phrase "10 business days" wherever it appears and inserting the phrase "10 calendar days" in its place.

Amend § 32-1343

Sec. 309. Section 4(b) of the Fair Criminal Record Screening Amendment Act of 2014, effective December17, 2014 (D.C. Law 20-12; 61 DCR 8906), is amended to read as follows:

"(b) The administrative remedies referenced in section 5 are exclusive. A person claiming to be aggrieved by a violation of this act shall have no private cause of action in any court based on a violation of this act.".

TITLE IV –FISCAL IMPACT STATEMENT AND EFFECTIVE DATE.

Sec. 401. Fiscal impact statement.

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

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

Sec. 402. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

AN ACT

Bill 20-930
Act 20-621 effective February 6, 2015

To amend the Firearms Control Regulations Act of 1975 to permit a person to register a firearm for self-defense in his or her place of business, to provide a Freedom of Information Act exception for pistol registration information, to specify application requirements for applying for a license to carry a concealed pistol, to specify the duration of such licenses and requirements for renewal of licenses, to establish duties of licensees, to provide for revocation of licenses, to create a criminal offense of carrying while consuming alcohol or while impaired, to specify prohibitions on licensees, to establish a Concealed Pistol Licensing Review Board, to provide a Freedom of Information Act exception for license information, to specify penalties for violations, and to require the Mayor to issue rules; and to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to authorize the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

Codification District of Columbia Official Code 2001 Edition

License to Carry a Pistol Amendment Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "License to Carry a Pistol Amendment Act of 2014".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

Amend § 7-2502.01

(a) Section 201(b)(4) (D.C. Official Code § 7-2502.01(b)(4)) is amended by striking the phrase "the home" and inserting the phrase "the home or place of business" in its place.

Amend § 7-2502.02

(b) Section 202(a)(4)(C) (D.C. Official Code § 7-2502.02(a)(4)(C)) is amended to read as follows:

"(C) Any person who seeks to register a pistol:

"(i) For use in self-defense within that person's home or place of business; or

"(ii) As part of the application process for a license to carry a concealed pistol pursuant to section 902; or".

Amend § 7-2502.03

(c) Section 203(a)(4) (D.C. Official Code § 7-2502.03(a)(4)) is amended as follows:

(1) Subparagraph (D) is amended by striking the word "or" at the end.

(2) Subparagraph (E) is amended by adding the word "or" at the end.

(3) A new subparagraph (F) is added to read as follows:

"(F) Violation of section 503 of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-3133);".

(d) A new section 211a is added to read as follows:

New § 7-2502.11a

"Sec. 211a. Freedom of information exception.

"Any record regarding a person who has applied for, received, or had revoked any registration issued pursuant to this title shall not be made available as a public record under section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).".

Amend § 7-2507.06

(e) Section 706(a) (D.C. Official Code § 7-2507.06(a)) is amended by striking the phrase "Except as provided in sections 205, 208, 702, and 807" and inserting the phrase "Except as provided in sections 205, 208, 702, 807, and Title IX" in its place.

(f) A new Title IX is added to read as follows:

New Subchapter IX, Unit A, Chapter 25, Title 7

"TITLE IX – LICENSES TO CARRY A PISTOL.

"Sec. 901. Definitions.

"For the purposes of this title, the term:

"(1) "Child" means a person under 18 years of age.

"(2) "Concealed pistol" means a loaded or unloaded pistol carried on or about a person entirely hidden from view of the public, or carried on or about a person in a vehicle in such a way as it is entirely hidden from view of the public.

New § 7-2509.01

"(3) "Law enforcement officer" means a sworn member of the Metropolitan Police Department or of any other law enforcement agency operating and authorized to make arrests in the District of Columbia, and includes an MPD reserve officer, a special police officer appointed pursuant to section 202 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057; D.C. Official Code § 5-129.02), and a campus and a university special police officer appointed pursuant to the College and University Campus Security Amendment Act of 1995, effective October 18, 1995 (D.C. Law 11-63; 6A DCMR § 1200 *et seq.*).

"(4) "License" means a license to carry a concealed pistol issued pursuant to section 6 of the Pistols and Other Dangerous Weapons Act.

"(5) "Licensee" means a person who has been issued a license pursuant to section 6 of the Pistols and Other Dangerous Weapons Act.

"(6) "MPD" means the Metropolitan Police Department.

"(7) "Section 6 of the Pistols and Other Dangerous Weapons Act" means section 6 of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4506).

New § 7-2509.02

"Sec. 902. Application requirements.

"(a) A person who submits an application pursuant to section 6 of the Pistols and Other Dangerous Weapons Act shall certify and demonstrate to the satisfaction of the Chief that he or she:

"(1) Is at least 21 years of age;

"(2) Meets all of the requirements for a person registering a firearm pursuant to this act, and has obtained a registration certificate for the pistol that the person is applying to carry concealed;

"(3)(A) Does not currently suffer from a mental illness or condition that creates a substantial risk that he or she is a danger to himself or herself or others; or

(B) If he or she has suffered in the previous 5 years from a mental illness or condition that created a substantial risk that he or she was a danger to himself or herself or others, no longer suffers from a mental illness or condition that creates a substantial risk that he or she is a danger to himself or herself or others;

"(4) Has completed a firearms training course or combination of courses, conducted by an instructor (or instructors) certified by the Chief, which includes at least 16 hours of training, and covers the following:

"(A) Firearm safety;

"(B) Firearm nomenclature;

"(C) Basic principles of marksmanship;

"(D) Care, cleaning, maintenance, loading, unloading, and storage of pistols;

"(E) Situational awareness, conflict management, and use of deadly force;

"(F) Selection of pistols and ammunition for defensive purposes; and

"(G) All applicable District and federal firearms laws, including the requirements of this act, An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), and District law pertaining to self-defense;

"(5) Has completed at least 2 hours of range training, conducted by an instructor certified by the Chief, including shooting a qualification course of 50 rounds of ammunition from a maximum distance of 15 yards (45 feet); and

"(6) Has complied with any procedures the Chief may establish by rule.

"(b) An applicant shall satisfy the requirements of subsection (a)(4) and (a)(5) of this section with a certification from a firearms instructor that the applicant:

"(1) Demonstrated satisfactory completion of the requirements of subsection (a)(4) and (a)(5) of this section; and

"(2) Possesses the proper knowledge, skills, and attitude to carry a concealed pistol.

"(c) An applicant may be exempt from some or all of the requirements of subsection (a)(4) and (a)(5) of this section if the applicant has submitted evidence that he or she has received firearms training in the United States military or has otherwise completed firearms training conducted by a firearms instructor that, as determined by the Chief, is equal to or greater than that required under subsection (a)(4) and (a)(5) of this section.

"(d) An applicant for a license may satisfy any component of the requirements of subsection (a)(4) and (a)(5) of this section by demonstrating to the satisfaction of the Chief that

the applicant has met that particular component as part of a successful application to carry a concealed pistol issued by the lawful authorities of any state or subdivision of the United States.

"(e)(1) An applicant shall sign an oath or affirmation attesting to the truth of all the information required by section 6 of the Pistols and Other Dangerous Weapons Act and this section.

"(2) Any declaration, certificate, verification, or statement made for purposes of an application for a license to carry a concealed pistol pursuant to this act shall be made under penalty of perjury pursuant to section 401 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2402).

"(f) An applicant is required to appear for an in-person interview at the MPD headquarters for purposes including verification of the applicant's identity and verification of the information submitted as part of the application process for a license.

"(g) Any person whose application has been denied may, within 15 days after the date of the notice of denial, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908.

"Sec. 903. Expiration and renewal of licenses. **New § 7-2509.03**

"(a) A license shall expire no later than 2 years after the date of issuance unless revoked by the Chief or renewed pursuant to this title.

"(b)(1) A license shall be eligible for renewal if:

"(A) The licensee continues to meet the requirements of section 6 of the Pistols and Other Dangerous Weapons Act and section 902, except that:

"(i) With regard to section 902(a)(4), only 4 hours of such training shall be required for renewal; and

"(ii) With regard to section 902(a)(5), the licensee shall provide proof of 2 hours of range practice within the previous 12 months; and

"(B) The licensee follows any procedures the Chief may establish by rule.

"(2) Timely renewal shall be the responsibility of the licensee, pursuant to any procedures the Chief may establish by rule.

"(c) Any person whose renewal application has been denied may, within 15 days after the date of the notice of denial, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908.

"Sec. 904. Duties of licensees. **New § 7-2509.04**

"(a) A licensee shall comply with all limits and conditions of the license.

"(b) A licensee shall notify the Chief in writing:

"(1) Immediately upon discovery of the loss, theft, or destruction of the license and include the circumstances of the loss, theft, or destruction, if known; and

"(2) Within 30 days after a change in the licensee's name or address as it appears on the license.

"(c) A licensee shall have on or about his or her person each time the pistol is carried in the District:

"(1) The license; and

"(2) The registration certificate for the pistol being carried, issued pursuant to this act.

"(d) If a law enforcement officer initiates an investigative stop of a licensee carrying a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act, the licensee, and any other licensee carrying a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act who is with the stopped licensee at the time of the investigative stop, shall:

"(1) Disclose to the officer that he or she is carrying a concealed pistol;

"(2) Present the license and registration certificate;

"(3) Identify the location of the concealed pistol; and

"(4) Comply with all lawful orders and directions from the officer, including allowing a pat down of his or her person and permitting the law enforcement officer to take possession of the pistol for so long as is necessary for the safety of the officer or the public.

"(e) The duties set forth in this section are in addition to any other requirements imposed by this act or applicable law.

"(f) In addition to any other penalty provided by law, a person who violates this section shall be subject to revocation of his or her license.

"Sec. 905. Revocation and suspension of licenses. **New § 7-2509.05**

"(a)(1) The Chief may limit or revoke a license upon a finding that the licensee no longer meets the requirements of section 6 of the Pistols and Other Dangerous Weapons Act and this title, or as a penalty as specified in this act.

"(2) The United States Attorney for the District of Columbia, the Attorney General for the District of Columbia, or any person may apply to the MPD at any time for limitation or revocation of a license.

"(3) Any person having knowledge that a licensee no longer meets the requirements of this act or the requirements of section 6 of the Pistols and Other Dangerous Weapons Act may so notify the Chief or any other law enforcement officer who may take such action as may be appropriate.

"(4) Before a limitation or revocation taking effect, the Chief shall serve a notice of intent to limit or revoke the license. The limitation or revocation shall take effect unless the licensee requests an appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908 no later than 15 days after the date of the notice of intent.

"(b)(1) The Chief may summarily suspend or limit, without a hearing, a license, when the Chief has determined that the conduct of a licensee presents an imminent danger to the health and safety of a person or the public.

"(2) At the time of the summary suspension or limitation of a license, the Chief shall provide the licensee with written notice stating the action that is being taken, the basis for the action, and the right of the licensee to request a hearing.

"(3) A licensee shall have the right to request a hearing within 72 hours after service of notice of the summary suspension or limitation of the license. The Concealed Pistol

Licensing Review Board shall hold a hearing within 72 hours after receipt of a timely request, and shall issue a written decision within 72 hours after the hearing.

"Sec. 906. Carrying a pistol while impaired. **New § 7-2509.06**

"(a) A licensee shall not carry a pistol while he or she is consuming alcohol.

"(b) A licensee shall not carry a pistol while impaired.

"(c) Upon establishing reasonable suspicion that a licensee has been consuming drugs or alcohol, a licensee's failure to submit to one or more field sobriety, breathalyzer, or urine tests, administered to determine whether the licensee is impaired while carrying a pistol, shall be grounds for summary suspension of the license pursuant to section 905(b).

"(d) In addition to any other penalty provided by law, any person who violates this section shall be subject to revocation of his or her license.

"(e) For the purposes of this section, the term "impaired" means a licensee has consumed alcohol or other drug or drugs and that it has affected the licensee's behavior in a way that can be perceived or noticed.

"Sec. 907. Prohibitions on carrying licensed pistols. **New § 7-2509.07**

"(a) No person holding a license shall carry a pistol in the following locations or under the following circumstances:

"(1) A building or office occupied by the District of Columbia, its agencies, or instrumentalities;

"(2) The building and grounds, including any adjacent parking lot, of an childcare facility, preschool, public or private elementary or secondary school; or a public or private college or university;

"(3) A hospital, or an office where medical or mental health services are the primary services provided;

"(4) A penal institution, secure juvenile residential facility, or halfway house;

"(5) A polling place while voting is occurring;

"(6) A public transportation vehicle, including the Metrorail transit system and its stations;

"(7) Any premises, or portion thereof, where alcohol is served, or sold and consumed on the premises, pursuant to a license issued under Title 25 of the District of Columbia Official Code; provided, that this prohibition shall not apply to premises operating under a temporary license issued pursuant to D.C. Official Code § 25-115, a C/R, D/R, C/H, D/H or caterer license issued pursuant to D.C. Official Code § 25-113, or premises with small-sample tasting permits issued pursuant to D.C. Official Code § 25-118, unless otherwise prohibited pursuant to subsection (b)(3) of this section;

"(8) A stadium or arena;

"(9) A gathering or special event open to the public; provided, that no licensee shall be criminally prosecuted unless:

"(A) The organizer or the District has provided notice prohibiting the carrying of pistols in advance of the gathering or special event and by posted signage at the gathering or special event; or

"(B) The licensee has been ordered by a law enforcement officer to leave the area of the gathering or special event and the licensee has not complied with the order;

"(10) The public memorials on the National Mall and along the Tidal Basin, and any area where firearms are prohibited under federal law or by a federal agency or entity, including U.S. Capitol buildings and grounds;

"(11) The area around the White House between Constitution Avenue, N.W., and H Street, N.W., and between 15th Street, N.W., and 17th Street, N.W.;

"(12) The U.S. Naval Observatory and its grounds, and from the perimeter of its fence to the curb of Massachusetts Avenue, N.W., from 34th Street, N.W., south on Massachusetts Avenue, N.W., to Observatory Circle, N.W.;

"(13)(A) When a dignitary or high-ranking official of the United States or a state, local, or foreign government is moving under the protection of the MPD, the U.S. Secret Service, the U.S. Capitol Police, or other law enforcement agency assisting or working in concert with MPD, within an area designated by the Chief, the Chief of the U.S. Secret Service, or the Chief of the U.S. Capitol Police, or a designee of any of the foregoing, that does not include any point at a distance greater than 1,000 feet from the moving dignitary or high-ranking official; provided, that no licensee shall be criminally prosecuted unless:

"(i) The law enforcement agency provides notice of the designated area by the presence of signs, law enforcement vehicles or officers acting as a perimeter, or other means to make the designated area of protection obvious;

"(ii) The District or federal government has provided notice prohibiting the carrying of pistols along a designated route or in a designated area in advance of the event, if possible, and by posted signage along a route or in a designated area; or

"(iii) The licensee has been ordered by a law enforcement officer to leave the designated area and the licensee has not complied with the order.

"(B) For the purposes of this paragraph, the term "moving" shall include any planned or unplanned stops, including temporary stops, in locations open to the public.

"(14) When demonstration in a public place is occurring, within an area designated by the Chief or his or her designee, or other law enforcement agency, that does not include any point at a distance greater than 1,000 feet from the demonstration; provided, that no licensee shall be criminally prosecuted unless:

"(A) The law enforcement agency provides notice of the designated area by the presence of signs, law enforcement vehicles or officers acting as a perimeter, or other means to make the designated area of the demonstration obvious;

"(B) The District or federal government has provided notice prohibiting the carrying of pistols along or within a demonstration route or designated area in advance of the event, if possible, and by posted signage along a demonstration route or designated area; or

"(C) The licensee has been ordered by a law enforcement officer to leave the designated area and the licensee has not complied with the order; or

"(15) Any prohibited location or circumstance that the Chief determines by rule; provided, that for spontaneous circumstances, no criminal penalty shall apply unless the licensee has notice of the prohibition and has failed to comply.

"(b)(1) The carrying of a concealed pistol on private residential property shall be presumed to be prohibited unless otherwise authorized by the property owner or person in control of the premises and communicated personally to the licensee in advance of entry onto the residential property.

"(2) The carrying of a concealed pistol in a church, synagogue, mosque, or other place where people regularly assemble for religious worship shall be presumed to be prohibited unless the property is posted with conspicuous signage allowing the carrying of a concealed pistol, or the owner or authorized agent communicates such allowance personally to the licensee in advance of entry onto the property; provided, that such places may not authorize the carrying of a concealed pistol where services are conducted in locations listed in subsection (a) of this section.

"(3) The carrying of a concealed pistol on private property that is not a residence shall be presumed to be permitted unless the property is posted with conspicuous signage prohibiting the carrying of a concealed pistol, or the owner or authorized agent communicates such prohibition personally to the licensee.

"(c) Whenever a licensee carries a concealed pistol and approaches any prohibited location, or is subject to any prohibited circumstance, under subsection (a) or (b) of this section, the licensee shall:

"(1) If the licensee is in a vehicle or if a vehicle is readily available, immediately secure the pistol in the manner prescribed in section 4b(b) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02(b)); or

"(2) If the licensee does not have a vehicle available, immediately leave the prohibited location or circumstance.

"(d) A licensee shall not be in violation of this section:

"(1) While he or she is traveling along a public street, road, or highway, including an adjacent public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) or subsection (b) of this section if the concealed pistol is carried on his or her person in accordance with this act, or is being transported by the licensee in accordance with section 4b of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02); or

"(2) While driving a vehicle into and immediately parking at any location listed in subsection (a)(2) of this section for the purpose of picking up or dropping off a student or a child; provided, that the licensee shall secure the concealed pistol in accordance with section 4b(b) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons

in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02(b)), before leaving the parked vehicle.

"(e) A licensee shall not carry a pistol openly or otherwise in a manner that is not concealed.

"(f) In addition to any other penalty provided by law, any person who violates this section shall be subject to revocation of his or her license.

"(g) For the purposes of this section, the term:

"(1) "Demonstration" means one or more persons demonstrating, picketing, speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves the communication or expression of views or grievances and that has the effect, intent, or propensity to attract a crowd or onlookers. The term "demonstration" does not include the casual use of property by visitors or tourists that does not have the effect, intent, or propensity to attract a crowd or onlookers.

"(2) "Public place" means a place to which the general public has access and a right to occupy for business, entertainment, or other lawful purpose. The term "public place" is not limited to a place devoted solely to the uses of the public, and includes:

"(A) The front or immediate area or parking lot of a store, restaurant, tavern, shopping center, or other place of business;

"(B) A public building, including its grounds and curtilage;

"(C) A public parking lot;

"(D) A public street, sidewalk, or right-of-way;

"(E) A public park; and

"(F) Other public grounds.

"(3) "Public transportation vehicle" means any publicly owned or operated commercial vehicle, including any DC Circulator bus, DC Streetcar, MetroAccess vehicle, Metrobus, or Metrorail train.

"(4) "Residence" means a building wholly or partly used or intended to be used for living and sleeping by human occupants, together with any fences, walls, sheds, garages, or other accessory buildings appurtenant to the building, and the area of land surrounding the building and actually or by legal construction forming one enclosure in which such a building is located, but does not include adjacent common areas or commercial property contained in any part of the building.

"Sec. 908. Concealed Pistol Licensing Review Board. **New § 7-2509.08**

"(a) There is established a Concealed Pistol Licensing Review Board ("Board") for the purpose of hearing appeals from:

"(1) A denial of an application or renewal application for a license to carry a concealed pistol in the District pursuant to this act;

"(2) A summary suspension or limitation of a license to carry a concealed pistol; or

"(3) A limitation or revocation of a license to carry a concealed pistol.

"(b)(1) The Board shall consist of 7 members as follows:

"(A) The United States Attorney ("USAO") for the District of Columbia or his or her designee; provided, that if the USAO declines to provide a representative, the Mayor shall appoint a person who is a former employee of the USAO;

"(B) The Attorney General for the District of Columbia or his or her designee;

"(C) A mental health professional employed by the Department of Behavioral Health, appointed by the Mayor;

"(D) A former sworn officer of a law enforcement agency other than the MPD, appointed by the Mayor;

"(E) Three public members appointed by the Mayor, as follows:

"(i) One mental health professional; and

"(ii) Two District residents with experience in the operation, care, and handling of firearms.

"(2) The appointment of members designated by subsection (b)(1)(D) and (b)(1)(E) of this section shall be made in accordance with the following provisions:

"(A) Each member shall be appointed for a term of 4 years, and shall continue to serve during that time as long as the member remains eligible for the appointment;

"(B) A member may be reappointed;

"(C) A Board member whose term has expired may continue to serve as a member until a replacement member has been appointed;

"(D) A person appointed to fill a vacancy occurring before the expiration of a term shall serve for the remainder of the term or until a successor has been appointed; and

"(E) A member may be removed by the appointing authority only for incompetence, neglect of duty, or misconduct.

"(3) The Mayor shall select a chairperson.

"(4) Members shall serve without compensation, but shall be compensated for actual and necessary expenses incurred in the performance of their official duties.

"(c) Four members of the Board shall constitute a quorum, except that 2 members shall be a quorum when hearing panels of 3 members are assigned by the Board to conduct a hearing and make a final decision required by this section. Each hearing panel shall contain at least one member designated by subsection (b)(1)(A), (B), or (D) of this section.

"(d)(1) Within 30 days after the effective date of the License to Carry a Pistol Amendment Act of 2014, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-930) , the Mayor, by rule, shall establish hearing procedures for a contested case review of any appeal, including the manner and time of appeals, and procedures for the Board to assign panels of 3 Board members to conduct such hearings and issue final decisions, pursuant to subsection (c) of this section.

"(2) The rules shall include that the burden of production of evidence, and the burden of persuasion, at a hearing before the Board shall be upon the applicant or licensee that is

challenging a denial of an application or renewal application or limitation or revocation of a license.

"(e) The meetings and hearings conducted by the Board shall be confidential and not open to the public.

"(f) Any person, including the Chief, aggrieved by a final action of the Board may file an appeal in accordance with Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

"Sec. 909. Freedom of information exception; report. **New § 7-2509.09**

"(a) Any record regarding a person who has applied for, received, or had revoked a license shall not be made available as a public record under section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532); provided, that aggregate data, excluding any personal identifying information, may be used for the purposes of the public report in subsection (b) of this section.

"(b) Every 2 years, the MPD shall make public a report that includes the following information:

"(1) The total number of valid licenses; and

"(2) For the most recent 2-year period:

"(A) The number of applications for a license received;

"(B) The number of licenses issued;

"(C) The number of licenses renewed, suspended, revoked, or denied;

"(D) The number of licensees convicted of a crime involving a pistol, classified by type of crime;

"(E) The number of pistols for which a license was issued that were reported lost or stolen; and

"(F) The number of pistols for which a license was issued that were found or recovered as stolen that were unreported by a licensee as lost or stolen.

"Sec. 910. Penalties. **New § 7-2509.10**

"(a)(1) Except as otherwise provided in this title, a person convicted of a violation of a provision of this title, or rules or regulations issued under the authority of this title, shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or imprisoned for not more than 180 days.

"(2) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this title, or any rules or regulations issued under the authority of this title.

"(b) All prosecutions for violations of this title shall be brought in the name of the District of Columbia and prosecuted by the Office of the Attorney General for the District of Columbia.

"Sec. 911. Rules. **New § 7-2509.11**

"The Chief of the MPD, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),

shall issue rules to implement the provisions of the License to Carry a Pistol Amendment Act of 2014, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-930), including rules:

"(1) To establish criteria for determining when an applicant has, pursuant to section 6 of the Pistols and Other Dangerous Weapons Act:

"(A) Demonstrated a good reason to fear injury to his or her person, which shall at a minimum require a showing of a special need for self-protection distinguishable from the general community as supported by evidence of specific threats or previous attacks that demonstrate a special danger to the applicant's life;

"(B) Demonstrated any other proper reason for carrying a concealed pistol, which shall at a minimum include types of employment that require the handling of cash or other valuable objects that may be transported upon the applicant's person; and

"(C) Demonstrated the applicant's suitability to carry a concealed pistol, which shall at a minimum include evidence that the applicant meets the requirements of section 902;

"(2) To establish the type and amount of ammunition that may be carried concealed by a licensee;

"(3) To establish the methods by which a pistol may be carried, including any standards for safe holstering;

"(4) To establish all application forms, investigation procedures, background checks, and fees necessary to process an application for a license to carry a concealed pistol;

"(5) To specify any procedures or requirements specific to non-residents who apply to carry a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act, with regard to the registration requirements in this act;

"(6) To specify requirements for signage on any private premises where the owner or person in control of the premises prohibits the carrying of a concealed pistol pursuant to section 907(b); and

"(7) To establish procedures for the renewal of licenses.".

Sec. 3. An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), is amended as follows:

Amend § 22-4504

(a) Section 4(a) (D.C. Official Code § 22-4504(a)) is amended as follows:

(1) The lead-in language is amended as follows:

(A) Strike the phrase "a pistol" and insert the phrase "a pistol, without a license issued pursuant to District of Columbia law" in its place.

(B) Strike the phrase "capable of being so concealed".

(2) Paragraph (1) is amended by striking the phrase "a pistol" and inserting the phrase "a pistol, without a license issued pursuant to District of Columbia law" in its place.

(b) Section 6 (D.C. Official Code § 22-4506) is revived as of the effective date of the License to Carry a Pistol Emergency Amendment Act of 2014, effective October 9, 2014 (D.C. Act 20-447; 61 DCR 10765), and is amended to read as follows: **Amend § 22-4506**

"Sec. 6. Issuance of a license to carry a pistol.

"(a) The Chief of the Metropolitan Police Department ("Chief") may, upon the application of a person having a bona fide residence or place of business within the District of Columbia, or of a person having a bona fide residence or place of business within the United States and a license to carry a pistol concealed upon his or her person issued by the lawful authorities of any State or subdivision of the United States, issue a license to such person to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue, if it appears that the applicant has good reason to fear injury to his or her person or property or has any other proper reason for carrying a pistol, and that he or she is a suitable person to be so licensed.

"(b) A non-resident who lives in a state that does not require a license to carry a concealed pistol may apply to the Chief for a license to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue; provided, that he or she meets the same reasons and requirements set forth in subsection (a) of this section.

"(c) For any person issued a license pursuant to this section, or renewed pursuant to section 903 of the Firearms Control Regulations Act of 1975, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-930), the Chief may limit the geographic area, circumstances, or times of the day, week, month, or year in which the license is effective, and may subsequently limit, suspend, or revoke the license as provided under section 905 of the Firearms Control Regulations Act of 1975, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-930).

"(d) The application for a license to carry shall be on a form prescribed by the Chief and shall bear the name, address, description, photograph, and signature of the licensee.

"(e) Except as provided in section 905(b) of the Firearms Control Regulations Act of 1975, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-930), any person whose application has been denied or whose license has been limited or revoked may, within 15 days after the date of the notice of denial or notice of intent, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908 of the Firearms Control Regulations Act of 1975, passed on 2nd reading on December 17, 2014 (Enrolled version of Bill 20-930).".

Sec. 4. Section 101 of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-2511), is repealed. **Repeal § 22-2511**

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

AN ACT

Bill 21-1
Act 21-50
effective
May 6, 2015

To amend the Pre-k Enhancement and Expansion Amendment Act of 2008 to prohibit the suspension or expulsion of a student of pre-kindergarten age from any publicly funded pre-kindergarten program; and to amend Title II of the Attendance Accountability Amendment Act of 2013 to establish annual reporting requirements for each local education agency or an entity operating a publicly funded community-based organization on suspensions and expulsions data for all grades.

Codification
District of Columbia Official Code
2001 Edition

Pre-K Student Discipline Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Pre-K Student Discipline Amendment Act of 2015".

Sec. 2. The Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01 *et seq.*), is amended as follows:

Amend
§ 38-271.01

(a) Section 101 (D.C. Official Code § 38-271.01) is amended as follows:

(1) A new paragraph (5A) is added to read as follows:

"(5A) "Out-of-school suspension" means the removal of a student from school attendance for an entire school day or longer.".

(2) A new paragraph (11A) is added to read as follows:

"(11A) "Serious bodily injury" means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.".

New
§ 38-273.03

(b) A new section 303 is added to read as follows:

"Sec. 303. Restriction on out-of-school discipline for pre-k age students.

"(a) Beginning in school year 2015-2016, no student of pre-k age may be expelled from any publicly funded community-based organization, school in the District of Columbia Public Schools system, or public charter school that provides pre-k care and education services to pre-k age children.

"(b) Beginning in school year 2015-2016, no student of pre-k age may receive an out-of-school suspension from any publicly funded community-based organization, school in the District of Columbia Public Schools system, or public charter school that provides pre-k care and education services to pre-k age children, unless it is determined by a school or program administrator that the student has willfully caused or attempted to cause bodily injury, or threatened serious bodily injury to another person, except in self-defense. No student of pre-k age may be suspended for longer than 3 days for any individual incident.".

Sec. 3. Title II of the Attendance Accountability Amendment Act of 2013, effective September 19, 2013 (D.C. Law 20-17; D.C. Official Code § 38-235), is amended by adding a new section 202 to read as follows:

New § 38-236

"Sec. 202. Annual reporting requirements.

"(a) Each local education agency and entity operating a publicly funded community-based organization shall maintain data for each student that includes:

"(1) Demographic data including:

"(A) The campus attended by the student;

"(B) The student's grade level;

"(C) The student's gender identification;

"(D) The student's race;

"(E) The student's ethnicity;

"(F) Whether the student receives special education services;

"(G) Whether the student is classified as an English language learner; and

"(H) Whether the student is considered at-risk as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)); and

"(2) Discipline data including:

"(A) Total number of out-of-school suspensions and in-school suspensions experienced by the student during each school year;

"(B) Total number of days excluded from school;

"(C) Whether the student was referred to an alternative education setting for the duration of a suspension;

"(D) Whether the student was expelled during the school year;

"(E) Whether the student voluntarily or involuntarily transferred or withdrew from the school during the school year; and

"(F) For each suspension or expulsion, a description of the action that led to the suspension or expulsion.

"(b) By August 15 of each year, each local education agency or entity operating a publicly funded community-based organization shall submit a report to the Office of the State Superintendent of Education disaggregated by each of the demographic categories identified in subsection (a)(1) of this section. The report shall include:

"(1) The students suspended for at least one and no more than 5 days;

"(2) The students suspended for at least 6 and no more than 10 days;

"(3) The students suspended for more than 10 days total;

"(4) The students who received more than one suspension in a school year;

"(5) The students who were referred to an alternative educational setting for the course of a suspension;

"(6) A description of the types of actions that led to the suspension or expulsion;

"(7) The students expelled; and

"(8) The students who voluntarily or involuntarily transferred or withdrew from the school during the school year.

"(c) Each local education agency or entity operating a publicly funded community-based organization shall provide the requested data in subsection (b) of this section in a form and manner prescribed by the Office of the State Superintendent of Education.

"(d) By October 1 of each year, beginning in 2016, the Office of the State Superintendent of Education shall publicly report on the suspensions and expulsions that were imposed in local education agencies and publicly funded community-based organizations during the preceding school year, including a relevant trend analysis.

"(e) For the purposes of this section, the term:

"(1) "Community-based organization" shall have the same meaning as provided in section 101(1A) of the Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01(1A)).

"(2) "Local education agency" means the District of Columbia Public Schools system or any individual public charter school or group of public charter schools operating under a single charter.".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 21-8
Act 21-51
effective
May 6, 2015

To amend the Health Benefit Exchange Authority Establishment Act of 2011 to provide for the financial sustainability of the Health Benefit Exchange Authority by assessing, on an annual basis, all health insurance carriers.

Codification
District of Columbia Official Code
2001 Edition

Health Benefit Exchange Authority Financial Sustainability Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health Benefit Exchange Authority Financial Sustainability Amendment Act of 2015".

Sec. 2. The Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01 *et seq.*), is amended as follows:

Amend § 31-3171.01

(a) Section 2 (D.C. Official Code § 31-3171.01) is amended as follows:

(1) A new paragraph (3A) is added to read as follows:

"(3A) "Direct gross receipts" means all policy and membership fees and net premium receipts or consideration received in a calendar year on all health insurance carrier risks originating in or from the District of Columbia.".

(2) A new paragraph (8C) is added to read as follows:

"(8C) "Net premium receipts or consideration received" means gross premiums or consideration received less the sum of premiums received for reinsurance assumed and premiums or consideration returned on policies or contracts canceled or not taken.".

Amend § 31-3171.03

(b) Section 4 (D.C. Official Code § 31-3171.03) is amended by adding a new subsection (f) to read as follows:

"(f)(1) The Authority shall annually assess, through a Notice of Assessment, each health carrier doing business in the District with direct gross receipts of $50,000 or greater in the preceding calendar year an amount based on a percentage of its direct gross receipts for the preceding calendar year. These assessments shall be deposited in the Fund.

"(2) The Authority shall adjust the assessment rate in each assessable year. The amount assessed shall not exceed reasonable projections regarding the amount necessary to support the operations of the Authority.

"(3) Each health carrier shall pay to the Authority the amount stated in the Notice of Assessment within 30 business days after the date of the Notice of Assessment.

"(4) Failure to pay the assessment in accordance with paragraph (3) of this subsection shall subject the health carrier to section 5 of the Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1204).".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

D.C. Law 20-250, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-525, 20 DCSTAT 4441)

AN ACT

Bill 20-1016
Act 20-610 effective January 25, 2015

To prohibit, on a temporary basis, employers from testing potential employees for marijuana use during the hiring process, unless otherwise required by law.

Codification District of Columbia Official Code 2001 Edition

Prohibition of Pre-Employment Marijuana Testing Temporary Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prohibition of Pre-Employment Marijuana Testing Temporary Act of 2014".

Note, New § 32-1371

Sec. 2. (a) An employer may only test a prospective employee for marijuana use after a conditional offer of employment has been extended, unless otherwise required by law.

(b) Nothing in this act shall be construed to:

(1) Affect employee compliance with employer workplace drug policies;

(2) Require an employer to permit or accommodate the use, consumption possession, transfer, display, transportation, sale, or growing of marijuana in the workplace or at any time during employment;

(3) Interfere with federal employment contracts; or

(4) Prevent the employer from denying a position based on a positive test for marijuana.

(c) For the purposes of this section, the term:

(1) "Employer" shall have the same meaning as provided in section 2(6) of the District of Columbia Occupational Safety and Health Act of 1988, effective March 16, 1989 (D.C. Law 7-186; D.C. Official Code § 32-1101(6)).

(2) "Prospective employee" means any individual applying for employment with an employer.

Note, New § 32-1372

Sec. 3. Reporting.

Within 6 months after the effective date of this act, the Mayor shall:

(1) Establish a public information campaign aimed at educating the public on the impact of marijuana use and abuse;

(2) Report to the Council the type, frequency, provider, and school grade level of health educations programs in public schools related to substance abuse, including programs designed to address alcohol, tobacco, and marijuana use; and

(3) Evaluate the effectiveness of the District government's treatment programs regarding the use and abuse of marijuana.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Law 20-251, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-526, 20 DCSTAT 4443)

AN ACT

Bill 20-1018
Act 20-611 effective January 25, 2015

To amend, on a temporary basis, section 47-4658 of the District of Columbia Official Code to clarify the real property tax abatement for Lot 808 in Square 5041 and Lot 811 in Square 5056.

Codification District of Columbia Official Code 2001 Edition

Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2014

Note, § 47-4658

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2014".

Sec. 2. Section 47-4658 of the District of Columbia Official Code is amended as follows:

(a) The heading is amended by striking the phrase "Parkside Parcel E and J Mixed-Income Apartments;".

(b) Subsection (a) is amended to read as follows:

"(a) Subject to subsection (b) of this section, the real property described as Lot 808 in Square 5041 and Lot 811 in Square 5056 shall be allowed an annual real property tax abatement equal to the amount of the real property taxes assessed and imposed by Chapter 8 of this title of up to a total maximum amount for each lot of $300,000 per year for 10 property tax years commencing for Lot 808 and Lot 811 at the beginning of the first month following the date that specific lot is issued a final certificate of occupancy ("commencement date") and ending for each lot at the end of the 10th full real property tax year following the lot's commencement date.".

(b) Subsections (c) and (d) are amended to read as follows:

"(c) Notwithstanding any other provision of law and provided that the final certificate of occupancy is issued on or before September 20, 2018, upon the issuance of a final certificate for Lot 808 or Lot 811, any fees or deposits charged to and paid by the owner of that specific lot for the development of Lot 808 or Lot 811, including private space or building permit fees or public space permit fees ("related fees"), shall be refunded and any prospective related fees forgiven.

"(d) The tax abatements and fees and deposits exemptions provided pursuant to this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the development of Lot 808 or Lot 811.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-252, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-569, 21 DCSTAT 711)

AN ACT

Bill 20-1007
Act 20-622 effective February 5, 2015

To amend, on a temporary basis, An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, to clarify that the posting requirement in section 5a is satisfied by posting the initial vacant or blight determination.

Codification District of Columbia Official Code 2001 Edition

Nuisance Abatement Notice Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nuisance Abatement Notice Temporary Amendment Act of 2015".

Note, § 42-3131.05a

Sec. 2. Section 5a of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective August 15, 2008 (D.C. Law 17-216; D.C. Official Code § 42–3131.05a)), is amended by striking the phrase "Notice shall also be posted on the vacant building" and inserting the phrase "Notice of the initial vacant or blighted property determination shall also be posted on the vacant building" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-253, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-563, 21 DCSTAT 525)

AN ACT

Bill 20-1022
Act 20-623 effective February 5, 2015

Codification District of Columbia Official Code 2001 Edition

Not-For-Profit Hospital Corporation Certificate of Need Exemption Temporary Amendment Act of 2015

Note, § 44-407

Planning Program Re-establishment Act of 1996 to exempt the Not-For-Profit Hospital Corporation from the certificate-of-need requirements for a period of one year for the establishment of an ambulatory care clinic in Ward 8, provided that it establishes 2 mobile health clinics to operate in Wards 7 and 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Not-For-Profit Hospital Corporation Certificate of Need Exemption Temporary Amendment Act of 2015".

Sec. 2. Section 8(b) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407(b)), is amended as follows:

(a) Paragraph (12) is amended by striking the phrase “service; and” and inserting the phrase “service.” in its place.

(b) Paragraph (13) is amended by striking the phrase “Hospital.” and inserting the phrase “Hospital; and” in its place.

(c) A new paragraph (14) is added to read as follows:

“(14)(A) Operation by the Not-For-Profit Hospital Corporation of an ambulatory care clinic located in Ward 8; provided, that the Not-For-Profit Hospital Corporation also establishes 2 mobile health clinics to operate in Wards 7 and 8 within 180 days after the effective date of the Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1021).

(B) The mobile health clinics established pursuant to subparagraph (A) of this paragraph shall also be exempt from certificate of need review.

(C) The exemptions provided in this paragraph shall expire one calendar year after the effective date of the Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2014, passed on emergency basis on December 17, 2014 (Enrolled version of Bill 20-1021).”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206,02(c)(3)).

Sec. 4. Effective date.

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

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

D.C. Law 20-254, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-577, 21 DCSTAT 722)

AN ACT

Bill 20-1032
Act 20-624 effective February 5, 2015

Not Codified

To amend, on a temporary basis, the Fiscal Year 2015 Budget Support Act of 2014 to extend the deadline for the University of the District of Columbia to raise $1 million in private donations for the purpose of meeting accreditation standards.

UDC Fundraising Extension Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "UDC Fundraising Extension Temporary Amendment Act of 2015".

Sec. 2. Section 7202 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended by striking the phrase "January 1" and inserting the phrase "April 10" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-255, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-578, 21 DCSTAT 723)

AN ACT

Bill 20-1034
Act 20-625 effective February 5, 2015

Codification District of Columbia Official Code 2001 Edition

Classroom Animal for Educational Purposes Clarification Second Temporary Amendment Act of 2015

Note, § 8-1808

To amend, on a temporary basis, the Animal Control Act of 1979 to clarify that an educational institution is permitted to have animals for educational and instructional purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Classroom Animal for Educational Purposes Clarification Second Temporary Amendment Act of 2015".

Sec. 2. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to read as follows:

"(6) Paragraph (1) of this subsection shall not apply to educational institutions that possess animals for educational and instructional purposes and that otherwise comply with humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D.C. Law 17-281; D.C. Official Code § 8-1851.02).".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 20-256, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-579, 21 DCSTAT 724)

AN ACT

Bill 20-1038
Act 20-626 effective February 5, 2015

To amend, on a temporary basis, An Act To provide for voluntary apprenticeship in the District of Columbia and the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978 to make technical and conforming amendments to allow the District of Columbia to continue to be recognized by the U.S. Department of Labor as a State Apprenticeship Agency.

Codification District of Columbia Official Code 2001 Edition

Apprenticeship Modernization Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Apprenticeship Modernization Temporary Amendment Act of 2015".

Sec. 2. An Act To provide for voluntary apprenticeship in the District of Columbia, approved May 21, 1946 (60 Stat. 204; D.C. Official Code § 32-1401 *et seq.*), is amended as follows:

Note, § 32-1401

(a) Section 1 (D.C. Official Code § 32-1401) is amended to read as follows:

"It is the purpose of this act to:

"(1) Open to District of Columbia residents the opportunity to obtain training that will equip them for profitable employment and citizenship;

"(2) Establish, as a means to this end, a program of voluntary apprenticeship under approved apprenticeship agreements providing facilities for the training and guidance of apprentices in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education;

"(3) Promote employment opportunities for young people under conditions providing adequate training and reasonable earnings;

"(4) Relate the supply of skilled workers to employment demands;

"(5) Establish standards for apprentice training;

"(6) Establish an Apprenticeship Council;

"(7) Provide for the establishment of local joint trade apprenticeship committees and non-joint committees to assist in effectuating the purposes of this act;

"(8) Provide for an associate of apprenticeship within the District of Columbia;

"(9) Provide that reports be submitted to the Council of the District of Columbia and to the public regarding the status of apprenticeship in the District of Columbia;

"(10) Establish a procedure for the determination of apprenticeship agreement controversies; and

"(11) Accomplish related purposes.".

(b) Section 2 (D.C. Official Code § 32-1402) is amended as follows: **Note, § 32-1402**

(1) Strike the phrase "Superintendent of Schools" and insert the phrase "Chancellor of District of Columbia Public Schools" in its place.

(2) Strike the phrase "appointed for a term of three years. Any member" and insert the phrase "appointed for a term of 3 years. At the end of a term, a member shall continue to serve until a successor is appointed and sworn into office. Any member" in its place.

(3) Strike the sentence "The compensation of each member not otherwise compensated by public money shall be paid not more than $ 25 per day for each day spent in attendance at meetings of the Apprenticeship Council; provided, however, that any applicable laws passed by the Council of the District of Columbia shall supersede the provisions of this section.".

(c) Section 3 (D.C. Official Code § 32-1403) is amended to read as follows: **Note, § 32-1403**

"Sec. 3. (a) The Director of the Department of Employment Services shall appoint an Associate Director of Apprenticeship whose office shall have responsibility and accountability for the apprenticeship system in the District of Columbia. The Office of Apprenticeship, Information and Training, which shall be known as the Registration Agency, shall have the authority to approve apprenticeship registration for federal purposes.

"(b) The Associate Director of Apprenticeship shall be chosen from among the employees of the Apprenticeship Training Service actually engaged in formulating and promoting standards of apprenticeship under the provisions of An Act To enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards, approved August 16, 1937 (50 Stat. 664; 29 U.S.C. §§ 50, 50a, and 50b).

"(c) The Office of Apprenticeship, Information and Training is authorized to supply the Associate Director of Apprenticeship or the Apprenticeship Council with the clerical, technical, and professional assistance considered essential to effectuate the purposes of this act.".

(d) Section 4 (D.C. Official Code § 32-1404) is amended as follows: **Note, § 32-1404**

(1) Strike the word "Director" and insert the phrase "Associate Director of Apprenticeship" in its place.

(2) Strike the phrase "Secretary of Labor" and insert the phrase "Director of the Department of Employment Services" in its place.

(3) Strike the sentence "Not less than once every two years the Apprenticeship Council shall make a report through the Mayor of its activities and findings to Congress and to the public.".

(4) Add the following sentence at the end:

"Once every year the Registration Agency shall make a report through the Mayor of its findings and activities to the Council of the District of Columbia and to the public.".

(e) Section 5 (D.C. Official Code § 32-1405) is amended to read as follows: **Note, § 32-1405**

"The Associate Director of Apprenticeship, under the supervision of the Director of the Department of Employment Services and with the advice and guidance of the Apprenticeship Council, shall:

"(1) Administer the provisions of this act in cooperation with the Apprenticeship Council, local joint apprenticeship committees, and non-joint apprenticeship committees to develop criteria and training standards for apprentices, which shall in no case be lower than those required by this act;

"(2) Act as secretary of the Apprenticeship Council;

"(3) Approve, if approval is in the best interest of the apprentice, any apprentice agreement that meets the standards established by or in accordance with this act;

"(4) Terminate or cancel any apprenticeship agreement in accordance with the provisions of the apprenticeship agreement;

"(5) Engage with the State Board of Education and area community colleges on the administration and supervision of related and supplemental instruction for apprentices to ensure coordination of the instruction with job experiences; and

"(6) Perform such other duties necessary to carry out the intent of this act.".

(f) Section 6 (D.C. Official Code § 32-1406) is amended to read as follows: **Note, § 32-1406**

"(a) Local joint apprenticeship committees and non-joint apprenticeship committees in any trade or group of trades may be submitted to the Registration Agency for approval. Such apprenticeship committees shall be composed of an equal number of employer and employee representatives appointed by the groups or organizations they represent, or the committee may consist of the employer and not less than 2 representatives from the recognized bargaining agency.

"(b) In a trade or group of trades in which there is no bona fide employee organization, the Registration Agency, with the advice and guidance of the Apprenticeship Council, may approve a joint trade apprenticeship committee and a non-joint apprenticeship committee (also referred to as a unilateral or group non-joint committee).

"(c) Subject to the approval of the Registration Agency, and in accordance with standards established by or under authority of this act, joint trade apprenticeship committees and non-joint apprenticeship committees may develop standards to govern the training of apprentices and give such aid as may be necessary to effectuate the standards.".

(g) Section 7 (D.C. Official Code § 32-1407) is amended to read as follows: **Note, § 32-1407**

"For the purposes of this act, the term "apprentice" means a worker at least 16 years of age, except when a higher minimum age standard age is otherwise fixed by law, who is employed to learn an apprenticeable occupation meeting the criteria approved by the Registration Agency and who has entered into a written apprenticeship agreement, which contains the terms and conditions of the employment and training of the apprentice, with either the apprentice's program sponsor or an apprenticeship committee acting as agent for the program sponsor.".

(h) Section 8 (D.C. Official Code § 32-1408) is amended to read as follows: **Note, § 32-1408**

"Every apprenticeship agreement entered into pursuant to this act shall contain:

"(1) The names and signatures of the contracting parties, including the apprentice's parent or guardian, if the apprentice is a minor, and the contact information of the program sponsor and the Registration Agency;

"(2) The date of birth of the apprentice and social security number, given on a voluntary basis;

"(3) A statement of the craft or occupation that the apprentice is to be taught and the time period at which the apprenticeship will begin and end;

"(4) A statement showing:

"(A) The number of hours to be spent by the apprentice in on-the-job learning in a time-based program;

"(B) A description of the skill sets to be attained by completion of a competency-based program, including the on-the-job learning component; or

"(C) The minimum number of hours to be spent by the apprentice and a description of the skill sets to be attained by completion of a hybrid program; and

"(D) Provisions for related and supplemental instruction;

"(5) A statement setting forth a schedule of the processes in the occupation or industry division in which the apprentice is to be trained and the approximate time to be spent in each process;

"(6) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated;

"(7) A statement providing for a period of probation without adverse impact on the sponsor during which time the apprenticeship agreement shall be terminated by the Associate Director of Apprenticeship at the request, in writing, of the apprentice or suspended or cancelled by the sponsor for good cause with due notice to the apprentice and a reasonable opportunity for corrective action with due notice to the Associate Director of Apprenticeship, and providing that after a probationary period, the apprenticeship may be cancelled by the Associate Director of Apprenticeship by mutual agreement of all parties or canceled by the Associate Director of Apprenticeship for good and sufficient reasons;

"(8) Contact information (name, address, phone, and e-mail, if appropriate) of the person in the Registration Agency designated under the program to receive, process, and make disposition of a controversy or difference arising out of the apprenticeship agreement when the controversy or difference cannot be adjusted locally or resolved in accordance with the established procedure or applicable collective bargaining provisions.

"(9) A provision that a sponsor who is unable to fulfill the obligations under the apprenticeship agreement may, with the approval of the Associate Director of Apprenticeship or under the direction of the joint trade apprenticeship committee or non-joint apprenticeship committee or individual sponsor, transfer the apprenticeship agreement to another sponsor; provided, that:

"(A) The apprentice consents and that the other sponsor agrees to assume the obligations of the apprenticeship agreement;

"(B) The transferring apprentice is provided a transcript of related instruction and on-the-job learning by the program sponsor;

"(C) The transfer is to the same occupation; and

"(D) A new apprenticeship agreement is executed when the transfer between program sponsors occurs; and

"(10) Such additional terms and conditions as may be prescribed or approved by the Registration Agency with the advice and guidance of the Apprenticeship Council, if not inconsistent with the provisions of this act.".

(i) Section 9 (D.C. Official Code § 32-1409) is amended by striking the word "Director" both times it appears and inserting the phrase "Associate Director of Apprenticeship" in its place. **Note, § 32-1409**

(j) Section 10 (D.C. Official Code § 32-1410) is amended as follows: **Note, § 32-1410**

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

(A) Strike the word "Director" and insert the phrase "Associate Director of Apprenticeship" in its place.

(B) Strike the phrase "under this act, and he may hold" and insert the phrase "under this act and may hold" in its place.

(C) Strike the phrase "Secretary of Labor" and insert the phrase "Registration Agency" in its place.

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

"(b)(1) The determination of the Associate Director of Apprenticeship shall be filed with the Apprenticeship Council. If no appeal is filed with the Apprenticeship Council within 10 days after the date of filing the appeal, the determination of the Associate Director of Apprenticeship shall become the order of the Apprenticeship Council.

"(2) Any person aggrieved by a determination or action of the Associate Director of Apprenticeship may appeal to the Apprenticeship Council, which shall hold a hearing after due notice to the interested parties.

"(3) Any person aggrieved by the action of the Apprenticeship Council may appeal as provided in Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).".

(k) Section 12 (D.C. Official Code § 32-1412) is repealed. **Note, Repeal § 32-1412**

Sec. 3. Section 5(c)(2) of the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1431(c)(2)), is amended by striking the phrase "Contracting Officer" wherever it appears and inserting the phrase "Department of Employment Services" in its place. **Note, § 32-1431**

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Law 20-257, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-545, 20 DCSTAT 4461)

AN ACT

Bill 20-1044
Act 20-627 effective February 5, 2015

Not Codified

To increase, on a temporary basis, certain appropriations in the Fiscal Year 2015 Budget Request Act pursuant to the District of Columbia Appropriations Act, 2015.

Fiscal Year 2015 Revised Budget Request Temporary Adjustment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Revised Budget Request Temporary Adjustment Act of 2015".

Sec. 2. (a) Pursuant to the District of Columbia Appropriations Act, 2015, approved December 16, 2014 (Pub. L. No. 113-235; 128 Stat. 2352), and any substantially similar subsequent federal appropriations measure, the amount appropriated to the District is authorized to and shall be increased by the amount of the proceeds of the D.C Water payment one-time transaction, upon certification by the Chief Financial Officer that the proceeds are available, to support unanticipated operating and capital needs.

(b) The Fiscal Year 2015 budget for the following agencies shall be adjusted, upon the certification of the availability of proceeds, as set forth in subsection (a) of this section, by the following amounts:

TITLE II—DISTRICT OF COLUMBIA FUNDS—SUMMARY OF EXPENSES

$14,108,000 (of which $14,108,000 shall be added to local funds) to be allocated as follows:

Government Direction and Support

The appropriation for Government Direction and Support is increased by $600,000 in local funds; to be allocated as follows:

(1) Office of the District of Columbia Auditor. - $600,000 is added to be available from local funds.

Economic Development and Regulation

The appropriation for Economic Development and Regulation is increased by $13,508,000 in local funds; to be allocated as follows:

(1) Office of the Deputy Mayor for Planning and Economic Development. - $13,508,000 is added to be available from local funds.

Capital Outlay

The appropriation for capital construction projects is increased by $106,579,712.

Sec. 3. Borrowing authority increase.

The Fiscal Year 2015 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective November 18, 2014 (Res. 20-687; 61 DCR 12738), is amended as follows:

(a) The long title is amended by striking the number "$1,092,763,726" and inserting the number "$1,199,343,438" in place.

(b) Section 2(a) is amended by striking the number "$1,092,763,726" and inserting the number "$1,199,343,438" in place.

(c) The tabular array is amended as follows:

(1) A new capital project is added to the Department of General Services entitled AM0 SPC01C, DC United Soccer Stadium Infrastructure Improvements in the amount $106,579,712.

(2) The Department of General Services subtotal is amended by striking the number "$22,870,099" and inserting the number "$129,449,811" in its place.

(3) The grand total is amended by striking the number "$1,092,763,726" and inserting the number "$1,199,343,438" in place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Law 20-258, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-584, 21 DCSTAT 750)

AN ACT

Bill 20-1054
Act 20-628
Effective February 5, 2015

Codification District of Columbia Official Code 2001 Edition

To authorize, on a temporary basis, the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Temporary Act of 2015".

Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Temporary Act of 2015

Note, § 16-1311

Sec. 2. Findings.

The Council finds that:

(1) The District of Columbia Water and Sewer Authority ("DC Water") currently operates a site south of N Place, S.E., north of the Anacostia River and between 1st and Canal Streets, S.E. ("DC Water Site").

(2) Pursuant to the Anacostia Waterfront Framework Plan, the District of Columbia plans to dispose of and develop a portion of the DC Water Site so as to leverage other large-scale District investments in the Capitol Riverfront/Near Southeast neighborhood, such as the South Capitol Street Bridge project and Nationals Park thereby serving to accelerate and promote economic vitality as well as enhance economic development in the District of Columbia.

(3) For the planned disposition and development to proceed, it is necessary for DC Water to relocate the functions currently at the DC Water Site.

(4) The District of Columbia and DC Water have entered into a Memorandum of Understanding for DC Water to relocate a portion of the uses from the DC Water Site to a site in Prince Georges County, Maryland.

(5) The District desires to relocate the current DC Water Site uses not being relocated to the Prince Georges County site, including customer care and sewer service operations, to Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 ("W Street Site").

(6) The W Street Site is currently occupied by a private trash transfer station.

(7) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(8) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin

and have complained that there is an increased incidence of health concerns.

(9) The W Street Site trash transfer station continues to operate as an open air trash transfer station which allows its pungent odors to reach much farther than they would if the facility were closed.

(10) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

(11) The W Street Site will provide an opportunity to construct and establish an updated customer care and sewer service operation for DC Water that is more centrally located within the District of Columbia.

(12) The relocation of DC Water to the W Street Site shall not be considered as a permanent solution to the future use of the site. The permanent future use of the W. Street Site should include sustainable economic development and be made in consultation with the surrounding community.

Sec. 3. Exercise of eminent domain.

The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots 36, 41 and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in section 2.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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

D.C. Law 20-259, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-585, 21 DCSTAT 752)

AN ACT

Bill 20-1056
Act 20-629 effective February 5, 2015

To amend, on a temporary basis, Title 47 of the District of Columbia Official Code to clarify the applicability date of the market-based sourcing legislation and the tax sale interest rate to be paid to certain purchasers; and to amend the Fiscal Year 2015 Budget Support Act of 2014 to provide grant-making authority for a specified purpose to the Deputy Mayor for Planning and Economic Development for Fiscal Year 2015.

Codification District of Columbia Official Code 2001 Edition

Market-based Sourcing Inter Alia Clarification Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Market-based Sourcing Inter Alia Clarification Temporary Amendment Act of 2015".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1334 is amended to read as follows:

Note, § 47-1334

"§ 47-1334. Interest rate.

"(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid, excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

"(b) The purchaser shall receive simple interest of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following when the real property was sold or the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no interest for expenses or the reasonable value of improvements.".

(b) Section 47-1348 is amended as follows:

Note, § 47-1348

(1) Subsection (a)(10) is amended to read as follows:

"(10) A statement that the rate of simple interest, upon redemption, shall be 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.".

(2) Subsection (c) is amended by striking the phrase "On redemption, the purchaser will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 18% per annum from the date the real property was sold to the date of

redemption; provided, that the purchaser shall not receive interest on any surplus." and inserting the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus." in its place.

Note, § 47-1353

(c) Section 47-1353(d) is amended to read as follows:

"(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the day of the tax sale to the purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.".

Note, § 47-1810.02

(d) Section 47-1810.02(g)(3) is amended to read as follows:

"(3)(A) For the tax years beginning after December 31, 2014, sales, other than sales of tangible personal property, are in the District if the taxpayer's market for the sales is in the District. The taxpayer's market for sales is in the District:

"(i) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in the District;

“(ii) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in the District;

"(iii) In the case of the sale of a service, if and to the extent the service is delivered to a location in the District; and

"(iv) In the case of intangible property:

"(I) That is rented, leased, or licensed, if and to the extent the property is used in the District; provided, that intangible property utilized in marketing a good or service to a consumer is used in the District if that good or service is purchased by a consumer who is in the District; and

"(II) That is sold, if and to the extent the property is used in the District; provided, that:

"(aa) A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is used in the District if the geographic area includes all or part of the District;

"(bb) Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated

as receipts from the rental, lease, or licensing of such intangible property under sub-sub-subparagraph (I) of this sub-subparagraph; and

"(cc) All other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the sales factor.

"(B) If the state or states of assignment under subparagraph (A) of this paragraph cannot be determined, the state or states of assignment shall be reasonably approximated.

"(C) If the taxpayer is not taxable in a state in which a sale is assigned under subparagraph (A) or (B) of this paragraph, or if a state of assignment cannot be determined under subparagraph (A) of this paragraph or reasonably approximated under subparagraph (B) of this paragraph, the sale shall be excluded from the denominator of the sales factor.

"(D) The Chief Financial Officer may prescribe regulations as necessary or appropriate to carry out the purposes of this subsection.

"(E) This paragraph shall apply as of October 1, 2014.".

Sec. 3. Section 6089 of the Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is amended by striking the period at the end and inserting the phrase ", and a grant of $1 million for economic development to the Washington, DC Economic Partnership." in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Law 20-260, effective April 30, 2015 (Expiration date December 11, 2015)
(Related Emergency Legislation is Act 20-586, 21 DCSTAT 756)

AN ACT

Bill 20-1058
Act 20-630 effective February 5, 2015

Not codified in the D.C. Official Code

To amend, on a temporary basis, Chapter 5 of Title 24 of the District of Columbia Municipal Regulations to regulate the sale of tickets from public space.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ticket Sale Regulation Temporary Amendment Act of 2015".

Ticket Sale Regulation Temporary Amendment Act of 2015

Sec. 2. Chapter 5 of Title 24 of the District of Columbia Municipal Regulations is amended by adding a new section 573.8 to read as follows:

DCMR

"573.8 No person shall sell or offer to sell any ticket from the sidewalks, streets, or public spaces anywhere in the District of Columbia for any excursion, musical or theatrical performance, opera, sporting event, circus, or any entertainment of any kind; provided, that sales of tickets on public space for sightseeing bus excursions shall comply with the provisions of §§573.5, 573.6, 573.7.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-1, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-6, 21 DCSTAT 805)

AN ACT

Bill 21-51
Act 21-37 effective March 30, 2015

To amend, on a temporary basis, the Retail Incentive Act of 2014 to modify the boundaries of the Bladensburg Road, N.E., Retail Priority Area; and to amend the H Street, N.E., Retail Priority Area Incentive Act of 2010 to clarify that restaurants whose annual alcohol sales exceed 20% are not eligible for retail development project grants and to clarify the location of businesses that are eligible to receive retail development project grants.

Codification District of Columbia Official Code 2001 Edition

H Street, N.E., Retail Priority Area Clarification Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "H Street, N.E., Retail Priority Area Clarification Temporary Amendment Act of 2015".

Note, § 2-1217.73

Sec. 2. Section 4(g) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(g)), is amended to read as follows:

"(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E., to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.; thence south on 19th Street, N.E., to Benning Road, N.E.; thence east on Benning Road, N.E., to Oklahoma Avenue, N.E.; continuing southwest along Oklahoma Avenue, N.E., to the center line of E Street, N.E.; continuing west on E Street, N.E., to the center line of 21st Street, N.E.; continuing north on 21st Street, N.E., to the center line of Gales Street, N.E.; thence northwest on Gales Street, N.E., to 15th Street, N.E.; thence west on G Street, N.E., to 14th Street, N.E.; thence north on 14th Street, N.E., to Florida Avenue, N.E.; thence west on Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the point of beginning.".

Note, § 1-325.173

Sec. 3. Section 4 of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.173), is amended as follows:

(a) Subsection (b)(2) is amended by striking the word "restaurants" and inserting the phrase "restaurants whose annual alcohol sales exceed 20%" in its place.

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

"(2) Frontage on a commercial corridor within the H Street, N.E., Retail Priority Area;".

Sec. 4. The H Street, N.E., Real Priority Area Incentive Temporary Amendment Act of 2014, enacted on November 10, 2014 (D.C. Act 20-475; 61 DCR 12121), is repealed.

Note, § 1-325.173

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

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

D.C. Law 21-2, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-8, 21 DCSTAT 830)

AN ACT

Bill 21-53
Act 21-38 effective March 27, 2015

To amend, on a temporary basis, the Minimum Wage Act Revision Act of 1992 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees, to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer knows that second language to be the employee's primary language or the employee requests notice in that second language, and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; ; and to amend An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month; provided, that the employer pays wages to such employees at least once per month.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Clarification Temporary Amendment Act of 2015".

Wage Theft Prevention Clarification Temporary Amendment Act of 2015

Sec. 2. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq*.), is amended as follows:

(a) Section 9 (D.C. Official Code § 32-1008) is amended as follows:

Note, § 32-1008

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

"(D) The precise time worked each day and each workweek by each employee, except for employees who are exempt from the minimum wage and overtime requirements under section 5(a); and".

(2) Subsection (c) is amended by striking the phrase "shall furnish to each employee at the time of hiring a written notice, both in English and in the employee's primary language, containing the following information:" and inserting the phrase "shall furnish to each employee at the time of hiring a written notice in English in the form made available by the Mayor pursuant to subsection (e) of this section. If, pursuant to subsection (e) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to the employee in that second language. The notice shall contain the following information:" in its place.

(3) Subsection (e) is amended to read as follows:

"(e) The Mayor shall make available for employers a sample template of the notice required by subsection (c) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1008.01

(b) Section 9a is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase "containing the information required by section 9(c)" and inserting the phrase "containing the information required by section 9(c) and in the form of the sample template made available by the Mayor pursuant to section 9(e). The notice shall be provided in English and if, pursuant to section 9(e), the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in that second language." in its place.

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

"(b)(1) When a temporary staffing firm assigns an employee to perform work at, or provide services for another organization, the temporary staffing firm shall furnish the employee a written notice in English, in the form of the sample template made available by the Mayor pursuant to subsection (c) of this section, of:

"(A) The specific designated payday for the particular assignment;

"(B) The actual rate of pay for the assignment and the benefits, if any to be provided;

"(C) The overtime rate of pay the employee will receive or, if applicable, inform the employee that the position is exempt from additional overtime compensation and the basis for the overtime exemption;

"(D) The location and name of the client employer and the temporary staffing firm;

"(E) The anticipated length of the assignment;

"(F) Whether training or safety equipment is required and who is obligated to provide and pay for the equipment;

"(G) The legal entity responsible for workers' compensation, should the employee be injured on the job; and

"(H) Information about how to contact the designated enforcement agency for concerns about safety, wage and hour, or discrimination.

"(2) If, pursuant to subsection (c) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in the second language.".

(3) Subsection (c) is amended to read as follows:

"(c) The Mayor shall make available for temporary staffing firms a sample template of the notice required by subsection (b) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1302

Sec. 3. Section 2 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1302), is amended by striking the phrase "Every employer shall pay all wages earned to his employees at least twice during each calendar month, on regular paydays designated in advance by the employer;" and inserting the phrase "Every employer shall pay all wages earned to his employees on regular paydays designated in advance by the employer and at least twice during each calendar month, except that all bona fide administrative, executive, and professional employees (those employees employed in a bona fide administrative, executive, or professional capacity, as defined in 7 D.C.M.R. § 999.1) shall be paid at least once per month;" in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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

D.C. Law 21-3, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-26, 21 DCSTAT 860)

AN ACT

Bill 21-78
Act 21-39
effective
March 27, 2015

To amend, on a temporary basis, the District of Columbia School Reform Act of 1995 to allow a public charter school to offer priority in enrollment to any students who were previously enrolled in the facility where that charter school will operate in the succeeding school year; and to amend section 29-412.20 of the District of Columbia Official Code to grant the Attorney General the authority to dissolve a nonprofit corporation organized for the purpose of operating a public charter school if the charter for the public charter school has been revoked, non-renewed, or relinquished.

Codification
District of Columbia Official Code 2001 Edition

Public Charter School Priority Enrollment Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public Charter School Priority Enrollment Temporary Amendment Act of 2015".

Note, § 38-1802.06

Sec. 2. Section 2206 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.06), is amended by adding a new subsection (d-1) to read as follows:

"(d-1) *Admission to a successor public charter school* – Notwithstanding subsection (c) of this section, a public charter school that operates in a facility where a public charter school whose charter has been lost through revocation, non-renewal, or voluntarily relinquishment previously operated, shall, for its first year of operation in that facility, admit students who were enrolled in the previous school during the school year preceding the loss of its charter. If the successor public charter school does not have sufficient capacity to admit all students who were enrolled in the previous school and who wish to enroll in the successor school, students who were enrolled in the previous school shall be admitted using a random selection process.".

Note, § 29-412.20

Sec. 3. Section 29-412.20(a)(1) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the word "or" at the end.

(b) Subparagraph (C) is amended by striking the semicolon and inserting the phrase "; or" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) The corporation was organized for the purpose of operating a public charter school pursuant to Chapter 18 of Title 38 and the charter for the public charter school has been revoked, has not been renewed, or has been voluntarily relinquished and the corporation has failed to voluntarily dissolve as required by § 38-1802.13a;".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Law 21-4, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-27, 21 DCSTAT 862)

AN ACT

Bill 21-84
Act 21-40 effective March 30, 2015

Codification District of Columbia Official Code 2001 Edition

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to approve the salary adjustment submitted by the Mayor for the position of the Chancellor of the District of Columbia Public Schools.

Chancellor of the District of Columbia Public Schools Salary Adjustment Temporary Amendment Act of 2015

Note, § 1-610.52

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Chancellor of the District of Columbia Public Schools Salary Adjustment Temporary Amendment Act of 2015".

Sec. 2. Section 1052(b)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)(2)), is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($275,000)," and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($284,000)," in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-5, effective June 4, 2015 June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-17, 21 DCSTAT 849)

AN ACT

Bill 21-101
Act 21-41 effective March 30, 2015

To amend, on a temporary basis, the Health Benefit Exchange Authority Establishment Act of 2011 to provide for the financial sustainability of the Health Benefit Exchange Authority by adopting an annual broad- based assessment of all health insurance carriers that will support its annual budget.

Codification District of Columbia Official Code 2001 Edition

Health Benefit Exchange Authority Financial Sustainability Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health Benefit Exchange Authority Financial Sustainability Temporary Amendment Act of 2015".

Sec. 2. The Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01 *et seq*.), is amended as follows:

(a) Section 2 (D.C. Official Code § 31-3171.01) is amended as follows:

Note, § 31-3171.01

(1) A new paragraph (3A) is added to read as follows:

"(3A) "Direct gross receipts" means all policy and membership fees and net premium receipts or consideration received in a calendar year on all health insurance carrier risks originating in or from the District of Columbia.".

(2) A new paragraph (8C) is added to read as follows:

"(8C) "Net premium receipts or consideration received" means gross premiums or consideration received less the sum of premiums received for reinsurance assumed and premiums or consideration returned on policies or contracts canceled or not taken.".

(b) Section 4 (D.C. Official Code § 31-3171.03) is amended by adding a new subsection (f) to read as follows:

Note, § 31-3171.03

"(f)(1) The Authority shall annually assess, through a "Notice of Assessment," each health carrier doing business in the District with direct gross receipts of $50,000 or greater in the preceding calendar year an amount based on a percentage of its direct gross receipts for the preceding calendar year. These assessments shall be deposited in the Fund.

"(2) The Authority shall adjust the assessment rate in each assessable year. The amount assessed shall not exceed reasonable projections regarding the amount necessary to support the operations of the Authority.

"(3) Each health carrier shall pay to the Authority the amount stated in the Notice of Assessment within 30 business days after receipt of the Notice of Assessment.

"(4) Any failure to pay the assessment in accordance with paragraph (3) of this subsection shall subject the health carrier to section 5 of the Insurance Regulatory Trust Fund

Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1204).".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-6, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-35, 21 DCSTAT 874)

AN ACT

Bill 21-111
Act 21-42 effective March 30, 2015

To amend, on a temporary basis, the State Education Office Establishment Act of 2000 to exempt individual educator evaluation data from public disclosure; and to amend the District of Columbia Administrative Procedure Act to exempt the educator evaluation data from public disclosure.

Codification District of Columbia Official Code 2001 Edition

Educator Evaluation Data Protection Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Educator Evaluation Data Protection Temporary Amendment Act of 2015".

Note, New § 38-2614

Sec. 2. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code§ 38-2601 *et seq.*), is amended by adding a new section 7g to read as follows:

"Sec. 7g. Educator evaluations.

"(a) Individual educator evaluations and effectiveness ratings, observation, and value-added data collected or maintained by OSSE are not public records and shall not be subject to disclosure pursuant to section 202 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).

"(b) Nothing in this section shall prohibit OSSE from:

"(1) Using educator evaluations or effectiveness ratings to fulfill existing requirements of a state educational agency under applicable federal or local law; or

"(2) Publicly disclosing aggregate reports and analyses regarding the results of educator evaluation data.

"(c) For the purposes of this section, the term "educator" means a principal, assistant principal, school teacher, assistant teacher, or a paraprofessional.".

Note, § 2-534

Sec. 3. Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as follows:

(a) Paragraph (14) is amended by striking the word "and" at the end.

(b) Paragraph (15) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (16) is added to read as follows:

"(16) Information exempt from disclosure pursuant to section 7g of the State Education Office Establishment Act of 2000, passed on 2nd reading on March 17, 2015 (Enrolled version of Bill 21-111).".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Law 21-7, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-13, 21 DCSTAT 840)

AN ACT

Bill 21-88
Act 21-43
effective
April 1, 2015

To amend, on a temporary basis, the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998 to modify guidelines for spending at-risk funds within the District of Columbia Public Schools.

Codification
District of Columbia
Official Code
2001 Edition

At-Risk Funding Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "At-Risk Funding Temporary Amendment Act of 2015".

Note, § 38-2907.01

Sec. 2. Section 108a(b) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective February 22, 2014 (D.C. Law 20-87; D.C. Official Code § 38-2907.01(b)), is amended as follows:

(a) Paragraph (1) is amended to read as follows:

"(1) Funds provided to schools pursuant to subsection (a)(3) of this section shall be available for school utilization at the direction of the Chancellor in consultation with the principal and local school advisory team, for the purpose of improving student achievement among at-risk students. The Chancellor shall make publicly available an annual report that explains the allocation of funds sorted by individual schools.".

(b) Paragraph (2) is repealed.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-8, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-30, 21 DCSTAT 867)

AN ACT

Bill 21-93
Act 21-44
effective
April 1, 2015

To amend, on a temporary basis, the Vending Regulation Act of 2009 to maintain criminal penalty provisions for a violation of the act or a vending regulation.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vending Regulations Temporary Amendment Act of 2015".

Vending Regulations Temporary Amendment Act of 2015

Sec. 2. Section 9 of the Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.08), is amended as follows:

Note, § 37-131.08

(a) The existing text is designated as subsection (a).

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

"(b) Any person who violates any of the provisions of this act or any regulations issued pursuant to this act shall, upon conviction, be subject to a fine not to exceed the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or by imprisonment not to exceed 90 days, or both, for each violation.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved

December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

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

D.C. Law 21-9, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-34, 21 DCSTAT 873)

AN ACT

Bill 21-109
Act 21-47
effective
April 3, 2015

To amend, on a temporary basis, the Testing Integrity Act of 2013 to permit the use of computers and cell phones solely during the administration of computer-based Districtwide assessments as outlined in guidance issued by the Office of the State Superintendent of Education.

Codification
District of Columbia Official Code
2001 Edition

Testing Integrity Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Testing Integrity Temporary Amendment Act of 2015".

Note, § 38-771.03

Sec. 2. Section 103(a)(4)(K) of the Testing Integrity Act of 2013, effective October 17, 2013 (D.C. Law 20-27; D.C. Official Code § 38-771.03(a)(4)(K)), is amended to read as follows:

"(K) Using cell phones or unapproved electronics, including unapproved computers, during the administration of a Districtwide assessment; provided, that cell phones or approved computers may be used during the administration of a computer-based Districtwide assessment as outlined in guidance issued by OSSE.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-10, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-18, 21 DCSTAT 851)

AN ACT

Bill 21-103
Act 21-48
effective
April 11, 2015

To amend, on a temporary basis, the Human Rights Act of 1977 to clarify that the prohibition of discrimination on the basis of sex shall not be construed to require an employer to provide insurance coverage related to a reproductive health decision; and to repeal a superseded provision of the Reproductive Health Non-Discrimination Amendment Act of 2014.

Codification District of Columbia Official Code 2001 Edition

Reproductive Health Non-Discrimination Clarification Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Reproductive Health Non-Discrimination Clarification Temporary Amendment Act of 2015".

Note, § 2-1401.05

Sec. 2. Section 105(a) of the Human Rights Act of 1977, effective July 17, 1985 (D.C. Law 6-8; D.C. Official Code § 2-1401.05(a)), is amended by striking the phrase "related medical conditions, or breastfeeding." and inserting the phrase "related medical conditions, breastfeeding, or reproductive health decisions. This act shall not be construed to require an employer to provide insurance coverage related to a reproductive health decision." in its place.

Note, § 2-1401.05

Sec. 3. Section 2(a) of the Reproductive Health Non-Discrimination Amendment Act of 2014, enacted on January 23, 2015 (D.C. Act 20-593; 62 DCR 1337), is repealed.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Law 21-11, effective June 4, 2015 (Expiration date January 15, 2016)
(Related Emergency Legislation is Act 21-19, 21 DCSTAT 852)

AN ACT

Bill 21-106
Act 21-49
effective
April 11, 2015

To amend, on a temporary basis, the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014; and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy, or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marijuana Possession Decriminalization Clarification Temporary Amendment Act of 2015".

Marijuana Possession Decriminalization Clarification Temporary Amendment Act of 2015

Sec. 2. Section 301 of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01), is amended as follows:

Note, § 48-911.01

(a) Subsection (a)(3) is amended to read as follows:

"(3) Any place to which the public is invited. For the purposes of this subsection, and notwithstanding any other provision of law, a private club, which includes any building, facility, or premises used or operated by an organization or association for a common avocational purpose, such as a fraternal, social, educational, or recreational purpose, is a place to which the public is invited; provided, that a private club does not include a private residence.".

(b) A new subsection (f) is added to read as follows:

"(f) No provision of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880), shall limit or be construed to limit the application of any provision of this section.".

Sec. 3. Section 47-2844(a-1)(1) of the District of Columbia Official Code is amended as follows:

Note, § 47-2844

(a) Subparagraph (B) is amended by striking the phrase "Title 48; or" and inserting the phrase "Title 48;" in its place.

(b) Subparagraph (C) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) Conduct that violates section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)). In addition, the Mayor shall revoke any certificate of occupancy or permit associated with the specific address or unit, whichever is more specific, of the holder of a certificate of occupancy or permit who knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)), to occur at the specific address or unit identified in the certificate of occupancy or permit.".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Act 21-31, effective April 1, 2015 (Expiration date June 16, 2015)

AN ACT

Bill 21-94

Emergency Declaration Res. 21-20 21 DCStat 1489

Codification District of Columbia Official Code 2001 Edition

To prohibit, on an emergency basis, due to congressional review, employers from testing potential employees for marijuana use during the hiring process, unless otherwise required by law.

Prohibition of Pre-Employment Marijuana Testing Congressional Review Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prohibition of Pre-Employment Marijuana Testing Congressional Review Emergency Act of 2015".

Note, New § 32-1371

Sec. 2. (a) An employer may only test a prospective employee for marijuana use after a conditional offer of employment has been extended, unless otherwise required by law.

(b) Nothing in this act shall be construed to:

(1) Affect employee compliance with employer workplace drug policies;

(2) Require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growing of marijuana in the workplace or at any time during employment;

(3) Interfere with federal employment contracts; or

(4) Prevent the employer from denying a position based on a positive test for marijuana.

(c) For the purposes of this section, the term:

(1) "Employer" shall have the same meaning as provided in section 2(6) of the District of Columbia Occupational Safety and Health Act of 1988, effective March 16, 1989 (D.C. Law 7-186; D.C. Official Code § 32-1101(6)).

(2) "Prospective employee" means any individual applying for employment with an employer.

Note, New § 32-1372

Sec. 3. Reporting.

Within 6 months after the effective date of this act, the Mayor shall:

(1) Establish a public information campaign aimed at educating the public on the impact of marijuana use and abuse;

(2) Report to Council the type, frequency, provider, and school grade level of health educations programs in public schools related to substance abuse, including programs designed to address alcohol, tobacco, and marijuana use; and

(3) Evaluate the effectiveness of the District government's treatment programs regarding the use and abuse of marijuana.

Retroactive Applicability

Sec. 4. Applicability.

This act shall apply as of March 18, 2015.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-46, effective April 3, 2015 (Expiration date June 22, 2015)

AN ACT

Bill 21-80

Emergency Declaration Res. 21-50 21 DCStat 1490

Not Codified

To increase, on an emergency basis, due to congressional review, certain appropriations in the Fiscal Year 2015 Budget Request Act pursuant to the District of Columbia Appropriations Act, 2015.

Fiscal Year 2015 Revised Budget Request Congressional Review Emergency Adjustment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Revised Budget Request Congressional Review Emergency Adjustment Act of 2015".

Sec. 2. (a) Pursuant to the District of Columbia Appropriations Act, 2015, approved December 16, 2014 (Pub. L. No. 113-235; 128 Stat. 2352), and any substantially similar subsequent federal appropriations measure, the amount appropriated to the District is authorized to and shall be increased by the amount of the proceeds of the D.C. Water payment one-time transaction, upon certification by the Chief Financial Officer that the proceeds are available, to support unanticipated operating and capital needs.

(b) The Fiscal Year 2015 budget for the following agencies shall be adjusted, upon the certification of the availability of proceeds, as set forth in subsection (a) of this section, by the following amounts:

TITLE II—DISTRICT OF COLUMBIA FUNDS—SUMMARY OF EXPENSES

$14,108,000 (of which $14,108,000 shall be added to local funds) to be allocated as follows:

Government Direction and Support

The appropriation for Government Direction and Support is increased by $600,000 in local funds; to be allocated as follows:

(1) Office of the District of Columbia Auditor. - $600,000 is added to be available from local funds.

Economic Development and Regulation

The appropriation for Economic Development and Regulation is increased by $13,508,000 in local funds; to be allocated as follows:

(1) Office of the Deputy Mayor for Planning and Economic Development. - $13,508,000 is added to be available from local funds.

Capital Outlay

The appropriation for capital construction projects is increased by $106,579,712.

Sec. 3. Borrowing authority increase.

The Fiscal Year 2015 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective November 18, 2014 (Res. 20-687; 61 DCR 12738), is amended as follows:

(a) The long title is amended by striking the number "$1,092,763,726" and inserting the number "$1,199,343,438" in its place.

(b) Section 2(a) is amended by striking the number "$1,092,763,726" and inserting the number "$1,199,343,438" in its place.

(c) The tabular array is amended as follows:

(1) A new capital project is added to the Department of General Services entitled AM0 SPC01C, DC United Soccer Stadium Infrastructure Improvements in the amount $106,579,712.

(2) The Department of General Services subtotal is amended by striking the number "$22,870,099" and inserting the number "$129,449,811" in its place.

(3) The grand total is amended by striking the number "$1,092,763,726" and inserting the number "$1,199,343,438" in its place.

Sec. 4. Applicability.

Retroactive Applicability

This act shall apply as of March 24, 2015.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-52, effective May 6, 2015 (Expiration date July 22, 2015)

AN ACT

Bill 21-135

Emergency Declaration Res. 21-89 21 DCStat 1534

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Workforce Job Development Grant-Making Authority Act of 2012 to continue the legal authority for the Director of the Department of Employment Services to issue grants from funds appropriated to or received by the Department of Employment Services for workforce job development purposes by repealing a sunset provision.

Workforce Job Development Grant-Making Reauthorization Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Workforce Job Development Grant-Making Reauthorization Emergency Amendment Act of 2015".

Note, § 1-328.05

Sec. 2. Section 3 of the Workforce Job Development Grant-Making Authority Act of 2012, effective April 23, 2013 (D.C. Law 19-269; D.C. Official Code § 1-328.05, note), is repealed.

Retroactive applicability date

Sec. 3. Applicability.

This act shall apply as of April 23, 2015.

Sec. 4. Fiscal impact statement

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-53, effective May 6, 2015 (Expiration date August 4, 2015)

AN ACT

Bill 21-159

Emergency Declaration Res. 21-84 21 DCStat 1526

Codification District of Columbia Official Code 2001 Edition

Medical Marijuana Supply Shortage Emergency Amendment Act of 2015

Note, § 7-1671.06

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1998 to increase the number of living marijuana plants that a cultivation center can possess at any time.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Supply Shortage Emergency Amendment Act of 2015".

Sec. 2. Section 7(e)(2) of the Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.06(e)(2)), is amended by striking the number "500" and inserting the number "1000" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-54, effective May 7, 2015 (Expiration date August 5, 2015)

AN ACT

Bill 21-161

Emergency Declaration Res. 21-88 21 DCStat 1532

Codification District of Columbia Official Code 2001 Edition

Jubilee Maycroft TOPA Notice Exemption Emergency Act of 2015

Note, § 42-3404.02

To exempt, on an emergency basis, Jubilee Maycroft, LLC from the notice requirements of the Tenant Opportunity to Purchase Act of 1980 with respect to the real property located at 1474 Columbia Road, N.W., also known as The Maycroft.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Jubilee Maycroft TOPA Notice Exemption Emergency Act of 2015".

Sec. 2. (a) The transfer of an interest, pursuant to section 402(c)(2)(H) of the Tenant Opportunity to Purchase Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.02(c)(2)(H)) ("TOPA"), in Jubilee Maycroft, LLC, which owns Lots 2010 - 2072 in Square 2669, located at 1474 Columbia Road, N.W., also known as The Maycroft ("Property"), from Jubilee Housing, Inc. to one or more entities controlled directly or indirectly by Jubilee Housing, Inc. shall be exempt from the notice requirements of section 402(d) of TOPA with respect to the Property.

(b) No tenant or tenant organization shall have a right to challenge, under sections 503 or 503a of TOPA, the application of section 402(c)(2)(H) of TOPA to the transfer of interests in Jubilee Maycroft, LLC.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rue Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-104

Emergency Declaration Res. 21-86 21 DCStat 1524

Not Codified

To approve, on an emergency basis, Change Order No. 10 to Contract No. GF-2010-C-0030 with Parkinson/Forrester UDC Student Center JV, LLC for work on the construction of the New Student Center, University of the District of Columbia, Van Ness Campus, and to authorize payment for the goods and services received and to be received under the change order.

Change Order No. 10 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order No. 10 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-352.02), the Council approves Change Order No. 10 to Contract No. DCAM-12-CS-0165 with Parkinson/Forrester UDC Student Center JV, LLC for work on the construction of the New Student Center, University of the District of Columbia, Van Ness Campus, and authorizes payment in the aggregate amount of $3,975,633 for the goods and services received and to be received under the change order.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

AN ACT

Bill 21-138

Emergency Declaration Res. 21-70 21 DCStat 1496

Not Codified

To approve, on an emergency basis, Modifications No. 2 and No. 3 to Contract No. CW26186 with Fleetpro, Inc. to provide on-site vehicle maintenance services and to authorize payment for the goods and services received and to be received under the contract.

Modifications No. 2 and No. 3 to Contract No. CW26186 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications No. 2 and No. 3 to Contract No. CW26186 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modifications No. 2 and No. 3 of Contract No. CW26186 with Fleetpro, Inc. to provide on-site vehicle maintenance services, and authorizes payment in the not-to-exceed amount of $1,174,921.21 for the goods and services received and to be received under the contract from February 12, 2015 through February 11, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-57, effective May 8, 2015 (Expiration date August 6, 2015)

AN ACT

Bill 21-148

Emergency Declaration Res. 21-72 21 DCStat 1498

Not Codified

To approve, on an emergency basis, Modification Nos. M14 and M16 to Contract No. CW25961 with Science Applications International Corporation to provide man-based telephony services and to authorize payment for the goods and services received and to be received under the contract.

Contract No. CW25961 Modification Nos. M14 and M16 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW25961 Modification Nos. M14 and M16 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2 Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. M14 and M16 to Contract No. CW25961 with Science Applications International Corporation to provide man-based telephony services, and authorizes payment in the not-to-exceed amount of $20,000,000 for the goods and services received and to be received under the contract from March 1, 2015 through February 28, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-149

Emergency Declaration Res. 21-71 21 DCStat 1497

Not Codified

To approve, on an emergency basis, Change Orders Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc. for design-build services for the Stanton Elementary School modernization and addition, and to authorize payment for the goods and services received and to be received under the change orders.

Change Orders Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Orders Nos. 001 through 004 to Contract DCAM-14-CS-0102 with Tompkins Builders, Inc., for design-build services for the Stanton Elementary School modernization and addition, and authorizes payment in the aggregate amount of $17,413,283 for the goods and services received and to be received under the change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-59, effective May 8, 2015 (Expiration date August 6, 2015)

AN ACT

Bill 21-154

Emergency Declaration Res. 21-90 21 DCStat 1535

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Soccer Stadium Development Act of 2014 to add a new definition, clarify findings, make technical and clarifying changes regarding the transmission of documents to the Council for approval, allow for the negotiation of enhanced performance, and make other technical and conforming changes.

Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015".

Sec. 2. The Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq*.), is amended as follows:

Note, § 10-1651.01

(a) Section 101 (to be codified at D.C. Official Code § 10-1651.01) is amended to read as follows:

"Sec. 101. Definitions.

"For the purposes of this title, the term:

"(1) "Northwest portion of Lot 24 in Square 665" means the northwest portion of Lot 24 in Square 665 as described in the letter of intent between the District and Potomac Electric Power Company dated December 27, 2013.

"(2) "Soccer stadium site" means the real property described as Squares 603S, 605, 607, 661, and 661N, and the northwest portion of Lot 24 in Square 665, and all public alleys and streets to be closed within these squares.".

Note, § 10-1651.02

(b) Section 102 (to be codified at D.C. Official Code § 10-1651.02) is amended as follows:

(1) A new paragraph (1A) is added to read as follows:

"(1A) The acquisition of land for, construction of, and operation of a new stadium for D.C. United in itself serves a public purpose, in particular because the stadium will promote the recreation, entertainment, and enjoyment of the public.".

(2) Paragraph (2) is amended by striking the phrase "Without the development" and inserting the phrase "In addition, without the development" in its place.

Note, § 10-1651.03

(c) Section 103 (to be codified at D.C. Official Code § 10-1651.03) is amended as follows:

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

(A) Strike the phrase "shall acquire" and insert the phrase "is authorized to acquire" in its place.

(B) Strike the phrase "as described in the letter of intent between the

District and Potomac Electric Power Company ("PEPCO") dated December 27, 2013".

(2) Subsection (d) is amended to read as follows:

"(d) The Mayor shall transmit to the Council any agreement to acquire any portion of Squares 605, 607, or 661, or the northwest portion of Lot 24 in Square 665 that requires the approval of the Council pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), not later than 30 days before the effective date of the agreement. Any such agreement shall be exempt from section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)).".

(3) Subsection (e) is amended by striking the phrase "as described in the letter of intent between the District and PEPCO dated December 27, 2013".

Note, § 10-1651.04

(d) Section 104 (to be codified at D.C. Official Code § 10-1651.04) is amended as follows:

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

"(a) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), the Mayor may enter into a ground lease ("revised ground lease") between the District of Columbia and DC Stadium LLC; provided, that:

"(1) The revised ground lease amends the ground lease between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original ground lease") to:

"(A) Not contain any provision to abate District sales tax;

"(B) Include the labor peace provisions set forth in subsection (c) of this section; and

"(C) Contain modifications to conform the terms of the original ground lease to the provisions of this act;

"(2) The Mayor transmits the revised ground lease to the Council for its review not later than 30 days before the effective date of the revised ground lease;

"(3) The Mayor transmits simultaneously to the Council for its review pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), a revised development agreement ("revised development agreement") that amends the development agreement between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original development agreement"), for the development of the soccer stadium site and that:

"(A) Extends the date by which the District shall acquire control of the soccer stadium site to September 30, 2015;

"(B) Extends the dates by which the District shall close streets and alleys, acquire fee title, demolish existing structures, perform infrastructure work (including all District obligations under article V of the original development agreement), and perform environmental remediation work (including all District obligations under article VI of the original development agreement), as such actions are described in articles III, IV, V, and VI of the original development agreement and may be described or referenced in other provisions of the original

development agreement, each by 6 months;

"(C) Sets a date by which DC Stadium LLC shall complete the construction of a soccer stadium at the soccer stadium site;

"(D) Extends other dates as negotiated between the District and DC Stadium, LLC;

"(E) Amends section 5.9 of the original development agreement to read as follows: "Land Contribution. Within 30 days of the District's acquisition of either Lot 7 or Lot 802 in Square 605, the Stadium Developer shall pay to the District, or its designee, Two Million Five Hundred Thousand Dollars ($2,500,000.00) to offset Land acquisition costs, unless the District acquires either Lot 7 or Lot 802 in Square 605 by the use of eminent domain and the aggregate price paid by the District for Lot 7 and Lot 802 is less than $25,148,760.";

"(F) Amends section 9.1(c) of the original development agreement to read as follows: "Designated Entertainment Area. The District shall grant to the Developer 'signage rights' with respect to the Land, such signage rights to be those rights described in the proposed Chapter 8 of Title 13 of the District of Columbia Municipal Regulations published in the DC Register on August 17, 2012.";

"(G) Provides that no fees, proffers, or deposits shall be borne or waived by the District pursuant to section 7.6 of the original development agreement before October 1, 2015."; and

"(H) Includes the labor peace provisions set forth in subsection (c) of this section; and

"(4) The Council does not adopt a resolution of disapproval pertaining to the ground lease within 30 days beginning on the day on which the ground lease is submitted to the Council, excluding days of Council recess.".

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

"(b)(1) The revised ground lease and the revised development agreement each may provide an enhanced "Performance Assurance" without increasing the District's financial obligations.

"(2) The revised development agreement shall be exempt from section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)).".

(3) Subsection (c) is amended by striking the phrase "DC Stadium, LLC and the District shall agree" and inserting the phrase "The District is authorized to agree" in its place.

(e) Section 107(b) (to be codified at D.C. Official Code § 10-1651.07(b)) is amended as follows: **Note, § 10-1651.07**

(1) Paragraph (1) is amended by striking the phrase "September 4, 2014;" and inserting the phrase "December 15, 2014;" in its place.

(2) A new paragraph (2A) is added to read as follows:

"(2A) Any payment made by D.C. United to the District government pursuant to the revised ground lease;".

(f) Section 108 (to be codified at D.C. Official Code § 10-1651.08) is amended as **Note, § 10-1651.08**

follows:

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

"(a) The Mayor shall implement the Convention Center – Southwest Waterfront corridor as described in the "DC Circulator 2014 Transit Development Plan Update" dated September 2014.".

(2) Subsection (c) is amended to read as follows:

"(c) The Mayor shall make capital improvements of at least $250,000 to the Randall Recreation Center in Ward 6.".

(3) Subsection (d) is amended by striking the phrase "provide ongoing operations and programming funding for" and inserting the phrase "operate and provide programmed activities for" in its place.

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

"(e) The Mayor is authorized to negotiate other community-benefit commitments from D.C. United and its affiliated entities, including those that promote youth soccer, education, employment opportunities, and job training programs.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-163

Emergency Declaration Res. 21-87 21 DCStat 1531

To amend the Washington Convention Center Authority Act of 1994 to delete obsolete provisions, to clarify that the President of the Hotel Association of Washington, D.C. shall serve as an ex-officio voting member of the Board of Directors, and to repeal the establishment of the Washington Convention Center Advisory Committee.

Codification District of Columbia Official Code 2001 Edition

Events DC Technical Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Events DC Technical Clarification Emergency Amendment Act of 2015".

Sec. 2. Title II of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.01 *et seq.*), is amended as follows:

Note, § 10-1202.05

(a) Section 205 (D.C. Official Code § 10-1202.05) is amended as follows:

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

(A) Paragraph (1) is amended to read as follows:

"(1) "The Authority shall be governed by a Board of Directors ("Board"), which shall be comprised of 12 members, including the 9 members appointed pursuant to paragraph (2) of this subsection ("public Board members") and the following individuals, each of whom shall serve as an ex-officio voting member:

"(A) The Chief Financial Officer of the District of Columbia;

"(B) The President of the Hotel Association of Washington, D.C.; and

"(C) An individual designated by the Mayor.".

(B) Paragraph (5) is repealed.

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

"(b)(1) All public Board member terms shall be 4-year terms.".

(3) Subjection (g) is amended by striking the phrase "Each Board member" and inserting the phrase "Each public Board member" in its place.

(4) Subsection (j) is amended by striking the word "Six" and inserting the word "Seven" in its place.

Note, Repeal § 10-1202.18

(b) Section 218 (D.C. Official Code § 10-1202.18) is repealed.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Events DC Technical Clarification Amendment Act of 2015, passed on 1st reading on April 14, 2015 (Engrossed version of Bill 21-76), as the fiscal impact statement required by section 602(c)(3) of

the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-61, effective May 22, 2015 (Expiration date August 20, 2015)

AN ACT

Bill 21-180

Emergency Declaration Res. 21-101 21 DCStat 1549

Not Codified

To approve, on an emergency basis, Delivery Order No. CW33024 under Montgomery County, Maryland Contract No. 1041647 with Morton Salt, Inc. and to authorize payment for the goods received and to be received under the delivery order.

Delivery Order No. CW33024 under Montgomery County, Maryland Contract No. 1041647 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Delivery Order No. CW33024 under Montgomery County, Maryland Contract No. 1041647 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Delivery Order No. CW33024 with Morton Salt, Inc. to supply road deicing salt for the District of Columbia Department of Public Works' Snow Removal and Deicing Program and authorizes payment in the estimated amount of $2,222,000 for the goods received and to be received under the delivery order.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-62, effective May 22, 2015 (Expiration date August 20, 2015)

AN ACT

Bill 21-181

Emergency Declaration Res. 21-98 21 DCStat 1544

Not Codified

To approve, on an emergency basis, Human Care Agreement No. RM-15-HCA-MHRS-107-AMH-BY4-SC with Anchor Mental Health Association, Inc. for mental health rehabilitation services and to authorize payment for the services received and to be received under the agreement.

Human Care Agreement No. RM-15-HCA-MHRS-107-AMH-BY4-SC Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Human Care Agreement No. RM-15-HCA-MHRS-107-AMH-BY4-SC Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Human Care Agreement No. RM-15-HCA-MHRS-107-AMH-BY4-SC with Anchor Mental Health Association, Inc. for mental health rehabilitation services to eligible District residents in the not-to-exceed amount of $1,185,575.00 and authorizes payment for services received and to be received under the agreement from October 1, 2014 through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-63, effective May 22, 2015 (Expiration date August 20, 2015)

AN ACT

Bill 21-182

Emergency Declaration Res. 21-103 21 DCStat 1552

Not Codified

To approve, on an emergency basis, Modification No. M0005, the extension of the sole source contract, to Contract No. CW26699 between the Department of Corrections and Unity Health Care, Inc. for comprehensive medical, mental health, pharmacy, and dental services for inmates housed in the Central Detention Facility and the Correctional Treatment Facility and to authorize payment for the services received and to be received under the contract modification.

Modification No. M0005 to Sole Source Contract No. CW26699 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification No. M0005 to Sole Source Contract No. CW26699 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), and section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.46), the Council approves Modification No. M0005 to Contract No. CW26699 with Unity Health Care, Inc. for a period of performance from April 1, 2015, through June 30, 2015, totaling $5,900,145.00 to provide comprehensive medical, mental health, pharmacy, and dental services to inmates housed at the Central Detention Facility and the Correctional Treatment Facility and authorizes payment for services received and to be received under the contract modification.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-64, effective May 22, 2015 (Expiration date August 20, 2015)

AN ACT

Bill 21-183

Emergency Declaration Res. 21-100 21 DCStat 1547

Codification District of Columbia Official Code 2001 Edition

Medical Marijuana Cultivation Center Exception Emergency Amendment Act of 2015

Note, § 7-1671.06

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide an exception to allow a cultivation center to operate in a Retail Priority Area if the applicant had an application pending or approved before the effective date of the law establishing or expanding a Retail Priority Area.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Cultivation Center Exception Emergency Amendment Act of 2015”.

Sec. 2. Section 7(g-1) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06(g-1)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "A cultivation center" and inserting the phrase "Except as provided in paragraph (3) of this subsection, a cultivation center" in its place.

(b) A new paragraph (3) is added to read as follows:

"(3) An applicant that had an application for registration to operate a cultivation center pending or approved as of the effective date of a law establishing or expanding a Retail Priority Area that would include within its boundaries the proposed site of the cultivation center shall be permitted to locate the cultivation center at that site in the newly established or newly expanded Retail Priority Area.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-187

Emergency Declaration Res. 21-92 21 DCStat 1538

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Retail Incentive Act of 2014 to modify the boundaries of the Bladensburg Road, N.E., Retail Priority Area; and to amend the H Street, N.E., Retail Priority Area Incentive Act of 2010 to clarify that restaurants whose annual alcohol sales exceed 20% are not eligible for retail development project grants and to clarify the location of businesses that are eligible to receive retail development project grants.

H Street, N.E., Retail Priority Area Clarification Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "H Street, N.E., Retail Priority Area Clarification Congressional Review Emergency Amendment Act of 2015".

Note, § 2-1217.73

Sec. 2. Section 4(g) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(g)), is amended to read as follows:

"(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E., to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.; thence south on 19th Street, N.E., to Benning Road, N.E.; thence east on Benning Road, N.E., to Oklahoma Avenue, N.E.; continuing southwest along Oklahoma Avenue, N.E., to the center line of E Street, N.E.; continuing west on E Street, N.E., to the center line of 21st Street, N.E.; continuing north on 21st Street, N.E., to the center line of Gales Street, N.E.; thence northwest on Gales Street, N.E., to 15th Street, N.E.; thence west on G Street, N.E., to 14th Street, N.E.; thence north on 14th Street, N.E., to Florida Avenue, N.E.; thence west on Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the point of beginning.".

Note, § 1-325.173

Sec. 3. Section 4 of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.173), is amended as follows:

(a) Subsection (b)(2) is amended by striking the word "restaurants" and inserting the phrase "restaurants whose annual alcohol sales exceed 20%" in its place.

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

"(2) Frontage on a commercial corridor within the H Street, N.E., Retail Priority Area;".

Sec. 4. The H Street, N.E., Real Priority Area Incentive Temporary Amendment Act of 2014, enacted on November 10, 2014 (D.C. Act 20-475; 61 DCR 12121), is repealed.

Retroactive Applicability

Sec. 5. Applicability.

This act shall apply as of April 22, 2015.

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-66, effective May 22, 2015 (Expiration date August 20, 2015)

AN ACT

Bill 21-188

Emergency Declaration Res. 21-91 21 DCStat 1536

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Minimum Wage Act Revision Act of 1992 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees; to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer knows that second language to be the employee's primary language or the employee requests notice in that second language; and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend section 2 of An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month; provided, that the employer pays wages to such employees at least once per month.

Wage Theft Prevention Clarification Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Clarification Congressional Review Emergency Amendment Act of 2015".

Sec. 2. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1008 *et seq*.), is amended as follows:

Note, § 32-1008

(a) Section 9 (D.C. Official Code § 32-1008) is amended as follows:

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

"(D) The precise time worked each day and each workweek by each employee, except for employees who are exempt from the minimum wage and overtime requirements under section 5(a); and".

(2) Subsection (c) is amended by striking the phrase "shall furnish to each employee at the time of hiring a written notice, both in English and in the employee's primary language, containing the following information:" and inserting the phrase "shall furnish to each employee at the time of hiring a written notice in English in the form made available by the Mayor pursuant to subsection (e) of this section. If, pursuant to subsection (e) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the

employer also shall furnish written notice to the employee in that second language. The notice shall contain the following information:" in its place.

(3) Subsection (e) is amended to read as follows:

"(e) The Mayor shall make available for employers a sample template of the notice required by subsection (c) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1008.01

(b) Section 9a is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase "containing the information required by section 9(c)" and inserting the phrase "containing the information required by section 9(c) and in the form of the sample template made available by the Mayor pursuant to section 9(e). The notice shall be provided in English and if, pursuant to section 9(e), the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in that second language." in its place.

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

"(b)(1) When a temporary staffing firm assigns an employee to perform work at, or provide services for another organization, the temporary staffing firm shall furnish the employee a written notice in English, in the form of the sample template made available by the Mayor pursuant to subsection (c) of this section, of:

"(A) The specific designated payday for the particular assignment;

"(B) The actual rate of pay for the assignment and the benefits, if any, to be provided;

"(C) The overtime rate of pay the employee will receive or, if applicable, inform the employee that the position is exempt from additional overtime compensation and the basis for the overtime exemption;

"(D) The location and name of the client employer and the temporary staffing firm;

"(E) The anticipated length of the assignment;

"(F) Whether training or safety equipment is required and who is obligated to provide and pay for the equipment;

"(G) The legal entity responsible for workers' compensation, should the employee be injured on the job; and

"(H) Information about how to contact the designated enforcement agency for concerns about safety, wage and hour, or discrimination.

"(2) If, pursuant to subsection (c) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in the second language.".

(3) Subsection (c) is amended to read as follows:

"(c) The Mayor shall make available for temporary staffing firms a sample template of the notice required by subsection (b) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1302

Sec. 3. Section 2 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat 976; D.C. Official Code § 32-1302), is amended by striking the phrase "Every employer shall pay all wages earned to his employees at least twice during each calendar month, on regular paydays designated in advance by the employer;" and inserting the phrase "Every employer shall pay all wages earned to his employees on regular paydays designated in advance by the employer and at least twice during each calendar month, except that all bona fide administrative, executive, and professional employees (those employees employed in a bona fide administrative, executive, or professional capacity, as defined in 7 DCMR § 999.1) shall be paid at least once per month;" in its place.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-73, effective May 26, 2015 (Expiration date August 24, 2015)

AN ACT

Bill 21-185

Emergency Declaration Res. 21-102 21 DCStat 1551

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Youth Employment Act for 1979 to authorize the Mayor to provide employment or work readiness training for no fewer than 10,000 and no more than 21,000 youth participants 14 to 24 years of age.

Youth Employment and Work Readiness Training Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Youth Employment and Work Readiness Training Emergency Amendment Act of 2015".

Note, § 32-241

Sec. 2. Section 2 of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241), is amended as follows:

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

(1) Subparagraphs (A) and (A-i) are amended to read as follows:

"(A)(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth 14 to 24 years of age on the date of enrollment in the program, including no more than 1000 youth 22 to 24 years of age.

"(ii) Youth ages 14 to 15 years at the date of enrollment shall receive an hourly work readiness training rate of not less than $5.25.

"(iii) Youth ages 16 to 24 years at the date of enrollment shall be compensated at an hourly rate of $8.25 for 16 to 21 year olds and $9.25 for 22 to 24 year olds.

"(A-i) Registration for the summer youth jobs program shall occur on or before the last day of January and shall conclude by the last day of April of each year.".

(2) Subparagraph (B) is amended by striking the phrase "but shall not be less than 20 nor more than 25 hours" and inserting the phrase "but shall not be fewer than 20 hours or more than 40 hours" in its place.

(3) Subparagraph (C) is amended to read as follows:

"(C) Employment may include an appropriate number of supervisory positions at an hourly wage of $9.25 to $13. Supervisory positions shall not be subject to the requirements under this paragraph regarding the number of hours and weeks of employment.".

(b) A new subsection (g) is added to read as follows:

"(g)(1)The Department of Employment Services shall collect, and publish on its website, aggregated information on the participants of the summer youth jobs program, including statistics on:

"(A) The demographics of participants;
"(B) Participants' activities in the program; and
"(C) Participants' employment following the end of the program.
"(2) The information required by paragraph (1) of this subsection shall be published by November 30, 2015.
"(3) It is the sense of the Council that the Department of Employment Services shall consult with the Council on revising the existing evaluation requirement for the summer youth jobs program to focus on program outcomes and program effectiveness.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-74, effective June 4, 2015 (Expiration date July 6, 2015)

AN ACT

Bill 21-221

Emergency Declaration Res. 21-106 21 DCStat 1557

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Firearms Control Regulations Act of 1975 to permit a person to register a firearm for self-defense in his or her place of business, to provide a Freedom of Information Act exception for pistol registration information, to specify application requirements for applying for a license to carry a concealed pistol, to specify the duration of such licenses and requirements for renewal of licenses, to establish duties of licensees, to provide for revocation of licenses, to create a criminal offense of carrying while consuming alcohol or while impaired, to specify prohibitions on licensees, to establish a Concealed Pistol Licensing Review Board, to provide a Freedom of Information Act exception for license information, to specify penalties for violations, and to require the Mayor to issue rules; and to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to authorize the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

License to Carry a Pistol Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "License to Carry a Pistol Congressional Review Emergency Amendment Act of 2015".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

Note, § 7-2502.01

(a) Section 201(b)(4) (D.C. Official Code § 7-2502.01(b)(4)) is amended by striking the phrase "the home" and inserting the phrase "the home or place of business" in its place.

Note, § 7-2502.02

(b) Section 202(a)(4)(C) (D.C. Official Code § 7-2502.02(a)(4)(C)) is amended to read as follows:

"(C) Any person who seeks to register a pistol:

"(i) For use in self-defense within that person's home or place of business; or

"(ii) As part of the application process for a license to carry a concealed pistol pursuant to section 902; or".

Note, § 7-2502.03

(c) Section 203(a)(4) (D.C. Official Code § 7-2502.03(a)(4)) is amended as follows:

(1) Subparagraph (D) is amended by striking the word "or" at the end.

(2) Subparagraph (E) is amended by adding the word "or" at the end.

(3) A new subparagraph (F) is added to read as follows:

"(F) Violation of section 503 of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-3133);".

(d) A new section 211a is added to read as follows: **Note, New § 7-2502.11a**

"Sec. 211a. Freedom of information exception.

"Any record regarding a person who has applied for, received, or had revoked any registration issued pursuant to this title shall not be made available as a public record under section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).".

(e) Section 706(a) (D.C. Official Code § 7-2507.06(a)) is amended by striking the phrase "Except as provided in sections 205, 208, 702, and 807" and inserting the phrase "Except as provided in sections 205, 208, 702, 807, and Title IX" in its place. **Note, § 7-2507.06**

(f) A new Title IX is added to read as follows:

"TITLE IX – LICENSES TO CARRY A PISTOL.

"Sec. 901. Definitions. **Note, New § 7-2509.01**

"For the purposes of this title, the term:

"(1) "Child" means a person under 18 years of age.

"(2) "Concealed pistol" means a loaded or unloaded pistol carried on or about a person entirely hidden from view of the public, or carried on or about a person in a vehicle in such a way as it is entirely hidden from view of the public.

"(3) "Law enforcement officer" means a sworn member of the Metropolitan Police Department or of any other law enforcement agency operating and authorized to make arrests in the District of Columbia, and includes an MPD reserve officer, a special police officer appointed pursuant to section 202 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057; D.C. Official Code § 5-129.02), and a campus and a university special police officer appointed pursuant to the College and University Campus Security Amendment Act of 1995, effective October 18, 1995 (D.C. Law 11-63; 6A DCMR § 1200 *et seq.*).

"(4) "License" means a license to carry a concealed pistol issued pursuant to section 6 of the Pistols and Other Dangerous Weapons Act.

"(5) "Licensee" means a person who has been issued a license pursuant to section 6 of the Pistols and Other Dangerous Weapons Act.

"(6) "MPD" means the Metropolitan Police Department.

"(7) "Section 6 of the Pistols and Other Dangerous Weapons Act" means section 6 of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4506).

"Sec. 902. Application requirements. **Note, New § 7-2509.02**

"(a) A person who submits an application pursuant to section 6 of the Pistols and Other Dangerous Weapons Act shall certify and demonstrate to the satisfaction of the Chief that he or she:

"(1) Is at least 21 years of age;

"(2) Meets all of the requirements for a person registering a firearm pursuant to this act, and has obtained a registration certificate for the pistol that the person is applying to carry concealed;

"(3)(A) Does not currently suffer from a mental illness or condition that creates a substantial risk that he or she is a danger to himself or herself or others; or

"(B) If he or she has suffered in the previous 5 years from a mental illness or condition that created a substantial risk that he or she was a danger to himself or herself or others, no longer suffers from a mental illness or condition that creates a substantial risk that he or she is a danger to himself or herself or others;

"(4) Has completed a firearms training course or combination of courses, conducted by an instructor (or instructors) certified by the Chief, which includes at least 16 hours of training, and covers the following:

"(A) Firearm safety;

"(B) Firearm nomenclature;

"(C) Basic principles of marksmanship;

"(D) Care, cleaning, maintenance, loading, unloading, and storage of pistols;

"(E) Situational awareness, conflict management, and use of deadly force;

"(F) Selection of pistols and ammunition for defensive purposes; and

"(G) All applicable District and federal firearms laws, including the requirements of this act, An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), and District law pertaining to self-defense;

"(5) Has completed at least 2 hours of range training, conducted by an instructor certified by the Chief, including shooting a qualification course of 50 rounds of ammunition from a maximum distance of 15 yards (45 feet); and

"(6) Has complied with any procedures the Chief may establish by rule.

"(b) An applicant shall satisfy the requirements of subsection (a)(4) and (a)(5) of this section with a certification from a firearms instructor that the applicant:

"(1) Demonstrated satisfactory completion of the requirements of subsection (a)(4) and (a)(5) of this section; and

"(2) Possesses the proper knowledge, skills, and attitude to carry a concealed pistol.

"(c) An applicant may be exempt from some or all of the requirements of subsection (a)(4) and (a)(5) of this section if the applicant has submitted evidence that he or she has received firearms training in the United States military or has otherwise completed firearms

training conducted by a firearms instructor that, as determined by the Chief, is equal to or greater than that required under subsection (a)(4) and (a)(5) of this section.

"(d) An applicant for a license may satisfy any component of the requirements of subsection (a)(4) and (a)(5) of this section by demonstrating to the satisfaction of the Chief that the applicant has met that particular component as part of a successful application to carry a concealed pistol issued by the lawful authorities of any state or subdivision of the United States.

"(e)(1) An applicant shall sign an oath or affirmation attesting to the truth of all the information required by section 6 of the Pistols and Other Dangerous Weapons Act and this section.

"(2) Any declaration, certificate, verification, or statement made for purposes of an application for a license to carry a concealed pistol pursuant to this act shall be made under penalty of perjury pursuant to section 401 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2402).

"(f) An applicant is required to appear for an in-person interview at the MPD headquarters for purposes including verification of the applicant's identity and verification of the information submitted as part of the application process for a license.

"(g) Any person whose application has been denied may, within 15 days after the date of the notice of denial, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908.

"Sec. 903. Expiration and renewal of licenses. **Note, New § 7-2509..03**

"(a) A license shall expire no later than 2 years after the date of issuance unless revoked by the Chief or renewed pursuant to this title.

"(b)(1) A license shall be eligible for renewal if:

"(A) The licensee continues to meet the requirements of section 6 of the Pistols and Other Dangerous Weapons Act and section 902, except that:

"(i) With regard to section 902(a)(4), only 4 hours of such training shall be required for renewal; and

"(ii) With regard to section 902(a)(5), the licensee shall provide proof of 2 hours of range practice within the previous 12 months; and

"(B) The licensee follows any procedures the Chief may establish by rule.

"(2) Timely renewal shall be the responsibility of the licensee, pursuant to any procedures the Chief may establish by rule.

"(c) Any person whose renewal application has been denied may, within 15 days after the date of the notice of denial, appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908.

"Sec. 904. Duties of licensees. **Note, New § 7-2509.04**

"(a) A licensee shall comply with all limits and conditions of the license.

"(b) A licensee shall notify the Chief in writing:

"(1) Immediately upon discovery of the loss, theft, or destruction of the license and include the circumstances of the loss, theft, or destruction, if known; and

"(2) Within 30 days after a change in the licensee's name or address as it appears on the license.

"(c) A licensee shall have on or about his or her person each time the pistol is carried in the District:

"(1) The license; and

"(2) The registration certificate for the pistol being carried, issued pursuant to this act.

"(d) If a law enforcement officer initiates an investigative stop of a licensee carrying a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act, the licensee, and any other licensee carrying a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act who is with the stopped licensee at the time of the investigative stop, shall:

"(1) Disclose to the officer that he or she is carrying a concealed pistol;

"(2) Present the license and registration certificate;

"(3) Identify the location of the concealed pistol; and

"(4) Comply with all lawful orders and directions from the officer, including allowing a pat down of his or her person and permitting the law enforcement officer to take possession of the pistol for so long as is necessary for the safety of the officer or the public.

"(e) The duties set forth in this section are in addition to any other requirements imposed by this act or applicable law.

"(f) In addition to any other penalty provided by law, a person who violates this section shall be subject to revocation of his or her license.

"Sec. 905. Revocation and suspension of licenses.

Note, New § 7-2509.05

"(a)(1) The Chief may limit or revoke a license upon a finding that the licensee no longer meets the requirements of section 6 of the Pistols and Other Dangerous Weapons Act and this title, or as a penalty as specified in this act.

"(2) The United States Attorney for the District of Columbia, the Attorney General for the District of Columbia, or any person may apply to the MPD at any time for limitation or revocation of a license.

"(3) Any person having knowledge that a licensee no longer meets the requirements of this act or the requirements of section 6 of the Pistols and Other Dangerous Weapons Act may so notify the Chief or any other law enforcement officer who may take such action as may be appropriate.

"(4) Before a limitation or revocation taking effect, the Chief shall serve a notice of intent to limit or revoke the license. The limitation or revocation shall take effect unless the licensee requests an appeal to the Concealed Pistol Licensing Review Board established pursuant to section 908 no later than 15 days after the date of the notice of intent.

"(b)(1) The Chief may summarily suspend or limit, without a hearing, a license, when the Chief has determined that the conduct of a licensee presents an imminent danger to the health and safety of a person or the public.

"(2) At the time of the summary suspension or limitation of a license, the Chief

shall provide the licensee with written notice stating the action that is being taken, the basis for the action, and the right of the licensee to request a hearing.

"(3) A licensee shall have the right to request a hearing within 72 hours after service of notice of the summary suspension or limitation of the license. The Concealed Pistol Licensing Review Board shall hold a hearing within 72 hours after receipt of a timely request, and shall issue a written decision within 72 hours after the hearing.

"Sec. 906. Carrying a pistol while impaired. **Note, New § 7-2509.06**

"(a) A licensee shall not carry a pistol while he or she is consuming alcohol.

"(b) A licensee shall not carry a pistol while impaired.

"(c) Upon establishing reasonable suspicion that a licensee has been consuming drugs or alcohol, a licensee's failure to submit to one or more field sobriety, breathalyzer, or urine tests, administered to determine whether the licensee is impaired while carrying a pistol, shall be grounds for summary suspension of the license pursuant to section 905(b).

"(d) In addition to any other penalty provided by law, any person who violates this section shall be subject to revocation of his or her license.

"(e) For the purposes of this section, the term "impaired" means a licensee has consumed alcohol or other drug or drugs and that it has affected the licensee's behavior in a way that can be perceived or noticed.

"Sec. 907. Prohibitions on carrying licensed pistols. **Note, New § 7-2509.07**

"(a) No person holding a license shall carry a pistol in the following locations or under the following circumstances:

"(1) A building or office occupied by the District of Columbia, its agencies, or instrumentalities;

"(2) The building and grounds, including any adjacent parking lot, of a childcare facility, preschool, public or private elementary or secondary school; or a public or private college or university;

"(3) A hospital, or an office where medical or mental health services are the primary services provided;

"(4) A penal institution, secure juvenile residential facility, or halfway house;

"(5) A polling place while voting is occurring;

"(6) A public transportation vehicle, including the Metrorail transit system and its stations;

"(7) Any premises, or portion thereof, where alcohol is served, or sold and consumed on the premises, pursuant to a license issued under Title 25 of the District of Columbia Official Code; provided, that this prohibition shall not apply to premises operating under a temporary license issued pursuant to D.C. Official Code § 25-115, a C/R, D/R, C/H, D/H, or caterer license issued pursuant to D.C. Official Code § 25-113, or premises with small-sample tasting permits issued pursuant to D.C. Official Code § 25-118, unless otherwise prohibited pursuant to subsection (b)(3) of this section;

"(8) A stadium or arena;

"(9) A gathering or special event open to the public; provided, that no licensee shall be criminally prosecuted unless:

"(A) The organizer or the District has provided notice prohibiting the carrying of pistols in advance of the gathering or special event and by posted signage at the gathering or special event; or

"(B) The licensee has been ordered by a law enforcement officer to leave the area of the gathering or special event and the licensee has not complied with the order;

"(10) The public memorials on the National Mall and along the Tidal Basin, and any area where firearms are prohibited under federal law or by a federal agency or entity, including U.S. Capitol buildings and grounds;

"(11) The area around the White House between Constitution Avenue, N.W., and H Street, N.W., and between 15th Street, N.W., and 17th Street, N.W.;

"(12) The U.S. Naval Observatory and its grounds, and from the perimeter of its fence to the curb of Massachusetts Avenue, N.W., from 34th Street, N.W., south on Massachusetts Avenue, N.W., to Observatory Circle, N.W.;

"(13)(A) When a dignitary or high-ranking official of the United States or a state, local, or foreign government is moving under the protection of the MPD, the U.S. Secret Service, the U.S. Capitol Police, or other law enforcement agency assisting or working in concert with MPD, within an area designated by the Chief, the Chief of the U.S. Secret Service, or the Chief of the U.S. Capitol Police, or a designee of any of the forgoing, that does not include any point at a distance greater than 1,000 feet from the moving dignitary or high-ranking official; provided, that no licensee shall be criminally prosecuted unless:

"(i) The law enforcement agency provides notice of the designated area by the presence of signs, law enforcement vehicles or officers acting as a perimeter, or other means to make the designated area of protection obvious;

"(ii) The District or federal government has provided notice prohibiting the carrying of pistols along a designated route or in a designated area in advance of the event, if possible, and by posted signage along a route or in a designated area; or

"(iii) The licensee has been ordered by a law enforcement officer to leave the designated area and the licensee has not complied with the order.

"(B) For the purposes of this paragraph, the term "moving" shall include any planned or unplanned stops, including temporary stops, in locations open to the public.

"(14) When demonstration in a public place is occurring, within an area designated by the Chief or his or her designee, or other law enforcement agency, that does not include any point at a distance greater than 1,000 feet from the demonstration; provided, that no licensee shall be criminally prosecuted unless:

"(A) The law enforcement agency provides notice of the designated area by the presence of signs, law enforcement vehicles or officers acting as a perimeter, or other means to make the designated area of the demonstration obvious;

"(B) The District or federal government has provided notice prohibiting the carrying of pistols along or within a demonstration route or designated area in advance of the event, if possible, and by posted signage along a demonstration route or designated area; or

"(C) The licensee has been ordered by a law enforcement officer to leave the designated area and the licensee has not complied with the order; or

"(15) Any prohibited location or circumstance that the Chief determines by rule; provided, that for spontaneous circumstances, no criminal penalty shall apply unless the licensee has notice of the prohibition and has failed to comply.

"(b)(1) The carrying of a concealed pistol on private residential property shall be presumed to be prohibited unless otherwise authorized by the property owner or person in control of the premises and communicated personally to the licensee in advance of entry onto the residential property.

"(2) The carrying of a concealed pistol in a church, synagogue, mosque, or other place where people regularly assemble for religious worship shall be presumed to be prohibited unless the property is posted with conspicuous signage allowing the carrying of a concealed pistol, or the owner or authorized agent communicates such allowance personally to the licensee in advance of entry onto the property; provided, that such places may not authorize the carrying of a concealed pistol where services are conducted in locations listed in subsection (a) of this section.

"(3) The carrying of a concealed pistol on private property that is not a residence shall be presumed to be permitted unless the property is posted with conspicuous signage prohibiting the carrying of a concealed pistol, or the owner or authorized agent communicates such prohibition personally to the licensee.

"(c) Whenever a licensee carries a concealed pistol and approaches any prohibited location, or is subject to any prohibited circumstance, under subsection (a) or subsection (b) of this section, the licensee shall:

"(1) If the licensee is in a vehicle or if a vehicle is readily available, immediately secure the pistol in the manner prescribed in section 4b(b) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02(b)); or

"(2) If the licensee does not have a vehicle available, immediately leave the prohibited location or circumstance.

"(d) A licensee shall not be in violation of this section:

"(1) While he or she is traveling along a public street, road, or highway, including an adjacent public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) or (b) of this section if the concealed pistol is carried on his or her person in accordance with this act, or is being transported by the licensee in accordance with section 4b of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties,

to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02); or

"(2) While driving a vehicle into and immediately parking at any location listed in subsection (a)(2) of this section for the purpose of picking up or dropping off a student or a child; provided, that the licensee shall secure the concealed pistol in accordance with section 4b(b) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, effective May 20, 2009 (D.C. Law 17-388; D.C. Official Code § 22-4504.02(b)), before leaving the parked vehicle.

"(e) A licensee shall not carry a pistol openly or otherwise in a manner that is not concealed.

"(f) In addition to any other penalty provided by law, any person who violates this section shall be subject to revocation of his or her license.

"(g) For the purposes of this section, the term:

"(1) "Demonstration" means one or more persons demonstrating, picketing, speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves the communication or expression of views or grievances and that has the effect, intent, or propensity to attract a crowd or onlookers. The term "demonstration" does not include the casual use of property by visitors or tourists that does not have the effect, intent, or propensity to attract a crowd or onlookers.

"(2) "Public place" means a place to which the general public has access and a right to occupy for business, entertainment, or other lawful purpose. The term "public place" is not limited to a place devoted solely to the uses of the public, and includes:

"(A) The front or immediate area or parking lot of a store, restaurant, tavern, shopping center, or other place of business;

"(B) A public building, including its grounds and curtilage;

"(C) A public parking lot;

"(D) A public street, sidewalk, or right-of-way;

"(E) A public park; and

"(F) Other public grounds.

"(3) "Public transportation vehicle" means any publicly owned or operated commercial vehicle, including any DC Circulator bus, DC Streetcar, MetroAccess vehicle, Metrobus, or Metrorail train.

"(4) "Residence" means a building wholly or partly used or intended to be used for living and sleeping by human occupants, together with any fences, walls, sheds, garages, or other accessory buildings appurtenant to the building, and the area of land surrounding the building and actually or by legal construction forming one enclosure in which such a building is located, but does not include adjacent common areas or commercial property contained in any part of the building.

Note, New § 7-2509.08

"Sec. 908. Concealed Pistol Licensing Review Board.

"(a) There is established a Concealed Pistol Licensing Review Board ("Board") for the purpose of hearing appeals from:

"(1) A denial of an application or renewal application for a license to carry a concealed pistol in the District pursuant to this act;

"(2) A summary suspension or limitation of a license to carry a concealed pistol; or

"(3) A limitation or revocation of a license to carry a concealed pistol.

"(b)(1) The Board shall consist of 7 members as follows:

"(A) The United States Attorney ("USAO") for the District of Columbia or his or her designee; provided, that if the USAO declines to provide a representative, the Mayor shall appoint a person who is a former employee of the USAO;

"(B) The Attorney General for the District of Columbia or his or her designee;

"(C) A mental health professional employed by the Department of Behavioral Health, appointed by the Mayor;

"(D) A former sworn officer of a law enforcement agency other than the MPD, appointed by the Mayor;

"(E) Three public members appointed by the Mayor, as follows:

"(i) One mental health professional; and

"(ii) Two District residents with experience in the operation, care, and handling of firearms.

"(2) The appointment of members designated by subsection (b)(1)(D) and (b)(1)(E) of this section shall be made in accordance with the following provisions:

"(A) Each member shall be appointed for a term of 4 years, and shall continue to serve during that time as long as the member remains eligible for the appointment;

"(B) A member may be reappointed;

"(C) A Board member whose term has expired may continue to serve as a member until a replacement member has been appointed;

"(D) A person appointed to fill a vacancy occurring before the expiration of a term shall serve for the remainder of the term or until a successor has been appointed; and

"(E) A member may be removed by the appointing authority only for incompetence, neglect of duty, or misconduct.

"(3) The Mayor shall select a chairperson.

"(4) Members shall serve without compensation, but shall be compensated for actual and necessary expenses incurred in the performance of their official duties.

"(c) Four members of the Board shall constitute a quorum, except that 2 members shall be a quorum when hearing panels of 3 members are assigned by the Board to conduct a hearing and make a final decision required by this section. Each hearing panel shall contain at least one member designated by subsection (b)(1)(A), (B), or (D) of this section.

"(d)(1) Within 30 days after the effective date of the License to Carry a Pistol Second Emergency Amendment Act of 2014, effective January 6, 2015 (D.C. Act 20-564; 62 DCR 866), the Mayor, by rule, shall establish hearing procedures for a contested case review of any appeal, including the manner and time of appeals, and procedures for the Board to assign panels of 3 Board members to conduct such hearings and issue final decisions, pursuant to subsection (c) of this section.

"(2) The rules shall include that the burden of production of evidence, and the burden of persuasion, at a hearing before the Board shall be upon the applicant or licensee that is challenging a denial of an application or renewal application or limitation or revocation of a license.

"(e) The meetings and hearings conducted by the Board shall be confidential and not open to the public.

"(f) Any person, including the Chief, aggrieved by a final action of the Board may file an appeal in accordance with Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

"Sec. 909. Freedom of information exception; report. **Note, New § 7-2509.09**

"(a) Any record regarding a person who has applied for, received, or had revoked a license shall not be made available as a public record under section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532); provided, that aggregate data, excluding any personal identifying information, may be used for the purposes of the public report in subsection (b) of this section.

"(b) Every 2 years, the MPD shall make public a report that includes the following information:

"(1) The total number of valid licenses; and

"(2) For the most recent 2-year period:

"(A) The number of applications for a license received;

"(B) The number of licenses issued;

"(C) The number of licenses renewed, suspended, revoked, or denied;

"(D) The number of licensees convicted of a crime involving a pistol, classified by type of crime;

"(E) The number of pistols for which a license was issued that were reported lost or stolen; and

"(F) The number of pistols for which a license was issued that were found or recovered as stolen that were unreported by a licensee as lost or stolen.

"Sec. 910. Penalties. **Note, New § 7-2509.10**

"(a)(1) Except as otherwise provided in this title, a person convicted of a violation of a provision of this title, or rules or regulations issued under the authority of this title, shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or imprisoned for not more than 180 days.

"(2) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this title, or any rules or regulations issued under the authority of this title.

"(b) All prosecutions for violations of this title shall be brought in the name of the District of Columbia and prosecuted by the Office of the Attorney General for the District of Columbia.

"Sec. 911. Rules.

Note, New § 7-2509.11

"The Chief of the MPD, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of the License to Carry a Pistol Second Emergency Amendment Act of 2014, effective January 6, 2015 (D.C. Act 20-564; 62 DCR 866), and the License to Carry a Pistol Congressional Review Emergency Amendment Act of 2015, passed on emergency basis on June 2, 2015 (Enrolled version of Bill 21-221), including rules:

"(1) To establish criteria for determining when an applicant has, pursuant to section 6 of the Pistols and Other Dangerous Weapons Act:

"(A) Demonstrated a good reason to fear injury to his or her person, which shall at a minimum require a showing of a special need for self-protection distinguishable from the general community as supported by evidence of specific threats or previous attacks that demonstrate a special danger to the applicant's life;

"(B) Demonstrated any other proper reason for carrying a concealed pistol, which shall at a minimum include types of employment that require the handling of cash or other valuable objects that may be transported upon the applicant's person; and

"(C) Demonstrated the applicant's suitability to carry a concealed pistol, which shall at a minimum include evidence that the applicant meets the requirements of section 902;

"(2) To establish the type and amount of ammunition that may be carried concealed by a licensee;

"(3) To establish the methods by which a pistol may be carried, including any standards for safe holstering;

"(4) To establish all application forms, investigation procedures, background checks, and fees necessary to process an application for a license to carry a concealed pistol;

"(5) To specify any procedures or requirements specific to non-residents who apply to carry a concealed pistol pursuant to section 6 of the Pistols and Other Dangerous Weapons Act, with regard to the registration requirements in this act;

"(6) To specify requirements for signage on any private premises where the owner or person in control of the premises prohibits the carrying of a concealed pistol pursuant to section 907(b); and

"(7) To establish procedures for the renewal of licenses.".

Sec. 3. An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of

evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), is amended as follows:

(a) Section 4(a) (D.C. Official Code § 22-4504(a)) is amended as follows: **Note, § 22-4504**

(1) The lead-in language is amended as follows:

(A) Strike the phrase "a pistol" and insert the phrase "a pistol, without a license issued pursuant to District of Columbia law" in its place.

(B) Strike the phrase "capable of being so concealed".

(2) Paragraph (1) is amended by striking the phrase "a pistol" and inserting the phrase "a pistol, without a license issued pursuant to District of Columbia law" in its place.

(b) Section 6 (D.C. Official Code § 22-4506) is revived as of the effective date of the License to Carry a Pistol Emergency Amendment Act of 2014, effective October 9, 2014 (D.C. Act 20-447; 61 DCR 10765), and is amended to read as follows: **Note, § 22-4506**

"Sec. 6. Issuance of a license to carry a pistol.

"(a) The Chief of the Metropolitan Police Department ("Chief") may, upon the application of a person having a bona fide residence or place of business within the District of Columbia, or of a person having a bona fide residence or place of business within the United States and a license to carry a pistol concealed upon his or her person issued by the lawful authorities of any State or subdivision of the United States, issue a license to such person to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue, if it appears that the applicant has good reason to fear injury to his or her person or property or has any other proper reason for carrying a pistol, and that he or she is a suitable person to be so licensed.

"(b) A non-resident who lives in a state that does not require a license to carry a concealed pistol may apply to the Chief for a license to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue; provided, that he or she meets the same reasons and requirements set forth in subsection (a) of this section.

"(c) For any person issued a license pursuant to this section, or renewed pursuant to section 903 of the Firearms Control Regulations Act of 1975, passed on emergency basis on June 2, 2015 (Enrolled version of Bill 21-221), the Chief may limit the geographic area, circumstances, or times of the day, week, month, or year in which the license is effective, and may subsequently limit, suspend, or revoke the license as provided under section 905 of the Firearms Control Regulations Act of 1975, passed on emergency basis on June 2, 2015 (Enrolled version of Bill 21-221).

"(d) The application for a license to carry shall be on a form prescribed by the Chief and shall bear the name, address, description and photograph of the licensee.

"(e) Except as provided in section 905(b) of the Firearms Control Regulations Act of 1975, passed on emergency basis on June 2, 2015 (Enrolled version of Bill 21-221), any person whose application has been denied or whose license has been limited or revoked may, within 15 days after the date of the notice of the denial or notice of intent, appeal to the Concealed Pistol

Licensing Review Board established pursuant to section 908 of the Firearms Control Regulations Act of 1975, passed on emergency basis on June 2, 2015 (Enrolled version of Bill 21-221).".

Sec. 4. Repealers.

Note, § 22-2511

(a) Section 101 of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-2511), is repealed.

(b) The License to Carry a Pistol Temporary Amendment Act of 2014, effective May 5, 2015 (D.C. Law 20-169; 61 DCR 11814), is repealed.

Sec. 5. Rules, orders, and administrative actions.

Note, § 7-2509.01

Any rules or orders issued, or administrative actions taken, under the authority of the License to Carry a Pistol Second Emergency Amendment Act of 2014, effective January 6, 2015 (D.C. Act 20-564; 62 DCR 866), are affirmed and ratified and shall remain in effect until repealed or superseded, and the authority for such rules or orders issued, or administrative actions taken, shall have not have lapsed during the period of time which elapsed from April 7, 2015, to the effective date of this act.

Sec. 6. Applicability.

Retroactive applicability

This act shall apply as of April 7, 2015.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the License to Carry a Pistol Amendment Act of 2014, enacted on February 6, 2015 (D.C. Act 20-621; 62 DCR 1944), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-75, effective June 16, 2015 (Expiration date September 14, 2015)

AN ACT

Bill 21-212

Emergency Declaration Res. 21-128 21 DCStat 1600

Codification District of Columbia Official Code 2001 Edition

Extension of Review Period for the Southwest Small Area Plan Emergency Amendment Act of 2015

Note, § 1-306.03

To amend, on an emergency basis, the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 to extend by 45 days the Council review period for the Southwest Neighborhood small area action plan.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Review Period for the Southwest Small Area Plan Emergency Amendment Act of 2015".

Sec. 2. Section 4(c) of the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984, effective March 16, 1985 (D.C. Law 5-187; D.C. Official Code § 1-306.03(c)), is amended by adding a new paragraph (4A) to read as follows:

"(4A) Notwithstanding paragraph (4) of this section, the Council review period for the Southwest Neighborhood small area action plan, transmitted by the Mayor on April 1, 2015 with the Southwest Neighborhood Plan Approval Resolution of 2015, as introduced on April 1, 2015 (P.R. 21-127), is extended by an additional 45 days, excluding Saturdays, Sundays, legal holidays, and days of Council recess.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-76, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-164

Emergency Declaration Res. 21-104 21 DCStat 1554

Not Codified

To adjust, on an emergency basis, certain allocations requested in the Fiscal Year 2015 Budget Request Act pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2015 Second Revised Budget Request Emergency Adjustment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Second Revised Budget Request Emergency Adjustment Act of 2015".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2015 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II—DISTRICT OF COLUMBIA FUNDS—SUMMARY OF EXPENSES

$99,652,000 is removed from local funds (including an increase of $106,000 in dedicated taxes); $215,000 is increased in other funds; and $260,000 is increased in enterprise and other funds; to be allocated as follows:

Government Direction and Support

The appropriation for Governmental Direction and Support is decreased by $7,073,000 in local funds and increased by $162,000 in other funds; to be allocated as follows:

(1) Department of General Services. – ($5,500,000) is removed from local funds;

(2) Office of the Secretary. – ($100,000) is removed from local funds;

(3) Office of Contracting and Procurement. – ($500,000) is removed from local funds;

(4) Office of Risk Management. – ($200,000) is removed from local funds;

(5) Department of Human Resources. – ($84,000) is removed from local funds and $162,000 is added to be available in other funds;

(6) Office of Campaign Finance. – ($233,000) is removed from local funds;

(7) Office of the District of Columbia Auditor. – ($122,000) is removed from local funds;

(8) Office of the Attorney General – ($300,000) is removed from local funds;

(9) Contract Appeals Board – ($24,000) is removed from local funds; and

(10) Public Employee Relations Board – ($11,000) is removed from local funds.

Economic Development and Regulation

The appropriation for Economic Development and Regulation is decreased by $3,015,000 in local funds; to be allocated as follows:

(1) Department of Employment Services. – ($372,000) is removed from local funds;

(2) Office of the Deputy Mayor for Planning and Economic Development. – ($136,737) is removed from local funds;

(3) Office of Motion Picture and Television Development. – ($1,507,000) is removed from local funds; and

(4) Commission on the Arts and Humanities. – ($1,000,000) is removed from local funds.

Public Safety and Justice

The appropriation for Public Safety and Justice is decreased by $1,792,000 in local funds; to be allocated as follows:

(1) Office of Unified Communications. – ($1,401,000) is removed from local funds;

(2) Department of Forensic Sciences. – ($196,000) is removed from local funds; and

(3) Office of Administrative Hearings. – ($194,000) is removed from local funds.

Public Education

The appropriation for Public Education is decreased by $15,542,000 in local funds; to be allocated as follows:

(1) Office of the State Superintendent of Education. – ($6,182,000) is removed from local funds;

(2) Office of the Deputy Mayor for Education. – ($4,000,000) is removed from local funds;

(3) District of Columbia Public Charter Schools. – ($2,500,000) is removed from local funds;

(4) State Board of Education – ($10,000) is removed from local funds; and

(5) Special Education Transportation. – ($2,850,000) is removed from local funds.

Human Support Services

The appropriation for Human Support Services is decreased by $28,119,000 in local funds (including an increase of $106,000 in dedicated taxes) and increased by $53,000 in other funds; to be allocated as follows:

(1) Department of Human Services. – ($600,000) is removed from local funds;

(2) Department of Parks and Recreation. – ($1,750,000) is removed from local funds;

(3) Department of Health Care Finance. – ($25,085,000) is removed from local funds (including an increase of $106,000 in dedicated taxes) and $53,000 is added to be available in other funds;

(4) Department of Youth Rehabilitation Services. – ($463,000) is removed from local funds;

(5) Office on Latino Affairs. – ($10,000) is removed from local funds;

(6) Office on Asian and Pacific Islander Affairs. – ($6,000) is removed from local funds;

(7) Office of Veterans Affairs. – ($5,000) is removed from local funds; and

(8) Office on Aging. – ($200,000) is removed from local funds.

Public Works

The appropriation for Public Works is decreased by $175,000 in local funds; to be allocated as follows:

(1) District Department of Transportation. – $250,000 is added to be available in local funds; and

(2) Department of Motor Vehicles. – ($425,000) is removed from local funds.

Financing and Other

The appropriation for Financing and Other is decreased by $43,936,000 in local funds; to be allocated as follows:

(1) Repayments of Loans and Interest. – ($20,328,000) is removed from local funds;

(2) Certificates of Participation. – ($22,670,000) is removed from local funds;

(3) Non-departmental. – ($6,300,000) is removed from local funds;

(4) Workforce Investments. – ($8,000,000) is removed from local funds;

(5) TIF and PILOT Transfer. – $9,907,000 is added to be available in local funds; and

(6) Emergency and Contingency Reserve Funds. – $3,455,000 is added to be available in local funds.

Enterprise and Other Funds

The appropriation for Enterprise and Other Funds is increased by $260,000 in enterprise and other funds; to be allocated as follows:

(1) University of the District of Columbia. – $260,000 is added to be available in enterprise and other funds.

Sec. 3. Of the Fiscal Year 2015 local funds within the budget of the Office of the Deputy Mayor for Public Safety and Justice, $700,000 shall be reallocated from the Justice Grants Administration program to the Community-Based Violence Reduction Fund.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-198

Emergency Declaration Res. 21-113 21 DCStat 1581

Not Codified

To approve, on an emergency basis, Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM with MCN Build, LLC for design-build services for the Powell Elementary School modernization and expansion, and to authorize payment for the goods and services received and to be received under these change orders.

Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM with MCN Build, LLC, for design-build Services for the Powell Elementary School modernization and expansion, and authorizes payment in the aggregate amount of $1,571,647 for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-78, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-202

Emergency Declaration Res. 21-126 21 DCStat 1596

Not Codified

To approve, on an emergency basis, Modification Nos. 21, 23, 24, and 26 to Contract No. CW16474 with Infosys Public Services, Inc. to provide District of Columbia Access System services and to authorize payment for the goods and services received and to be received under these modifications.

Contract No. CW16474 Modification Nos. 21, 23, 24, and 26 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW16474 Modification Nos. 21, 23, 24, and 26 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 21, 23, 24, and 26 ("Option Year Two") to Contract No. CW16474 with Infosys Public Services, Inc, to continue to provide District of Columbia Access System services, and authorizes payment in the not-to-exceed amount of $51,460,303.28 for services received and to be received under these modifications.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-203

Emergency Declaration Res. 21-123 21 DCStat 1592

Not Codified

To approve, on an emergency basis, Option Year 4 of Contract No. DCKT-2010-E-0112 with WM Recycle America, LLC to continue to provide the District with recycling services and to authorize payment for the services received and to be received under the contract.

Modification 14, Option Year 4 of Contract No. DCKT-2010-E-0112 with WM Recycle America, LLC Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification 14, Option Year 4 of Contract No. DCKT-2010-E-0112 with WM Recycle America, LLC Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Option Year 4 of Contract No. DCKT-2010-E-0112 with WM Recycle America, LLC to continue to provide the District with recycling services and authorizes payment in the estimated contract amount of $1.2 million for services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-80, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-205

Emergency Declaration Res. 21-114 21 DCStat 1582

Not Codified

To approve, on an emergency basis, Modification No. 0001 to Contract No. CW317429 with Northrop Grumman for IT maintenance and support services to the District's Automated Unemployment Tax System and to authorize payment for the services received and to be received under the contract.

Modification No. 0001 to Contract No. CW317429 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification No. 0001 to Contract No. CW317429 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 0001 to Contract No. CW317429 with Northrop Grumman to provide IT maintenance and support services to the District's Automated Unemployment Tax System, and authorizes payment in the not-to-exceed amount of $1,370,300 for the services received and to be received under the contract from October 1, 2014 through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-81, effective June 17, 2015 (Expiration date July 1, 2015)

AN ACT

Bill 21-207

Emergency Declaration Res. 21-105 21 DCStat 1555

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to approve the salary adjustment submitted by the Mayor for the position of the Chancellor of the District of Columbia Public Schools.

Chancellor of the District of Columbia Public Schools Salary Adjustment Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Chancellor of the District of Columbia Public Schools Salary Adjustment Congressional Review Emergency Amendment Act of 2015".

Note, § 1-610.52

Sec. 2. Section 1052(b)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)(2)), is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($275,000)," and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($284,000)," in its place.

Retroactive applicability

Sec. 3. Applicability.

This act shall apply as of April 2, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-82, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-208

Emergency Declaration Res. 21-121 21 DCStat 1589

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Retail Electric Competition and Consumer Protection Act of 1999 to prohibit the electric company from disconnecting residential electric service when the heat index is forecasted to be 95 degrees Fahrenheit or above.

Heat Wave Safety Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Heat Wave Safety Emergency Amendment Act of 2015".

Note, New § 34-1506.01

Sec. 2. The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq*.), is amended by adding a new section 106a to read as follows:

"Sec. 106a. Disconnection of service in extreme temperature prohibited.

"(a) For the purposes of this section, the term "forecast of extreme temperature" means a National Weather Service forecast that the heat index for the District of Columbia will be 95 degrees Fahrenheit or above at any time during a day.

"(b) The electric company shall not disconnect residential electric service during the day preceding, and the day of, a forecast of extreme temperature. If the forecast of extreme temperature precedes a holiday or weekend day, the electric company shall not disconnect residential electric service on any day during the holiday or weekend.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-83, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-214

Emergency Declaration Res. 21-115 21 DCStat 1583

Not codified

To approve, on an emergency basis, Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 with Broughton Construction Company, LLC for design-build services for the Stuart Hobson Middle School modernization and expansion, and to authorize payment for the goods and services received and to be received under these change orders.

Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 with Broughton Construction Company, LLC, for design-build services for the Stuart Hobson Middle School modernization and expansion, and authorizes payment in the aggregate amount of $3,022,172.63 for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-84, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-215

Emergency Declaration Res. 21-116 21 DCStat 1584

Not codified

To approve, on an emergency basis, Change Orders Nos. FY15-001 through FY15-004 to Contract No. DCAM-12-CS-0184A with Adrian L. Merton, Inc., for HVAC Technician Services, and to authorize payment for the goods and services received and to be received under the change orders.

Change Orders Nos. FY15-001 through FY15-004 to Contract No. DCAM-12-CS-0184A Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders Nos. FY15-001 through FY15-004 to Contract No. DCAM-12-CS-0184A Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Orders Nos. FY15-001 through FY15-004 to Contract No. DCAM-12-CS-0184A with Adrian L. Merton, Inc., for HVAC Technician Services, and authorizes payment in the aggregate amount of $3,508,647.40 for the goods and services received and to be received and under the change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-85, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-216

Emergency Declaration Res. 21-118 21 DCStat 1586

Not Codified

To approve, on an emergency basis, Change Orders Nos. FY15-001 through FY15-003 to Contract No. DCAM-12-CS-0184B with RSC Electrical & Mechanical Contractors, Inc. for HVAC Technician Services, and to authorize payment for the goods and services received and to be received under the change orders.

Change Orders Nos. FY15-001 through FY15-003 to Contract No. DCAM-12-CS-0184B Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders Nos. FY15-001 through FY15-003 to Contract No. DCAM-12-CS-0184B Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Orders Nos. FY15-001 through FY15-003 to Contract No. DCAM-12-CS-0184B with RSC Electrical & Mechanical Contractors, Inc., for HVAC Technician Services, and authorizes payment in the aggregate amount of $3,402,800 for the goods and services received and to be received under the change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-86, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-219

Emergency Declaration Res. 21-127 21 DCStat 1598

Not Codified

To approve, on an emergency basis, Modification Nos. 10 and 11 to Contract No. DCJM-2009-E-0002 and proposed sole source Contract No. DCJM-2015-S-0002 to continue services by Liberty Healthcare Corporation as a Quality Improvement Organization to conduct provider certification reviews, individual support plan utilization reviews, and service coordination performance audits of Centers for Medicare and Medicaid Services Home and Community Based Services waiver providers for residents of the District of Columbia with intellectual and developmental disabilities, and to authorize payment for services received and to be received under the contract modifications and sole source contract.

Contract No. DCJM-2009-E-0002 and Contract No. DCJM-2015-S-0002 Modification Approval and Payment Authorization Emergency Act of 201

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCJM-2009-E-0002 and Contract No. DCJM-2015-S-0002 Modification Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 10 and 11 to Contract No. DCJM-2009-E-0002 and proposed sole source Contract No. DCJM-2015-S-0002 to continue services by Liberty Healthcare Corporation as a Quality Improvement Organization to conduct provider certification reviews, individual support plan utilization reviews, and service coordination performance audits of Centers for Medicare and Medicaid Services Home and Community Based Services waiver providers for residents of the District of Columbia with intellectual and developmental disabilities, and authorizes payment to Liberty Healthcare Corporation in the total amount of $1,832,237.15, of which $827,285.14 is for Modification Nos. 10 and 11 to Contract No. DCJM-2009-E-0002, and $1,003,952.01 of which is for the proposed Contract No. DCJM-2015-S-0002, for services received and to be received under the contract modifications and sole source contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-87, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-220

Emergency Declaration Res. 21-117 21 DCStat 1585

Not Codified

To approve, on an emergency basis, Change Orders Nos. 002 through 006 to Contract No. DCAM-13-CS-0136 with Smoot Gilbane II Joint Venture for design-build services for the Roosevelt High School modernization, and to authorize payment for the goods and services received and to be received under these change orders.

Change Orders Nos. 002 through 006 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders Nos. 002 through 006 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Orders Nos. 002 through 006 to Contract No. DCAM-13-CS-0136 with Smoot Gilbane II Joint Venture, for design-build services for the Roosevelt High School modernization, and authorizes payment in the aggregate amount of $1,510,484 for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-88, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-233

Emergency Declaration Res. 21-125 21 DCStat 1595

Not Codified

To approve, on an emergency basis, Contract No. DCAM-14-NC-0179A and Modification Nos. 03 and 04 with Chiaramonte Construction Company for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of $1,035,932 for the goods and services received under the contract and modifications.

Contract No. DCAM-14-NC-0179A and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCAM-14-NC-0179A and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Contract No. DCAM-14-NC-0179A and Modification Nos. 03 and 04 with Chiaramonte Construction Company for snow and ice removal and pre-treatment services, and authorizes payment in the aggregate amount of $1,035,932 for the goods and services received under the contract and modifications.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-89, effective June 17, 2015 (Expiration date September 15, 2015)

AN ACT

Bill 21-234

Emergency Declaration Res. 21-124 21 DCStat 1594

Not Codified

To approve, on an emergency basis, Contract No. DCAM-14-NC-0179B and Modification Nos. 03 and 04 with Community Bridge, Inc. for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of $1,045,105 for the goods and services received under the contract and modifications.

Contract No. DCAM-14-NC-0179B and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCAM-14-NC-0179B and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Contract No. DCAM-14-NC-0179B and Modification Nos. 03 and 04 with Community Bridge, Inc. for snow and ice removal and pre-treatment services, and authorizes payment in the aggregate amount of $1,045,105 for the goods and services received under the contract and modifications.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-95, effective June 25, 2015 (Expiration date September 23, 2015)

AN ACT

Bill 21-222

Emergency Declaration Res. 21-122 21 DCStat 1590

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Rental Housing Conversion and Sale Act of 1980, to clarify that a bona fide offer of sale for a housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party contract, shall be based on current, applicable, matter-of-right zoning regulations or laws, or by an existing right to convert to another use, that the offer may take into consideration the highest and best use of the property, and to establish the right of a tenant organization to a determination of the appraised value of a housing accommodation under certain circumstances.

TOPA Bona Fide Offer of Sale Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "TOPA Bona Fide Offer of Sale Clarification Emergency Amendment Act of 2015".

Sec. 2. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01), is amended as follows:

(a) Section 103 (D.C. Official Code § 42-3401.03) is amended as follows:

Note, § 42-3401.03

(1) New paragraphs (1A) and (1B) are added to read as follows:

"(1A) Beginning January 1, 2014, "appraised value" means the value of a housing accommodation as of the date of the appraisal, based on an objective, independent property valuation, performed according to professional appraisal industry standards.

"(1B) Beginning January 1, 2014, "bona fide offer of sale" means an offer of sale for a housing accommodation or the interest in the housing accommodation, that is either:

"(A) For a price and other material terms that are at least as favorable as those accepted by a purchaser in an arm's length third-party contract; or

"(B) In the absence of an arm's length third-party contract, an offer of sale with a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value.".

(2) A new paragraph (12A) is added to read as follows:

"(12A) Beginning January 1, 2014, "matter-of-right" means a land use, development density, or structural dimension to which a property owner is entitled by current zoning regulations or law.".

(b) Section 402 (D.C. Official Code § 42-3404.02) is amended as follows:

Note, § 42-3404.02

(1) Subsection (a) is amended by striking the phrase "Before an owner" and inserting the phrase "Before October 7, 2014, before an owner" in its place.

(2) New subsections (a-1), (a-2), (a-3), and (a-4) are added to read as follows:

"(a-1) Beginning October 7, 2014, before an owner of a housing accommodation may sell the housing accommodation or issue a notice to vacate for purposes of demolition or discontinuance of housing use, the owner shall give the tenant an opportunity to purchase the housing accommodation at a price and terms that represent a bona fide offer of sale.

"(a-2) Beginning January 1, 2014, whenever an offer of sale is made to tenants for a housing accommodation with 5 or more units that is required by subsection (a) or (a-1) of this section before the owner may issue a notice to vacate for purposes of demolition or discontinuance of housing use, and the offer is made in the absence of an arm's-length third-party contract, the following shall apply:

"(1) The sales price contained in the offer of sale shall be less than or equal to a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value of the housing accommodation as determined by this subsection.

"(2) An appraised value shall only be based on rights an owner has as a matter-of-right as of the date of the offer, including any existing right an owner may have to convert the property to another use.

"(3) Within the restrictions of paragraph (2) of this subsection, an appraised value may take into consideration the highest and best use of the property.

"(4) The owner of the housing accommodation shall have the burden of proof to establish that an offer of sale under this subsection is a bona fide offer of sale.

"(5)(A) A tenant organization registered according to section 411(1) may challenge the offer presented by an owner of a housing accommodation as not being a bona fide offer of sale, and request a determination of the appraised value of the housing accommodation.

"(B) The tenant organization shall request an appraisal by delivering the request to the Mayor and the owner by hand or by certified mail, within 45 days of receipt of a valid bona fide offer of sale.

"(C)(i) The tenant organization and owner of the housing accommodation shall jointly select an appraiser. If within 14 days after a tenant organization has requested an appraisal, the tenant organization and owner of the housing accommodation have not agreed upon an appraiser, either party may request that the Mayor select an appraiser.

"(ii) A request that the Mayor select an appraiser shall be in writing and delivered by hand or by certified mail to the Mayor and to the owner or tenant organization, respectively.

"(iii) The Mayor shall select the appraiser on a sole source basis within 7 days of receiving the request for an appraiser.

"(D) The tenant organization and owner of the housing accommodation shall pay one-third and two-thirds of the cost of the appraisal, respectively.

"(E)(i) The appraiser shall hold an active license to be a Certified General Real Property Real Estate Appraiser that has been issued by District of Columbia Board of Real Estate Appraisers.

"(ii) The owner shall give the appraiser full, unfettered access to

the property.

"(iii) The owner shall respond within 7 days to any request for information from the appraiser.

"(iv) The tenant organization may give the appraiser information relevant to the valuation of the property.

"(F) The appraisal shall be completed expeditiously according to standard industry timeframes.

"(6) Beginning with the date of a tenant organization request for an appraisal, and for each day thereafter until the tenant organization receives the appraisal, the negotiation period described in section 411(2) shall be extended by one day.

"(7)(A) The determination of the appraised value of the housing accommodation in accordance with this subsection shall become the sales price of the bona fide offer of sale for the housing accommodation, unless:

"(i) The owner and the tenant organization agree upon a different sales price of the housing accommodation; or

"(ii) Within 14 days of the receipt of the appraisal by the owner, the owner elects to withdraw the offer of sale.

"(B) The owner shall withdraw the offer of sale by delivering a letter of withdrawal to the Mayor and a member of the board of directors of the tenant organization, by hand or by certified mail. Upon such election, the owner shall reimburse the tenant organization for its entire share of the cost of the appraisal within 14 days. An owner who withdraws an offer of sale in accordance with this paragraph, shall be precluded from making a subsequent offer of sale to the tenant organization without an arm's-length third party contract, for 6 months from the date of the election to withdraw the offer of sale.

"(8) Within 30 days of the receipt of the appraisal conducted by an appraiser selected by the Mayor according to this subsection, either the tenant organization or the owner of the housing accommodation may appeal the appraisal as being in violation of the requirements of this subsection, to the Superior Court of the District of Columbia for the court to take any appropriate action the court may deem necessary.

"(a-3) Notwithstanding subsections (a-1) and (a-2) of this section, for a tenant organization that before the effective date of the TOPA Bona Fide Offer of Sale Clarification Emergency Amendment Act of 2015, passed on emergency basis on June 2, 2015 (Enrolled version of Bill 21-222), has registered the tenant organization with the Mayor according to section 411(1), and has requested an appraisal of the housing accommodation by delivering the request to the Mayor and the owner by hand or by certified mail, the following shall apply:

"(1) Beginning January 1, 2014, before an owner of a housing accommodation may sell the accommodation, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use, the owner shall give the tenant an opportunity to purchase the accommodation at a price and terms that represent a bona fide offer of sale.

"(2) If within 360 days of the date of the issuance of a bona fide offer of sale pursuant to this subsection, an owner has neither sold, or is in the process of selling, the property pursuant to that bona fide offer of sale nor taken possession of the property, the owner shall comply anew with the requirements of this subsection before the owner may again act to sell the housing, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use.

"(3) For the purposes of this subsection, in the case of multi-unit housing, the term:

"(A)(i) "A bona fide offer of sale" means a sales price that is less than or equal to the appraised value of the real property, multi-unit housing, and any other appurtenant improvements ("property") plus, except as provided in sub-subparagraph (ii) of this subparagraph, the amount of liens existing before the sale or transfer; provided, that the liens shall be satisfied by the seller in the sale or transfer transaction.

"(ii) If the seller and the purchaser agree that the purchaser shall assume the liens, if any, a bona fide offer of sale means a sale price that is less than or equal to the appraised value of the property less the amount of any lien assumed by the purchaser.

"(B)(i) "Appraised value" means an objective property valuation based on the current state of the property and existing zoning, building, and occupancy permits that is no more than 6 months older than the date of issuance of the offer of sale that has been determined by 2 independent appraisals performed by 2 appraisers qualified to perform multi-unit appraisals.

"(ii) Of the 2 appraisers required by sub-subparagraph (i) of this subparagraph, one shall be selected by the owner and one shall be selected by the tenant. If the appraisers fail to agree upon a fair market value, the owner and the tenant shall jointly select and pay a third appraiser, whose appraisal shall be binding, or agree to take an average of the 2 appraisals.

"(C) "Multi-unit housing" means housing with 5 or more units.

"(a-4) Subsection (a-3) shall expire on October 9, 2015.".

Note, § 42-3404.11

(c) Section 411(4) (D.C. Official Code § 42-3404.11(4)) is amended by striking the phrase "the owner has not sold or contracted for the sale of the accommodation" and inserting the phrase "the owner has not sold or contracted for the sale of the accommodation, or in the case of an offer of sale given for the purposes of demolition or discontinuance of housing use, has not issued a notice to vacate for demolition or discontinuance of housing use, pursuant to section 501(g) or section 501(i) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(g) or (i))" in its place.

Sec. 3. The Tenant Opportunity to Purchase Temporary Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-166; 61 DCR 11101), is repealed.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,

approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

A RESOLUTION

Proposed Resolution 21-76

***See* Emergency D.C. Act 21-31 21 DCStat 1423**

To declare the existence of an emergency, due to congressional review, with respect to the need to prohibit employers from testing potential employees for marijuana use during the hiring process, unless otherwise required by law.

Prohibition on Pre-Employment Marijuana Testing Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Prohibition on Pre-Employment Marijuana Testing Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) On November 4, 2014, Initiative 71, the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Act of 2014, passed.

(b) In December 2014, the Council enacted the Prohibition of Pre-Employment Marijuana Testing Emergency Act of 2014, effective December 18, 2014 (D.C. Act 20-525; 61 DCR 13115) ("emergency legislation"), and the Prohibition of Pre-Employment Marijuana Testing Temporary Act of 2014, signed by the Mayor on January 25, 2015 (D.C. Act 20-610; 62 DCR 1874) ("temporary legislation"), to provide that testing procedures for marijuana mirror procedures for alcohol.

(c) The emergency legislation expires on March 18, 2015. The temporary legislation must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and shall not become law until after the emergency legislation has expired.

(d) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Prohibition on Pre-Employment Marijuana Testing Congressional Review Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-61

See Emergency D.C. Act 21-46 21 DCStat 1425

To declare the existence of an emergency, due to congressional review, with respect to the need to increase certain appropriations in the Fiscal Year 2015 Budget Request Act pursuant to the District of Columbia Appropriations Act, 2015.

Fiscal Year 2015 Revised Budget Request Congressional Review Emergency Adjustment Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2015 Revised Budget Request Congressional Review Emergency Adjustment Declaration Resolution of 2015".

Sec. 2. (a) The Council passed the Fiscal Year 2015 Revised Budget Request Emergency Adjustment Act of 2014, effective December 23, 2014 (D.C. Act 20-545; 62 DCR 247) ("emergency legislation"), and the Fiscal Year 2015 Budget Request Temporary Adjustment Act of 2015, enacted on February 5, 2015 (D.C. Act 20-627; 62 DCR 22665) ("temporary legislation"), which provide important funding necessary for the development of the soccer stadium authorized by the District of Columbia Soccer Stadium Development Act of 2014, effective March 11,2015 (D.C. Law 20-233; 62 DCR 438) ("soccer stadium legislation"), as well as carryover budget authority for the District of Columbia Auditor.

(b) The emergency legislation will expire on March 24, 2015, before the temporary legislation is projected to become law.

(c) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation becomes law, for the proper implementation of the soccer stadium legislation, and the balancing of the Fiscal Year 2015 Budget and Financial Plan.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2015 Revised Budget Request Congressional Review Emergency Adjustment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-19

To confirm the appointment of Ms. Ana R. Harvey as the Director of the Department of Small and Local Business Development.

Director of the Department of Small and Local Business Development Ana Harvey Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Small and Local Business Development Ana Harvey Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Ana R. Harvey
9524 Rockport Road
Vienna, VA 22180

as the Director of the Department of Small and Local Business Development, established by section 2311 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.11), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-67, effective April 14, 2015

A RESOLUTION

Proposed Resolution 21-31

To confirm the appointment of Ms. Angie Gates as the Director of the Office of Motion Picture and Television Development.

Director of the Office of Motion Picture and Television Development Angie Gates Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office of Motion Picture and Television Development Angie Gates Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Angie Gates
901 11th Street, N.E.
Washington, D.C. 20002
(Ward 6)

as the Director of the Office of Motion Picture and Television Development, established by Mayor's Order 79-218, dated September 14, 1979 (26 DCR 1390), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-23.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-51

To confirm the appointment of Ms. Deborah A. Carroll as the Director of the Department of Employment Services.

Director of the Department of Employment Services Deborah Carroll Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Employment Services Deborah Carroll Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Deborah A. Carroll
5422 High Tor Hill,
Columbia, MD 20145

as the Director of the Department of Employment Services, established by Reorganization Plan No. 1 of 1980, effective April 17, 1980, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-95

To declare the sense of the Council that the District of Columbia supports the principles of the Biophilic Cities Network and commits to promoting, learning about, and sharing biophilic programs and projects with other participating municipalities, to supporting urban biodiversity, and to creating opportunities for all District residents to connect with nature.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council on Biophilic Cities Resolution of 2015".

Sec. 2. The Council finds that:

(1) Evidence demonstrates that people are happiest, emotionally and physically healthiest, and most productive, when working and living in close proximity to nature.

(2) Research shows that exposure to nature can reduce stress, aid recovery from illness, enhance cognitive skills, improve academic performance, and aid in moderating the effects of Attention Deficit Hyperactivity Disorder, autism, and other child illnesses.

(3) The District has a rich and unique natural heritage, including a diversity of ecosystems that provide benefits to District residents and the animal species we share it with.

(4) Greening neighborhoods has been shown to reduce crime, strengthen community connections, and increase walkability.

(5) All District residents, especially children, in every neighborhood, should have direct experience with nature.

(6) In an increasingly urbanized world, cities provide vital natural habitat to animal species that may otherwise perish.

(7) Leading universities, urban thinkers, citizens, corporations, and innovative governments around the world are developing nature-based approaches to design, urban planning, and governance that support human and environmental health.

(8) The Biophilic Cities Network includes a loose confederation of cities from all over the world whose leaders strive to recognize the important connection between humans and the natural world. Participating municipalities include Birmingham, Brisbane, Milwaukee, New York City, Perth, Philadelphia, Phoenix, Portland, Oslo, San Francisco, Singapore, Vitoria-Gasteiz, and Wellington.

(9) A biophilic city is a city of abundant nature, where residents, young and old, have rich daily contact with the natural environment no matter where they reside; where larger natural areas and deeper natural experiences are an easy walk, bike, or transit ride away; and where the urban environment allows for and fosters connections with diverse flora and fauna. In biophilic cities, residents recognize, respect, are curious about, and actively care for the nature

around them, and they spend extensive time outside learning about, enjoying, and participating in the natural world.

(10) In biophilic cities, leaders and elected officials give nature and natural capital a central place in their decision-making, and evaluate their planning and development decisions by the extent to which nature is restored and protected, and connections with the natural environment are enhanced. Leaders and residents of biophilic cities recognize that proximity to nature makes for more desirable communities and provides numerous benefits to all.

(11) A biophilic city recognizes the important role cities play in protecting and increasing biodiversity in a world where biodiversity is greatly threatened.

(12) A commitment to becoming a biophilic city with abundant and accessible nature will support the District's goals for a sustainable DC, environmental literacy plans, and an enhanced science, technology, engineering, and mathematics curriculum in schools.

(13) By joining the Biophilic Cities Network, the District will demonstrate international leadership on the environment and local commitment to the well-being and health of its residents.

Sec. 3. It is the sense of the Council that the District supports the principles of the Biophilic Cities Network and commits to:

(1) Working to protect and restore nature;

(2) Creating opportunities for new connections to the natural world wherever possible;

(3) Sharing information and insights about biophilic tools, techniques, programs, and projects successfully applied in the District; and

(4) Assisting other cities in becoming more biophilic through technical expertise and political and professional support for efforts to protect and expand urban nature.

Sec. 4. The Chairman shall transmit copies of this resolution, upon its adoption, to the Mayor, the City Administrator, and the Director of the District Department of the Environment.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-107

***See* Emergency D.C. Act 21-56 21 DCStat 1431**

To declare the existence of an emergency with respect to the need to approve Modifications No. 2 and No. 3 to Contract No. CW26186 with Fleetpro, Inc. to provide on-site vehicle maintenance services and to authorize payment for the goods and services received and to be received under the contract.

Modifications No. 2 and No. 3 to Contract No. CW26186 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications No. 2 and No. 3 to Contract No. CW26186 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modifications No. 2 and No. 3 to Contract No. CW26186 with Fleetpro, Inc. to provide on-site vehicle maintenance services, and to authorize payment for the goods and services received and to be received under the contract from February 12, 2015 through February 11, 2016.

(b) Previously, the Office of Contracting and Procurement (OCP) executed Modification No. 2, thereby exercising a partial option on Contract No. CW26186 for a period of 90 days, effective February 12, 2015, in the estimated amount of $293,730.30. OCP now seeks to execute Modification No. 3, which would exercise the balance of the option period. The total estimated amount for the full option period is $1,174,921.21.

(c) The aggregate value of Modification No. 2 and Modification No. 3 to Contract No. CW26186 exceeds the $1 million threshold under section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51)

(d) Approval of Modifications No. 2 and No. 3 to Contract No. CW26186 is necessary to allow Fleetpro, Inc. to continue to provide these vital services. Without this approval, Fleetpro, Inc cannot be paid for goods and services provided in excess of $1,000,000.00 during option year one.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. 2 and Modification No. 3 to CW26186 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-120

See Emergency D.C. Act 21-58 21 DCStat 1433

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc. for design- build services for the Stanton Elementary School modernization and addition, and to authorize payment for the goods and services received and to be received under these change orders.

Change Orders Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Orders Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc., for design-build services for the Stanton Elementary School modernization and addition, and to authorize payment for the goods and services received and to be received under the change orders.

(b) In 2014, the Council approved Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc. to provide design-build services for the modernization of Stanton Elementary School with a target Guaranteed Maximum Price ("GMP") of $17,100,000. Thereafter, the Department issued Change Order No. 001 ($916,872), Change Order No. 002 ($0), and Change Order No. 003 ($80,000), with a total aggregate value of $996,872; thus, Council approval was not required.

(c) The Department has issued Change Order No. 004, in the amount of $16,416,411,for Phase B of the project, including construction of a three-story addition to the existing building as well as a new single story wing.

(d) The aggregate value of Change Orders Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 exceeds the $1 million threshold under section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(e) Approval of Change Orders Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 is necessary to compensate Tompkins Builders, Inc. for the work performed and to be performed under the change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Orders Nos. 001 through 004 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-118

See Emergency D.C. Act 21-57 21 DCStat 1432

To declare the existence of an emergency with respect to the need to approve Modification Nos. M14 and M16 to Task Order Contract No. CW25961 with Science Applications International Corporation to provide man-based telephony services and to authorize payment for the goods and services received and to be received under the contract.

Contract No. CW25961 Modification Nos. M14 and M16 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW25961 Modification Nos. M14 and M16 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M14 and M16 to Contract No. CW25961 with Science Application International Corporation to provide man-based telephony services and to authorize payment for the goods and services received and to be received under the contract from March 1, 2015 through February 28, 2016.

(b) On March 1, 2014, the Office of Contracting and Procurement ("OCP") awarded Contract No. CW25961 to Science Applications International Corporation to provide goods and services for the DC-NET Metropolitan Area Network Man-Based Telephony System in the not-to-exceed amount of $20,000,000 for the base year.

(c) On February 27, 2015, by Modification No. M14, the OCP partially exercised option year one, for the period March 1, 2015 through April 21, 2015, in the not-to-exceed amount of $1,000,000.00. Now, OCP proposes, by Modification No. M16, to exercise the remainder of option year one, for the period April 22, 2015, through February 28, 2016, in the not-to-exceed amount of $19,000,000.00.

(d) The aggregate value of Modification Nos. M14 and M16 to Contract No. CW25961 exceeds the $1 million threshold under section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(e) Approval of Modification Nos. M14 and M16 to Contract No. CW25961is necessary to allow Science Application International Corporation to continue to providethese vital services. Without this approval, Science Applications International Corporation cannot be paid for services provided in excess of $1,000,000 during option year one.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW25961 Modification Nos. M14 and M16 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-30

To confirm the appointment of Mr. Clinton Lacey as the Director of the Department of Youth Rehabilitation Services.

Director of the Department of Youth Rehabilitation Services Clinton Lacey Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Youth Rehabilitation Services Clinton Lacey Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Clinton T. Lacey
642 Faraday Place, N.E.
Washington, D.C. 20017
(Ward 5)

as the Director of the Department of Youth Rehabilitation Services, established by section 102 of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.02), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-47

To confirm the appointment of Mr. Kevin Donahue as the Deputy Mayor for Public Safety and Justice.

Deputy Mayor for Public Safety and Justice Kevin Donahue Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Deputy Mayor for Public Safety and Justice Kevin Donahue Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Kevin Donahue
122 Tuckerman Street, N.E.
Washington, D.C. 20011
(Ward 4)

as the Deputy Mayor for Public Safety and Justice, established by section 3022 of the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-108

To disapprove multiyear Contract No. CW28651 with Corizon Health, Inc., to provide comprehensive medical, mental health, pharmacy, and dental services to inmates housed in the Central Detention Facility and Correctional Treatment Facility.

Contract No. CW28651 Disapproval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW28651 Disapproval Resolution of 2015".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.02), the Council disapproves Contract No. CW28651, a multiyear contract with Corizon Health, Inc., in the amount of $66,131,504, to provide comprehensive medical, mental health, pharmacy, and dental services to inmates housed in the Central Detention Facility and Correctional Treatment Facility.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-55

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $22 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist Euphemia L. Haynes Public Charter School, Inc., in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

Euphemia L. Haynes Public Charter School, Inc. Revenue Bonds Project Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Euphemia L. Haynes Public Charter School, Inc. Revenue Bonds Project Approval Resolution of 2015".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be Euphemia L. Haynes Public Charter School, Inc., a nonprofit corporation organized under the laws of the District of Columbia, which is exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3) and organized under the laws of the District and which is liable for the repayment of the Bonds.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the

issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Mayor" means the Mayor of the District of Columbia.

(13) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) The acquisition, development, construction, and renovation of an approximately 45,484 square foot public charter school campus located at 3600 Georgia Avenue, N.W., Washington, D.C. 20010 (Square 2897, Lot 0150);

(B) The construction, furnishing, and equipping of an approximately 68,574 square foot building and an approximately 39,437 square foot building at the public charter school campus located at 4501 Kansas Avenue, N.W., Washington, D.C. 20011 (Square 3138, Lot 0067);

(C) Funding any credit enhancement costs, liquidity costs, or debt service reserve fund; and

(D) Paying costs of issuance and other related costs to the extent permissible.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal

entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed $22 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of elementary, secondary and college and university facilities, within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $22 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor’s manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant,

undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall not rely upon the District with respect to these matters

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-68

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $70 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist Friendship Public Charter School, Inc. in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

Friendship Public Charter School, Inc. Revenue Bonds Project Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Friendship Public Charter School, Inc. Revenue Bonds Project Approval Resolution of 2015".

Sec. 2. Definitions.

For the purpose of this resolution, the term:

(1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) “Bonds” means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) “Borrower” means the owner, operator, manager, and user of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be Friendship Public Charter School, Inc., a corporation organized under the laws of the District of Columbia, and exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3).

(5) “Chairman” means the Chairman of the Council of the District of Columbia.

(6) “Closing Documents” means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) “Financing Documents” means the documents other than Closing Documents that relate to the financing or refinancing of transactions to be effected through the issuance, sale,

and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq*.).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan contemplated thereby, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) Acquiring and constructing improvements at an existing elementary school facility, including a parking lot and playground, located at 645 Milwaukee Place S.E., Washington, D.C. 20032 (Lot 0815, Square 5982) ("Southeast Elementary");

(B) Certain capital improvements at the following locations of the Borrower:

(i) Tech Prep Academy Campus, a middle school located at 620 Milwaukee Place, S.E., Washington, D.C. 20032 (Lot 0045, Square 5982) and an adjacent high school located at 2705 Martin Luther King Avenue, S.E., Washington, D.C. 20032 (Lot 0049, Square 5982) (collectively, "Tech Prep");

(ii) Chamberlain Elementary Campus and Middle Campus, an approximately 80,660 square foot primary and secondary school located at 1345 Potomac Avenue, S.E., Washington, D.C. 20003 (Lot 0847, Square 1046) ("Chamberlain");

(iii) Woodbridge Elementary Campus and Junior Academy Campus, an approximately 115,000 square foot primary school located at 2959 Carlton Avenue, N.E., Washington, D.C. 20018 (Lot 812, Square 4339) ("Woodbridge");

(iv) Blow-Pierce Elementary Campus and Junior Academy Campus, an approximately 62,994 square foot primary school located at 725 19th Street, N.E., Washington, D.C. 20002 (Lots 833, 834, Square 4515) ("Blow-Pierce"); and

(v) Carter G. Woodson Collegiate Academy, an approximately 151,558 square foot high school located at 4095 Minnesota Avenue, N.E., Washington, D.C. 20019 ("Collegiate");

(C) Refunding the District's Revenue Bonds (Friendship Public Charter School, Inc. Issue) Series 2003, in the original principal amount of $44,880,000, the proceeds of which were used to:

(i) Finance or refinance all or a portion of the costs of acquisition or leasing, construction, renovation, furnishing, and equipping of the Borrower's Blow-Pierce, Chamberlain, Woodbridge, and Collegiate campuses;

(ii) Fund working capital costs;

(iii) Fund a required debt service reserve fund;

(iv) Pay costs of issuance; and

(v) Pay the cost of credit enhancement;

(D) Refunding the District's Revenue Bonds (Friendship Public Charter School, Inc. Issue) Series 2006, in the original principal amount of $15,000,000, the proceeds of which were used to:

(i) Finance, refinance or reimburse the Borrower for costs of construction of a building addition and equipment at the Southeast Elementary campus;

(ii) Fund a required debt service reserve fund;

(iii) Pay costs of issuance; and

(iv) Pay the cost of credit enhancement;

(E) Funding a debt service reserve fund with respect to the Bonds, if deemed necessary in connection with the sale of the Bonds;

(F) Paying interest on the Bonds during the renovation period, if deemed necessary in connection with the sale of the Bonds; and

(G) Paying allowable Issuance Costs.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may by resolution authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse and to assist in the financing, refinancing, or reimbursing of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in an aggregate principal amount not to exceed $70 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of elementary, secondary and college and university facilities within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $70 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to

be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec.12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-70

To confirm the appointment of Mr. David D. Do as the Executive Director of the Office on Asian and Pacific Islander Affairs.

Executive Director of the Office on Asian and Pacific Islander Affairs David D. Do Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Executive Director of the Office on Asian and Pacific Islander Affairs David D. Do Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. David D. Do
422 Lamont Street, N.W.
Washington, D.C. 20010
(Ward 1)

as the Executive Director of the Office on Asian and Pacific Islander Affairs, established by section 304 of the Office on Asian and Pacific Islander Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1373), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-91

To confirm the appointment of Ms. Jackie Reyes-Yanes as the Director of the Office on Latino Affairs.

Director of the Office on Latino Affairs Jackie Reyes-Yanes Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office on Latino Affairs Jackie Reyes-Yanes Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Jackie Reyes-Yanes
2233 18th Street, N.W.
Washington, D.C. 20009
(Ward 1)

as the Director of the Office on Latino Affairs, established by section 301 of the District of Columbia Latino Community Development Act, effective September 29, 1976 (D.C. Law 1-86; D.C. Official Code § 2-1311), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-93

To confirm the appointment of Ms. Sheila Alexander Reid as the Director of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs.

Director of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Sheila Alexander Reid Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Sheila Alexander Reid Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Sheila Alexander Reid
4560 Argyle Terrace, N.W.
Washington, D.C. 20011
(Ward 4)

as the Director of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs, established by section 3 of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006 (D.C. Law 16-89; D.C. Official Code § 2-1382), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-94

To confirm the appointment of Mr. Mamadou Samba as the Executive Director of the Office on African Affairs of the District of Columbia.

Executive Director of the Office on African Affairs Mamadou Samba Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Executive Director of the Office on African Affairs Mamadou Samba Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Mamadou Samba
3600 Pear Tree Court #41
Silver Spring, MD 20906

as the Executive Director of the Office on African Affairs, established by section 2 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1391), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-129

To appoint Ms. Ellen A. Efros as General Counsel to the Council of the District of Columbia.

General Counsel to the Council of the District of Columbia Ellen A. Efros Appointment Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "General Counsel to the Council of the District of Columbia Ellen A. Efros Appointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia appoints:

Ms. Ellen A. Efros
1177 22nd Street, N.W., Unit 5B
Washington, D.C. 20037
(Ward 2)

as General Counsel to the Council of the District of Columbia, beginning May 11, 2015.

Sec. 3. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-86

See Emergency D.C. Act 21-55 21 DCStat 1430

To declare the existence of an emergency with respect to the need to approve Change Order No. 10 to Contract No. GF-2010-C-0030 with Parkinson/Forrester UDC Student Center JV, LLC for the construction of the New Student Center, University of the District of Columbia, Van Ness Campus, and to authorize payment in the aggregate amount of $3,975,633.00 for the goods and services received and to be received under the change order.

Change Order No. 10 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order No. 10 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Declaration Resolution of 2015"

Sec. 2. (a) There exists an immediate need to approve Change Order No. 10 to Contract No. GF-2010-C-0030 with Parkinson/Forrester UDC Student Center JV, LLC for the construction of the New Student Center, University of the District of Columbia, Van Ness Campus, and to authorize payment in the aggregate amount of $3,975,633.00 for the goods and services received and to be received under the change order.

(b) On January 21, 2011, the University of the District of Columbia awarded Contract No. GF-2011-C-0030 in the amount of $29,899,000.00 to Parkinson/Forrester UDS Student Center JV, LLC for the New Student Center, University of the District of Columbia, Van Ness Campus.

(c) On January 26, 2015, the University of the District of Columbia approved Change Order No. 10 to Contract No. GF-2011-C-0030 in the amount of $3,975,633.00 for additional work to be performed by Parkinson/Forrester UDC Student Center JV, LLC during the construction of the New Student Center, University of the District of Columbia, Van Ness Campus.

(d) The value of Change Order No. 10 to Contract No. GF-2010-C-0030 exceeds the $1 million threshold under section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(e) Approval of Change Order No. 10 to Contract No. GF-2011-C-0030 the amount of $3,975,633.00 is necessary to minimize undue delay attributable to lengthy negotiations over the scope and cost of the change order and to compensate Parkinson/Forrester UDC Student Center JV, LLC for work performed and to be performed in completing the construction of the New Student Center on the Van Ness Campus.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in Section 2 constitute emergency circumstances making it necessary that the

Change Order No. 10 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-130

***See* Emergency D.C. Act 21-53 21 DCStat 1428**

To declare the existence of an emergency with respect to the need to increase the number of living marijuana plants that a cultivation center can possess at any time.

Medical Marijuana Supply Shortage Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Supply Shortage Emergency Declaration Resolution of 2015".

Sec. 2. (a) This emergency is necessary to address the supply shortage of medical marijuana in the District of Columbia.

(b) With the passage of the Medical Marijuana Expansion Amendment Act of 2014, effective March 10, 2015 (D.C. Law 20-189; 62 DCMR 3818), the medical marijuana program is growing by 200 patients a month.

(c) The District's medical marijuana program allows for 10 medical marijuana cultivation centers to be registered to cultivate, possess, and distribute medical marijuana. However, due to unforeseen circumstances, only 5 cultivation centers are registered with the District of Columbia and only 3 are operational at this time.

(d) As there is a 500 marijuana plant limit, the cultivation centers in the District are not equipped to meet the demand of the more than 2,700 patients that have registered for the medical marijuana program.

(e) According to the Drug Policy Alliance, the substantial increase in patients participating in the medical marijuana program has led to a situation where patient demand is far greater than the supply of medical marijuana in the District.

(f) The supply shortage has caused the 3 registered dispensaries that are operating in the District to either set restrictions on how much medical marijuana a patient may buy or they have had to close, leaving patients no options to purchase medical marijuana.

(g) Due to the shortage, patients are forced to buy marijuana off the black market to meet their needs, which is illegal and is a major safety concern.

(h) The Department of Health has indicated that allowing the 5 cultivation centers to increase their production from 500 marijuana plants to 1000 marijuana plants will solve the current supply shortage issue.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Supply Shortage Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-85, effective April 14, 2015

A RESOLUTION

Proposed Resolution 21-131

See Emergency D.C. Res. 21-86 21 DCStat 1529

To declare the existence of an emergency with respect to the need for the Council to urge immediate action by the Zoning Commission for the District of Columbia to revise and finalize the zoning regulations to limit pop-up expansion of row houses.

Sense of the Council in Support of a Limitation on Pop-ups Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council in Support of a Limitation on Pop-ups Emergency Declaration Resolution of 2015".

Sec. 2. (a) The need for emergency action by the Zoning Commission for the District of Columbia exists because issues have arisen regarding certain pop-ups. They have caused property rights disputes; such as, they reduce the efficacy of rooftop solar panels, they lead to a reduction in already limited off-street parking, they cause damage to the foundations of neighboring homes, and by their inordinate height, they obstruct neighboring chimneys, a potential carbon monoxide and fire hazard.

(b) Other adverse effects regarding pop-ups that need to be studied and may need further regulation are issues of reduced air quality, of flooding, and other water damage.

(c) Many residents testified that there are pop-ups that are aesthetically incompatible in size, scale, architecture, and setback with the neighborhood character in which they are constructed.

(d) There may also be a need to study the effects of incompatible pop-ups on the value of homes and the desirability of new residents to move into particular neighborhoods.

(e) It is clear that more regulations are required to settle pop-up issues for residential neighborhoods District-wide.

(f) It is urgent that regulations be finalized by the Zoning Commission for the District of Columbia.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sense of the Council in Support of a Limitation on Pop-ups Emergency Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-132

Emergency Declaration Res. 21-85 21 DCStat 1528

To declare, on an emergency basis, the sense of the Council that the Zoning Commission for the District of Columbia should take immediate action to revise and finalize the zoning regulations to limit pop-up expansion of row houses.

Sense of the Council in Support of a Limitation on Pop-ups Emergency Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council in Support of a Limitation on Pop-ups Emergency Resolution of 2015".

Sec. 2. The Council finds that:

(1) On March 30, 2015, the Zoning Commission for the District of Columbia ("Zoning Commission") voted to reduce the allowable height of conversions ("pop-ups") in R-4 districts from 40 feet to 35 feet, but comprehensive regulations are needed to address the issues that ensue from pop-ups, and often the increased number of units in a dwelling, on a District-wide basis.

(2) Many residents who testified before the Zoning Commission on January 15, 2015, opposed pop-ups and were in favor of the height restrictions.

(3) Many residents testified that there are pop-ups that are aesthetically incompatible, for example, in size, scale, architecture, and setback with the neighborhood character in which they are constructed.

(4) Certain pop-ups have caused property rights disputes, such as:

(A) By blocking the sun, they reduce the efficacy of rooftop solar panels;

(B) By increased occupancy, they reduce already limited off-street parking;

(C) They obstruct neighboring chimneys, a potential carbon monoxide and fire hazard; and

(D) They cause damage to the foundations of neighboring homes.

(5) Every option in law and rule should be studied so that the law and rules that are established will promote the health and safety of our current residents and those to come, safeguard the value and character of District neighborhoods, including our historic row house neighborhoods, attract new residents as a result, and respect the property rights of property owners, both homeowners and developers.

(6) It is the policy of the District to promote access to and the integrity of safe and quality housing and neighborhoods for all District residents.

Sec. 3. It is the sense of the Council that the Zoning Commission should act immediately to finalize zoning regulations that address the pending issues set forth in this resolution.

Sec. 4. Transmittal.

The Chairman shall transmit a copy of this resolution, upon its adoption, to the Zoning Commission and the Mayor.

Sec. 5. This resolution shall take effect immediately.

D.C. Resolution 21-87, effective April 14, 2015

A RESOLUTION

Proposed Resolution 21-134

***See* Emergency D.C. Act 21-60 21 DCStat 1438**

To declare the existence of an emergency with respect to the need to amend the Washington Convention Center Authority Act of 1994 to delete obsolete provisions, to clarify that the President of the Hotel Association of Washington, D.C. shall serve as an ex-officio voting member of the Board of Directors, and to repeal the establishment of the Washington Convention Center Advisory Committee.

Events DC Technical Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Events DC Technical Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Events DC Technical Clarification Amendment Act of 2015, as approved by the Committee on Finance and Revenue on April 1, 2015 (Committee print of Bill 21-76), will have a first reading on April 14, 2015.

(b) Bill 21-76 increases the number of members to the Board of Directors for the Washington Convention and Sports Authority ("Authority") to 12 members, establishes 3 members as ex-officio members, and clarifies that the President of the Hotel Association of Washington, D.C. shall serve as one of the ex-officio voting members and that the terms of all other members shall be 4 years.

(c) Three nominations to the board have been introduced and are pending.

(d) It is vital for clarity and certainty for the Authority that the provisions of Bill 21-76 become law as soon as possible.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Events DC Technical Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-133

***See* Emergency D.C. Act 21-54 21 DCStat 1429**

To declare the existence of an emergency with respect to the need to exempt Jubilee Maycroft, LLC from the notice requirements of the Tenant Opportunity to Purchase Act of 1980 with respect to the real property located at 1474 Columbia Road, N.W., also known as The Maycroft.

Jubilee Maycroft TOPA Notice Exemption Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Jubilee Maycroft TOPA Notice Exemption Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District of Columbia is currently experiencing an affordable housing crisis and there exists a need to create and preserve an affordable housing stock.

(b) Since 2000, more than 15,000 District of Columbia households are paying more than 50% of their income on housing.

(c) The District of Columbia has lost more than half of its low-cost rental units.

(d) Low-cost rental units are less than 24% of the total available rental units in the District of Columbia.

(e) The number of high-cost rental units has more than tripled since 2000, from 12,400 units to more than 45,000 in 2015.

(f) Spending more than 30% of income on housing costs burdens families.

(g) Jubilee Housing, Inc. is a faith-based nonprofit organization founded in 1973 to provide affordable housing and supportive services to economically disadvantaged residents of the Adams Morgan neighborhood of the District of Columbia.

(h) Jubilee Housing, Inc. intends to transfer 99.9% of its interest in Jubilee Maycroft, LLC in order to maintain financing and take advantage of Low Income Housing Tax Credits approved by the District of Columbia Housing Finance Agency.

(i) These credits will enable units within The Maycroft to remain affordable; provided, that Jubilee Housing, Inc. and Jubilee Maycroft, LLC are able to maintain financing for the project. Preventing any challenge to the transfer will allow financing to move forward.

(j) A significant majority of residents living at 1474 Columbia Road, N.W., in a building called The Maycroft, signed a petition, organized by an independent tenant support organization, requesting that Jubilee Housing re-develop their building into an affordable housing apartment building.

(k) A significant majority of residents living at 1474 Columbia Road, N.W., in a building called The Maycroft, signed a petition, organized by an independent tenant support organization, requesting that any tenant association that legally exists at 1474 Columbia Road, N.W. not file a notice to object to the conveyance.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Jubilee Maycroft TOPA Notice Exemption Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-105

See Emergency D.C. Act 21-52 21 DCStat 1427

To declare the existence of an emergency with respect to the need to amend the Workforce Job Development Grant-Making Authority Act of 2012 to continue the authority of the Director of the Department of Employment Services to issue grants from funds appropriated to or received by the Department of Employment Services for workforce job development purposes by repealing a sunset provision.

Workforce Job Development Grant-Making Reauthorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Workforce Job Development Grant-Making Reauthorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) The authority given to the Director of the Department of Employment Services ("DOES") to issue grants for workforce job development purposes is due to expire on April 23, 2015. The purpose of this emergency is to continue the authority of the Director to issue grants and to prevent any gap in that legal authority.

(b) Providing grant-making authority for the Director of DOES has made the grant-approval process for training and other services for unemployed District residents more efficient and the issuance of grant awards more prompt.

(c) Extension of grant-making authority will ensure there is no disruption in the delivery of specialized training programs provided by DOES organizations with which the agency contracts and will mitigate against lost employment opportunities for District residents.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Workforce Job Development Grant-Making Reauthorization Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-128

See Emergency D.C. Act 21-59 21 DCStat 1434

Soccer Stadium Development Technical Clarification Emergency Declaration Resolution of 2015

To declare the existence of an emergency with respect to the need to make technical and clarifying amendments to the Soccer Stadium Development Act of 2014.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Soccer Stadium Development Technical Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) On December 17, 2014, the Council unanimously approved the Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; 62 DCR 438) and accompanying emergency legislation that enabled the District to assemble land for the development of a Soccer Stadium for D.C. United at Buzzard's Point in Southwest.

(b) On December 17, 2014, the Council also unanimously approved a financing package to accompany the stadium legislation through a revised budget request act that provided funding to acquire the necessary land and other costs relevant to the project.

(c) The Office of the Attorney General has recommended several technical amendments to ensure compliance with the Home Rule Act and streamline the procurement process while still comporting with the intent of the original authorizing legislation.

(d) The Deputy Mayor for Planning and Economic Development has begun negotiations with D.C. United and property owners at the proposed stadium site to make minor changes to previously approved agreements, including provisions that better protect the District from financial and operational risk and more robust community benefit requirements that would not increase the District's financial obligations.

(e) In order for the relevant contracts, ground leases, and development agreements to be finalized, it is critical that these technical and clarifying amendments be made as quickly as possible on an emergency basis. This will allow for this important project to remain on schedule for completion as the Council originally intended.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-91

***See* Emergency D.C. Act 21-66 21 DCStat 1446**

To amend, on an emergency basis, due to congressional review, the Minimum Wage Act Revision Act of 1992 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees; to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer knows that second language to be the employee's primary language or the employee requests notice in that second language; and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend section 2 of An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month; provided, that the employer pays wages to such employees at least once per month.

Wage Theft Prevention Clarification Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Wage Theft Prevention Clarification Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) In 2014, the Council passed the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603)("Act").

(b) Subsequently, the Council passed clarifying and technical corrections to the Act through an emergency measure, the Wage Theft Prevention Correction and Clarification Emergency Act of 2014, effective December 29, 2014 (D.C. Act 20-544; 62 DCR 243), and corresponding temporary legislation, the Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2014, effective March 13, 2015 (D.C. Law 20-240; 62 DCR 4511).

(c) Since passage of these measures, several unintended consequences impacting salaried workers have been identified, including the requirement that all employees, including white-collar, salaried employees, be paid at least twice per month, the requirement that employers keep records of the "precise time worked" each day and each workweek by all employees, including those not compensated on an hourly or other unit-of-time basis, and the requirement that an employer provide notice to an employee regarding payment in an employee's primary language, without providing a limit on the languages in which that notice must be furnished.

(d) It was not the Council's intent to require that white-collar, salaried employees be paid at least twice a month or to require an employer to keep records of the precise time worked

by all employees, including those not compensated on an hourly or other unit-of-time basis. Further, requiring notice to be furnished in any language that might be an employee's primary language will be unnecessarily burdensome and costly.

(e) In response, the Council passed further clarifying and technical corrections through an emergency measure, the Wage Theft Prevention Clarification Emergency Amendment Act of 2015, effective February 26, 2015 (D.C. Act 21-8; 62 DCR 2669) (the "emergency legislation") and corresponding temporary legislation, the Wage Theft Prevention Clarification Temporary Amendment Act of 2015, enacted on March 27, 2015 (D.C. Act 21-38; 62 DCR 4552) (the "temporary legislation").

(f) The emergency legislation is set to expire on May 27, 2015. The temporary legislation is not projected to become law until June 4, 2015.

(g) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Wage Theft Prevention Clarification Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-148

***See* Emergency D.C. Act 21-65 21 DCStat 1444**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Retail Incentive Act of 2014 to modify the boundaries of the Bladensburg Road, N.E., Retail Priority Area; and to amend the H Street, N.E., Retail Priority Area Incentive Act of 2010 to clarify that restaurants whose annual alcohol sales exceed 20% are not eligible for retail development project grants and to clarify the location of businesses that are eligible to receive retail development project grants.

H Street, N.E., Retail Priority Area Clarification Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "H Street, N.E., Retail Priority Area Clarification Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) In February 2015, the Council passed the H Street, N.E., Retail Priority Area Clarification Emergency Amendment Act of 2015, effective February 23, 2015 (D.C. Act 21-0006; 62 DCMR 2474) ("emergency legislation"). This bill would modify the boundaries of the Bladensburg Road, N.E., Retail Priority Area. In addition, this bill would amend the H Street, N.E., Retail Priority Area Incentive Act of 2010 to clarify that restaurants whose annual alcohol sales exceed 20% are not eligible for retail development project grants and to clarify the location of businesses that are eligible to receive retail development project grants.

(b) The emergency legislation expires on April 22, 2015, before the temporary legislation, the H Street, N.E. Retail Priority Area Clarification Temporary Amendment Act of 2015, enacted on March 30, 2015 (D.C. Act 21-0037; 62 DCR 4550), is projected to become law, on June 4, 2015.

(c) It is important to prevent a gap in the law until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the H Street, N.E., Retail Priority Area Clarification Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-106

To confirm the appointment of Ms. Lauren C. Vaughan as the Secretary of the District of Columbia.

Secretary of the District of Columbia Lauren C. Vaughan Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Secretary of the District of Columbia Lauren C. Vaughan Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Lauren C. Vaughan
1250 4th Street, S.W.
Washington, D.C. 20024
(Ward 6)

as the Secretary of the District of Columbia, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-121

To confirm the appointment of Mr. Max Brown to the Washington Convention and Sports Authority Board of Directors.

Washington Convention and Sports Authority Board of Directors Max Brown Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention and Sports Authority Board of Directors Max Brown Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Max Brown
475 H Street, N.W.
Washington, D.C. 20001
(Ward 2)

as a public member and chairperson of the Washington Convention and Sports Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-122

To confirm the reappointment of Ms. Miriam "Mimsy" Huger Lindner to the Washington Convention and Sports Authority Board of Directors.

Washington Convention and Sports Authority Board of Directors Miriam Huger Lindner Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention and Sports Authority Board of Directors Miriam Huger Lindner Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reppointment of:

Ms. Miriam "Mimsy" Huger Lindner
1525 33rd Street, N.W.
Washington, D.C. 20007
(Ward 2)

as a public member of the Washington Convention and Sports Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-123

To confirm the appointment of Mr. Alan Bubes to the Washington Convention and Sports Authority Board of Directors.

Washington Convention and Sports Authority Board of Directors Alan Bubes Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention and Sports Authority Board of Directors Alan Bubes Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Alan Bubes
1601 31st Street, N.W.
Washington, D.C. 20007
(Ward 2)

as a public member of the Washington Convention and Sports Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-111

To approve the proposed rules amending section 6004 of Title 29 of the District of Columbia Municipal Regulations to add to the statement of rights and responsibilities for youth in foster care.

Not Codified in the D.C. Official Code

Foster Youth Statement of Rights Rules II Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Foster Youth Statement of Rights Rules II Approval Resolution of 2015".

Sec. 2. Pursuant to section 372 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 23, 2013 (D.C. Law 19-276; D.C. Official Code § 4-1303.72), the Mayor transmitted to the Council on March 24, 2015, proposed rules to amend the statement of rights and responsibilities for youth in foster care. The Council approves the proposed rules, published at 62 DCR 3419, to amend section 6004 of Title 29 of the District of Columbia Municipal Regulations.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Director of the Child and Family Services Agency.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-141

***See* Emergency D.C. Act 21-62 21 DCStat 1441**

To declare the existence of an emergency with respect to the need to approve Human Care Agreement No. RM-15-HCA-MHRS-107-AMH-BY4-SC with Anchor Mental Health Association, Inc. for mental health rehabilitation services and to authorize payment for the services received and to be received under the agreement.

Human Care Agreement No. RM-15-HCA-MHRS-107-AMH-BY4-SC Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement No. RM-15-HCA-MHRS-107-AMH-BY4-SC Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Human Care Agreement ("HCA") No. RM-15-HCA-MHRS-107-AMH-BY4-SC with Anchor Mental Health Association, Inc. ("Anchor") for mental health rehabilitation services for eligible District residents, and to authorize payment for the services received and to be received under the agreement.

(b) On October 1, 2014, the Department of Behavioral Health awarded HCA No. RM-15-HCA-MHRS-107-AMH-BY4-SC to Anchor for a base-year period of October 1, 2014 through September 30, 2015 and 4 option years, in the not-to-exceed amount of $695,500.00 for the base year.

(c) Due to higher than anticipated demand for services, especially Supported Employment services, an additional $490,075.00 in services is required during the base year.

(d) The aggregate value of the services provided and to be provided during the base year of HCA No. RM-15-HCA-MHRS-107-AMH-BY4-SC exceeds the $1 million threshold under section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(e) Approval of HCA No. RM-15-HCA-MHRS-107-AMH-BY4-SC is necessary to allow mental health rehabilitation services to continue uninterrupted and to avoid disruption in care from transferring individuals to other mental health providers.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Human Care Agreement No. RM-15-HCA-MHRS-107-AMH-BY4-SC Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-96

To declare the sense of the Council to call upon Gerawan Farming to cease violating California state and federal laws relating to labor relations, anti-discrimination, and minimum wage/hour compliance.

Sense of the Council Regarding Gerawan Farming Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Regarding Gerawan Farming Resolution of 2015".

Sec. 2. The Council finds that:

(1) The violations of California and federal labor laws by the 5,000 employee Gerawan Farming agricultural corporation, one of the nation's largest grape and tree fruit producers, epitomizes the agricultural industry's defiance of farm workers' rights to organize and negotiate union contracts, despite California's 1975 Agricultural Labor Relations Act that guarantees those rights.

(2) Since 1990, when Gerawan Farming farm workers voted in favor of the United Farm Workers of America ("UFW") in a state-conducted secret-ballot election, the last major organizing drive under the leadership of Cesar Chavez, Gerawan Farming has thwarted farm worker efforts to negotiate a union contract.

(3) In 2013, farm workers at Gerawan Farming invoked a California law that allows neutral, state-appointed mediators to decide union contracts when employers refuse to sign them, and in late 2013, the state Agricultural Labor Relations Board ("ALRB") ordered that the three-year contract was to take immediate effect.

(4) Since farm workers requested a state mediator, the ALRB general counsel has filed five complaints – tantamount to indictments – accusing Gerawan Farming of "illegally excluding some of its farm workers from the benefits of a [union contract]", illegally "instigating and encouraging the gathering of signatures" on petitions to decertify the UFW, "unlawfully interrogating workers about their union activities" and conducting surveillance of workers, "failing to bargain in good faith with its employees' union", "intimidating [employees] in the exercise of their right to participate in negotiations", and "failing" to implement the state-issued union contract.

(5) Under the contract terms set by the state mediator, between July 2013 and July 2014 most Gerawan Farming farm workers would have earned approximately $1,480 in additional money each, based on a 54-hour work week, plus additional pay increases and benefits scheduled to take effect over the duration of the agreement.

(6) Gerawan Farming's refusal to implement the union contract means its roughly 5,000 employees have not been paid many millions of dollars they are owed from July 2013 to July 2014, and many millions of dollars more over the duration of the contract

(7) Gerawan Farming's first attempt to decertify the UFW in September 2013 was dismissed by the ALRB regional director after an investigation exposed "a large number of forged signatures" and "significant unlawful assistance by the employer in the circulation of the petition." A second petition was dismissed by the regional director, who cited recent outstanding complaints against Gerawan Farming for serious and repeated violations of the law, so much so that "a free and uncoerced" election was "impossible."

(8) Gerawan Farming products are readily available in grocery stores across the District.

Sec. 3. It is the sense of the Council that:

(1) Gerawan Farming meet such basic standards of conduct as refraining from violating state and federal laws regarding labor relations, anti-discrimination, and minimum wage and hour requirements, and to respect the legal rights of its employees.

(2) Gerawan Farming come into compliance with the laws of the State of California and the federal government with respect to all business conducted with any District government agency, commission, or office.

Sec. 4. The Chairman shall transmit copies of this resolution, upon its adoption, to the Governor of the State of California, the Attorney General of the State of California, the Fresno County District Attorney, and the California Agricultural Labor Relations Board.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-144

***See* Emergency D.C. Act 21-64 21 DCStat 1443**

To declare the existence of an emergency with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide an exception to allow a cultivation center to operate in a Retail Priority Area if the applicant had an application pending or approved before to the effective date of the law establishing or expanding a Retail Priority Area.

Medical Marijuana Cultivation Center Exception Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Cultivation Center Exception Emergency Declaration Resolution of 2015".

Sec. 2. (a) Since January 2015, there have been more than 6 news articles discussing the shortage of medical marijuana in the District of Columbia. Specifically, in February 2015, the Washington Post ran a story called "D.C.'s medical marijuana shortage: A little noticed crisis amid legalization." The article brought media attention to the fact that while the District of Columbia permits medical marijuana usage that allowance is of no value for the roughly 2700 patients whose physicians have recommended its usage. As the article states, "[t]here isn't enough pot to go around."

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1999 placed reasonable, albeit strict, limitations on where cultivation centers could open and operate.

(c) The chronic shortage is due, in part, to the limited number of cultivation centers operating in the District.

(d) Only 3 cultivation centers have been able to provide medical marijuana to dispensaries despite the fact that 10 licenses have been awarded.

(e) In 2012, the Council further limited choice when it prohibited cultivation centers from opening in a Retail Priority Area ("RPA"). Since the Medical Marijuana Cultivation Center Emergency Amendment Act of 2012, the Council has approved 4 new RPAs and, as a result, has unintentionally compounded the medical marijuana supply problem by barring cultivation centers from opening and operating.

(f) There is an affected cultivation center operator seeking to open and operate at 6523 Chillum Place, N.W. That cultivation center operator sought and applied for a Certificate of Occupancy from the Department of Consumer and Regulatory Affairs ("DCRA"). On June 18, 2013, the operator was informed by DCRA's Office of the Zoning Administrator that its proposed medical marijuana cultivation center "is allowed as a matter of right use" because it was located in a C-M-1 Industrial District.

(g) Unbeknownst to the cultivation center, the Zoning Administrator's June 18, 2013, letter only referred to the legal conditions of zoning at the time of its issuance and only applied to zoning regulations, not those of the Department of Health, which delegated to DCRA the

responsibility of determining whether an application complies with the RPA requirement of the medical marijuana program.

(h) In 2013, 6523 Chillum Place, N.W., was not located in a RPA. The change in designation did not occur until December 17, 2014, when the Council approved Bill 20-721, the U Street/14th Street, N.W., and Georgia Avenue Great Streets Neighborhood Retail Priority Amendment Act of 2014, which became law on May 2, 2015.

(i) Requiring the cultivation center operator to identify another location and to begin the Certificate of Occupancy process again would further exacerbate the District's medical marijuana supply problem given that it takes up to 23 weeks to bring a marijuana plant from cutting to harvest-ready bud.

(j) The proposed amendment allows cultivation centers that find themselves in a similar legislative or regulatory posture to open and operate a cultivation center in a Retail Priority Area only if their application was approved before the establishment or expansion of a Retail Priority Area. This is a narrow exception to the prohibition against cultivation centers opening and operating in Retail Priority Areas.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Cultivation Center Exception Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-140

***See* Emergency D.C. Act 21-61 21 DCStat 1440**

To declare the existence of an emergency with respect to the need to approve Delivery Order No. CW33024 under Montgomery County, Maryland Contract No. 1041647 with Morton Salt, Inc. ("Morton") and to authorize payment for the goods received and to be received under the delivery order.

Delivery Order No. CW33024 under Montgomery County, Maryland Contract No. 1041647 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Delivery Order No. CW33024 under Montgomery County, Maryland Contract No. 1041647 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Delivery Order No. CW33024 and modifications thereto (including all associated Purchase Orders) issued by the District Office of Contracting and Procurement ("OCP"), on behalf of the District Department of Public Works ("DPW"), under a Montgomery County, Maryland under Montgomery County, Maryland Contract No. 1041647 and to authorize payment for the goods received and to be received under the delivery order.

(b) DPW is responsible for administering the District's Snow Removal and Deicing Program. Each year, the District participates with other local jurisdictions in Maryland and Virginia in a Cooperative Purchase Agreement ("Agreement") to purchase its supply of road deicing salt. Under the Agreement, the Montgomery County, Maryland Department of General Services ("Montgomery County") serves as the lead entity. Each jurisdiction submits its anticipated annual requirements to Montgomery County and, during the procurement process, Montgomery County acts as the soliciting agent for the participating jurisdictions. Participating jurisdictions are grouped in zones and Montgomery County awards the contracts by zone. Upon award of the contracts, each participating jurisdiction can either: (1) place orders for road deicing salt under the Montgomery County contract directly with an awarded contractor; or (2) enter into and administer its own contract with an awarded contractor for the purchase and delivery of its annual requirements.

(c) On July 28, 2014, Montgomery County issued an Invitation for Bids on behalf of the members of the Metropolitan Washington Council of Governments Purchasing Group for the purchase of their respective estimated known and future annual requirements for road deicing salt.

(d) On October 2, 2014, Montgomery County awarded Contract No. 1041647 to Morton for the District's requirements for the base period of one year, from October 2, 2014, through

October 1, 2015, with 3 one-year option periods, in the total estimated contract amount of $2,222,000.00.

(e) Between November 2014 and February 2015, OCP issued purchase orders totaling $1,644,120.00 under Montgomery County Contract No. 1041647. OCP anticipates spending the remaining $577,880.00 of the estimated contract amount for road deicing salt during Fiscal Year 2015.

(f) Council approval is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the expenditures under the contract are in an amount in excess of $1 million during a 12-month period.

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, Morton cannot be paid more than $1 million for the goods received or to be received under the delivery order.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Delivery Order No. CW33024 under Montgomery County, Maryland Contract No. 1041647 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-145

***See* Emergency D.C. Act 21-73 21 DCStat 1449**

To declare the existence of an emergency with respect to the need to amend the Youth Employment Act of 1979 to authorize the Mayor to provide employment or work readiness training for no fewer than 10,000 and no more than 21,000 youth participants 14 to 24 years of age.

Youth Employment and Work Readiness Training Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Youth Employment and Work Readiness Training Emergency Declaration Resolution of 2015".

Sec. 2. (a) The economy of the District of Columbia continues to show improvement, but, as of December 2014, the District's 7.3% unemployment rate for adults remains one of the highest in the nation.

(b) Many District youth continue to face barriers to employment and lack the skills to secure sustainable, long-term jobs.

(c) The Mayor is committed to investing in young people and part of that commitment is building a better pathway for young people to secure skills training for sustainable jobs in the District of Columbia.

(d) District youth up to the age of 24 continue to struggle to find employment in the District of Columbia, particularly in economically distressed wards and communities.

(e) Expanding jobs and job training opportunities for District youth will do much to strengthen the District's local economy.

(f) The District's youth employment programs have demonstrated that a job can be a life-changing experience that teaches a youth the responsibility of work, shapes attitudes, and leads to a productive work life.

(g) For the youth employment program to succeed in program year 2015, which is to begin in June 2015, it is desirable to extend enrollment to youth ages 14 to 24 years old.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Youth Employment and Work Readiness Training Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-142

***See* Emergency D.C. Act 21-63 21 DCStat 1442**

To declare the existence of an emergency with respect to the need to approve Modification No. M0005, the extension of the sole source contract, to Contract No. CW26699 between the Department of Corrections and Unity Health Care, Inc. for comprehensive medical, mental health, pharmacy, and dental services for an estimated population of 1,180 inmates housed in the Central Detention Facility and the Correctional Treatment Facility and to authorize payment for the services received and to be received under the contract modification.

Modification No. M0005 to Sole Source Contract No. CW26699 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification No. M0005 to Sole Source Contract No. CW26699 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. M0005, for a period of performance from April 1, 2015, through June 30, 2015, in an amount totaling $5,900,145.00, to Contract No. CW26699 between the Department of Corrections and Unity Health Care, Inc. for comprehensive medical, mental health, pharmacy, and dental services for inmates housed at the Central Detention Facility and the Correctional Treatment Facility, and to exempt the purchase of these services from section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D. C. Official Code § 2-218.46).

(b) Due to the current contract's expiration on March 31, 2015, and to maintain continuity of these vital services, the extension of Contract No. CW26699 from April 1, 2015, through June 30, 2015, in the amount of $5,900,145.00 is needed until a long-term contract can be put in place. Unity Health Care, Inc. is the only company available that requires no start-up time and is capable of continuing these services without interruption, thereby necessitating Council approval.

(c) Approval of the Modification No. M0005 is required to ensure continuity and avoid interruption of the comprehensive medial, mental health, pharmacy, and dental services for inmates.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. M0005 to Sole Source Contract No. CW26699 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-135

See Emergency D.C. Act 21-76 21 DCStat 1466

To declare the existence of an emergency with respect to the need to increase certain appropriations in the Fiscal Year 2015 Budget Request Act pursuant to the District of Columbia Appropriations Act, 2015.

Fiscal Year 2015 Second Revised Budget Request Adjustment Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2015 Second Revised Budget Request Adjustment Emergency Declaration Resolution of 2015".

Sec. 2. (a) On December 30, 2014, the Office of the Chief Financial Officer (OCFO) released a quarterly revised revenue estimate that showed an $83.4 million decrease in certified revenues. This estimate was revised by the OCFO on February 27, 2015 to include the certified revenue increase of $36.5 million. This leaves a budget gap of approximately $46.9 million.

(b) This gap is partially offset by an existing operating margin of $5.2 million and additional TIF revenue savings of $2.3 million. This leaves an overall budget gap of $39.4 million that needs to be resolved for the budget to remain in balance for Fiscal Year 2015.

(c) In order to resolve this gap and address structural budget issues in Fiscal Year 2016 and beyond, the Mayor identified savings of $87.8 million and the Council identified additional savings of $20.5 million in Fiscal Year 2015. $39.4 million of this savings amount will be used to solve the gap with another $68 million being carried over into Fiscal Year 2016. These actions will leave an operating margin of $0.5 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2015 Second Revised Budget Request Emergency Adjustment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-156

See Emergency D.C. Act 21-81 21 DCStat 1474

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to approve the salary adjustment for the Chancellor of the District of Columbia Public Schools.

Chancellor of the District of Columbia Public Schools Salary Adjustment Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chancellor of the District of Columbia Public Schools Salary Adjustment Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) Kaya Henderson was appointed Interim Chancellor of the District of Columbia Public Schools ("DCPS") on November 1, 2010, following the resignation of Michelle Rhee. On March 11, 2011, she was nominated to serve as Chancellor of the District of Columbia Public Schools. Chancellor Henderson was unanimously confirmed by the Council on June 21, 2011, and has served as Chancellor continuously since that time.

(b) Over the past 4 years under Chancellor Henderson's leadership, DCPS has realized dramatic improvements towards the goals of increasing District-wide math and reading proficiency, improving the proficiency rates of the DCPS' 40 lowest-performing schools, increasing high school graduation rates, increasing student satisfaction, and increasing overall DCPS enrollment.

(c) DCPS has increased audited enrollment to the highest level in over 5 years, with 3 consecutive years of growth. In 2014, DCPS students reached their highest proficiency rates ever in reading and math. Graduation rates have been growing steadily each year with a goal of 75% in 2017. In-seat attendance has increased to 89% and truancy has been reduced by 18%. Since 2011, the results of the National Assessment of Education Progress show District students improved in math and reading and demonstrated the greatest growth of any state in the nation.

(d) Based on the dramatic improvements achieved under the steady leadership of the Chancellor over the last 4 years and the commitment to continuing the progress of DCPS, the Mayor signed a new contract and made an adjustment to the Chancellor's salary to $284,000.

(e) On March 3, 2015, the Council passed emergency legislation, the Chancellor of the District of Columbia Public Schools Salary Adjustment Emergency Amendment Act of 2015, effective March 3, 2015 (D.C. Act 21-0027; 62 DCR 4527), to effectuate this change. It was retroactive to January 2, 2015, and expired on April 2, 2015.

(f) Temporary legislation, the Chancellor of the District of Columbia Public Schools Salary Adjustment Temporary Amendment Act of 2015, enacted on March 30, 2015 (D.C. Act 21-40; 62 DCR 4558) and transmitted to Congress for the 30-day review period

required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)). It is projected to become law on June 4, 2015.

(g) A congressional review emergency with retroactive applicability is needed to prevent a gap in the law as the Chancellor has already begun receiving the adjusted salary. The permanent legislation was included as part of the Fiscal Year 2016 Budget Support Act of 2015, Bill 21-157, which was recently approved by the Council on first reading.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Chancellor of the District of Columbia Public Schools Salary Adjustment Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-173

***See* Emergency D.C. Act 21-74 21 DCStat 1451**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Firearms Control Regulations Act of 1975 to permit a person to register a firearm for self-defense in his or her place of business, to provide a Freedom of Information Act exception for pistol registration information, to specify application requirements for applying for a license to carry a concealed pistol, to specify the duration of such licenses and requirements for renewal of licenses, to establish duties of licensees, to provide for revocation of licenses, to create a criminal offense of carrying while consuming alcohol or while impaired, to specify prohibitions on licensees, to establish a Concealed Pistol Licensing Review Board, to provide a Freedom of Information Act exception for license information, to specify penalties for violations, and to require the Mayor to issue rules; and to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to authorize the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

License to Carry a Pistol Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "License to Carry a Pistol Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) On December 17, 2014, the Council passed the License to Carry a Pistol Amendment Act of 2014, enacted on February 6, 2015 (D.C. Act 20-621; 62 DCR 1944). On March 6, 2015, this measure was transmitted to Congress for a 60-day period of congressional review.

(b) On December 17, 2014, the Council also passed the License to Carry a Pistol Second Emergency Amendment Act of 2015, effective January 6, 2015 (D.C. Act 20-564; 62 DCR 866).

(c) D.C. Act 20-564 expired on April 6, 2015; however, D.C. Act 20-621 is not projected to become law until June 16, 2015. A congressional review emergency is necessary to ensure that the provisions of the emergency legislation continue in effect, without further interruption, until the permanent measure becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the License to Carry a Pistol Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-137

To declare the sense of the Council in support of amendments to the inclusionary zoning regulations, Chapter 26 of Title 11 of the District of Columbia Municipal Regulations, which require new and rehabilitated residential developments to include housing units permanently affordable to low- and moderate-income residents in exchange for permitting housing developers to obtain additional zoning density as a matter of right, to increase the availability of affordable housing.

Sense of the Council in Support of Improving Inclusionary Zoning Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council in Support of Improving Inclusionary Zoning Resolution of 2015".

Sec 2. The Council finds that:

(1) The District of Columbia housing and rental market is among the most expensive in the country.

(2) Many of the District's residents spend greater than 30% of their annual income on housing costs.

(3) The Inclusionary Zoning ("IZ") regulations of the District of Columbia, Chapter 26 of Title 11 of the District of Columbia Municipal Regulations, are a critical component of the city's overall strategy to create affordable housing units. The regulations require developers constructing new residential units to include a certain number of affordable units to be rented or sold at a price below market rate. The regulations create 2 levels of affordability: 80% of Area Median Income ("AMI") and 50% of AMI. Prices are calibrated so that an individual earning either 80% or 50% AMI will spend between 38 to 41% of his or her annual income on housing. To offset the cost to developers of these mandates, developers are provided with bonus density, enabling the construction of an increased number of units above what the applicable zoning regulations would otherwise permit.

(4) As of May 2014, 477 IZ units in 57 projects throughout the District have been constructed, are under construction, or are planned. Of these, 78% of the units are priced at the 80% AMI level; the remaining 22% of units are priced at the 50% AMI level. According to 2013 data from the U.S. Census Bureau, the Washington, D.C. area had the highest median income in the United States at $90,149. AMI includes income data from Maryland and Virginia residents, in addition to District residents.

(5) Many District residents earn below 80% AMI and are in need of affordable housing options.

(6) IZ can be a more effective tool to the extent that the IZ regulations are revised to require developers to produce more affordable units and at deeper affordability levels.

Such revisions, however, must not be so significant as to discourage, or make financially unfeasible, future residential development plans.

(7) Construction of residential units is at an all-time high in the District. The sooner any revision is made to the IZ regulations, the greater the impact that revision will have.

Sec. 3. (a) For the reasons set forth in section 2, it is the sense of the Council that the Zoning Commission and the Mayor must revise the Inclusionary Zoning regulations, Chapter 26 of Title 11 of the District of Columbia Municipal Regulations, to accomplish the following objectives:

(1) Increase the number of Inclusionary Zoning units produced overall;

(2) Increase the number of units produced that are affordable for lower income households;

(3) Set maximum rent, purchase price, and eligibility thresholds in a manner that ensures affordability for an adequate pool of applicants;

(4) Achieve greater affordability by lowering the upper affordability limits for moderate income households;

(5) Ensure that the zoning density bonus needed to support the cost of IZ units is available and usable, by allowing greater flexibility within the parameters of the Comprehensive Plan and offering additional bonus density as necessary to compensate for increased affordability; and

(6) Clarify the intended role for qualified nonprofits, the Mayor, and the District of Columbia Housing Authority in exercising the right of first refusal to purchase and then rent units to low-income and very-low-income residents.

(b) The Zoning Commission and the Mayor should act with care and thoroughness in their review of the existing regulations, the market, and all possible alternatives, when determining the best course of action to achieve these objectives.

Sec. 4. The Chairman shall transmit copies of this resolution, upon its adoption, to the Mayor, the Office of Planning, and the Zoning Commission.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-113

To confirm the appointment of Mr. Stephen D. Bumbaugh to the Public Charter School Board.

Public Charter School Board Stephen D. Bumbaugh Confirmation Resolution of 2015

RESOLVED, BY THE COUNCI L OF THE DISTRICT OF COLUM BIA, That this resolution may be cited as the "Public Charter School Board Stephen D. Bumbaugh Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Stephen D. Bumbaugh
2619 Garfield Street, N.W. #4
Washington, D.C. 20008
(Ward 3)

as a member of the Public Charter School Board, established by section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D. C. Official Code § 38-1802.14), replacing Herbert R. Tillery, to complete the remainder of an unexpired term to end February 24, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-114

To confirm the reappointment of Mrs. Barbara B. Nophlin to the Public Charter School Board.

Public Charter School Board Barbara Nophlin Confirmation Resolution of 2015

RESOLVED, BY THE COUNCI L OF THE DISTRICT OF COLUM BIA, That this resolution may be cited as the "Public Charter School Board Barbara Nophlin Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mrs. Barbara B. Nophlin
1441 35th Street, S.E.
Washington, D.C. 20020
(Ward 7)

as a member of the Public Charter School Board, established by section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D. C. Official Code § 38-1802.14), for a term to end February 24, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-136

To confirm the appointment of Ms. Hanseul Kang as the State Superintendent of Education.

State Superintendent of Education Hanseul Kang Confirmation Resolution of 2015

RESOLVED, BY THE COUNCI L OF THE DISTRICT OF COLUM BIA That this resolution may be cited as the "State Superintendent of Education Hanseul Kang Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Hanseul Kang
153 Rhode Island Avenue, N.E.
Washington, D.C. 20002
(Ward 5)

as the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-260l), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end March 22, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-146

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $33 million of District of Columbia revenue refunding bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist the United Negro College Fund, Inc. in the financing or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

United Negro College Fund Revenue Refunding Bonds Project Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "United Negro College Fund Revenue Refunding Bonds Project Approval Resolution of 2015".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have sub-delegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds which shall be the United Negro College Fund, Inc. a State of New York not-for-profit corporation exempt from federal income taxes under 26 U.S.C § 501(a) (2009) as an organization described in 26 U.S.C. § 501(c)(3) (2009).

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents other than Closing Documents that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, escrow agreement, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan contemplated thereby, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs to:

(A) Advance refund $26 million District of Columbia Revenue Bonds (United Negro College Fund, Inc. Issue) Series 2010 ("2010 Bonds"), the proceeds of which were used to finance, refinance, or reimburse the Borrower for certain costs incurred in connection with:

(i) Acquiring, constructing, renovating, furnishing, and equipping the new headquarters facility of the Borrower, including portions of the first floor and adjacent floors of the building, improvements and personal property, a pro rata share of the building common elements, the use of 40 parking spaces, located at 1805 and 1815 7th Street, N.W. Washington, D.C. (Lot 2012, Square 441) ("Facility");

(ii) Funding capitalized interest on the 2010 Bonds; and

(iii) Paying a portion of the costs of issuance for the 2010 Bonds;

(B) Fund the defeasance escrow account to defease the 2010 Bonds;

(C) Fund any required debt service reserve fund or interest on the Bonds; and

(D) Pay certain Issuance Costs, as well as any credit enhancement, including any bond insurance or initial letter of credit fees (if any), and fund any required reserves.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may by resolution authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse and to assist in the financing, refinancing, or reimbursing of the costs of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans

made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in an aggregate principal amount not to exceed $33 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and has and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District within the meaning of Section 490 of the Home Rule Act.

(4) The Project was an undertaking in the area of commercial development and contributes to the health, education, safety and welfare of the residents of the District within the meaning of Section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $33 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds, the other Financing Documents, and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of said executed Financing Documents and said executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing

Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the

Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution, or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. §147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-147

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $410 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist the Children's Hospital in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

Children's Hospital Revenue Bonds Project Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Children's Hospital Revenue Bonds Project Approval Resolution of 2015".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be the Children's Hospital, a nonprofit corporation organized under the laws of the District of Columbia, which is exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3), and which is liable for the repayment of the Bonds.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the

issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Mayor" means the Mayor of the District of Columbia.

(13) "Project" means the financing, refinancing or reimbursing of all or a portion of the Borrower's costs of:

(A) Refunding the District of Columbia Hospital Improvements and Refunding Revenue Bonds (Children's Hospital Issue), Series 1992A, originally issued in the aggregate principal amount of $45.2 million pursuant to provisions of the Children's Hospital Revenue Bond Act of 1992, effective August 26, 1992 (D.C. Law 9-141;39 DCR 7140);

(B) Refunding the District of Columbia Hospital Revenue Bonds (Children's Hospital Obligated Group Issue) Series 2005, originally issued in the aggregate principal amount of $150 million pursuant to provisions of the Children's Hospital Revenue Bond Project Approval Resolution of 2005, effective July 6, 2005 (Res. 16-230; 52 DCR 6747);

(C) Refunding the District of Columbia Hospital Revenue Bonds (Children's Hospital Obligated Group Issue) Series 2008, originally issued in the aggregate principal amount of $250 million pursuant to provisions of the Children's National Medical Center Revenue Bonds Project Approval Resolution of 2008, effective March 4, 2008 (Res. 17-552; 55 DCR 2722);

(D) Funding any working capital costs, to the extent financeable;

(E) Funding any required debt service reserve fund and capitalized interest; and

(F) Paying certain costs of issuance, including any credit enhancement fees.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may by resolution authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed $410 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of health facilities, within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $410 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve, the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters, and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts, and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve, the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in

or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years after the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. §147 (f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-150

See Emergency D.C. Act 21-77 21 DCStat 1470

To declare the existence of an emergency with respect to the need to approve Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM with MCN Build, LLC for design-build services for the Powell Elementary School modernization and expansion, and to authorize payment for the goods and services received and to be received under these change orders.

Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM with MCN Build, LLC for design-build services for the Powell Elementary School modernization and expansion, and to authorize payment in the aggregate amount of $1,571,647 for the goods and services received and to be received under these change orders.

(b) The underlying Contract No. DCAM-12-M-1031H-FM was competitively bid, awarded to MCN Build, LLC, and approved by the Council in CA20-0106 with a Phase A Guaranteed Maximum Price of $6,322,891. Thereafter, the Department of General Services issued Change Orders Nos. 001 and 002, which had an aggregate value of $20,466,980.57 were submitted to and approved by the Council in PR20-0778. Subsequently, the Department issued Change Order No. 003, which was in an amount under $1 million and thus did not require Council approval.

(c) Change Order No. 004 will cause the aggregate value of Change Orders Nos. 003 and 004 to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM is necessary to compensate MCN Build, LLC for the work performed and to be performed under these change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Orders Nos. 003 and 004 to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-154

See Emergency D.C. Act 21-80 21 DCStat 1473

To declare the existence of an emergency with respect to the need to approve Modification No.1 to Contract No. CW317429 with Northrop Grumman for IT maintenance and support services to the District's Automated Unemployment Tax System and to authorize payment for the services received and to be received under the contract.

Modification No. 0001 to Contract No. CW317429 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification No. 0001 to Contract No. CW317429 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. 0001 to Contract No. CW317429 with Northrop Grumman for IT maintenance and support services to the District's Automated Unemployment Tax System, and to authorize payment in the not-to-exceed amount of $1,370,300 for the services received and to be received under the contract.

(b) Modification No. 0001 to Contract No. CW317429 will cause the contract amount for the base period from October 1, 2014, through September 30, 2015 to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(c) Approval of Modification No. 0001 to Contract No. CW317429 is necessary to allow the continuation of these vital services. Without this approval, Northrop Grumman, cannot be paid for services provided and to be provided in excess of $1,000,000.00.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. 0001 to Contract No. CW317429 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-160

See Emergency D.C. Act 21-83 21 DCStat 1476

To declare the existence of an emergency with respect to the need to approve Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 with Broughton Construction Company, LLC for design-build services for the Stuart Hobson Middle School modernization and expansion, and to authorize payment for the goods and services received and to be received under these change orders.

Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 with Broughton Construction Company, LLC for design-build services for the Stuart Hobson Middle School modernization and expansion, and to authorize payment in the aggregate amount of $3,022,172.63 for the goods and services received and to be received under these change orders.

(b) The underlying Contract No. DCAM-14-CS-0069 was competitively bid, awarded to Broughton Construction Company, LLC, and approved by the Council in CA20-0300 with a Lump Sum Price of $16,833,306. Thereafter, the Department of General Services issued Change Order No. 001, which had a value of $1,525,258.57, was submitted to and approved by the Council in CA20-0355. Subsequently, the Department issued Change Order No. 002 which was in an amount under $1 million and thus did not require Council approval.

(c) Change Order No. 003 will cause the aggregate value of Change Orders Nos. 002 and 003 to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 is necessary to compensate Broughton Construction Company, LLC for work performed and to be performed under these change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Orders Nos. 002 and 003 to Contract No. DCAM-14-CS-0069 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-161

See Emergency D.C. Act 21-84 21 DCStat 1477

To declare the existence of an emergency with respect to the need to approve Change Orders Nos. FY15-001 through FY15-004 to Contract No. DCAM-12-CS-0184A with Adrian L. Merton, Inc., for HVAC Technician Services, and to authorize payment for the goods and services received and to be received under these change orders.

Change Orders Nos. FY15-001 through FY15-004 to Contract No. DCAM-12-CS-0184A Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Orders Nos. FY15-001 through FY15-004 to Contract No. DCAM-12-CS-0184A Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Change Orders Nos. FY15-001 through FY15-004 to Contract No. DCAM-12-CS-0184A with Adrian L. Merton, Inc. for HVAC Technician Services, and to authorize payment in the aggregate amount of $3,508,647.40 for the goods and services received and to be received under these change orders.

(b) The underlying Contract No. DCAM-12-CS-0184A was approved by the Council in CA20-0530. Thereafter, the Department of General Services issued Change Orders Nos. FY15-001 through FY15-003. The aggregate value of these Change Orders was less than $1 million; thus, Change Orders Nos. FY15-001 through FY15-003 did not require Council approval.

(c) Change Order No. FY15-004 will cause the aggregate value of Change Orders Nos. FY15-001 through FY15-004 to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Orders Nos. FY15-001 through FY15-004 is necessary to compensate Adrian L. Merton, Inc. for work performed and to be performed under these change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Orders Nos. FY15-001 through FY15-004 to Contract No. DCAM-12-CS-0184A Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-172

See Emergency D.C. Act 21-87 21 DCStat 1481

To declare the existence of an emergency with respect to the need to approve Change Orders Nos. 002 through 006 to Contract No. DCAM-13-CS-0136 with Smoot Gilbane II Joint Venture for design-build services for the Roosevelt High School modernization, and to authorize payment for the goods and services received and to be received under these change orders.

Change Orders Nos. 002 through 006 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Orders Nos. 002 through 006 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2.(a) There exists an immediate need to approve Change Orders Nos. 002 through 006 to Contract No. DCAM-13-CS-0136 with Smoot Gilbane II Joint Venture for design-build services for the Roosevelt High School modernization, and to authorize payment in the aggregate amount of $1,510,484 for the goods and services received and to be received under these change orders.

(b) The underlying Contract DCAM-13-CS-0136 was approved by the Council in CA20-0277 and Change Order No. 001 to the Contract was approved by the Council in CA20-0424). Thereafter, the Department of General Services issued Change Orders Nos. 002 through 005. The aggregate value of these Change Orders was less than $1 million; thus, Change Orders Nos. 002 through 005 did not require Council approval.

(c) Change Order No. 006 will cause the aggregate value of Change Orders Nos. 002 through 006 to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Orders Nos. 002 through 006 is necessary to compensate Smoot Gilbane II Joint Venture for work performed and to be performed under these change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Orders Nos. 002 through 006 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-162

See Emergency D.C. Act 21-85 21 DCStat 1478

To declare the existence of an emergency with respect to the need to approve Change Orders Nos. FY15-001 through FY15-003 to Contract No. DCAM-12-CS-0184B with RSC Electrical & Mechanical Contractors, Inc. for HVAC Technician Services, and to authorize payment for the goods and services received and to be received under these change orders.

Change Orders Nos. FY15-001 through FY15-003 to Contract No. DCAM-12-CS-0184B Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Orders Nos. FY15-001 through FY15-003 to Contract No. DCAM-12-CS-0184B Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Change Orders Nos. FY15-001 through FY15-003 to Contract No. DCAM-12-CS-0184B with RSC Electrical & Mechanical Contractors, Inc. for HVAC Technician Services, and to authorize payment in the aggregate amount of $3,402,800 for the goods and services received and to be received under these change orders.

(b) The underlying Contract No. DCAM-12-CS-0184B was approved by the Council in CA20-0531. Thereafter, the Department of General Services issued Change Orders Nos. FY15-001 through FY15-002. The aggregate value of these Change Orders was less than $1 million; thus, Change Orders Nos. FY15-001 through FY15-002 did not require Council approval.

(c) Change Order No. FY15-003 will cause the aggregate value of Change Orders Nos. FY15-001 through FY15-003 to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Orders Nos. FY15-001 through FY15-003 is necessary to compensate RSC Electrical & Mechanical Contractors, Inc. for work performed and to be performed under these change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Orders Nos. FY15-001 through FY15-003 to Contract No. DCAM-12-CS-0184B Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-163

To approve multiyear Contract No. SO-15-030-0001049 with ARAMARK Sports and Entertainment Services, LLC to provide janitorial and related services to the Walter E. Washington Convention Center and the Carnegie Library.

ARAMARK Sports and Entertainment Services, LLC Contract Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "ARAMARK Sports and Entertainment Services, LLC Contract Approval Resolution of 2015".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(c)(3)), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. SO-15-030-0001049 with ARAMARK Sports and Entertainment Services, LLC to provide janitorial and related services to the Walter E. Washington Convention Center and the Carnegie Library for a not-to-exceed amount of $23,604,202 for a term of October 1, 2015 to September 30, 2020.

Sec. 3. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-158

To amend the Council Period 21 Appointment of Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution of 2015 to modify the memberships of the Committee on Business, Consumer, and Regulatory Affairs, the Committee on Education, the Committee on Health and Human Services, the Committee on Housing and Community Development, the Committee on the Judiciary, and the Committee on Transportation and the Environment due to the filling of vacant Council seats.

Council Period 21 New Council-members Committee Appointment Amendment Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Period 21 New Councilmembers Committee Appointment Amendment Resolution of 2015".

Sec. 2. Section 3 of the Council Period 21 Appointment of Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution of 2015, effective January 2, 2015 (Res. 21-2; 62 DCR 1102), is amended as follows:

(a) Paragraph (1) (*Committee on Business, Consumer and Regulatory Affairs*) is amended by striking the phrase "and Elissa Silverman" and inserting the phrase "Elissa Silverman, and Brandon Todd" in its place.

(b) Paragraph (2) (*Committee on Education*) is amended by striking the phrase "and Anita Bonds" and inserting the phrase "Anita Bonds, and Brandon Todd" in its place.

(c) Paragraph (4) (*Committee on Health and Human Services*) is amended by striking the phrase "and Brianne Nadeau" and inserting the phrase "Brianne Nadeau, and LaRuby May" in its place.

(d) Paragraph (5) (*Committee on Housing and Community Development*) is amended by striking the phrase "and Elissa Silverman" and inserting the phrase "Elissa Silverman, and LaRuby May" in its place.

(e) Paragraph (6) (*Committee on the Judiciary*) is amended by striking the phrase "and Jack Evans" and inserting the phrase "Jack Evans, and LaRuby May" in its place.

(f) Paragraph (7) (*Committee on Transportation and the Environment*) is amended by striking the phrase "and Kenyan McDuffie" and inserting the phrase "Kenyan McDuffie, and Brandon Todd" in its place.

Sec. 3. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-157

See Emergency D.C. Act 21-82 21 DCStat 1475

Heat Wave Safety Emergency Declaration Resolution of 2015

To declare the existence of an emergency with respect to the need to prohibit the electric company from shutting off service when the heat index is forecasted to be 95 degrees Fahrenheit or above.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "Heat Wave Safety Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to protect District residents who are vulnerable to health impairments that may be caused by periods of extreme heat and who may be unable to cool their homes if their electricity is shut off.

(b) District law prohibits utilities from disconnecting their service when the forecast predicts the temperature will be 32 degrees Fahrenheit or below during the following 24 hours.

(c) Exposure to extreme heat is more likely than extreme cold to cause people to experience negative health consequences, including death; yet the District does not prohibit the disconnection of electricity during or directly preceding periods of extreme heat analogous to the prohibition on disconnections during or directly preceding periods of extreme cold.

(d) Enacting a prohibition on the disconnection of electricity during or directly preceding periods of extreme heat will provide a measure of security for District residents without creating undue hardship for the electric company.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Heat Wave Safety Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-174

See Emergency D.C. Act 21-95 21 DCStat 1484

To declare the existence of an emergency with respect to the need to amend, on an emergency basis, the Rental Housing Conversion and Sale Act of 1980, to clarify that a bona fide offer of sale for a housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party contract, is based on current, applicable, matter-of-right zoning regulations or laws, or by an existing right to convert to another use, that the offer may take into consideration the highest and best use of the property, and to establish the right of a tenant organization to a determination of the appraised value of a housing accommodation under certain circumstances.

TOPA Bona Fide Offer of Sale Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "TOPA Bona Fide Offer of Sale Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to amend sections 103, 402, and 411 of the Rental Housing Conversion and Sale Act of 1980 ("the Act" or "TOPA"), to clarify that a bona fide offer of sale for a housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party contract, is based on current, applicable, matter-of-right zoning regulations or laws, or by an existing right to convert to another use. Further, there is an immediate need to clarify TOPA that a bona fide offer of sale may take into consideration the highest and best use of the property; and finally, to establish the right of a tenant organization to request a determination of the appraised value of a housing accommodation under certain circumstances.

(b) Last September 23, 2014, in an attempt to clarify the term "bona fide offer of sale", and thereby preserve the TOPA rights of the residents at Museum Square and other similarly situated tenants, the Council passed Act 20-434, the Tenant Opportunity to Purchase Emergency Amendment Act of 2014. Law 20-166, the Tenant Opportunity to Purchase Temporary Amendment Act of 2014, the substantively identical temporary version of the emergency bill, went into effect on February 26, 2015, and will expire on October 9, 2015.

(c) Unfortunately, both acts were drafted too broadly and inadvertently covered all TOPA sales, and not just those occurring without a third-party contract, like at Museum Square. As a result, all TOPA sales retroactive to January 1, 2014, were suddenly required to have included two appraisals of the housing accommodation. Due to concerns of the title insurance industry, this all-encompassing retroactive appraisal requirement has stalled a significant number of transactions in the residential real estate market for previous and current TOPA sales. As a result, the collection of recordation taxes has been adversely affected, which in turn has had the potential of reducing funding available to the Housing Production Trust Fund.

(d) These new emergency and temporary bills are being moved to expeditiously remedy this situation and were drafted in consultation with many stakeholders from all sides of the issue over a period of many weeks.

(1) These bills replace the relevant section of TOPA law, D.C. Official Code § 42-3404.02, and essentially return this subsection to its pre-emergency and pre-temporary language. This means that TOPA will no longer require all TOPA sales to have two appraisals, regardless of whether there is a third-party offer.

(2) These bills require that a bona fide offer of sale for a building with 5 or more units based on a landlord's intention to demolish or discontinue housing use, in the very limited circumstance where there is no third-party offer, must be based on current, applicable, matter-of-right laws and regulations, or by an existing right to convert to another use. The offer may take into consideration the highest and best use of the property. This requirement ensures that a bona fide offer of sale will be based on the present value of the property, and not some speculative future value.

(3) These bills protect the elderly residents of Museum Square and other similarly situated tenants by including a retroactive provision for housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party.

(4) These bills establish a tenant right to request an appraisal, if the tenants believe that an offer, in the absence of a third-party offer, is too high. They direct tenants to jointly select an appraiser with the landlord, but if they cannot agree, then the appraiser is selected by DHCD's Conversion and Sale Administrator. The cost of the appraisal is split 66/33 between the landlord and tenant (roughly $40-$65 per tenant). The time the appraisal takes is added to the negotiation period allowed tenants.

(5) These bills grandfather-in tenant organizations that, prior to the effective date of the TOPA Bona Fide Offer of Sale Clarification Emergency Amendment Act of 2015, have registered the tenant organization with the Mayor and have reasonably relied upon Act 20-434, the Tenant Opportunity to Purchase Emergency Amendment Act of 2014, and Law 20-166, the Tenant Opportunity to Purchase Temporary Amendment Act of 2014, by requesting an appraisal of their housing accommodations as required under those bills.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the TOPA Bona Fide Offer of Sale Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-153

***See* Emergency D.C. Act 21-79 21 DCStat 1472**

To declare the existence of an emergency with respect to the need to approve Option Year 4 of Contract No. DCKT-2010-E-0112 with WM Recycle America, LLC to continue to provide the District with recycling services and to authorize payment for the services received and to be received under the contract.

Modification No. 14, Option Year 4 of Contract No. DCKT-2010-E-0112 with WM Recycle America, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification No. 14, Option Year 4 of Contract No. DCKT-2010-E-0112 with WM Recycle America, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Option Year 4 of Contract No. DCKT-2010-E-0112 ("Contract") with WM Recycle America, LLC to continue to provide the District with recycling services and to authorize payment for the services received and to be received under this contract.

(b) On May 3, 2010, the District Office of Contracting and Procurement ("OCP"), on behalf of the District Department of Public Works ("DPW"), entered into a requirements contract with WM Recycle America, LLC ("Contractor") to transport, process, and market recyclables collected through the District's residential recycling collection program and DPW's collection facilities located at the Fort Totten and Benning Road Transfer Stations. The initial term of the Contract was from the date of award, for a period of one year, with 4 one-year option periods. Payments under the contract are based on the monthly net purchase price per ton of the recyclables. If the monthly net purchase price is positive, the Contractor must pay the District the amount equal to the difference between the Monthly Price Index, which is based on the first published market values for the materials in the recyclable stream for the month in which the recyclables are purchased from the District, and the purchase price bid by the Contractor. If the monthly net purchase price is negative, then the District must pay an amount equal to the difference to the Contractor. During the base year, May 3, 2010, through May 2, 2011, the Contractor paid the District a total of $130,591 for the recyclables collected.

(c) By Modification No. 4, dated May 2, 2011, the District exercised Option Year 1 for the period from May 3, 2011, through May 2, 2012, for an estimated quantity of 25,000 tons of recyclables, at a purchase price per ton of $87.50 (without the monthly price adjustment). The Contractor paid the District a total of $389,783 for the recyclables collected during Option Year 1.

(d) By Modification No. 5, dated April 25, 2012, the District exercised Option Year 2 for the period from May 3, 2012, through May 2, 2013, for an estimated quantity of 25,000 tons of

recyclables, at a purchase price of $90 per ton (without monthly price adjustment). The District paid the Contractor a total of $438,903 for the recyclables collected during Option Year 2.

(e) By Modification No. 7, dated May 1, 2013, the District exercised Option Year 3 for the period from May 3, 2013, through May 2, 2014, for an estimated quantity of 25,000 tons of recyclables, at a purchase price per ton of $92.75 (without monthly price adjustment). The District paid the Contractor a total of $760,948 for recyclables collected during Option Year 3.

(f) By Modification No. 10, the District exercised Option Year 4, for the period from May 3, 2014, through May 2, 2015, for an estimated quantity of 25,000 tons of recyclables at a purchase price per ton of $95.50 (without monthly price adjustment).During Option Year 4, the estimated quantity of recyclables processed by the Contractor has increased from 25,000 tons to 33,000 tons. In addition, the market value of the goods has decreased resulting in an increase in the estimated annual amount of the contract. As of February 2015, DPW has issued payments to the contractor totaling $855,114.25. OCP anticipates that the estimated contract amount for Option Year 4 will increase to $1.2 million.

(g) Council approval is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the expenditures under the Contract are in an amount in excess of over $1 million during a 12-month period.

(h) Approval is necessary to allow the continuation of these vital services. Without this approval, WM Recycle America, LLC cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No.14, Option Year 4 of Contract No. DCKT-2010-E-0112 with WM Recycle America, LLC Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-182

See Emergency D.C. Act 21-89 21 DCStat 1483

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-14-NC-0179B and Modification Nos. 03 and 04 with Community Bridge, Inc. for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of $1,045,105 for the goods and services received under the contract and modifications.

Contract No. DCAM-14-NC-0179B and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-14-NC-0179B and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCAM-14-NC-0179B and Modification Nos. 03 and 04 for snow and ice removal and pre-treatment services in the aggregate amount of $1,045,105 and to authorize payment for the goods and services received under the contract and modifications.

(b) Contract No. DCAM-14-NC-0179B was competitively bid and awarded to Community Bridge, Inc. in the amount of $700,000. Thereafter, the Department of Public Works issued Modification Nos. 01 and 02 at no cost. Modification No. 03 increased the contract value by $295,000 to $995,000; thus, Modification No. 03 did not require Council approval.

(c) Additional snow and ice removal and pre-treatment services were performed by Community Bridge, Inc., in the amount of $50,105. Modification No. 04, in the amount of $50,105, would cause the aggregate value of Contract No. DCAM-14-NC-0179B to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Modification No. 04 is necessary to compensate Community Bridge, Inc. for work performed for snow and ice removal and pre-treatment services.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-14-NC-0179B and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-181

***See* Emergency D.C. Act 21-88 21 DCStat 1482**

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-14-NC-0179A and Modification Nos. 03 and 04 with Chiaramonte Construction Company for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of $1,035,932 for the goods and services received under the contract and modifications.

Contract No. DCAM-14-NC-0179A and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-14-NC-0179A and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCAM-14-NC-0179A and Modification Nos. 03 and 04 for snow and ice removal and pre-treatment services in the aggregate amount of $1,035,932 and to authorize payment for the goods and services received under the contract and modifications.

(b) Contract No. DCAM-14-NC-0179A was competitively bid and awarded to Chiaramonte Construction Company in the amount of $700,000. Thereafter, the Department of General Services issued Modification Nos. 01 and 02 at no cost. Modification No. 03 increased the contract value by $295,000 to $995,000; thus, Modification No. 03 did not require Council approval.

(c) Additional snow and ice removal and pre-treatment services were performed by Chiaramonte Construction Company, in the amount of $40,932. Modification No. 04, in the amount of $40,932, would cause the aggregate value of Contract No. DCAM-14-NC-0179A to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Modification No. 04 is necessary to compensate Chiaramonte Construction Company for work performed for snow and ice removal and pre-treatment services.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-14-NC-0179A and Modification Nos. 03 and 04 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-151

***See* Emergency D.C. Act 21-78 21 DCStat 1471**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 21, 23, 24 and 26 to Contract No. CW16474 with Infosys Public Services, Inc. to provide District of Columbia Access System services and to authorize payment for the goods and services received and to be received under these modifications.

Contract No. CW16474 Modification Nos. 21, 23, 24 and 26 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW16474 Modification Nos. 21, 23, 24 and 26 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 21, 23, 24 and 26 ("Option Year Two") to Contract No. CW16474 with Infosys Public Services, Inc. to provide District of Columbia Access System services and to authorize payment for the goods and services received and to be received under these modifications.

(b) On January 2, 2013, Contract Number CW16474 was awarded to Infosys Public Services, Inc. to run from January 2, 2013, to January 1, 2014, in the amount of $51,460,303.28.

(c) On December 30, 2013, the Council approved Modification No. 0012 for Option Year One (CA20-0240), for the period of January 2, 2014, through January 1, 2015, in the amount of $29,435,417.86.

(d) On January 2, 2015, by Modification No. 21, the Office of Contract and Procurement ("OCP") partially exercised Option Year Two, for the period of January 2, 2015, through January 31, 2015, in the amount of $981,592.30.

(e) On January 30, 2015, by Modification No. 23, the OCP partially exercised Option Year Two, for the period of February 1, 2015, through March 10, 2015, in the amount of $13,109,607.40.

(f) On March 10, 2015, by Modification No. 24, the OCP partially exercised Option Year Two, for the period of March 11, 2015, through April 30, 2015, in the amount of $2,814,927.00.

(g) Now OCP proposes to, by Modification No. 26, exercise the remainder of Option Year Two for the period of May 1, 2015, through January 1, 2016, in the not-to- exceed amount of $34,554,176.58.

(h) OCP seeks Council approval to increase the total not-to-exceed amount for Option Year Two to $51,460,303.28.

(i) Approval is necessary to allow the continuation of these vital services. Without this approval, Infosys Public Services, Inc. cannot be paid for services provided in excess of $1 million for Option Year Two.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW16474 Modification Nos. 21, 23, 24 and 26 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-171

See Emergency D.C. Act 21-86 21 DCStat 1479

To declare the existence of an emergency with respect to the need to approve Modification Nos. 10 and 11 to Contract No. DCJM-2009-E-0002 and proposed sole source Contract No. DCJM-2015-S-0002 to continue services by Liberty Healthcare Corporation as a Quality Improvement Organization to conduct provider certification reviews, individual support plan utilization reviews, and service coordination performance audits of Centers for Medicare and Medicaid Services Home and Community Based Services waiver providers for residents of the District of Columbia with intellectual and developmental disabilities.

Contract No. DCJM-2009-E-0002 and Contract No. DCJM-2015-S-0002 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCJM-2009-E-0002 and Contract No. DCJM-2015-S-0002 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos.10 and 11 to Contract No. DCJM-2009-E-0002 and proposed sole source Contract No. DCJM-2015-S-0002 to continue services provided by Liberty Healthcare Corporation as a Quality Improvement Organization to conduct provider certification reviews, individual support plan utilization reviews, and service coordination performance audits of Centers for Medicare and Medicaid Services Home and Community Based Services waiver service providers for residents of the District of Columbia with intellectual and developmental disabilities.

(b) Modification Nos. 10 and 11 to Contract No. DCJM-2009-E-0002 extended the contract beyond the 4th option period on a sole source basis from January 8, 2015, through May 7, 2015, in the amount of $827,285.14. Proposed sole source Contract No. DCJM-2015-S-0002 intends to award a sole source contract for the period of May 8, 2015, through December 7, 2015, in the amount of $1,003,952.01. The total estimated amount for the period of January 8, 2015, through December 7, 2015, is $1,831,237.15.

(c) Council approval is necessary since these modifications and sole source contract are in excess of $1 million during a 12-month period.

(d) Approval is necessary to allow the continuation of these vital services. Without this approval, Liberty Healthcare Corporation cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCJM-2009-E-0002 and Contract No. DCJM-2015-S-0002 Modification Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-128, effective June 2, 2015

A RESOLUTION

Proposed Resolution 21-159

***See* Emergency D.C. Act 21-75 21 DCStat 1465**

To declare the existence of an emergency with respect to the need to amend the District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 to extend by 45 days the Council review period for the Southwest Neighborhood small area action plan.

Extension of Review Period for the Southwest Small Area Plan Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Extension of Review Period for the Southwest Small Area Plan Emergency Declaration Resolution of 2015".

Sec. 2. (a) On May 28, 2015, the Committee of the Whole held a public hearing on PR 21-127, the Southwest Neighborhood Plan Approval Resolution of 2015. At the hearing, multiple Councilmembers raised questions regarding provisions of the Southwest Neighborhood Plan ("Plan"), the meaning of which is not clear as those provisions are currently drafted.

(b) As a result of the hearing, the Committee of the Whole has engaged with the General Counsel to the Council to determine whether the Council has the power to clarify the provisions of the Plan within a committee report or, alternatively, within the Plan itself. The committee seeks guidance from the General Counsel because D.C. Official Code § 1-306.03, which governs small area action plans, does not provide a definitive answer to these questions.

(c) By operation of D.C. Official Code § 1-306.03, PR 21-127 will be deemed approved on June 18, 2015 if no action is taken by the Council, which does not provide the committee with enough time to obtain legal advice and respond accordingly.

(d) An extension of the review period by 45 days is necessary to ensure that the General Counsel has sufficient time to opine on the legal question regarding amendments to the Plan, and that the Council then may take appropriate action before the plan is deemed approved.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Small Area Plan Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-110

To approve the proposed rules of the Alcoholic Beverage Control Board to modify and renew the Adams Morgan Moratorium Zone for 3 years.

Adams Morgan Moratorium Zone Rules Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Adams Morgan Moratorium Zone Rules Approval Resolution of 2015".

Sec. 2. Pursuant to D.C. Official Code § 25-211(b), the Mayor transmitted to the Council on March 23, 2015, proposed rules of the Alcoholic Beverage Control Board to modify and renew the existing Adams Morgan Moratorium Zone for 3 years. The Council approves the proposed rules, published at 61 DCR 8999, to amend section 304 of Title 23 of the District of Columbia Municipal Regulations.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chairperson of the Alcoholic Beverage Control Board.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-45 (Deemed Disapproved June 3, 2015)

A PROPOSED RESOLUTION

Officially Read February 24, 2015

To confirm the appointment of Ms. Mary R. (Polly) Donald son to the Housing Finance Agency Board of Directors.

Housing Finance Agency Board of Directors Polly Donaldson Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Housing Finance Agency Board of Directors Polly Donaldson Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Mary R. (Polly) Donaldson
1728 Kenyon St., N.W.
Washington, D.C. 20010
(Ward 1)

Deemed disapproved after 90-day Council review, excluding days of Council recess, if no Council action beforehand

as a community member of the Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), for a term to end June 28, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-69 (Deemed Approved April 18, 2015)

A PROPOSED RESOLUTION

Officially Read March 3, 2015

To approve the proposed rules to implement the District of Columbia Public Education Reform Amendment Act of 2007 to amended Chapter 20 of title 5 of the District of Columbia Municipal Regulations.

Eligibility For Admission Regulations Approval Resolution of 2015

RESOLV ED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Eligibility For Admission Regulations Approval Resolution of 2015".

Deemed approved after 45-day Council review if no Council action beforehand

Sec. 2. Pursuant to section 103 of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-172), the Council approves the proposed rulemaking adopted by the Chancellor of the District of Columbia Public Schools that would amend section 2004 of subtitle E of Chapter 20 of Title 5 of the District of Columbia Municipal Regulations to delete Section 2004 of Chapter 20 (Admission of Students) of Subtitle E of Title 5 (Education) of the District of Columbia Municipal Regulations (DCMR), and replace it with a new Section 2004. This amendment is necessary to implement new requirements instituted by the District of Columbia Public Schools regarding student assignment and attendance zones.

Sec. 3. Fiscal impact.

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

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Chancellor of the District of Columbia Public Schools., and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-90 (Deemed Approved April 3, 2015)

A PROPOSED RESOLUTION

Officially Read March 3, 2015

To approve an amendment to the District of Columbia State Plan for Medical Assistance governing Medicaid reimbursement for adult substance abuse services.

Medicaid Adult Substance Abuse Rehabilitative Services State Plan Amendment Approval Resolution of 2015

Deemed approved after 30-day Council review, if no Council action beforehand

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Medicaid Adult Substance Abuse Rehabilitative Services State Plan Amendment Approval Resolution of 2015".

Sec. 2. Pursuant to section l(a) of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance which, when implemented, shall provide adult Medicaid beneficiaries in the District of Columbia with access to an Adult Substance Abuse Rehabilitative Services (ASARS) Program. The ASARS Program is intended to reduce and/or ameliorate substance abuse and substance dependence. To ensure maximum effectiveness of treatment, the Department of Health Care Finance, in collaboration with the Department of Behavioral Health, has redesigned the ASARS program to offer varying levels of care with in each of the seven (7) services, based on individual need.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health Care Finance and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by Section 602(c)(3)of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-92 (Deemed Approved April 18, 2015)

A PROPOSED RESOLUTION

Officially Read March 3, 2015

To approve the proposed rules to implement the District of Columbia Public Education Reform Amendment Act of 2007 to amend Chapter 20 of Title 5 of the District of Columbia Municipal Regulations.

Admission and Registration Procedures Regulation s Approval Resolution of 2015

RESOLVE D, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Admission and Registration Procedures Regulation s Approval Resolution of 2015".

Deemed approved after 45-day Council review if no Council action beforehand

Sec. 2. Pursuant to section 103 of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-172), the Council approves the proposed rulemaking adopted by the Chancellor of the District of Columbia Public Schools that would amend section 2002 of subtitle E of Chapter 20 of tit1e 5 of the District of Columbia Municipal Regulations to delete Section 2002 of Chapter 20 (Admission of Students) of Subtitle E of Title 5 (Education) of the District of Columbia Municipal Regulations (DCMR), and replace it with a new Section 2002. This amendment is necessary to implement new requirements instituted by the District of Columbia Public Schools regarding student assignment and attendance zones.

Sec. 3. Fiscal impact.

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

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Chancellor of the District of Columbia Public Schools, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-119 (Deemed Approved May 20, 2015)

A PROPOSED RESOLUTION

Officially Read April 14, 2015

To approve the proposed rules to implement the District of Columbia Public Education Reform Amendment Act of 2007 to amend Chapter 21 of Title 5 of the District of Columbia Municipal Regulations.

Out-of-Boundary Transfers Regulations Approval Resolution of 2015

RESOLVED, BY TIIE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Out-of-Boundary Transfers Regulations Approval Resolution of 2015".

Deemed approved after 45-day Council review if no Council action beforehand

Sec. 2. Pursuant to section l03 of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-172), the Council approves the proposed rulemaking adopted by the Chancellor of the District of Columbia Public Schools that would amend section 2106 of subtitle E of Chapter 21 of Title 5 of the District of Columbia Municipal Regulations to delete Section 2106 of Chapter 21 (Attendance and Transfers) of Subtitle E of Title 5 (Education) of the District of Columbia Municipal Regulations (DCMR), and replace it with a new Section 2106. This amendment is necessary to ensure that the DCPS' rules regarding the out-of-boundary transfers process are issued with additional clarity and specificity, thereby ensuring that parents and the public fully understand how the process operates.

Sec. 3. Fiscal impact.

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

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Chancellor of the District of Columbia Public Schools, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-139 (Deemed Approved May 15, 2015)

A PROPOSED RESOLUTION

Officially Read April 14, 2015

To approve the negotiated collective bargaining agreement submitted by the Public Service Commission for employees in Compensation Unit 34.

Collective Bargaining Agreement between the District of Columbia and Compensation Unit 34 Approval Resolution of 2015

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Collective Bargaining Agreement between the District of Columbia and Compensation Unit 34 Approval Resolution of 2015."

Deemed approved after 30-day Council review if no Council action beforehand

Sec. 2. (a) Pursuant to Section 1717(j) of the District of Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(j), the Council of the District of Columbia approves the attached collective bargaining agreement.

(b) This resolution applies to Compensation Unit 34 bargaining unit employees employed by the Public Service Commission.

(c) The collective bargaining agreement is attached to this resolution.

Sec. 3. Fiscal impact statement.

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

Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, Compensation Unit 34, and the Public Service Commission.

Sec. 5. This resolution shall take effect immediately.

AN ACT

Bill 20-468
Act 20-596
effective
January 26,
2015

To amend the Department of Youth Rehabilitation Services Establishment Act of 2004 to prohibit the use of restraints on a youth confined in a facility under the control of the Department of Youth Rehabilitation Services who is in her third trimester of pregnancy or in postpartum recovery, except when an individualized determination is made that extraordinary circumstances exist and restraints are necessary to prevent the youth from injuring herself or others, to prohibit the use of restraints on a confined youth who is in labor, to require places of confinement to report instances in which restraints are used, and to require places of confinement to give notice of the requirements of this act to relevant staff and to youth who are in their third trimester of pregnancy at the time the place of confinement takes custody of the youth; and to establish the same prohibitions and requirements pertaining to women confined in a facility under the control of the Department of Corrections.

Codification
District of
Columbia
Official Code
2001 Edition

Limitations on
the Use of
Restraints
Amendment
Act of 2014

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Limitations on the Use of Restraints Amendment Act of 2014".

TITLE I.

Sec. 101. Title I of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.01 *et seq.*), is amended as follows:

Part A
New Part B
New
§ 2-1515.51

(a) Designate the existing text as Subtitle A.

(b) A new Subtitle B is added to read as follows:

"Sec. 151. Definitions.

"For the purposes of this subtitle, the term:

"(1) "Administrator" means the superintendent of the secure juvenile residential facility, or the director of the facility under the control of the Department of Youth Rehabilitation Services, or any designees thereof, including medical and correctional staff.

"(2) "Confined" means housed, detained, or serving a commitment in a secure juvenile residential facility or other facility under the control of the Department of Youth Rehabilitation Services.

"(3) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix and shall include any medical condition in which a woman is sent or brought to a medical facility for the purpose of delivering her baby.

"(4) "Medical facility" shall include a hospital, birthing center, or clinic.

"(5) "Postpartum recovery" means a period of recovery following childbirth or miscarriage or termination of a pregnancy as determined by a physician to be medically necessary for healing.

"(6) "Restraints" means any device used to control or bind the movement of a person's body or limbs.

"(7) "Secure juvenile residential facility" shall have the same meaning as provided in section 2(7) of An Act To prohibit the introduction of contraband into the District of Columbia penal institutions, effective December 10, 2009 (55 Stat. 800; D.C. Official Code § 22-2603.01(7)).

New § 2-1515.52

"Sec. 152. Use of restraints by places of confinement.

"(a) In any instance that restraints are used on a confined youth who is known to be pregnant, the restraints used must be the least restrictive available and the most reasonable under the circumstances.

"(b) In any instance that the restraints used on a confined youth who is known to be pregnant require restraints more restrictive than the least restrictive available, the use of such restraints shall be subject to the reporting requirements of section 153.

"(c) Except as provided in subsection (d) of this section, no confined youth who is in the third trimester of pregnancy or in postpartum recovery shall be put in restraints at any time, including during transport to a medical facility or while receiving treatment at a medical facility.

"(d)(1) The Administrator may authorize the use of restraints on a confined youth in the third trimester of pregnancy or in postpartum recovery after making an individualized determination, at the time that the use of restraints is considered, that extraordinary circumstances apply and restraints are necessary to prevent the confined youth from injuring herself or others, including medical or correctional personnel.

"(2) Notwithstanding the authorization by the Administrator under paragraph (1) of this subsection, if the doctor, nurse, or other health professional treating the confined youth determines that the removal of the restraints is medically necessary to protect the health or safety of the youth, or her baby, the restraints shall be removed immediately.

"(e) The Administrator shall not authorize the use of restraints on a confined youth who is in labor.

New § 2-1515.53

"Sec. 153. Reporting requirements.

"(a)(1) Within 10 days after the Administrator authorizes the use of restraints pursuant to section 152(b), section 152(c), or section 152(d), the Administrator shall submit a written statement to the Director of the Department of Youth Rehabilitation Services in the case of confined youth explaining the extraordinary circumstances and the reasons the use of restraints were necessary.

"(2) The written statement must not include personal identifying information of the confined youth on whom restraints were used.

New § 2-1515.54

"Sec. 154. Notice requirements.

"The Administrator shall provide notice of the requirements of this act to:

"(1) The relevant staff at the place of confinement, including:

"(A) All medical staff;

"(B) Staff and contractors who are involved in the transport of confined youth of child-bearing age; and

"(C) Other staff as the Administrator deems appropriate; and

"(2) All youth who are in their third trimester of pregnancy at the time the place of confinement takes custody of the person.".

TITLE II.

New Subchapter VIII-A, Chapter 2, Title 24
New § 24-276.01

Sec. 201. Definitions.

For the purposes of this title, the term:

(1) "Administrator" means the warden of the penal institution, the director of a facility under the control of the Department of Corrections, or any designees thereof, including medical and correctional staff.

(2) "Confined" means housed, detained, or serving a sentence in a penal institution or other facility under the control of the Department of Corrections.

(3) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix and shall include any medical condition in which a woman is sent or brought to a medical facility for the purpose of delivering her baby.

(4) "Medical facility" shall include a hospital, birthing center, or clinic.

(5) "Penal institution" shall have the same meaning as provided in section 2(6) of An Act To prohibit the introduction of contraband into the District of Columbia penal institutions, approved December 10, 2009 (55 Stat. 800; D.C. Official Code § 22-2603.01(6)).

(6) "Postpartum recovery" means a period of recovery following childbirth or miscarriage or termination of a pregnancy as determined by a physician to be medically necessary for healing.

(7) "Restraints" means any device used to control or bind the movement of a person's body or limbs.

New § 24-276.02

Sec. 202. Use of restraints by places of confinement.

(a) In any instance that restraints are used on a confined woman who is known to be pregnant, the restraints used must be the least restrictive available and the most reasonable under the circumstances.

(b) In any instance that the restraints used on a confined woman who is known to be pregnant require restraints more restrictive than the least restrictive available, the use of such restraints shall be subject to the reporting requirements of section 203.

(c) Except as provided in subsection (d) of this section, no confined woman who is in the third trimester of pregnancy or in postpartum recovery shall be put in restraints at any time, including during transport to a medical facility or while receiving treatment at a medical facility.

(d)(1) The Administrator may authorize the use of restraints on a confined woman in the third trimester of pregnancy or in postpartum recovery after making an individualized determination, at the time that the use of restraints is considered, that extraordinary circumstances apply and restraints are necessary to prevent the confined woman from injuring herself or others, including medical or correctional personnel.

(2) Notwithstanding the authorization by the Administrator under paragraph (1) of this subsection, if the doctor, nurse, or other health professional treating the confined woman determines that the removal of the restraints is medically necessary to protect the health or safety of the woman, or her baby, the restraints shall be removed immediately.

(e) The Administrator shall not authorize the use of restraints on a confined woman who is in labor.

Sec. 203. Reporting requirements. **New § 24-276.03**

(a)(1) Within 10 days after the Administrator authorizes the use of restraints pursuant to section 202(b), section 202(c), or section 202(d), the Administrator shall submit a written statement to the Director of the Department of Corrections in the case of confined women explaining the extraordinary circumstances and the reasons the use of restraints were necessary.

(2) The written statement must not include personal identifying information of the confined woman on whom restraints were used.

(b) Beginning January 1, 2016, and on an annual basis thereafter, the Department of Corrections shall provide the following information to the Council:

(1) The number of pregnant women in the custody of the Department of Corrections during the reporting period;

(2) The number of pregnant women on whom restraints that were not the least restrictive means necessary were used;

(3) The number of times restraints were used on each pregnant woman;

(4) For each use of restraints on a pregnant woman, the duration of time that restraints were used; and

(5) For each use of restraints on a pregnant woman, whether restraints were used because of:

(A) Risk of flight;

(B) Risk of injury to the pregnant woman; or

(C) Risk of injury to other persons.

Sec. 204. Notice requirements. **New § 24-276.04**

The Administrator shall provide notice of the requirements of this act to:

(1) The relevant staff at the place of confinement, including:

(A) All medical staff;

(B) Staff and contractors who are involved in the transport of confined women of child-bearing age; and

(C) Other staff as the Administrator deems appropriate; and

(2) All women who are in their third trimester of pregnancy at the time the place of confinement takes custody of the person.

TITLE III.

Sec. 301. Fiscal impact statement.

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

Sec. 302. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

AN ACT

Bill 21-25
Act 21-67
effective
May 22 , 2015

To prohibit employers from testing potential employees for marijuana use during the hiring process, unless otherwise required by law.

Codification District of Columbia Official Code 2001 Edition

Prohibition of Pre-Employment Marijuana Testing Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prohibition of Pre-Employment Marijuana Testing Act of 2015".

New Chapter 9A, Title 32

New §32-931

Sec. 2. Restriction on pre-employment marijuana testing.

(a) An employer may only test a prospective employee for marijuana use after a conditional offer of employment has been extended, unless otherwise required by law.

(b) Nothing in this act shall be construed to:

(1) Affect employee compliance with employer workplace drug policies;

(2) Require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growing of marijuana in the workplace or at any time during employment;

(3) Interfere with federal employment contracts; or

(4) Prevent the employer from denying a position based on a positive test for marijuana.

(c) For the purposes of this section, the term:

(1) "Employer" shall have the same meaning as provided in section 2(6) of the District of Columbia Occupational Safety and Health Act of 1988, effective March 16, 1989 (D.C. Law 7-186; D.C. Official Code § 32-1101(6)).

(2) "Prospective employee" means any individual applying for employment with an employer.

New §32-9312

Sec. 3. Reporting.

Within 6 months after the effective date of this act, the Mayor shall:

(1) Establish a public information campaign aimed at educating the public on the impact of marijuana use and abuse;

(2) Report to the Council the type, frequency, provider, and school grade level of health-education programs in public schools related to substance abuse, including programs designed to address alcohol, tobacco, and marijuana use; and

(3) Evaluate the effectiveness of the District government's treatment programs regarding the use and abuse of marijuana.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

_____

Chairman
Council of the District of Columbia

_____

Mayor
District of Columbia

AN ACT

Bill 21-76
Act 21-68
effective
May 22, 2015

To amend the Washington Convention Center Authority Act of 1994 to delete obsolete provisions, to clarify that the President of the Hotel Association of Washington, D.C. shall serve as an ex-officio voting member of the Board of Directors, and to repeal the establishment of the Washington Convention Center Advisory Committee.

Codification
District of
Columbia
Official Code
2001 Edition

Events DC
Technical
Clarification
Amendment
Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Events DC Technical Clarification Amendment Act of 2015".

Sec. 2. Title II of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.01 *et seq.*), is amended as follows:

Amend
§ 10-1202.05

(a) Section 205 (D.C. Official Code § 10-1202.05) is amended as follows:

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

(A) Paragraph (1) is amended to read as follows:

"(1) The Authority shall be governed by a Board of Directors ("Board"), which shall be comprised of 12 members, including the 9 members appointed pursuant to paragraph (2) of this subsection ("public Board members") and the following individuals, each of whom shall serve as an ex-officio voting member:

"(A) The Chief Financial Officer of the District of Columbia;

"(B) The President of the Hotel Association of Washington, D.C.; and

"(C) An individual designated by the Mayor.".

(B) Paragraph (5) is repealed.

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

"(b)(1) All public Board member terms shall be 4-year terms.".

(3) Subjection (g) is amended by striking the phrase "Each Board member" and inserting the phrase "Each public Board member" in its place.

(4) Subsection (j) is amended by striking the word "Six" and inserting the word "Seven" in its place.

Repeal
§ 10-1202.18

(b) Section 218 (D.C. Official Code § 10-1202.18) is repealed.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

_____

Chairman
Council of the District of Columbia

_____

Mayor
District of Columbia

AN ACT

Bill 21-6
Act 21-90
effective
June 17, 2015

To require every newborn delivered in a hospital, maternity center, or home to be screened for critical congenital heart disease.

Codification
District of Columbia
Official Code
2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Healthy Hearts of Babies Act of 2015".

Healthy Hearts of Babies Act of 2015

New Chapter 8B-i, Title 7

New § 7-857.01

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Critical congenital heart disease" means a group of heart defects that cause serious, life-threatening symptoms and require intervention within the first days or first year of life.

(2) "Health benefit plan" shall have the same meaning as provided in section 101(20) of the Health Insurance Portability and Accountability Federal Law Conformity and No-Fault Vehicle Insurance Act of 1998, effective April 13, 1999 (D.C. Law 12-209; D.C. Official Code § 31-3301.01(20)).

(3) "Health insurer" shall have the same meaning as provided in section 101(22) of the Health Insurance Portability and Accountability Federal Law Conformity and No-Fault Vehicle Insurance Act of 1998, effective April 13, 1999 (D.C. Law 12-209; D.C. Official Code § 31-3301.01(22)).

(4) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)).

(5) "Maternity center" shall have the same meaning as provided in section 2(a)(2) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(2)).

(6) "Nurse-midwife" means a registered nurse certified pursuant to 17 DCMR § 5800 *et seq*.

(7) "Pulse oximetry" means the non-invasive procedure used to measure oxygen levels in the blood.

New § 7-857.02

Sec. 3. Critical congenital heart disease screening.

(a) Every newborn delivered in a hospital, maternity center, or home shall be screened for critical congenital heart disease using pulse oximetry until an alternative test for critical congenital heart disease is adopted by the American Academy of Pediatrics.

(b)(1) Each hospital, maternity center, and nurse-midwife shall:

(A) Inform and educate the parent of the purpose and availability of critical congenital heart disease screening ("screening");

(B) Perform the screening unless the procedure is refused based on the parent's religious or personal beliefs;

(C) Document the screening results or the parent's refusal to allow the screening;

(D) Provide the screening results to the parent of the newborn and, if known, the newborn's primary care provider;

(E) When a newborn tests positive for critical congenital heart disease, provide recommendations for follow-up testing and treatment to the parent of the newborn and, if known, the newborn's primary care provider; and

(F) On a quarterly basis, notify the Department of Health of the number of infants screened for critical congenital heart disease, the results of those screenings, and any documented parental refusal based on religious or personal beliefs.

(2) Screening results shall include, at minimum, the age of the infant at the time of screening, actual screening values, and the final interpretation of the results.

(c) The screening required by subsection (a) of this section shall be performed in a manner consistent with the standards of the American Academy of Pediatrics for critical congenital heart disease.

Sec. 4. Health benefit plan reimbursement. **New § 7-857.03**

All health insurer health benefit plans shall reimburse for screenings conducted under this act.

Sec. 5. Rules. **New § 7-857.04**

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

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-21, effective September 17, 2015
[Delayed Applicability]

AN ACT

Bill 21-20
Act 21-91
effective
June 17, 2015

To amend the Women's Health and Cancer Rights Federal Law Conformity Act of 2000 to require that a health benefit plan authorize the dispensing of up to a 12-month supply of a woman's covered prescription contraceptive at one time.

Codification
District of Columbia Official Code
2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Access to Contraceptives Amendment Act of 2015".

Access to Contraceptives Amendment Act of 2015

Sec. 2. The Women's Health and Cancer Rights Federal Law Conformity Act of 2000, effective April 3, 2000 (D.C. Law 13-254; D.C. Official Code § 31-3831 *et seq.*), is amended by adding a new section 5a to read as follows:

"Sec. 5a. Full-year coverage for contraception.

New
§ 31-3834.01

"(a) An individual health plan or group health plan, a health insurer offering health insurance coverage for prescription drugs, and health insurance coverage through Medicaid shall provide benefits that allow for the dispensing of up to a 12-month supply of a covered prescription contraceptive at one time.

"(b) For the purposes of this section, the term:

(1) "Contraceptive" means a drug or drug regimen approved by the U.S. Food and Drug Administration to prevent pregnancy.

(2) "Medicaid" shall have the same meaning as provided in section 1502(2) of the Fiscal Year 2003 Budget Support Act of 2002, effective October 1, 2002 (D.C. Law 14-190; D.C. Official Code § 4-204.12(2)).

"(c) This section shall not be construed to require additional coverage for contraceptives that are not covered under the health benefit plan.".

Sec. 3. Applicability.

Delayed Applicability

This act shall apply as of January 1, 2017.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-157
Act 21-99
effective
July 9, 2015

To adopt the request of the District of Columbia government for appropriation and authorization for the fiscal year ending September 30, 2016.

Codification
District of
Columbia
Official Code
2001 Edition

Fiscal Year
2016 Budget
Request Act of
2015

IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Budget Request Act of 2015".

Note,
§ 1-204.46

Sec. 2. The Council of the District of Columbia approves the following expenditure levels and appropriation language for the government of the District of Columbia for the fiscal year ending September 30, 2016.

DIVISION A
DISTRICT OF COLUMBIA APPROPRIATION REQUEST

TITLE I--FEDERAL FUNDS

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $274,401,000, to be allocated as follows: for the District of Columbia Court of Appeals, $14,192,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $123,638,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $73,981,000, of which not to exceed $2,500 is for official reception and representation expenses; and $62,590,000, to remain available until September 30, 2017, for capital improvements for District of Columbia courthouse facilities: Provided, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $6,000,000 of the funds provided under this heading among the items and entities funded under this heading: Provided further, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a

program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $49,890,000, to remain available until expended: Provided, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $40,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students, and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $43,200,000, to remain available until expended, for payments authorized under the Scholarship for Opportunity and Results Act (division C of Public Law 112–10), to be allocated as follows: for the District of Columbia Public Schools, $20,000,000 to improve public school education in the District of Columbia; for the State Education Office, $20,000,000 to expand quality public charter schools in the District of Columbia: Provided, That within funds provided for opportunity scholarships $3,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) and 3009 of the Act.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $24,300,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: Provided, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,900,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2017, to the Commission on Judicial Disabilities and Tenure, $295,000, and for the Judicial Nomination Commission, $270,000.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $435,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR CLIMATE RISK MANAGEMENT

For a Federal payment to the District of Columbia for development of a climate change adaptation plan to identify climate risks to the District of Columbia, vulnerabilities, and mitigation options, $750,000.

FEDERAL PAYMENT FOR DC SOLAR POWER INITIATIVE

For a Federal payment to the District of Columbia for the expansion of the D.C. Department of Environment’s EnergySmart D.C. Solar Initiative, $1,000,000.

FEDERAL PAYMENT FOR ST. ELIZABETHS EAST CAMPUS DEVELOPMENT

For a Federal payment to the District of Columbia for establishment of the St. Elizabeths Research and Development Innovation Center on the East Campus of the St. Elizabeths campus in Washington, D.C., $9,800,000.

FEDERAL PAYMENT FOR PERMANENT SUPPORTIVE HOUSING

For a Federal payment to the District of Columbia for construction of new transitional housing units for homeless families in the District of Columbia, $6,000,000.

FEDERAL PAYMENT FOR ARTS AND CULTURAL AFFAIRS GRANTS

For a Federal payment to the District of Columbia Commission on Arts and Humanities for competitive grants for general operating support for District-based organizations whose primary function is the exhibition or presentation of, or training in, fine arts and humanities in the District of Columbia, $1,000,000.

FEDERAL PAYMENT FOR MASS TRANSIT INNOVATION PLAN

For a Federal payment to the Washington Metropolitan Area Transit Authority to fund a strategic plan for regional mass transit innovation, $1,000,000.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $5,000,000.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $14,900,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

TITLE II--DISTRICT OF COLUMBIA FUNDS--SUMMARY OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia ("General Fund"), except as otherwise

specifically provided; provided, that notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act, approved November 2, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2016 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $13,021,761,000 (of which $7,355,059,000 shall be from local funds (including $320,375,000 from dedicated taxes), $983,019,000 shall be from Federal grant funds, $2,174,640,000 shall be from Medicaid payments, $587,347,000 shall be from other funds, $1,501,000 shall be from private funds, $116,350,000 shall be from funds previously appropriated in this Act as Federal payments, which does not include funds appropriated under the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1, note), and $1,803,846,000 shall be from enterprise and other funds); provided further, that of the local funds, such amounts as may be necessary may be derived from the District's General Fund balance; provided further, that of these funds the District's intra-District authority shall be $807,710,000; in addition, for capital construction projects, an increase of $1,934,887,000, of which $1,508,479,000 shall be from local funds, $104,880,000 from the Local Transportation Fund, $106,000,000 from Federal Payment funds, $11,693,000 from the District of Columbia Highway Trust Fund, and $203,835,000 from Federal grant funds, and a rescission of $820,278,000, of which $732,349,000 is from local funds, $12,500,000 from private grant funds, $16,208,000 from the Local Transportation Fund, $16,545,000 from the District of Columbia Highway Trust Fund, and $42,676,000 from Federal grant funds appropriated under this heading in prior fiscal years, for a net amount of $1,114,608,000, to remain available until expended; provided further, that the amounts provided under this heading are to be available, allocated, and expended as proposed under this title and Title III of this Act, at the rate set forth under "District of Columbia Funds Division of Expenses" as included in the Fiscal Year 2016 Proposed Budget and Financial Plan submitted to the Congress by the District of Columbia; provided further, that this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs; provided further, that such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1- 201.01 et seq.), as amended by this Act; provided further, that the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to ensure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2016; except, that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

TITLE III--DISTRICT OF COLUMBIA FUNDS - - DIVISION OF EXPENSES
OPERATING EXPENSES

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $ 786,472,000 (including $687,150,000 from local funds, $29,259,000 from Federal grant funds, $69,645,000 from other funds, and $408,000 from private funds); provided; that there are appropriated such additional amounts as may be necessary to account for vendor fees that are paid as a fixed percentage of revenue recovered from third parties on behalf of the District under contracts that provide for payments of fees based upon such revenue as may be collected by the vendor; provided further, that any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District, to be allocated as follows:

(1) Council of the District of Columbia. – $22,321,000 from local funds; provided, that not to exceed $25,000 shall be available for the Chairman from this appropriation for official reception and representation expenses and for purposes consistent with the Discretionary Funds Act of 1973, approved October 26, 1973 (87 Stat. 509; D.C. Official Code § 1-333.10); provided, that all funds deposited into the Council Technology Projects Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(2) Office of the District of Columbia Auditor. – $4,663,000 from local funds;

(3) Advisory Neighborhood Commissions. – $927,000 from local funds; provided, that all funds deposited into the Agency Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(4) Uniform Law Commission. – $50,000 from local funds;

(5) Office of the Mayor. – $11,111,000 (including $ 7,825,000 from local funds and $3,286,000 from Federal grant funds); provided, that not to exceed $25,000 shall be available for the Mayor for official reception and representation expenses; provided further, all interest earned on the funds that the District of Columbia received pursuant to the District of Columbia Appropriations Act, 2000, approved November 29, 1999 (113 Stat. 1501; Pub. L. No. 106-113), under the heading “Federal Payment for the Incentives for Adoption of Children” and for the establishment of a scholarship fund for District of Columbia children without parents due to the September 11, 2001 terrorist attack under this same heading, pursuant to the District of Columbia Appropriations Act, 2001, approved December 21, 2001 (115 Stat. 923; Pub. L. No. 107-96), shall be retained in the Fund without reversion to the General Fund and shall be available to the District of Columbia for the purposes of the Fund until expended;

(6) Mayor’s Office of Legal Counsel. – $1,596,000 from local funds;

(7) Office of the Senior Advisor. – $1,894,000 from local funds ;

(8) Office of the City Administrator. –$6,420,000 (including $6,129,000 from local funds and $291,000 from other funds); provided, that not to exceed $10,600 shall be available for the City Administrator for official reception and representation expenses;

(9) Deputy Mayor for Greater Economic Opportunity. – $698,000 from local funds;

(10) D.C. Office of Risk Management. – $2,923,000 from local funds;

(11) D.C. Department of Human Resources. – $8,627,000 (including $8,175,000 from local funds and $452,000 from other funds);

(12) Office of Disability Rights. – $1,606,000 (including $1,070,000 from local funds and $536,000 from Federal grant funds);

(13) Captive Insurance Agency. – $1,489,000 (including $1,422,000 from local funds and $67,000 from other funds); provided that all funds deposited into the Agency Fund (Free Standing Clinics/Insurance) Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Captive Insurance Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(14) Office of Finance and Resource Management. – $21,873,000 (including $21,572,000 from local funds and $301,000 from other funds);

(15) Office of Contracting and Procurement. – $21,343,000 (including $20,968,000 from local funds and $375,000 from other funds);

(16) Office of the Chief Technology Officer. – $72,531,000 (including $58,268,000 from local funds, $114,000 from Federal grant funds, and $14,149,000 from other funds); provided, that all funds deposited into the D.C. Net Service Support Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(17) Department of General Services. – $324,253,000 (including $317,877,000 from local funds and $6,376,000 from other funds); provided, that all funds deposited into the Eastern Market Enterprise Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Department of General Services Stormwater Retention Credit Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(18) Contract Appeals Board. – $1,449,000 from local funds;

(19) Board of Elections. – $7,390,000 from local funds;

(20) Office of Campaign Finance. – $2,704,000 from local funds; provided, that all funds deposited into the Special Purpose Revenue fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(21) Public Employee Relations Board. – $1,274,000 from local funds;

(22) Office of Employee Appeals. – $1,745,000 from local funds;

(23) Metropolitan Washington Council of Governments. –$472,000 from local funds;

(24) Office of the Attorney General for the District of Columbia. – $81,567,000 (including $57,133,000 from local funds, $22,177,000 from Federal grant funds, $1,849,000 from other funds, and $408,000 from private funds); provided, that all funds deposited into the Child SPT - TANF/AFDC Collections Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited

into the Child SPT -Reimbursements and Fees Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Child SPT - Interest Income Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Nuisance Abatement Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Litigation Support Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that not to exceed $10,600 shall be available for the Attorney General for official reception and representation expenses;

(25) D.C. Board of Ethics and Government Accountability. – $1,774,000 (including $1,684,000 from local funds and $90,000 from other funds); provided, that all funds deposited into the Lobbyist Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Board of Ethics and Accountability Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(26) Statehood Initiatives Agency. – $230,000 from local funds;

(27) Office of the Inspector General. – $17,215,000 (including $14,595,000 from local funds and $2,620,000 from Federal grant funds);

(28) Office of the Chief Financial Officer. – $162,865,000 (including $118,144,000 from local funds, $525,000 from Federal grant funds, and $44,196,000 from other funds); provided, that not to exceed $10,600 shall be available for the Chief Financial Officer for official reception and representation expenses; provided further, that amounts appropriated by this Act may be increased by the amount required to pay banking fees for maintaining the funds of the District of Columbia; provided further, that all funds deposited into the OFT Central Collection Unit Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Recorder of Deeds Surcharge Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; and

(29) Office of the Secretary. - $3,463,000 (including $1,963,000 from local funds and $1,500,000 from other funds); provided, that all funds deposited into the Emancipation Day Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $547,063,000 (including $254,832,000 from local funds (including $1,170,000 from dedicated taxes), $100,370,000 from Federal grant funds, $187,713,000 from other funds, $348,000 from private funds, $9,800,000 from funds previously appropriated from this Act under the heading “Federal Payment for St. Elizabeths East Campus Development”), and $1,000,000 from funds previously appropriated from this Act under the heading “Federal Payment for Arts and Cultural Affairs Grants”), to be allocated as follows:

(1) Office of the Deputy Mayor for Planning and Economic Development. – $48,772,000 (including $17,550,000 from local funds, $2,594,000 from Federal grant funds, $18,827,000 from other funds, and $9,800,000 from funds previously appropriated from this Act under the heading "Federal Payment for St. Elizabeths East Campus Development"); provided, that all funds deposited into the Industrial Revenue Bond program are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the H Street Retail Priority Area Grant Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Soccer Stadium Financing Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(2) Office of Planning. – $10,312,000 (including $9,362,000 from local funds, $525,000 from Federal grant funds, $100,000 from other funds, and $325,000 from private funds); provided, that all funds deposited into the Historic Landmark and Historic District Filing Fees (Local) Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Historical Landmark and Historic District Filing Fees (O-Type) Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(3) Department of Small and Local Business Development. – $10,338,000 (including $9,542,000 from local funds and $696,000 from Federal grant funds); provided, that all funds deposited into the Small Business Capital Access Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Streetscape Loan Relief Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(4) Office of Film, Television and Entertainment. – $13,601,000 (including $3,405,000 from local funds and $10,196,000 from other funds); provided, that all funds deposited into the DC Film Incentive Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Cable Franchise Fees Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(5) Office of Zoning. – $2,606,000 from local funds;

(6) Department of Housing and Community Development. – $61,723,000 (including $12,619,000 from local funds, $47,057,000 from Federal grant funds, and $2,046,000 from other funds); provided, that all funds deposited into the CU 1&2 Affordable Housing Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the DHCD Unified Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Land Acquisition for Housing Development Opportunities (LAHDO) Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the RLF Escrow Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Rehab Repay Fund

are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Home Again Revolving Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the HPAP - Repay Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(7) Department of Employment Services. – $142,203,000 (including $54,699,000 from local funds, $48,379,000 from Federal grant funds, $39,124,000 from other funds, and $1,000 from private funds); provided, that $1,385,343 shall be transferred to the Office of Administrative Hearings for hearing appeals related to unemployment insurance benefits; provided, that all funds deposited into the Workers' Compensation Administration Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the UI Administrative Assessment Tax Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the UI Interest/Penalties Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Workers' Compensation Special Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Reed Act Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(8) Real Property Tax Appeals Commission. – $1,636,000 from local funds;

(9) Department of Consumer and Regulatory Affairs. – $44,012,000 (including $15,052,000 from local funds and $28,959,000 from other funds); provided, that all funds deposited into the Basic Business License Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Green Building Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the R-E Guar. & Educ. Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Nuisance Abatement Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the OPLA – Special Account are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Board of Engineers Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Corporate Recordation Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(10) Office of the Tenant Advocate. – $2,788,000 from local funds;

(11) D.C. Commission on the Arts and Humanities. – $16,880,000 (including $14,696,000 from local funds, $684,000 from Federal grant funds, $500,000 from other funds, and $1,000,000 from funds previously appropriated from this Act, under the heading "Federal Payment for Arts and Cultural Affairs Grants", to fund competitively awarded grants for

nonprofit fine and performing arts organizations based in and primarily serving the District); provided, that all funds deposited into the Special Purpose Revenue Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(12) Alcoholic Beverage Regulation Administration. – $8,142,000 (including $1,170,000 from local funds (including $1,170,000 from dedicated taxes) and $6,972,000 from other funds); provided, that all funds deposited into the ABC - Import And Class License Fees Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(13) Public Service Commission. – $13,186,000 (including $435,000 from Federal grant funds, $12,729,000 from other funds, and $22,000 from private funds); provided, that all funds deposited into the Operating - Utility Assessment Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the PJM Settlement Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(14) Office of the People's Counsel. – $7,648,000 from other funds; provided, that all funds deposited into the Advocate for Consumers Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(15) Department of Insurance, Securities, and Banking. – $25,610,000 from other funds; provided, that all funds deposited into the Foreclosure Mediation Fund (Temporary) Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Insurance Assessment Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the HMO Assessment Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Foreclosure Mediation Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Capital Access Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(16) Housing Authority Subsidy. – $59,425,000 from local funds;

(17) Housing Production Trust Fund Subsidy. – $50,179,000 from local funds; and

(18) Business Improvement Districts Transfer. – $28,000,000 from other funds.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, $1,294,375,000 (including $1,087,295,000 from local funds, $147,445,000 from Federal grant funds, $60,000 from Medicaid payments, $56,676,000 from other funds, $435,000 from funds previously appropriated in this Act under the heading "Federal Payment for the District of Columbia National Guard", $1,900,000 from funds previously appropriated in this Act under the heading "Federal Payment to the Criminal Justice Coordinating Council", and $565,000 from funds previously appropriated in this Act under the heading "Federal Payment for Judicial Commissions"), to be allocated as follows:

(1) Metropolitan Police Department. – $510,973,000 (including $499,973,000 from local funds, $3,066,000 from Federal grant funds, and $7,934,000 from other funds); provided, that all funds deposited into the Asset Forfeiture Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(2) Fire and Emergency Medical Services Department. – $231,798,000 (including $230,278,000 from local funds and $1,520,000 from other funds);

(3) Police Officers' and Firefighters' Retirement System. – $136,115,000 from local funds;

(4) Department of Corrections. – $150,733,000 (including $122,176,000 from local funds and $28,557,000 from other funds); provided, that all funds deposited into the Correction Trustee Reimbursement Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Welfare Account are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Correction Reimbursement-Juveniles Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(5) District of Columbia National Guard. – $13,317,000 (including $5,026,000 from local funds, $7,855,000 from Federal grant funds, and $435,000 from funds previously appropriated in this Act under the heading "Federal Payment for the District of Columbia National Guard"); provided, that the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard; provided further, that such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available pursuant to this Act and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved;

(6) Homeland Security and Emergency Management Agency. – $132,744,000 (including $4,552,000 from local funds and $128,192,000 from Federal grant funds);

(7) Commission on Judicial Disabilities and Tenure. – $295,000 from funds previously appropriated in this Act under the heading "Federal Payment for Judicial Commissions";

(8) Judicial Nomination Commission. – $270,000 from funds previously appropriated in this Act under the heading "Federal Payment for Judicial Commissions";

(9) Office of Police Complaints. – $2,292,000 from local funds;

(10) District of Columbia Sentencing and Criminal Code Revision Commission. – $1,610,000 from local funds;

(11) Office of the Chief Medical Examiner. – $10,501,000 from local funds;

(12) Office of Administrative Hearings. – $8,865,000 (including $8,805,000 from local funds and $60,000 from Medicaid payments);

(13) Criminal Justice Coordinating Council. – $3,067,000 (including $1,167,000 from local funds and $1,900,000 from funds previously appropriated in this Act under the heading "Federal Payment to the Criminal Justice Coordinating Council");

(14) Office of Unified Communications. – $45,168,000 (including $28,197,000 from local funds and $16,971,000 from other funds); provided, that all funds deposited into the 911 & 311 Assessments Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Prepaid Wireless 911 Charges Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(15) Department of Forensic Sciences. – $14,936,000 (including $14,476,000 from local funds and $460,000 from Federal grant funds);

(16) Corrections Information Council. – $482,000 from local funds;

(17) Office of Victim Services and Justice Grants. – $30,363,000 (including $20,799,000 from local funds, $7,871,000 from Federal grant funds, and $1,693,000 from other funds) provided, that not less than $200,000 shall be available to fund the District of Columbia Poverty Lawyer Loan Assistance Program, established by the Access to Justice Initiative Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 4-1701.01 *et seq*.); provided further, that $4,078,000 shall be made available to award a grant to the District of Columbia Bar Foundation for the purpose of providing support to nonprofit organizations that deliver civil legal services to low-income and under-served District residents; provided further, that $1,000,000 shall be transferred to the Community-based Violence Reduction Fund, established by section 3014 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.121), for use by the Justice Grants Administration for the purpose of providing grants for the development of programs to intervene with children who are chronically truant; provided further, that all funds deposited into the Crime Victims Assistance Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Domestic Violence Shelter & Transitional Housing Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Community-based Violence Reduction Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; and

(18) Office of the Deputy Mayor for Public Safety and Justice. - $846,000 from local funds.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national-defense education programs, $2,233,291,000 (including $1,891,784,000 from local funds (including $4,306,000 from Dedicated Taxes), $244,707,000 from Federal grant funds, $16,669,000 from other funds, $132,000 from private funds, $40,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Resident Tuition Support", and $40,000,000 from funds

previously appropriated in this Act under the heading "Federal Payment for School Improvement"), to be allocated as follows:

(1) District of Columbia Public Schools. – $785,860,000 (including $727,492,000 from local funds, $31,230,000 from Federal grant funds, $7,138,000 from other funds, and $20,000,000 from funds previously appropriated in the Act under the heading "Federal Payment for School Improvement"); provided, that this appropriation shall not be available to subsidize the education of any nonresident of the District at any District public elementary or secondary school during fiscal year 2016 unless the nonresident pays tuition to the District at a rate that covers 100 percent of the costs incurred by the District that are attributable to the education of the nonresident (as established by the Chancellor of the District of Columbia Public Schools); provided further, that not to exceed $10,600 for the Chancellor shall be available for official reception and representation expenses; provided further, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2016, an amount equal to 10 percent of the total amount of the local funds appropriations request provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2017 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2017; provided further, that all funds deposited into the E-Rate Education Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the ROTC Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the DHHS Afterschool Program-Copayment Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the At-Risk Supplemental Allocation Preservation Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the District of Columbia Public Schools Advertisements and Sponsorships Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(2) Teachers' Retirement System. – $44,469,000 from local funds;

(3) Office of the State Superintendent of Education. – $415,918,000 (including $137,960,000 from local funds (including $4,306,000 from dedicated taxes), $212,558,000 from Federal grant funds, $991,000 from other funds, $104,000 from private funds, $40,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Resident Tuition Support", and $20,000,000 from funds previously appropriated in the Act under the heading "Federal Payment for School Improvement"); provided, that of the amounts provided to the Office of the State Superintendent of Education, $1,000,000 from local funds shall remain available until June 30, 2016 for an audit of the student enrollment of each District of Columbia public school and of each District of Columbia public charter school; provided further, that all funds deposited into the Blackman and Jones Consent Decree Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that

all funds deposited into the Charter School Credit Enhancement Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Student Residency Verification Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the State Athletic Acts Program & Office Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Community Schools Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(4) District of Columbia Public Charter Schools. – $677,744,000 from local funds; provided, that there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of the fiscal year; provided further, that if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall remain available until expended for public education in accordance with section 2403(b)(2) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(b)(2)); provided further, that of the amounts made available to District of Columbia public charter schools, $230,000 shall be made available to the Office of the Chief Financial Officer as authorized by section 2403(b)(6) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(b)(6)); provided further, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2016 an amount equal to 30 percent of the total amount of the local funds appropriations request provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2017 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2017; provided further, that the annual financial audit for the performance of an individual District of Columbia public charter school shall be funded by the charter school;

(5) University of the District of Columbia Subsidy Account. – $70,942,000 from local funds; provided, that this appropriation shall not be available to subsidize the education of nonresidents of the District at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2016, a tuition-rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area; provided further, that this appropriation shall not be used for the purpose of relocating the community college from 801 North Capitol Street, N.E., to the University of the District of Columbia's campus located at 4200 Connecticut Avenue, N.W.; provided further, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the University of the District of Columbia on July 1, 2016, an amount equal to 10 percent of the total amount of the local funds appropriations request provided for the University of the District of Columbia in the

proposed budget of the District of Columbia for fiscal year 2017 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the University of the District of Columbia under the District of Columbia Appropriations Act, 2017; provided further, that not to exceed $10,600 for the President of the University of the District of Columbia shall be available for official reception and representation expenses;

(6) District of Columbia Public Library. – $57,385,000 (including $55,927,000 from local funds, $919,000 from Federal grant funds, and $540,000 from other funds); provided, that not to exceed $8,500 for the Public Librarian shall be available for official reception and representation expenses; provided further, that all funds deposited into the Copies and Printing Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the SLD E-Rate Reimbursement Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Library Collections Account are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Books from Birth Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(7) District of Columbia Public Charter School Board. – $8,000,000 from other funds; provided, that all funds deposited into the Public Charter School Board Administrative Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(8) Non-Public Tuition. – $74,415,000 from local funds;

(9) Special Education Transportation. – $93,805,000 from local funds; provided, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the Special Education Transportation agency under the direction of the Office of the State Superintendent of Education, on July 1, 2016, an amount equal to 10 percent of the total amount of the local funds appropriations request provided for the Special Education Transportation agency in the proposed budget of the District of Columbia for fiscal year 2017 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the Special Education Transportation agency under the District of Columbia Appropriations Act, 2017; provided further, that amounts appropriated under this heading may be used to offer financial incentives as necessary to reduce the number of routes serving 2 or fewer students;

(10) D.C. State Board of Education. – $1,182,000 (including $1,154,000 from local funds and $28,000 from private funds); and

(11) Office of the Deputy Mayor for Education. – $3,571,000 from local funds.

HUMAN SUPPORT SERVICES

Human support services, $4,498,613,000 (including $1,875,649,000 from local funds (including $100,959,000 from dedicated taxes), $408,452,000 from Federal grant funds, $2,174,580,000 from Medicaid payments, $34,319,000 from other funds, $613,000 from private funds, $6,000,000 from funds previously appropriated in this Act under the heading “Federal

Payment for Permanent Supportive Housing," and $5,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Testing and Treatment of HIV/AIDS"); to be allocated as follows;

(1) Department of Human Services. – $460,150,000 (including $270,601,000 from local funds, $170,551,000 from Federal grant funds, $15,798,000 from Medicaid payments, and $3,200,000 from other funds), and $6,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Permanent Supportive Housing,"; provided, that all funds deposited into the SSI Payback Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(2) Child and Family Services Agency. – $233,814,000 (including $163,995,000 from local funds, $68,559,000 from Federal grant funds, $1,200,000 from other funds, and $59,000 from private funds);

(3) Department of Behavioral Health. – $252,531,000 (including $226,856,000 from local funds, $17,411,000 from Federal grant funds, $3,471,000 from Medicaid payments, $4,251,000 from other funds, and $544,000 from private funds); provided, that all funds deposited into the APRA - Choice in Drug Treatment (HCSN) Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; in addition to the funds otherwise appropriated under this Act, the Department of Behavioral Health may expend any funds that are or were paid by the United States Virgin Islands to the District in fiscal year 2015 or fiscal year 2016 to compensate the District for care previously provided by the District to patients at the St. Elizabeths hospital and are not otherwise appropriated under this Act; provided, that the availability of the funds is certified by the Chief Financial Officer before any expenditure; provided further, that the funds shall be expended in a manner determined by the Director of the Department of Behavioral Health;

(4) Department of Health. – $211,644,000 (including $78,870,000 from local funds, $114,619,000 from Federal grant funds, $13,155,000 from other funds, and $5,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Testing and Treatment of HIV/AIDS"); provided, that all funds deposited into the Health Professional Recruitment Fund (Medical Loan Repayment) are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Board of Medicine Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Pharmacy Protection Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the SHPDA Fees Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Civic Monetary Penalties Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the SHPDA Admission Fee Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the ICF/MR Fees & Fines are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

provided further, that all funds deposited into the Human Services Facility Fee Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Communicable and Chronic Disease Prevention and Treatment Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(5) Department of Parks and Recreation. – $41,700,000 (including $39,159,000 from local funds and $2,541,000 from other funds);

(6) D.C. Office on Aging. – $39,184,000 (including $31,369,000 from local funds and $7,815,000 from Federal grant funds);

(7) Unemployment Compensation Fund. – $6,887,000 from local funds;

(8) Employees' Compensation Fund. – $20,221,000 from local funds; provided, that all funds deposited into the Worker's Compensation Rev-Settlement Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Agency Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(9) Office of Human Rights. – $4,005,000 (including $3,738,000 from local funds and $267,000 from Federal grant funds);

(10) Office on Latino Affairs. – $2,782,000 from local funds;

(11) Children and Youth Investment Collaborative. – $4,260,000 from local funds;

(12) Office of Asian and Pacific Islander Affairs. – $835,000 from local funds;

(13) Office of Veterans' Affairs. – $419,000 (including $414,000 from local funds and $5,000 from other funds); provided, that all funds deposited into the Office of Veterans Affairs Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(14) Department of Youth Rehabilitation Services. – $105,676,000 from local funds; provided, that amounts appropriated herein may be expended to implement the provisions of section 105(k) of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.05(k)); provided further, that of the local funds appropriated for the Department of Youth Rehabilitation Services, $12,000 shall be used to fund the requirements of the Interstate Compact for Juveniles;

(15) Department of Disability Services. – $162,374,000 (including $117,625,000 from local funds, $28,230,000 from Federal grant funds, $9,146,000 from Medicaid payments, $7,363,000 from other funds, and $10,000 from private funds); provided, that all funds deposited into the Randolph Shepherd Unassigned Facilities Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Cost of Care-Non-Medicaid Clients Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(16) Department of Health Care Finance. – $2,291,126,000 (including $700,011,000 from local funds (including $71,345,000from dedicated taxes), $1,000,000 from Federal grant funds, $2,146,166,000 from Medicaid payments, and $2,605,000 from other

funds); provided, that all funds deposited into the Healthy DC Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Nursing Homes Quality of Care Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Stevie Sellows Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Medicaid Collections-3rd Party Liability Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Bill Of Rights (Grievance and Appeals) Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Hospital Provider Fee Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Hospital Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(17) D.C. Health Benefit Exchange Subsidy. – $29,164,000 in local funds (including $29,164,000 in dedicated taxes); provided, that all funds deposited into the District of Columbia Health Benefit Exchange Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; and

(18) Deputy Mayor for Health and Human Services. – $1,391,000 from local funds.

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and 3 passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $ 772,365,000 (including $580,429,000 from local funds (including $66,664,000 from dedicated taxes), $34,524,000 from Federal grant funds, $154,662,000 from other funds, $750,000 from funds previously appropriated in this Act under the heading “Federal Payment for Climate Risk Management,” $1,000,000 from funds previously appropriated in this Act under the heading “Federal Payment for DC Solar Power Initiative,” and $1,000,000 from funds previously appropriated in this Act under the heading “Federal Payment for Mass Transit Innovation Plan”), to be allocated as follows:

(1) Department of Public Works. – $132,553,000 (including $124,878,000 from local funds and $7,675,000 from other funds); provided, that all funds deposited into the Solid Waste Disposal Fee Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Super Can Program Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(2) Department of Transportation. – $113,676,000 (including $85,025,000 from local funds, $7,945,000 from Federal grant funds, and $20,706,000 from other funds); provided, that all funds deposited into the Bicycle Sharing Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all

funds deposited into the Performance Parking Program Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Tree Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the DDOT Enterprise Fund-Non Tax Revenues Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Sustainable Transportation Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that, in addition, there are appropriated any amounts received, or to be received, from the Potomac Electric Power Company, or any of its related companies, successors or assigns, for the purpose of paying or reimbursing the District Department of Transportation for the costs of designing, constructing, acquiring and installing facilities, infrastructure and equipment for use and ownership by the Potomac Electric Power Company, or any of its related companies, successors or assigns, related to or associated with the undergrounding of electric transmission lines in the District, and any interest earned on those funds, which amounts and interest shall not revert to the unrestricted fund balance of the general Fund of the District of Columbia at the end of a fiscal year, but shall be continually available until expended for the designated purposes; provided further, that all funds deposited into the Vision Zero Pedestrian and Bicycle Safety Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the BID Parking Abatement Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the DDOT Stormwater Retention Credit Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(3) Department of Motor Vehicles. – $38,105,000 (including $28,091,000 from local funds and $10,014,000 from other funds); provided, that all funds deposited into the Motor Vehicle Inspection Station Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(4) District Department of the Environment. – $106,292,000 (including $17,156,000 from local funds, $26,579,000 from Federal grant funds, $60,807,000 from other funds, and $750,000 from funds previously appropriated in this Act under the heading "Federal Payment for Climate Risk Management," and $1,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for DC Solar Power Initiative"); provided, that all funds deposited into the Storm Water Permit Review Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, all funds deposited into the Sustainable Energy Trust Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Brownfield Revitalization Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Anacostia River Clean Up Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Wetlands Fund are, without regard to fiscal year, authorized for expenditure

and shall remain available until expended; provided further, that all funds deposited into the Energy Assistance Trust Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the LUST Trust Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Soil Erosion/Sediment Control Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the DC Municipal Aggregation Program Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Fishing License Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Renewable Energy Development Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Special Energy Assessment Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Air Quality Construction Permits Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the WASA Utility Discount Program Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Pesticide Product Registration Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Storm Water Fees Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Stormwater In Lieu Fee Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Economy II Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Residential Aid Discount Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Residential Essential Services Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Benchmarking Enforcement Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(5) D.C. Taxicab Commission. – $8,399,000 (including $1,100,000 from local funds, and $7,299,000 from other funds); provided, that all funds deposited into the Taxicab Assessment Act Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Public Vehicles for Hire Consumer Service Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(6) Washington Metropolitan Area Transit Commission. – $127,000 from local funds; and

(7) Washington Metropolitan Area Transit Authority. – $373,213,000 (including $324,053,000 from local funds (including $66,664,000 from dedicated taxes), $48,160,000 from other funds, and $1,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Mass Transit Innovation Plan"); provided, that all funds deposited into the Dedicated Taxes Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended; provided further, that all funds deposited into the Parking Meter WMATA Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended.

FINANCING AND OTHER

Financing and Other, $1,085,819,000 (including $977,994,000 from local funds (including $147,275,000 from dedicated taxes), $18,262,000 from Federal grant funds, $74,663,000 from other funds, and $14,900,000 from funds previously appropriated in this Act under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia"), to be allocated as follows:

(1) Repayment of Loans and Interest. – $615,003,000 (including $591,627,000 from local funds, $18,262,000 from Federal grant funds, and $5,114,000 from other funds) for payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code §§ 1- 204.62, 1-204.75, and 1-204.90);

(2) Repayment of Interest on Short-Term Borrowings. – $3,750,000 from local funds for payment of interest on short-term borrowing;

(3) Debt Service - Issuance Costs. – $6,000,000 from local funds for the payment of debt service issuance costs;

(4) Schools Modernization Fund. – $14,276,000 from local funds for the Schools Modernization Fund, established by section 4042 of the Schools Modernization Amendment Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 1-325.41);

(5) Repayment of Revenue Bonds. – $7,832,000 from local funds (including $7,832,000 from dedicated taxes) for the repayment of revenue bonds;

(6) Settlements and Judgments. – $21,292,000 from local funds for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government; provided, that this appropriation shall not be construed as modifying or affecting the provisions of section 101 of this Act;

(7) John A. Wilson Building Fund. – $4,745,000 from local funds for expenses associated with the John A. Wilson building;

(8) Workforce Investments. – $17,815,000 from local funds for workforce investments; provided, that all funds deposited into the CU 1&2 Compensation and Class Reform Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended;

(9) Non-Departmental. – $21,286,000 (including $2,754,000 from local funds and $18,532,000 from other funds), to be transferred by the Mayor of the District of Columbia within the various appropriations headings in this Act, to account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget;

(10) Emergency Planning and Security Fund. – $14,900,000 from funds previously appropriated in this Act under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia"; provided, that, notwithstanding any other law, the District of Columbia may charge obligations and expenditures that are pending reimbursement under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia" to this local appropriations heading;

(11) Master Equipment Lease/Purchase Program. – $48,413,000 from local funds;

(12) Pay-As-You-Go Capital Fund. – $72,549,000 (including $21,532,000 from local funds and $51,017,000 from other funds) to be transferred to the Capital Fund, in lieu of capital financing;

(13) District Retiree Health Contribution. – $95,400,000 from local funds for a District Retiree Health Contribution;

(14) Highway Trust Fund Transfer. – $22,504,000 from local funds (including $22,504,000 from dedicated taxes); and

(15) Convention Center Transfer. – $120,054,000 from local funds (including $116,939,000 from dedicated taxes).

ENTERPRISE AND OTHER FUNDS

The amount of $1,803,846,000 from enterprise and other funds, shall be provided to enterprise funds as follows; provided, that, in the event that certain dedicated revenues exceed budgeted amounts, the District may increase its General Fund budget authority as needed to transfer all such revenues, pursuant to local law, to the Highway Trust Fund, the Washington Convention Center, and the Washington Metropolitan Transit Authority.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

Pursuant to section 445a of the District of Columbia Home Rule Act, approved August 6, 1996 (110 Stat. 1698; D.C. Official Code § 1-204.45a), which provides that the Council may comment and make recommendations concerning such annual estimates but shall have no authority to revise the budget for the District of Columbia Water and Sewer Authority, the Council forwards this non-appropriated budget request: For operation of the District of Columbia Water and Sewer Authority, $541,605,000 from enterprise and other funds, of which no outstanding debt exists for repayment of loans and interest incurred for capital improvement projects and payable to the District's debt service fund. For construction projects, $3,218,789,000, to be distributed as follows: $365,127,000, for the Sanitary Sewer System; $676,912,000 for the Water Treatment System; $545,245,000 for the Water Distribution System; $1,352,530,000 for the Combined Sewer Overflow Program; $99,116,000 for the Washington Aqueduct; $10,329,000 for the Stormwater Program; and $169,530,000 for the capital equipment

program; in addition, $24,300,000 from funds previously appropriated in this Act under the heading "Federal Payment to the District of Columbia Water and Sewer Authority"; provided, that the requirements and restrictions that are applicable to General Fund capital improvement projects and set forth in this Act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct, $62,728,000 from enterprise and other funds.

D.C. LOTTERY AND CHARITABLE GAMES CONTROL BOARD

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriations Act, 1982, approved December 4, 1981 (Pub. L. No. 97-91; 95 Stat. 1174), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; codified in scattered cites in the D.C. Official Code), $220,000,000 from enterprise and other funds; provided, that the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues; provided further, that no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board; provided further, that, after notification to the Mayor, amounts appropriated herein may be increased by an amount necessary for the Lottery and Charitable Games Enterprise Fund to make transfers to the General Fund of the District of Columbia and to cover prizes, agent commissions, and gaming related fees directly associated with unanticipated excess lottery revenues not included in this appropriation.

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established pursuant to section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711), $32,302,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board; provided, that the District of Columbia Retirement Board shall provide to Congress and the Mayor and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds; provided further, that the District of Columbia Retirement Board shall provide to the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

WASHINGTON CONVENTION AND SPORTS AUTHORITY

For the Washington Convention Center Enterprise Fund, including for functions previously performed by the District of Columbia Sports and Entertainment Commission, $129,670,000 from enterprise and other funds.

HOUSING FINANCE AGENCY

For the Housing Finance Agency, $10,798,000 from enterprise and other funds.

UNIVERSITY OF THE DISTRICT OF COLUMBIA

For the University of the District of Columbia, $153,959,000 from enterprise and other funds; provided, that these funds shall not revert to the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available until expended, without regard to fiscal year limitation.

D.C. PUBLIC LIBRARY AGENCY TRUST FUND

For the District of Columbia Public Library Trust Fund, $17,000 from enterprise and other funds.

UNEMPLOYMENT INSURANCE TRUST FUND

For the Unemployment Insurance Trust Fund, $235,000,000 from enterprise and other funds.

HOUSING PRODUCTION TRUST FUND

For the Housing Production Trust Fund, $100,000,000 from enterprise and other funds; provided, that all funds deposited into the Housing Production Trust Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended.

TAX INCREMENT FINANCING (TIF) PROGRAM

For Tax Increment Financing, $70,006,000 from enterprise and other funds.

BALLPARK REVENUE FUND

For the Ballpark Revenue Fund, $67,507,000 from enterprise and other funds.

REPAYMENT OF PILOT FINANCING

For Repayment of Payment in Lieu of Taxes Financing, $18,741,000 from enterprise and other funds.

NOT-FOR-PROFIT HOSPITAL CORPORATION

For the Not-For-Profit Hospital Corporation, $129,000,000 from enterprise and other funds.

HEALTH BENEFIT EXCHANGE AUTHORITY

For the District of Columbia Health Benefit Exchange Authority, $32,513,000 from enterprise and other funds; provided, that all funds deposited into the District of Columbia Health Benefit Exchange Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended.

CASH FLOW RESERVE FUND

All funds deposited into the Cash Flow Reserve Fund, established pursuant to D.C. Official Code § 47-392.02, are without regard to fiscal year, authorized for expenditure and shall remain available until expended.

FISCAL STABILIZATION RESERVE ACCOUNT FUND

All funds deposited into the Fiscal Stabilization Reserve Account Fund, established pursuant to D.C. Official Code § 47-392.02, are without regard to fiscal year, authorized for expenditure and shall remain available until expended.

CAPITAL OUTLAY

For capital construction projects, an increase of $ 1,934,887,000, of which $1,508,479,000 shall be from local funds, $104,880,000 from the Local Transportation Fund, $106,000,000 from Federal Payment funds, $11,693,000 from the District of Columbia Highway Trust Fund, and $203,835,000 from Federal grant funds, and a rescission of $ 820,278,000, of which $732,349,000 is from local funds, $12,500,000 is from private grant funds, $16,208,000 from the Local Transportation Fund, $16,545,000 from the District of Columbia Highway Trust Fund, and $42,676,000 from Federal grant funds appropriated under this heading in prior fiscal years, for a net amount of $ 1,114,608,000; to remain available until expended; provided, that all funds provided by this appropriation title shall be available only for the specific projects and purposes intended; provided further, that amounts appropriated under this heading may be increased by the amount transferred from funds appropriated in this act as Pay-As-You-Go Capital funds.

TITLE IV--GENERAL PROVISIONS

Sec. 101. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

Sec. 102. The District of Columbia government is authorized to approve reprogramming and transfer requests of local funds under this Act through November 7, 2016.

Sec. 103. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the 4 prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

(c) The District of Columbia government may not transfer or reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

Sec. 104. Except as otherwise provided in this section, none of the funds made available by this Act or by any other act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or a District of Columbia government employee as may otherwise be designated by the Chief of Police;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Director;

(4) the Mayor of the District of Columbia; and

(5) the Chairman of the Council of the District of Columbia.

Final effectiveness requires congressional enactment

Sec. 105. Legislative Autonomy.

(a) In General- Section 602 (sec. 1-206.02, D.C. Official Code) is amended by striking subsection (c).

(b) Congressional Resolutions of Disapproval-

(1) IN GENERAL- The District of Columbia Home Rule Act is amended by striking section 604 (sec. 1-206.04, D.C. Official Code).

(2) CLERICAL AMENDMENT- The table of contents is amended by striking the item relating to section 604.

(3) EXERCISE OF RULEMAKING POWER- This subsection and the amendments made by this subsection are enacted by Congress--

(A) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as a part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

Final effectiveness requires congressional enactment

(c) Conforming Amendments-

(1) DISTRICT OF COLUMBIA HOME RULE ACT-

(A) Section 303 (sec. 1-203.03, D.C. Official Code) is amended--

(i) in subsection (a), by striking the second sentence; and

(ii) by striking subsection (b) and redesignating subsections (c) and (d) as subsections (b) and (c).

(B) Section 404(e) (sec. 1-204.04(3), D.C. Official Code) is amended by striking 'subject to the provisions of section 602(c)' each place it appears.

(C) Section 462 (sec. 1-204.62, D.C. Official Code) is amended--

(i) in subsection (a), by striking '(a) The Council' and inserting 'The Council'; and

(ii) by striking subsections (b) and (c).

(D) Section 472(d) (sec. 1-204.72(d), D.C. Official Code) is amended to read as follows:

'(d) Payments Not Subject to Appropriation- The fourth sentence of section 446 shall not apply to any amount obligated or expended by the District for the payment of the principal of, interest on, or redemption premium for any revenue anticipation note issued under subsection (a).'.

(E) Section 475(e) (sec. 1-204.75(e), D.C. Official Code) is amended to read as follows:

'(e) Payments Not Subject to Appropriation- The fourth sentence of section 446 shall not apply to any amount obligated or expended by the District for the payment of the principal of, interest on, or redemption premium for any revenue anticipation note issued under this section.'.

(2) OTHER LAWS-

(A) Section 2(b)(1) of Amendment No. 1 (relating to initiative and referendum) to title IV (the District Charter) (sec. 1-204.102(b)(1), D.C. Official Code) is amended by striking 'the appropriate custodian' and all that follows through 'portion of such act to'.

(B) Section 5 of Amendment No. 1 (relating to initiative and referendum) to title IV (the District Charter) (sec. 1-204.105, D.C. Official Code) is amended by striking ', and such act' and all that follows and inserting a period.

(C) Section 16 of the District of Columbia Election Code of 1955 (sec. 1-1001.16, D.C. Official Code)--

(i) in subsection (j)(2)--

(I) by striking 'sections 404 and 602(c)' and inserting 'section 404', and

(II) by striking the second sentence; and

(ii) in subsection (m)--

(I) in the first sentence, by striking 'the appropriate

custodian' and all that follows through 'parts of such act to',

(II) by striking 'is held. If, however, after' and inserting 'is held unless, under', and

(III) by striking 'section, the act which' and all that follows and inserting 'section.'.

(d) Effective Date.

The amendments made by this Act shall apply with respect to each act of the District of Columbia--

(1) passed by the Council of the District of Columbia and signed by the Mayor of the District of Columbia;

(2) vetoed by the Mayor and repassed by the Council;

(3) passed by the Council and allowed to become effective by the Mayor without the Mayor's signature; or

(4) in the case of initiated acts and acts subject to referendum, ratified by a majority of the registered qualified electors voting on the initiative or referendum, on or after October 1, 2013.

Sec. 106. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

This division may be cited as the ''District of Columbia Appropriations Act, 2016."

DIVISION – B
DISTRICT OF COLUMBIA AUTHORIZATION REQUEST OMNIBUS PROVISIONS

Amend § 47-391.07
Repeal § 47-392.09

Sec. 201. Sections 47-391.07(b) and 47-392.09 of the District of Columbia Official Code are repealed.

Final effectiveness requires congressional enactment

Sec. 202. Congressional review streamlining.

(a) Section 602(c)(1) of the District of Columbia Home Rule Act, approved December 23, 1973 (87 Stat. 813; D.C. Official Code § 1–206.02(c)(1)), is amended by striking the phrase "(excluding Saturdays, Sundays, and holidays, and any day on which neither House is in session because of an adjournment sine die, a recess of more than 3 days, or an adjournment of more than three days)."

(b) The amendments made by this section shall apply with respect to each act of the District of Columbia—

(1) passed by the Council of the District of Columbia and signed by the Mayor of the District of Columbia;

(2) vetoed by the Mayor and repassed by the Council; or

(3) passed by the Council and allowed to become effective without the Mayor's

signature, on or after the effective date of this section.

Final effectiveness requires congressional enactment

Sec. 203. Section 11201 of the National Capital Revitalization and Self-Government Improvement Act of 1997, approved August 5, 1997 (111 Stat. 734; D.C. Official Code § 24-101), is amended by adding a new subsection (a-1) to read as follows:

"(a-1) Reimbursement to District of Columbia Department of Corrections.– The United States Government shall reimburse the District of Columbia Department of Corrections its costs of providing custody and care for:

"(1) Felons committed by the Superior Court of the District of Columbia from the date of sentencing until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons;

"(2) Previously sentenced felons committed to the Department of Corrections as violators of parole, supervised release, or probation from the date of commitment until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons; and

"(3) Previously sentenced felons held by or committed to the Department of Corrections on writs from the date of commitment until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons.".

Final effectiveness requires congressional enactment

Sec. 204. (a)(1) IN GENERAL.--The District of Columbia is authorized to renew or enter into a new Interstate Compact for Juveniles for the purposes of placing youth in appropriate therapeutic settings and providing and receiving supervision for youth in other jurisdictions.

(2) DELEGATION.--Any compact for juveniles that the Council of the District of Columbia authorizes the Mayor to execute on behalf of the District may contain provisions that delegate the requisite power and authority to the Interstate Commission for Juveniles to achieve the purposes for which the interstate compact is established.

(b) Section 406 of An Act to reorganize the courts of the District of Columbia, to revise the procedures for juveniles in the District of Columbia, to codify title 23 of the District of Columbia Code, and for other purposes, approved July 29, 1970 (84 Stat. 678; D.C. Official Code § 24-1106), is repealed.

Final effectiveness requires congressional enactment

Sec. 205. Section 103 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.03), is amended by adding a new paragraph (16) to read as follows:

"(16) The term "Attorney General" means the Attorney General for the District of Columbia provided for by part C-I of title IV.".

Final effectiveness requires congressional enactment

Sec. 206. Section 424b of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-204.26), is amended by striking the phrase "Procurement Practices Act of 1986" and inserting the phrase "Procurement Practices Reform Act of 2010" in its place.

Sec. 207. Sections 2, 3, and 4 of the Domestic Partnership Police and Fire Amendment Act of 2008, effective March 25, 2009 (D.C. Law 17-358; 56 DCR 1188), are enacted into law.

Final effectiveness requires congressional enactment

Sec. 208. Section 602(a)(5) of the District of Columbia Home Rule Act, approved on December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(a)(5)), is amended by striking the phrase "of the District" the first time it appears and inserting the phrase "of the District, unless his or her source of income derives from District local funds" in its place.

Final effectiveness requires congressional enactment

Sec. 209. Section 602(a)(5) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(a)(5)), is amended by striking the phrase "of any individual not a resident of the District" and inserting the phrase "of any individual not a resident of the District, except professional athletes," in its place.

Final effectiveness requires congressional enactment

This division may be cited as the "District of Columbia Omnibus Authorization Act, 2016".

Sec. 3. Effective date.

This act shall take effect as provided in section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46).

D.C. Law 21-16, effective July 22, 2015 (Expiration date March 3, 2016)
(Related Emergency Legislation is Act 21-52, 21 DCSTAT ?)

AN ACT

Bill 21-136
Act 21-69
effective
May 22, 2015

To amend, on a temporary basis, the Workforce Job Development Grant-Making Authority Act of 2012 to continue the legal authority for the Director of the Department of Employment Services to issue grants from funds appropriated to or received by the Department of Employment Services for workforce job development purposes by repealing a sunset provision.

Codification
District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Workforce Job Development Grant-Making Reauthorization Temporary Amendment Act of 2015".

Workforce Job Development Grant-Making Reauthorization Temporary Amendment Act of 2015

Sec. 2. Section 3 of the Workforce Job Development Grant-Making Authority Act of 2012, effective April 23, 2013 (D.C. Law 19-269; D.C. Official Code § 1-328.05, note), is repealed.

Note, § 1-328.05

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-17, effective July 22, 2015 (Expiration date March 3, 2016)
(Related Emergency Legislation is Act 21-59, 21 DCSTAT ?)

AN ACT

Bill 21-155
Act 21-70
effective
May 22, 2015

To amend, on a temporary basis, the Soccer Stadium Development Act of 2014 to add a new definition, clarify findings, make technical and clarifying changes regarding the transmission of documents to the Council for approval, allow for the negotiation of enhanced performance, and make other technical and conforming changes.

Codification District of Columbia Official Code 2001 Edition

Soccer Stadium Development Technical Clarification Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Soccer Stadium Development Technical Clarification Temporary Amendment Act of 2015".

Sec. 2. The Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq*.), is amended as follows:

(a) Section 101 (to be codified at D.C. Official Code § 10-1651.01) is amended to read as follows:

Note, § 10-1651.01

"Sec. 101. Definitions.

"For the purposes of this title, the term:

"(1) "Northwest portion of Lot 24 in Square 665" means the northwest portion of Lot 24 in Square 665 as described in the letter of intent between the District and Potomac Electric Power Company dated December 27, 2013.

"(2) "Soccer stadium site" means the real property described as Squares 603S, 605, 607, 661, and 661N, and the northwest portion of Lot 24 in Square 665, and all public alleys and streets to be closed within these squares.".

(b) Section 102 (to be codified at D.C. Official Code § 10-1651.02) is amended as follows:

Note, § 10-1651.02

(1) A new paragraph (1A) is added to read as follows:

"(1A) The acquisition of land for, construction of, and operation of a new stadium for D.C. United in itself serves a public purpose, in particular because the stadium will promote the recreation, entertainment, and enjoyment of the public.".

(2) Paragraph (2) is amended by striking the phrase "Without the development" and inserting the phrase "In addition, without the development" in its place.

(c) Section 103 (to be codified at D.C. Official Code § 10-161.03) is amended as follows:

Note, § 10-1651.03

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

(A) Strike the phrase "shall acquire" and insert the phrase "is authorized to acquire" in its place.

(B) Strike the phrase "as described in the letter of intent between the District and Potomac Electric Power Company ("PEPCO") dated December 27, 2013".

(2) Subsection (d) is amended to read as follows:

"(d) The Mayor shall transmit to the Council any agreement to acquire any portion of Squares 605, 607, or 661, or the northwest portion of Lot 24 in Square 665 that requires the approval of the Council pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), not later than 30 days before the effective date of the agreement. Any such agreement shall be exempt from section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)).".

(3) Subsection (e) is amended by striking the phrase "as described in the letter of intent between the District and PEPCO dated December 27, 2013".

Note, § 10-1651.04

(d) Section 104 (to be codified at D.C. Official Code § 10-1651.04) is amended as follows:

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

"(a) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), the Mayor may enter into a ground lease ("revised ground lease") between the District of Columbia and DC Stadium LLC; provided, that :

"(1) The revised ground lease amends the ground lease between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original ground lease") to:

"(A) Not contain any provision to abate District Sales tax;

"(B) Include the labor peace provisions set forth in subsection (c) of this section; and

"(C) Contain modifications to conform the terms of the original ground lease to the provisions of this act;

"(2) The Mayor transmits the revised ground lease to the Council for its review not later than 30 days before the effective date of the revised ground lease;

"(3) The Mayor transmits simultaneously to the Council for its review pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), a revised development agreement ("revised development agreement") that amends the development agreement between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original development agreement"), for the development of the soccer stadium site and that:

"(A) Extends the date by which the District shall acquire control of the soccer stadium site to September 30, 2015;

"(B) Extends the dates by which the District shall close streets and alleys, acquire fee title, demolish existing structures, perform infrastructure work (including all District obligations under article V of the original development agreement), and perform environmental remediation work (including all District obligations under article VI of the original development

agreement), as such actions are described in articles III, IV, V, and VI of the original development agreement and may be described or referenced in other provisions of the original development agreement, each by 6 months;

"(C) Sets a date by which DC Stadium LLC shall complete the construction of a soccer stadium at the soccer stadium site;

"(D) Extends other dates as negotiated between the District and DC Stadium, LLC;

"(E) Amends section 5.9 of the original development agreement to read as follows: "Land Contribution. Within 30 days of the District's acquisition of either Lot 7 or Lot 802 in Square 605, the Stadium Developer shall pay to the District, or its designee, Two Million Five Hundred Thousand Dollars ($2,500,000.00) to offset Land acquisition costs, unless the District acquires either Lot 7 or Lot 802 in Square 605 by the use of eminent domain and the aggregate price paid by the District for Lot 7 and Lot 802 is less than $25,148,760.";

"(F) Amends section 9.1(c) of the original development agreement to read as follows: "Designated Entertainment Area. The District shall grant to the Developer 'signage rights' with respect to the Land, such signage rights to be those rights described in the proposed Chapter 8 of Title 13 of the District of Columbia Municipal Regulations published in the DC Register on August 17, 2012.";

"(G) Provides that no fees, proffers, or deposits shall be borne or waived by the District pursuant to section 7.6 of the original development agreement before October 1, 2015."; and

"(H) Includes the labor peace provisions set forth in subsection (c) of this section.; and

"(4) The Council does not adopt a resolution of disapproval pertaining to the ground lease within 30 days beginning on the day on which the ground lease is submitted to the Council, excluding days of Council recess.".

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

"(b)(1) The revised ground lease and the revised development agreement each may provide an enhanced "Performance Assurance" without increasing the District's financial obligations.

"(2) The revised development agreement shall be exempt from section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)).".

(3) Subsection (c) is amended by striking the phrase "DC Stadium, LLC and the District shall agree" and inserting the phrase "The District is authorized to agree" in its place.

(e) Section 107(b) (to be codified at D.C. Official Code § 10-1651.07(b)) is amended as follows: **Note, § 10-1651.07**

(1) Paragraph (1) is amended by striking the phrase "September 4, 2014;" and inserting the phrase "December 15, 2014;" in its place.

(2) A new paragraph (2A) is added to read as follows:

"(2A) Any payment made by D.C. United to the District government pursuant to the revised ground lease;".

Note, § 10-1651.08

(f) Section 108 (to be codified at D.C. Official Code § 10-1651.08) is amended as follows:

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

"(a) The Mayor shall implement the Convention Center – Southwest Waterfront corridor as described in the "DC Circulator 2014 Transit Development Plan Update" dated September 2014.".

(2) Subsection (c) is amended to read as follows:

"(c) The Mayor shall make capital improvements of at least $250,000 to the Randall Recreation Center in Ward 6.".

(3) Subsection (d) is amended by striking the phrase "provide ongoing operations and programming funding for" and inserting the phrase "operate and provide programmed activities for" in its place.

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

"(e) The Mayor is authorized to negotiate other community benefit commitments from D.C. United and its affiliated entities, including those that promote youth soccer, education, employment opportunities, and job training programs.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-18, effective July 22, 2015 (Expiration date March 3, 2016)
(Related Emergency Legislation is Act 21-53, 21 DCSTAT ?)

AN ACT

Bill 21-160
Act 21-71
effective
May 22, 2015

To amend, on a temporary basis, the Legalization of Marijuana for Medical Treatment Initiative of 1998 to increase the number of living marijuana plants that a cultivation center can possess at any time.

Codification District of Columbia Official Code 2001 Edition

Medical Marijuana Supply Shortage Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Supply Shortage Temporary Amendment Act of 2015".

Note, § 7-1671.06

Sec. 2. Section 7(e)(2) of the Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.06(e)(2)), is amended by striking the number "500" and inserting the number "1000" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-19, effective July 22, 2015 (Expiration date March 3, 2016)
(Related Emergency Legislation is Act 21-54, 21 DCSTAT ?)

AN ACT

Bill 21-162
Act 21-72
effective
May 22, 2015

To exempt, on a temporary basis, Jubilee Maycroft, LLC from the notice requirements of the Tenant Opportunity to Purchase Act of 1980 with respect to the real property located at 1474 Columbia Road, N.W., also known as The Maycroft.

Codification
District of Columbia Official Code 2001 Edition

Jubilee Maycroft TOPA Notice Exemption Temporary Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Jubilee Maycroft TOPA Notice Exemption Temporary Act of 2015".

Note, § 42-3404.02

Sec. 2. (a) The transfer of an interest, pursuant to section 402(c)(2)(H) of the Tenant Opportunity to Purchase Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.02(c)(2)(H)) ("TOPA"), in Jubilee Maycroft, LLC, which owns Lots 2010 - 2072 in Square 2669, located at 1474 Columbia Road, N.W., also known as The Maycroft ("Property"), from Jubilee Housing, Inc. to one or more entities controlled directly or indirectly by Jubilee Housing, Inc. shall be exempt from the notice requirements of section 402(d) of TOPA with respect to the Property.

(b) No tenant or tenant organization shall have a right to challenge, under sections 503 or 503a of TOPA, the application of section 402(c)(2)(H) of TOPA to the transfer of interests in Jubilee Maycroft, LLC.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-22, effective September 17, 2015 (Expiration date April 29, 2016)
(Related Emergency Legislation is Act 21-64, 21 DCSTAT ?)

AN ACT

Bill 21-184
Act 21-92
effective
June 17, 2015

To amend, on a temporary basis, the Legalization of Marijuana for Medical Treatment Initiative of 1998 to provide an exception to allow a cultivation center to operate in a Retail Priority Area if the applicant had an application pending or approved before the effective date of the law establishing or expanding a Retail Priority Area.

Codification
District of Columbia Official Code 2001 Edition

Medical Marijuana Cultivation Center Exception Temporary Amendment Act of 2015

Note, § 7-1671.06

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Cultivation Center Exception Temporary Amendment Act of 2015”.

Sec. 2. Section 7(g-1) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06(g-1)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "A cultivation center" and inserting the phrase "Except as provided in paragraph (3) of this subsection, a cultivation center" in its place.

(b) A new paragraph (3) is added to read as follows:

"(3) An applicant that had an application for registration to operate a cultivation center pending or approved as of the effective date of a law establishing or expanding a Retail Priority Area that would include within its boundaries the proposed site of the cultivation center shall be permitted to locate the cultivation center at that site in the newly established or newly expanded Retail Priority Area.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1073 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

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

D.C. Law 21-23, effective September 17, 2015 (Expiration date April 29, 2016)
(Related Emergency Legislation is Act 21-73, 21 DCSTAT ?)

AN ACT

Bill 21-186
Act 21-93
effective
June 17, 2015

To amend, on a temporary basis, the Youth Employment Act for 1979 to authorize the Mayor to provide employment or work readiness training for no fewer than 10,000 and no more than 21,000 youth participants 14 to 24 years of age.

Codification District of Columbia Official Code 2001 Edition

Youth Employment and Work Readiness Training Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Youth Employment and Work Readiness Training Temporary Amendment Act of 2015".

Note, § 32-241

Sec. 2. Section 2 of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241), is amended as follows:

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

(1) Subparagraphs (A) and (A-i) are amended to read as follows:

"(A)(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth 14 to 24 years of age on the date of enrollment in the program, including no more than 1000 youth 22 to 24 years of age.

"(ii) Youth ages 14 to 15 years at the date of enrollment shall receive an hourly work readiness training rate of not less than $5.25.

"(iii) Youth ages 16 to 24 years at the date of enrollment shall be compensated at an hourly rate of $8.25 for 16- to 21-year-olds and $9.25 for 22- to 24-year-olds.

"(A-i) Registration for the summer youth jobs program shall occur on or before the last day of January and shall conclude by the last day of April of each year.".

(2) Subparagraph (B) is amended by striking the phrase "but shall not be less than 20 nor more than 25 hours" and inserting the phrase "but shall not be fewer than 20 hours or more than 40 hours" in its place.

(3) Subparagraph (C) is amended to read as follows:

"(C) Employment may include an appropriate number of supervisory positions at an hourly wage of $9.25 to $13. Supervisory positions shall not be subject to the requirements under this paragraph regarding the number of hours and weeks of employment.".

(b) A new subsection (g) is added to read as follows:

"(g)(1)The Department of Employment Services shall collect, and publish on its website, aggregated information on the participants of the summer youth jobs program, including statistics on:

"(A) The demographics of participants;

"(B) Participants' activities in the program; and

"(C) Participants' employment following the end of the program.

"(2) The information required by paragraph (1) of this subsection shall be published by November 30, 2015.

"(3) It is the sense of the Council that the Department of Employment Services shall consult with the Council on revising the existing evaluation requirement for the summer youth jobs program to focus on program outcomes and program effectiveness.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-24, effective September 17, 2015 (Expiration date April 29, 2016)
(Related Emergency Legislation is Act 21-76, 21 DCSTAT ?)

AN ACT

Bill 21-165
Act 21-94
effective
June 25, 2015

To adjust, on a temporary basis, certain allocations requested in the Fiscal Year 2015 Budget Request Act pursuant to the Omnibus Appropriations Act, 2009.

Not Codified

Fiscal Year 2015 Second Revised Budget Request Temporary Adjustment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Second Revised Budget Request Temporary Adjustment Act of 2015".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2015 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II—DISTRICT OF COLUMBIA FUNDS—SUMMARY OF EXPENSES

$99,652,000 is removed from local funds (including an increase of $106,000 in dedicated taxes); $215,000 is increased in other funds; and $260,000 is increased in enterprise and other funds; to be allocated as follows:

Government Direction and Support

The appropriation for Governmental Direction and Support is decreased by $7,073,000 in local fund s and increased by $162,000 in other funds; to be allocated as follows:

(1) Department of General Services. – ($5,500,000) is removed from local funds;

(2) Office of the Secretary. – ($100,000) is removed from local funds;

(3) Office of Contracting and Procurement. – ($500,000) is removed from local funds;

(4) Office of Risk Management. – ($200,000) is removed from local funds;

(5) Department of Human Resources. – ($84,000) is removed from local funds and $162,000 is added to be available in other funds;

(6) Office of Campaign Finance. – ($233,000) is removed from local funds;

(7) Office of the District of Columbia Auditor. – ($122,000) is removed from local funds;

(8) Office of the Attorney General. – ($300,000) is removed from local funds;

(9) Contract Appeals Board. – ($24,000) is removed from local funds; and

(10) Public Employee Relations Board. – ($11,000) is removed from local funds.

Economic Development and Regulation

The appropriation for Economic Development and Regulation is decreased by $3,015,000 in local funds; to be allocated as follows:

(1) Department of Employment Services. – ($372,000) is removed from local funds;

(2) Office of the Deputy Mayor for Planning and Economic Development. – ($136,737) is removed from local funds;

(3) Office of Motion Picture and Television Development. – ($1,507,000) is removed from local funds; and

(4) Commission on the Arts and Humanities. – ($1,000,000) is removed from local funds.

Public Safety and Justice

The appropriation for Public Safety and Justice is decreased by $1,792,000 in local funds; to be allocated as follows:

(1) Office of Unified Communications. – ($1,401,000) is removed from local funds;

(2) Department of Forensic Sciences. – ($196,000) is removed from local funds; and

(3) Office of Administrative Hearings. – ($194,000) is removed from local funds.

Public Education

The appropriation for Public Education is decreased by $15,542,000 in local funds; to be allocated as follows:

(1) Office of the State Superintendent of Education. – ($6,182,000) is removed from local funds;

(2) Office of the Deputy Mayor for Education. – ($4,000,000) is removed from local funds;

(3) District of Columbia Public Charter Schools. – ($2,500,000) is removed from local funds;

(4) State Board of Education. – ($10,000) is removed from local funds; and

(5) Special Education Transportation. – ($2,850,000) is removed from local funds.

Human Support Services

The appropriation for Human Support Services is decreased by $28,119,000 in local funds (including an increase of $106,000 in dedicated taxes) and increased by $53,000 in other funds; to be allocated as follows:

(1) Department of Human Services. – ($600,000) is removed from local funds;

(2) Department of Parks and Recreation. – ($1,750,000) is removed from local funds;

(3) Department of Health Care Finance. – ($25,085,000) is removed from local funds (including an increase of $106,000 in dedicated taxes) and $53,000 is added to be available in other funds;

(4) Department of Youth Rehabilitation Services. – ($463,000) is removed from local funds;

(5) Office on Latino Affairs. – ($10,000) is removed from local funds;

(6) Office on Asian and Pacific Islander Affairs. – ($6,000) is removed from local funds;

(7) Office of Veterans Affairs. – ($5,000) is removed from local funds; and

(8) Office on Aging. – ($200,000) is removed from local funds.

Public Works

The appropriation for Public Works is decreased by $175,000 in local funds; to be allocated as follows:

(1) District Department of Transportation. – $250,000 is added to be available in local funds; and

(2) Department of Motor Vehicles. – ($425,000) is removed from local funds.

Financing and Other

The appropriation for Financing and Other is decreased by $43,936,000 in local funds; to be allocated as follows:

(1) Repayments of Loans and Interest. – ($20,328,000) is removed from local funds;

(2) Certificates of Participation. – ($22,670,000) is removed from local funds;

(3) Non-departmental. – ($6,300,000) is removed from local funds;

(4) Workforce Investments. – ($8,000,000) is removed from local funds;

(5) TIF and PILOT Transfer. – $9,907,000 is added to be available in local funds; and

(6) Emergency and Contingency Reserve Funds. - $3,455,000 is added to be available in local funds.

Enterprise and Other Funds

The appropriation for Enterprise and Other Funds is increased by $260,000 in enterprise and other funds; to be allocated as follows:

(1) University of the District of Columbia. – $260,000 is added to be available in enterprise and other funds.

Sec. 3. Of the Fiscal Year 2015 local funds within the budget of the Office of the Deputy

Mayor for Public Safety and Justice, $700,000 shall be reallocated from the Justice Grants Administration program to the Community-Based Violence Reduction Fund.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Law 21-25, effective September 23, 2015 (Expiration date May 5, 2016)
(Related Emergency Legislation is Act 21-82, 21 DCSTAT 1475)

AN ACT

Bill 21-209
Act 21-97
effective
July 2, 2015

To amend, on a temporary basis, the Retail Electric Competition and Consumer Protection Act of 1999 to prohibit the electric company from disconnecting residential electric service when the heat index is forecasted to be 95 degrees Fahrenheit or above.

Codification
District of Columbia Official Code 2001 Edition

Heat Wave Safety Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Heat Wave Safety Temporary Amendment Act of 2015".

Sec. 2. The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq*.), is amended by adding a new section 106a to read as follows:

Note, New § 34-1506.01

"Sec. 106a. Disconnection of service in extreme temperature prohibited.

"(a) For the purposes of this section, the term "forecast of extreme temperature" means a National Weather Service forecast that the heat index for the District of Columbia will be 95 degrees Fahrenheit or above at any time during a day.

"(b) The electric company shall not disconnect residential electric service during the day preceding, and the day of, a forecast of extreme temperature. If the forecast of extreme temperature precedes a holiday or weekend day, the electric company shall not disconnect residential electric service on any day during the holiday or weekend.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

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

D.C. Law 21-26, effective September 23, 2015 (Expiration date May 5, 2016)
(Related Emergency Legislation is Act 21-95, 21 DCSTAT ?)

AN ACT

Bill 21-223
Act 21-98
effective
July 2, 2015

To amend, on an temporary basis, the Rental Housing Conversion and Sale Act of 1980, to clarify that a bona fide offer of sale for a housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party contract, shall be based on current, applicable, matter-of-right zoning regulations or laws, or by an existing right to convert to another use, that the offer may take into consideration the highest and best use of the property, and to establish the right of a tenant organization to a determination of the appraised value of a housing accommodation under certain circumstances.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "TOPA Bona Fide Offer of Sale Clarification Temporary Amendment Act of 2015".

TOPA Bona Fide Offer of Sale Clarification Temporary Amendment Act of 2015

Sec. 2. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01), is amended as follows:

(a) Section 103 (D.C. Official Code § 42-3401.03) is amended as follows:

Note, § 42-3401.03

(1) New paragraphs (1A) and (1B) are added to read as follows:

"(1A) Beginning January 1, 2014, "appraised value" means the value of a housing accommodation as of the date of the appraisal, based on an objective, independent property valuation, performed according to professional appraisal industry standards.

"(1B) Beginning January 1, 2014, "bona fide offer of sale" means an offer of sale for a housing accommodation or the interest in the housing accommodation, that is either:

"(A) For a price and other material terms that are at least as favorable as those accepted by a purchaser in an arm's length third-party contract; or

"(B) In the absence of an arm's length third-party contract, an offer of sale with a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value.".

(2) A new paragraph (12A) is added to read as follows:

"(12A) Beginning January 1, 2014, "matter-of-right" means a land use, development density, or structural dimension to which a property owner is entitled by current zoning regulations or law.".

(b) Section 402 (D.C. Official Code § 42-3404.02) is amended as follows:

Note, § 42-3404.02

(1) Subsection (a) is amended by striking the phrase "Before an owner" and inserting the phrase "Before October 7, 2014, before an owner" in its place.

(2) New subsections (a-1), (a-2), (a-3), and (a-4) are added to read as follows:

"(a-1) Beginning October 7, 2014, before an owner of a housing accommodation may sell the housing accommodation or issue a notice to vacate for purposes of demolition or discontinuance of housing use, the owner shall give the tenant an opportunity to purchase the housing accommodation at a price and terms that represent a bona fide offer of sale.

"(a-2) Beginning January 1, 2014, whenever an offer of sale is made to tenants for a housing accommodation with 5 or more units that is required by subsection (a) or (a-1) of this section before the owner may issue a notice to vacate for purposes of demolition or discontinuance of housing use, and the offer is made in the absence of an arm's-length third-party contract, the following shall apply:

"(1) The sales price contained in the offer of sale shall be less than or equal to a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value of the housing accommodation as determined by this subsection.

"(2) An appraised value shall only be based on rights an owner has as a matter-of-right as of the date of the offer, including any existing right an owner may have to convert the property to another use.

"(3) Within the restrictions of paragraph (2) of this subsection, an appraised value may take into consideration the highest and best use of the property.

"(4) The owner of the housing accommodation shall have the burden of proof to establish that an offer of sale under this subsection is a bona fide offer of sale.

"(5)(A) A tenant organization registered according to section 411(1) may challenge the offer presented by an owner of a housing accommodation as not being a bona fide offer of sale, and request a determination of the appraised value of the housing accommodation.

"(B) The tenant organization shall request an appraisal by delivering the request to the Mayor and the owner by hand or by certified mail, within 45 days of receipt of a valid bona fide offer of sale.

"(C)(i) The tenant organization and owner of the housing accommodation shall jointly select an appraiser. If within 14 days after a tenant organization has requested an appraisal, the tenant organization and owner of the housing accommodation have not agreed upon an appraiser, either party may request that the Mayor select an appraiser.

"(ii) A request that the Mayor select an appraiser shall be in writing and delivered by hand or by certified mail to the Mayor and to the owner or tenant organization, respectively.

"(iii) The Mayor shall select the appraiser on a sole source basis within 7 days of receiving the request for an appraiser.

"(D) The tenant organization and owner of the housing accommodation shall pay one-third and two-thirds of the cost of the appraisal, respectively.

"(E)(i) The appraiser shall hold an active license to be a Certified General Real Property Real Estate Appraiser that has been issued by District of Columbia Board of Real Estate Appraisers.

"(ii) The owner shall give the appraiser full, unfettered access to the property.

"(iii) The owner shall respond within 7 days to any request for information from the appraiser.

"(iv) The tenant organization may give the appraiser information relevant to the valuation of the property.

"(F) The appraisal shall be completed expeditiously according to standard industry timeframes.

"(6) Beginning with the date of a tenant organization request for an appraisal, and for each day thereafter until the tenant organization receives the appraisal, the negotiation period described in section 411(2) shall be extended by one day.

"(7)(A) The determination of the appraised value of the housing accommodation in accordance with this subsection shall become the sales price of the bona fide offer of sale for the housing accommodation, unless:

"(i) The owner and the tenant organization agree upon a different sales price of the housing accommodation; or

"(ii) Within 14 days of the receipt of the appraisal by the owner, the owner elects to withdraw the offer of sale.

"(B) The owner shall withdraw the offer of sale by delivering a letter of withdrawal to the Mayor and a member of the board of directors of the tenant organization, by hand or by certified mail. Upon such election, the owner shall reimburse the tenant organization for its entire share of the cost of the appraisal within 14 days. An owner who withdraws an offer of sale in accordance with this paragraph, shall be precluded from making a subsequent offer of sale to the tenant organization without an arm's-length third party contract, for 6 months from the date of the election to withdraw the offer of sale.

"(8) Within 30 days of the receipt of the appraisal conducted by an appraiser selected by the Mayor according to this subsection, either the tenant organization or the owner of the housing accommodation may appeal the appraisal as being in violation of the requirements of this subsection, to the Superior Court of the District of Columbia for the court to take any appropriate action the court may deem necessary.

"(a-3) Notwithstanding subsections (a-1) and (a-2) of this section, for a tenant organization that before the effective date of the TOPA Bona Fide Offer of Sale Clarification Emergency Amendment Act of 2015, passed on emergency basis on June 2, 2015 (Enrolled version of Bill 21-222), has registered the tenant organization with the Mayor according to section 411(1), and has requested an appraisal of the housing accommodation by delivering the request to the Mayor and the owner by hand or by certified mail, the following shall apply:

"(1) Beginning January 1, 2014, before an owner of a housing accommodation may sell the accommodation, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use, the owner shall give the tenant an

opportunity to purchase the accommodation at a price and terms that represent a bona fide offer of sale.

"(2) If within 360 days of the date of the issuance of a bona fide offer of sale pursuant to this subsection, an owner has neither sold, or is in the process of selling, the property pursuant to that bona fide offer of sale nor taken possession of the property, the owner shall comply anew with the requirements of this subsection before the owner may again act to sell the housing, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use.

"(3) For the purposes of this subsection, in the case of multi-unit housing, the term:

"(A)(i) "A bona fide offer of sale" means a sales price that is less than or equal to the appraised value of the real property, multi-unit housing, and any other appurtenant improvements ("property") plus, except as provided in sub-subparagraph (ii) of this subparagraph, the amount of liens existing before the sale or transfer; provided, that the liens shall be satisfied by the seller in the sale or transfer transaction.

"(ii) If the seller and the purchaser agree that the purchaser shall assume the liens, if any, a bona fide offer of sale means a sale price that is less than or equal to the appraised value of the property less the amount of any lien assumed by the purchaser.

"(B)(i) "Appraised value" means an objective property valuation based on the current state of the property and existing zoning, building, and occupancy permits that is no more than 6 months older than the date of issuance of the offer of sale that has been determined by 2 independent appraisals performed by 2 appraisers qualified to perform multi-unit appraisals.

"(ii) Of the 2 appraisers required by sub-subparagraph (i) of this subparagraph, one shall be selected by the owner and one shall be selected by the tenant. If the appraisers fail to agree upon a fair market value, the owner and the tenant shall jointly select and pay a third appraiser, whose appraisal shall be binding, or agree to take an average of the 2 appraisals.

"(C) "Multi-unit housing" means housing with 5 or more units.

"(a-4) Subsection (a-3) shall expire on October 9, 2015.".

(c) Section 411(4) (D.C. Official Code § 42-3404.11(4)) is amended by striking the phrase "the owner has not sold or contracted for the sale of the accommodation" and inserting the phrase "the owner has not sold or contracted for the sale of the accommodation, or in the case of an offer of sale given for the purposes of demolition or discontinuance of housing use, has not issued a notice to vacate for demolition or discontinuance of housing use, pursuant to section 501(g) or section 501(i) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(g) or (i))" in its place.

Note, § 42-3404.11

Sec. 3. The Tenant Opportunity to Purchase Temporary Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-166; 61 DCR 11101), is repealed.

Note, § 42-3404.02

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

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

D.C. Act 21-96, effective June 2, 2015 (Expiration date September 30, 2015)

AN ACT

Bill 21-237

Emergency Declaration Res. 21-131 21 DCStat 1873

Not Codified

To approve, on an emergency basis, Change Order Nos. 001 through 003 to Contract No. DCAM-14-CS-0095B with MCN Build, LLC, for build-design services for Langdon Education Campus, and to authorize payment in the aggregate amount of $8,698,428.86 for the goods and services received and to be received under these change orders.

Contract No. DCAM-14-CS-0095B Change Order Nos. 001 through 003 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCAM-14-CS-0095B Change Order Nos. 001 through 003 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Order Nos. 001 through 003 to Contract No. DCAM-14-CS-0095B with MCN Build, LLC, for design-build services for Langdon Education Campus, and authorizes payment in the aggregate amount of $8,698,428.86 for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-100, effective July 10, 2015 (Expiration date October 8, 2015)

AN ACT

Bill 21-259

Emergency Declaration Res. 21-141 21 DCStat 1886

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sale of Synthetic Drugs Emergency Amendment Act of 2015".

Sale of Synthetic Drugs Emergency Amendment Act of 2015

Sec. 2. Section 47-2844(a-2) of the District of Columbia Official Code is amended as follows:

Note, § 47-2844

(a) Paragraph (1) is amended as follows:

(1) The lead-in language is amending by striking the phrase "subsection (a-1) of this section" and inserting the phrase "subsection (a-1) of this section and paragraph (1A) of this subsection" in its place.

(2) Subparagraph (A) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(3) Subparagraph (B) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(4) Subparagraph (C) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(b) A new paragraph (1A) is added to read as follows:

"(1A) In addition to the provisions of subsection (a-1) of this section and paragraph (1) of this subsection, the Mayor or the Chief of Police, notwithstanding § 2-1801.04(a)(1)), may take the following actions against, or impose the following requirements upon, any licensee, or agent or employee of a licensee, that knowingly engages or attempts to engage in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug, including the possession of multiple units of a synthetic drug:

"(A) For the first violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $10,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or a portion of the premises, for up to 96 hours without a prior hearing;

"(iii) The Mayor may issue a notice to revoke all licenses issued to the licensee pursuant to this chapter.

"(iv)(I) With 14 days of having a licensee's premises sealed for the sale of a synthetic drug, the Mayor shall require the licensee to submit a remediation plan to the Director of the Department of Consumer and Regulatory Affairs, that contains the licensee's plan to prevent any future recurrence of purchasing, selling, exchanging, or otherwise transacting any synthetic drug and acknowledgement that a subsequent occurrence of engaging in prohibited activities may result in the revocation of all licenses issued to the licensee pursuant to this chapter.

"(II) If the licensee fails to submit a remediation plan in accordance with this sub-subparagraph, or if the Mayor, in consultation with the Chief of Police, rejects the licensee's remediation plan, the Mayor shall provide written notice to the licensee of the defects in any rejected remediation plan and the Mayor's intent to revoke all licenses issued to the licensee pursuant to this chapter.

"(III) If the licensee cures the defects in a rejected remediation plant, the Mayor may suspend any action to revoke any license of the licensee issued pursuant to this chapter.

"(B) For any subsequent violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $20,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or portion of the premises, for up to 30 days, without a prior hearing.

"(C) If a licensee's premises is sealed under subparagraph (A) or (B) of this paragraph, a licensee shall have the right to request a hearing with the Office of Administrative Hearings within 2 business days after service of notice of the sealing of the premises pursuant to subparagraph (D) of this paragraph.

"(D) At the time of the sealing of the premises under subparagraph (A) or (B) of this paragraph, the Director of the Department of Consumer and Regulatory Affairs shall post at the premises and serve on the licensee, a written notice and order stating:

"(i) The specific action or actions being taken;

"(ii) The factual and legal bases for the action or actions;

"(iii) The right, within 2 business days after service of notice of the sealing of the premises, to request a hearing with the Office of Administrative Hearings;

"(iv) The right, within 2 business days of a timely request being received by the Office of Administrative Hearings, to a hearing before an administrative law judge; and

"(v) That it shall be unlawful for any person to enter the sealed premises for any purpose without written permission of the Director of the Department of Consumer and Regulatory Affairs.

"(E) A licensee shall pay a fine issued pursuant to subparagraph (A) or (B) of this paragraph within 20 days after adjudication. If the licensee fails to pay the fine within the specified time period, the Mayor may seal the premises until the fine is paid.

"(F) For the purposes of this paragraph, the term:

"(i) "Business days" means days in which the Office of Administrative Hearings is open for business.

"(ii) "Synthetic drug" means any product possessed, provided, distributed, sold, or marketed with the intent that it be used as a recreational drug, such that its consumption or ingestion is intended to produce effects on the central nervous system or brain function to change perception, mood, consciousness, cognition or behavior in ways that are similar to the effects of marijuana, cocaine, amphetamines or Schedule I narcotics under § 48-902.04. The term "synthetic drug" also includes any chemically synthesized product (including products that contain both a chemically synthesized ingredient and herbal or plant material) possessed, provided, distributed, sold or marketed with the intent that the product produce effects substantially similar to the effects created by compounds banned by District or federal synthetic drug laws or by the U.S. Drug Enforcement Administration pursuant to its authority under the Controlled Substances Act, approved October 27, 1970 (84 Stat. 1247; 21 U.S.C. § 812). The following factors shall be treated as indicia that a product is being marketed with the intent that it be used as a recreational drug:

"(I) The product is not suitable for its marketed use (such as a crystalline or powder product being marketed as "glass cleaner");

"(II) The individual or business providing, distributing, displaying or selling the product does not typically provide, distribute, or sell products that are used for that product's marketed use (such as liquor stores, smoke shops, or gas/convenience stores selling "plant food");

"(III) The product contains a warning label that is not typically present on products that are used for that product's marketed use including, "Not for human consumption", "Not for purchase by minors", "Must be 18 years or older to purchase", "100% legal blend", or similar statements;

"(IV) The product is significantly more expensive than products that are used for that product's marketed use;

"(V) The product resembles an illicit street drug (such as cocaine, methamphetamine, or Schedule I narcotic) or marijuana; or

"(VI) The licensee or any employee of the licensee has been warned by a District government agency or has received a criminal incident report, arrest report, or equivalent from any law enforcement agency that the product or a similarly labeled product contains a synthetic drug.".

Note, § 2-1801.06

Sec. 3. Section 106 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective March 8, 1991 (D.C. Law 8-237; D.C. Official Code § 2-1801.06), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Strike the phrase "premises are primarily used" and insert the phrase "premises are used" in its place.

(2) Add a new sentence at the end to read as follows:

"Selling synthetic drugs, as defined in D.C. Official Code § 47-2844(a-2)(1A)(F)(ii), shall be a per se imminent danger to the health or safety of the residents of the District.".

(b) Subsection (c) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the phrase "A licensee" and inserting the phrase "Except as provided in paragraph (2) of this subsection, a licensee" in its place.

(3) A new paragraph (2) is added to read as follows:

"(2) A licensee engaged in the sale of synthetic drugs in violation of D.C. Official Code § 47-2844(a-2)(1A) shall have the right to request a hearing within 2 business days after service of notice of the sealing of the premises. The Office of Administrative Hearings shall hold a hearing within 2 business days of receipt of a timely request, and shall issue a decision within 2 business days after the hearing.".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-101, effective July 27, 2015 (Expiration date October 15, 2015)

AN ACT

Bill 21-235

Emergency Declaration Res. 21-167 21 DCStat 1924

Not Codified

To approve, on an emergency basis, Modification Nos. 24 and 25 to Contract No. DCTO-2008-C-0135 with OST, Inc. to provide IT Staff Augmentation services and to authorize payment for the goods and services received and to be received under the modifications.

Modification Nos. 24 and 25 to Contract No. DCTO-2008-C-0135 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 24 and 25 to Contract No. DCTO-2008-C-0135 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 24 and 25 to Contract No. DCTO-2008-C-0135 with OST, Inc. to provide IT Staff Augmentation services from April 1, 2015 through September 30, 2015, and authorizes payment not to exceed $35,000,000 for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-102, effective July 20, 2015 (Expiration date October 18, 2015)

AN ACT

Bill 21-236

Emergency Declaration Res. 21-153 21 DCStat 1904

Not Codified

To approve, on an emergency basis, Blanket Purchase Agreement No. DOC108575 and Purchase Orders PO464923, PO480867, PO481916, PO483589, PO488803, PO492965, PO493959, PO493967, PO495335, and PO496400 with Cardiac Connection Quality Compliance Corp. to provide Registered Nurses II services and to authorize payment for the goods and services received and to be received under the contracts.

Blanket Purchase Agreement No. DOC108575 and Purchase Orders Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Blanket Purchase Agreement No. DOC108575 and Purchase Orders Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Blanket Purchase Agreement No. DOC108575 and Purchase Orders PO464923, PO480867, PO481916, PO483589, PO488803, PO492965, PO493959, PO493967, PO495335, and PO496400 with Cardiac Connection Quality Compliance Corp. to provide Registered Nurses II services in the total not-to-exceed amount of $1,112,561for goods and services received and to be received under the contracts.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-103, effective July 17, 2015 (Expiration date October 15, 2015)

AN ACT

Bill 21-238

Emergency Declaration Res. 21-142 21 DCStat 1888

Not Codified

To approve, on an emergency basis, Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 with GCS, Inc., for design-build services for the St. Elizabeths Chapel renovation, and to authorize payment in the aggregate amount of $1,177,427 for the goods and services received and to be received under these change orders.

Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 with GCS, Inc., for design-build services for the St. Elizabeths Chapel renovation, and authorizes payment in the aggregate amount of $1,177,427 for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-104, effective July 20, 2015 (Expiration date October 18, 2015)

AN ACT

Bill 21-255

Emergency Declaration Res. 21-146 21 DCStat 1892

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow any applicant that received notification on July 25, 2014, that its medical marijuana cultivation center was eligible for registration to modify its application, to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants, not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1000.

Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2015".

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

Note, § 7-1671.01

(a) Section 2 (D.C. Official Code § 7-1671.01) is amended by adding a new paragraph (1A) to read as follows:

"(1A) "Adjacent" means located within the same physical structure as, and is abutting, adjoining, bordering, touching, contiguous to, or otherwise physically meeting.".

Note, § 7-1671.06

(b) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

(1) Subsection (d) is amended as follows:

(A) Paragraph (3) is amended by adding a new subparagraph (C) to read as follows:

"(C)(i) Notwithstanding 22 DCMR §§ C5003.2 and C5003.3, any applicant that received notification from the Department on July 25, 2014, that its cultivation center was eligible for registration shall be permitted to modify the location and premises identified on the application within 90 days after the effective date of the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2015, passed on emergency basis on June 30, 2015 (Enrolled version of Bill 21-255), without negatively affecting the current status of the application or registration.

"(ii) Any application that is modified pursuant to sub-subparagraph (i) of this subparagraph shall be exempt from 22 DCMR § C5303.6, adopted on an emergency basis by the Department on May 19, 2015 (62 DCR 8351).".

(B) New paragraphs (4) and (5) are added to read as follows:

"(4) The Mayor may approve the holder of a cultivation center registration that also owns, or has a valid lease for, real property adjacent to its existing cultivation center to physically expand the registered cultivation center into that adjacent real property for the purpose of increasing production of marijuana plants, not to exceed the limit permitted under this act.

"(5) For the purposes of this subsection, the non-transferability of ownership provisions set forth in 22 DCMR §§ C5003 and C5501 shall not be construed as prohibiting the restructuring of ownership or changes between officers, directors, or other persons owning or controlling a percentage of the registered cultivation center or the entity named in the cultivation center registration application that was pending as of March 2, 2015, to operate a cultivation center at the same adjacent real property if the application received a score of at least 150 points from the Program's review panel.".

(2) Subsection (e)(2) is amended by striking the number "500" and inserting the number "1000" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-105, effective July 20, 2015 (Expiration date October 18, 2015)

AN ACT

Bill 21-262

Emergency Declaration Res. 21-157 21 DCStat 1912

Not Codified

To approve, on an emergency basis, Modification No. 1 and proposed Modification No. 2 to Contract No. DCJM-2013-H-0007-06 with Community Multi-Services, Inc., to provide residential services to District citizens with intellectual and developmental disabilities and to authorize payment for the goods and services received and to be received under the contract modifications.

Modifications to Contract No. DCJM-2013-H-0007-06 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. DCJM-2013-H-0007-06 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 1 and proposed Modification No. 2 to Contract No. DCJM-2013-H-0007-06 with Community Multi-Services, Inc., and authorizes payment in an estimated amount of $1,195,619.90 for goods and services received and to be received under the contract modifications for the period from June 1, 2015, through May 31, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-106, effective July 17, 2015 (Expiration date October 15, 2015)

AN ACT

Bill 21-263

Emergency Declaration Res. 21-134 21 DCStat 1876

Not Codified

To approve, on an emergency basis, Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design-build services for Kramer Middle School, and to authorize payment in the aggregate amount of $1,023,848 for the goods and services received and to be received under the change orders.

Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design-build services for Kramer Middle School, and authorizes payment in the aggregate amount of $1,023,848 for the goods and services received and to be received under the change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-107, effective July 20, 2015 (Expiration date October 18, 2015)

AN ACT

Bill 21-266

Emergency Declaration Res. 21-148 21 DCStat 1896

Not Codified

To approve, on an emergency basis, Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted Health Plan (District of Columbia), Inc., for managed care organization healthcare services for the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance program and to authorize payment for the services received and to be received under the contract modification.

Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted Health Plan (District of Columbia), Inc., Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted Health Plan (District of Columbia), Inc., Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted Health Plan (District of Columbia), Inc., and authorizes payment in the total not-to-exceed amount of $338,670,442for goods and services received and to be received under the contract modification for the period from May 1, 2015, through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-108, effective July 20, 2015 (Expiration date October 18, 2015)

AN ACT

Bill 21-276

Emergency Declaration Res. 21-143 21 DCStat 1889

Not Codified

To approve, on an emergency basis, Modification Nos. 7, 9, and 11 to Contract No. DCAM-12-NC-0031 with Allied Barton Security Services, LLC, for city-wide security services, and to authorize payment in the aggregate amount of $5,216,538.93 for the goods and services received under these modifications.

Modification Nos. 7, 9, and 11 to Contract No. DCAM-12-NC-0031 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 7, 9, and 11 to Contract No. DCAM-12-NC-0031 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of sections 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §§ 2-352.02), the Council approves Modification Nos. 7, 9, and 11 to Contract No. DCAM-12-NC-0031 with Allied Barton Security Services, LLC, for city-wide security services, and authorizes payment in the aggregate amount of $5,216,538.93 for the goods and services received under these modifications.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-109, effective July 20, 2015 (Expiration date October 18, 2015)

AN ACT

Bill 21-280

Emergency Declaration Res. 21-145 21 DCStat 1891

Not Codified

To approve, on an emergency basis, Modification No. 5 and proposed Modification No. 6 to Contract No. GAGA-2014-C-0026A to provide occupational and physical therapy assessment, consultation, and intervention services to the District and to authorize payment for the services to be received under the contract.

Modifications to Contract No. GAGA-2014-C-0026A Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. GAGA-2014-C-0026A Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 5 and proposed Modification No. 6 to Contract No. GAGA-2014-C-0026A with Educational Based Services to provide occupational and physical therapy assessment, consultation, and intervention services and authorizes payment in the amount not to exceed $1,411,888.10 for services received and to be received under that contract for the period from June 20, 2015 through June 19, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-110, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-247

Emergency Declaration Res. 21-140 21 DCStat 1884

Not Codified

To approve, on an emergency basis, Contract No. DCFB-2012-D-0007 with Advanced Data Processing, Inc., to provide ambulance billing and collection services, and to authorize payment for the goods and services received and to be received under the contract.

Contract No. DCFB-2012-D-0007 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCFB-2012-D-0007 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DCFB-2012-D-0007 with Advanced Data Processing, Inc., and authorizes payment in the amount of $6,345,889.26 for goods and services received and to be received under that contract for the period from October 1, 2012, through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-111, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-249

Emergency Declaration Res. 21-155 21 DCStat 1908

Not Codified

To approve, on an emergency basis, Modification No. 11 to Contract No. CFSA-11-C-0124 with Integrated Community Services, Inc., to provide Developmentally Disabled Services for developmentally disabled children presenting issues that cannot be served by traditional group home or independent living programs, in accordance with the Adoption and Safe Families Act of 1997, the LaShawn A. v. Bowser Implementation and Exit Plan, and the Fostering Connections to Success and Increasing Adoptions Act of 2008, and to authorize payment for the services received and to be received under the contract.

Modification of Contract No. CFSA-11-C-0124 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification of Contract No. CFSA-11-C-0124 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 11 to Contract No. CFSA-11-C-0124 with Integrated Community Services, Inc., to provide Developmentally Disabled Services for developmentally disabled children presenting issues that cannot be served by traditional group home or independent living programs, in accordance with the Adoption and Safe Families Act of 1997, approved November 19, 1997 (Pub. L. No. 105-89; 111 Stat. 2115), the *LaShawn A. v. Bowser* Implementation and Exit Plan, and the Fostering Connections to Success and Increasing Adoptions Act of 2008, approved October 7, 2008 (Pub. L. No. 110-351; 122 Stat. 3949), and to authorize payment in the amount of $1,233,900 for the services received and to be received under the contract for the period of March 30, 2015, to September 29, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-112, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-264

Emergency Declaration Res. 21-150 21 DCStat 1900

Not Codified

To approve, on an emergency basis, Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar Family Choice, Inc., for managed care organization healthcare services for the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program and to authorize payment for goods and services received and to be received under the contract modification.

Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar Family Choice, Inc., Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar Family Choice, Inc., Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar Family Choice, Inc., and authorizes payment in the total not-to-exceed amount of $338,670,442 for goods and services received, and to be received, under the contract modification for the period from May 1, 2015, through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-113, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-265

Emergency Declaration Res. 21-149 21 DCStat 1898

Not Codified

To approve, on an emergency basis, Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth District of Columbia, Inc., for managed care organization healthcare services for the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program and to authorize payment for the services received and to be received under the contract modification.

Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth District of Columbia, Inc., Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth District of Columbia, Inc., Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth District of Columbia, Inc., and authorizes payment in an amount not-to-exceed $338,670,442 for goods and services received and to be received under the contract modification for the period from May 1, 2015, through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-114, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-267

Emergency Declaration Res. 21-156 21 DCStat 1910

Not Codified

To approve, on an emergency basis, Modification No. M0012 and proposed Modification No. M0013 to Human Care Agreement No. CFSA-11-H-0097 with God's Anointed New Generation to provide a Teen Bridge Program, which provides short-term placement in a structured environment in preparation for self-sufficiency and transition to a less restrictive environment, in accordance with the Adoption and Safe Families Act of l997, the LaShawn A. v. Bowser Implementation and Exit Plan, and the Fostering Connections to Success and Increasing Adoptions Act of 2008, and to authorize payment for the services received and to be received under the human care agreement.

Modification of Human Care Agreement No. CFSA-11-H-0097 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification of Human Care Agreement No. CFSA-11-H-0097 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. M0012 and proposed Modification No. M0013 to Human Care Agreement No. CFSA-11-H-0097 with God's Anointed New Generation to provide a Teen Bridge Program, and to authorize payment in the amount of $1,213,931.95 for the services received and to be received under the human care agreement for the period of June 7, 2015, through June 6, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-115, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-268

Emergency Declaration Res. 21-165 21 DCStat 1922

Not Codified

To approve, on an emergency basis, Modification No. 6 and proposed Modification No. 7 to Contract No. CW29777 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29777 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW29777 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 6 and proposed Modification No. 7 to Contract No. CW29777 with Friendship Place to provide case management services and authorizes payment in the total not-to-exceed amount of $2,784,780 for services received and to be received under the contract modifications for the period from May 28, 2015, through May 27, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-116, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-269

Emergency Declaration Res. 21-163 21 DCStat 1920

Not Codified

To approve, on an emergency basis, Modification No. 4 and proposed Modification No. 5 to Contract No. CW29494 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29494 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW29494 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 4 and proposed Modification No. 5 to Contract No. CW29494 with Community Connections to provide case management services and authorizes payment in the total not-to-exceed amount of $1,666,140 for services received and to be received under the contract modifications for the period from May 28, 2015, through May 27, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-117, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-270

Emergency Declaration Res. 21-162 21 DCStat 1919

Not Codified

To approve, on an emergency basis, Modification No. 4 and proposed Modification No. 5 to Contract No. CW29492 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29492 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW29492 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 4 and proposed Modification No. 5 to Contract No. CW29492 with The Community of Hope to provide case management services and authorizes payment in the total not-to-exceed amount of $1,339,818 for services received and to be received under the contract modifications for the period from May 27, 2015, through May 26, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-118, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-273

Emergency Declaration Res. 21-161 21 DCStat 1918

Not Codified

To approve, on an emergency basis, Modification No. 4 and proposed Modification No. 5 to Contract No. CW29396 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29396 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW29396 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 4 and proposed Modification No. 5 to Contract No. CW29396 with Transitional Housing Corporation to provide case management services and authorizes payment in the total not-to-exceed amount of $1,084,500 for services received and to be received under the contract modifications for the period from May 27, 2015, through May 26, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-119, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-274

Emergency Declaration Res. 21-160 21 DCStat 1917

Not Codified

To approve, on an emergency basis, Modification No. 3 and proposed Modification No. 4 to Contract No. CW29403 to provide case management services to the District and to authorize payment for the services received to be received under the contract modifications.

Modifications to Contract No. CW29403 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW29403 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803;; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 3 and proposed Modification No. 4 to Contract No. CW29403 with Pathways to Housing to provide case management services and authorizes payment in the total not-to-exceed amount of $1,474,740 for services received and to be received under the contract modifications for the period from May 23, 2015, through May 22, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-120, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-277

Emergency Declaration Res. 21-154 21 DCStat 1906

Not Codified

To approve, on an emergency basis, Contract No. DCHT-2014-C-0021 and Modification Nos. M0001 and M0003 and proposed Modification No. M0005 to Contract DCHT-2014-C-0021with Mercer Health & Benefits, LLC for actuarial consulting services related to the development and implementation of actuarially sound capitation rates for the District of Columbia Medicaid and DC Healthcare Alliance programs and to authorize payment for the services received and to be received under the contract and contract modifications.

Contract No. DCHT-2014-C-0021 and Modifications with Mercer Health & Benefits, LLC Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCHT-2014-C-0021 and Modifications with Mercer Health & Benefits, LLC Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Contract No. DCHT-2014-C-0021 and Modification Nos. M0001 and M0003 and proposed Modification No. M0005 to Contract DCHT-2014-C-0021with Mercer Health & Benefits, LLC, to provide actuarial consulting services related to the development and implementation of actuarially sound capitation rates for the District of Columbia Medicaid and DC Healthcare Alliance programs, and authorizes payment in the amount of $1,080,000 for services received and to be received under the contract and contract modifications.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-121, effective July 24, 2015 (Expiration date October 22, 2015)

AN ACT

Bill 21-281

Emergency Declaration Res. 21-139 21 DCStat 1883

Codification District of Columbia Official Code 2001 Edition

To establish, on an emergency basis, a moratorium on the construction or operation of any additional facilities that provide automobile painting services in Ward 5.

Ward 5 Paint Spray Booth Moratorium Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ward 5 Paint Spray Booth Moratorium Emergency Act of 2015".

Note, § 8-233.01

Sec. 2. Paint spray booth moratorium.

(a) The Mayor shall not issue a permit for the construction or operation of an automobile paint spray booth in Ward 5.

(b) The Mayor shall not issue a renewal permit for the operation of an automobile paint spray booth in Ward 5.

(c) For the purposes of this act, the term "automobile paint spray booth" means a facility related to an auto body paint shop for which the applicant must obtain a minor source air pollutant permit through the District Department of the Environment.

Sec. 3. Applicability.

Section 2 shall apply to an application for a permit for the construction or operation of an automobile paint spray booth or for a renewal permit for the operation of an automobile paint spray booth submitted on or after June 30, 2015.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code 1-204.12(a)).

D.C. Act 21-122, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-284

Emergency Declaration Res. 21-144 21 DCStat 1890

Not Codified

To approve, on an emergency basis, Modification No. M037 to Contract No. DCKA-2011-C-0121 with Ratp Dev McDonald Transit, LLC, to increase the contract ceiling to allow capacity for additional operation and maintenance services related to the DC Streetcar Program, and to authorize payment for the goods and services received and to be received under the contract.

Contract No. DCKA-2011-C-0121 Modification No. M037 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCKA-2011-C-0121 Modification No. M037 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. M037 to Contract No. DCKA-2011-C-0121 to increase the contract ceiling in the amount of $15,930,457 to allow capacity for additional operation and maintenance services related to the DC Streetcar Program, and authorizes payment in the total amount of $37,944,630.20 for goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-123, effective July 22, 2015 (Expiration date October 20, 2015)

AN ACT

Bill 21-285

Emergency Declaration Res. 21-159 21 DCStat 1915

Not Codified

To approve, on an emergency basis, Modification No. M0006 and proposed Modification No. M0010 to Human Care Agreement No. CW15109 with America Works of Washington DC for job placement services to non-exempt, adult Temporary Assistance for Needy Families customers, and to authorize payment for the services received and to be received under the human care agreement.

Human Care Agreement No. CW15109 Modifications with America Works of Washington DC Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Human Care Agreement No. CW15109 Modifications with America Works of Washington DC Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. M0006 and proposed Modification No. M0010 to Human Care Agreement No. CW15109 with America Works of Washington DC for job placement services to non-exempt, adult Temporary Assistance for Needy Families customers, and authorizes payment in the amount of $1,343,475 for services received and to be received under the human care agreement during Option Year 3, which covers the period from January 27, 2015, through January 26, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided pursuant to emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-124, effective July 27, 2015 (Expiration date October 25, 2015)

AN ACT

Bill 21-248

Emergency Declaration Res. 21-147 21 DCStat 1893

Not Codified

To approve, on an emergency basis, Human Care Agreement No. DCHT-2014-C-0010-A01, Human Care Agreement No. DCHT-2014-C-0018-A01, Human Care Agreement No. DCHT-2014-C-0024-A01, and Modification No. DCHT-2014-C-0024-A01-M002 with American Health Care Services, Inc., for home health agency temporary staffing services; Human Care Agreement No. DCHT-2014-C-0010-A03, Modification No. DCHT-2014-C-0010-A03-M002, Modification No. DCHT-2014-C-0010-A03-M003, Human Care Agreement No. DCHT-2014-C-0018-A03, Modification No. DCHT-2014-C-0018-A03-M003, Human Care Agreement No. DCHT-2014-C-0024-A03, and Modification No. DCHT-2014-C-0024-A03-M002 with Capital Care, Inc., for home health agency temporary staffing services; Human Care Agreement No. DCHT-2014-C-0010-A05, Human Care Agreement No. DCHT-2014-C-0018-A05, Human Care Agreement No. DCHT-2014-C-0024-A05, and Modification No. DCHT-2014-C-0024-A05-M0003 with Family and Health Care Solutions, Inc., for home health agency temporary staffing services; Human Care Agreement No. DCHT-2014-C-0010-A02, Modification No. DCHT-2014-C-0010-A02-M002, Human Care Agreement No. DCHT-2014-C-0018-A02, Modification No. DCHT-2014-C-0018-A02-M003, Human Care Agreement No. DCHT-2014-C-0024-A02, and Modification No. DCHT-2014-C-0024-A02-M003 with Integrated Community Services, Inc., for home health agency temporary staffing services; Human Care Agreement No. DCHT-2014-C-0010-A04, Human Care Agreement No. DCHT-2014-C-0018-A04, Human Care Agreement No. DCHT-2014-C-0024-A04, and Modification No. DCHT-2014-C-0024-A04-M003 with Lifeline, Inc., for home health agency temporary staffing services; and Human Care Agreement No. DCHT-2014-C-0010-A06, Human Care Agreement No. DCHT-2014-C-0018-A06, Human Care Agreement No. DCHT-2014-C-0024-A06, and Modification No. DCHT-2014-C-0024-A06-M0002 with MBI Health Services, LLC, for home health agency temporary staffing services; and to authorize payment for the services received and to be received under these human care agreements.

Omnibus Home Health Agency Temporary Staffing Services Human Care Agreements Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Omnibus Home Health Agency Temporary Staffing Services Human Care Agreements Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the following contract actions:

(1) Human Care Agreement No. DCHT-2014-C-0010-A01, Human Care Agreement No. DCHT-2014-C-0018-A01, Human Care Agreement No. DCHT-2014-C-0024-A01, and Modification No. DCHT-2014-C-0024-A01-M002 with American Health Services,

Inc., and authorizes payment in an amount not to exceed $5,069,013.04 for goods and services received and to be received under these human care agreements and the modification for the period from April 4, 2014, through June 30, 2015;

(2) Human Care Agreement No. DCHT-2014-C-0010-A03, Modification No. DCHT-2014-C-0010-A03-M002, Modification No. DCHT-2014-C-0010-A03-M003, Human Care Agreement No. DCHT-2014-C-0018-A03, Modification No. DCHT-2014-C-0018-A03-M003, Human Care Agreement No. DCHT-2014-C-0024-A03, and Modification No. DCHT-2014-C-0024-A03-M002 with Capital Care, Inc., and authorizes payment in an amount not to exceed $7,773,472.98 for goods and services received and to be received under these human care agreements and the modifications for the period from April 4, 2014, through June 30, 2015;

(3) Human Care Agreement No. DCHT-2014-C-0010-A05, Human Care Agreement No. DCHT-2014-C-0018-A05, Human Care Agreement No. DCHT-2014-C-0024-A05, and Modification No. DCHT-2014-C-0024-A05-M0003 with Family and Health Care Solutions, Inc., and authorizes payment in an amount not to exceed $4,029,569.44 for goods and services received and to be received under these human care agreements and the modification for the period from April 7, 2014, through June 30, 2015;

(4) Human Care Agreement No. DCHT-2014-C-0010-A02, Modification No. DCHT-2014-C-0010-A02-M002, Human Care Agreement No. DCHT-2014-C-0018-A02, Modification No. DCHT-2014-C-0018-A02-M003, Human Care Agreement No. DCHT-2014-C-0024-A02, and Modification No. DCHT-2014-C-0024-A02-M003 with Integrated Community Services, Inc., and authorizes payment in an amount not to exceed $7,924,128.68 for goods and services received and to be received under these human care agreements and the modifications for the period April 4, 2014, through June 30, 2015;

(5) Human Care Agreement No. DCHT-2014-C-0010-A04, Human Care Agreement No. DCHT-2014-C-0018-A04, Human Care Agreement No. DCHT-2014-C-0024-A04, and Modification No. DCHT-2014-C-0024-A04-M003 with Lifeline, Inc., and authorizes payment in an amount not to exceed $4,474,443.63 for goods and services received and to be received under these human care agreements and the modification for the period April 7, 2014, through June 30, 2015; and

(6) Human Care Agreement No. DCHT-2014-C-0010-A06, Human Care Agreement No. DCHT-2014-C-0018-A06, Human Care Agreement No. DCHT-2014-C-0024-A06, and Modification No. DCHT-2014-C-0024-A06-M0002 with MBI Health Services, LLC, and authorizes payment in an amount not to exceed $5,100,916 for goods and services received and to be received under these human care agreements and the modification for the period from April 10, 2014, through June 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-125, effective July 27, 2015 (Expiration date October 25, 2015)

AN ACT

Bill 21-272

Emergency Declaration Res. 21-164 21 DCStat 1921

Not Codified

To approve, on an emergency basis, Modification No. 4 and proposed Modification No. 5 to Contract No. CW29496 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29496 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW29496 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 4 and proposed Modification No. 5 to Contract No. CW29496 with Catholic Charities of the Archdiocese of Washington to provide case management services and authorizes payment in the total not-to-exceed amount of $3,117,207.72 for services received and to be received under the contract modifications for the period from May 28, 2015, through May 27, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a

D.C. Act 21-126, effective July 27, 2015 (Expiration date October 25, 2015)

AN ACT

Bill 21-275

Emergency Declaration Res. 21-166 21 DCStat 1923

Not Codified

To approve, on an emergency basis, Modification No. 4 and proposed Modification No. 5 to Contract No. CW30986 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW30986 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW30986 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 4 and proposed Modification No. 5 to Contract No. CW30986 with Metropolitan Education Solutions, Inc., to provide case management services and authorizes payment in the total not-to-exceed amount of $1,842,727.20 for services received and to be received under the contract modifications for the period from May 28, 2015, through May 27, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-283

Emergency Declaration Res. 21-138 21 DCStat 1882

Codification District of Columbia Official Code 2001 Edition

To enact and amend, on an emergency basis, provisions of law necessary to support the Fiscal Year 2016 budget.

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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2016 Budget Support Emergency Act of 2015”.

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. BONUS AND SPECIAL PAY LIMITATION

Sec. 1001. Short title.

This subtitle may be cited as the “Bonus and Special Pay Limitation Emergency Act of 2015”.

Note, § 1-611.03

Sec. 1002. Bonus and special pay limitations.

(a) For Fiscal Year 2016, no funds shall be used to support the categories of special awards pay or bonus pay; provided, that funds may be used to pay:

(1) Retirement awards;

(2) Hiring bonuses for difficult-to-fill positions;

(3) Additional income allowances for difficult-to-fill positions;

(4) Agency awards or bonuses funded by private grants or donations;

(5) Employee awards pursuant to section 1901 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-619.01);

(6) Safe-driving awards;

(7) Gainsharing incentives in the Department of Public Works;

(8) Suggestion or invention awards;

(9) Quality steps;

(10) Salary incentives negotiated through collective bargaining; or

(11) Any other award or bonus required by an existing contract or collective bargaining agreement that was entered into before the effective date of this subtitle.

(b) No special awards pay or bonus pay shall be paid to a subordinate agency head or an assistant or deputy agency head unless required by an existing contract that was entered into before the effective date of this subtitle.

(c) Notwithstanding any other provision of law, no restrictions on the use of funds to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply in Fiscal Year 2016 to employees of the District of Columbia Public Schools who are based at a local school or who provide direct services to individual students.

(d) Notwithstanding this subtitle or any other provision of law, the Office of the Attorney General shall pay employees of the Office of the Attorney General all performance allowance payments to which they are entitled or may become entitled under any approved compensation agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the American Federation of Government Employees, Local 1403, AFL-CIO for the period from October 1, 2013, through September 30, 2017. These payments are necessary to satisfy the requirements of section 857 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-608.57), which requires the Attorney General's performance management system to link pay to performance.

(e) Notwithstanding this subtitle, the Office of the Attorney General and the subordinate agencies shall pay their employees all performance allowance payments to which they are entitled.

SUBTITLE B. SUPPLY MANAGEMENT AMENDMENT

Sec. 1011. Short title.

This subtitle may be cited as the "Supply Management Emergency Amendment Act of 2015".

Sec. 1012. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as follows:

(a) A new section 802a is added to read as follows: **Note, New § 2-358.02a**

"Sec. 802a. Surplus property disposition agreements.

"(a) The CPO may enter into an agreement with a District agency not otherwise under the authority of the CPO, including an independent agency or a public charter school, to sell its surplus goods.

"(b) OCP may charge an administrative fee of 6% of gross proceeds for the sale of surplus property sold pursuant to an agreement entered into under this section. The administrative fees shall be deposited into the Surplus Property Sales Fund established by section 805.".

(b) Section 803 (D.C. Official Code § 2-358.03) is amended to read as follows: **Note, § 2-358.03**

"Sec. 803. Electronic inventory control system for surplus property.

"The CPO shall establish an electronic inventory control system to monitor all surplus property. The system shall contain the following information:

"(1) The date of the receipt of the surplus property;

"(2) The agency or organization from which the surplus property was received;

"(3) A description of the surplus property, including quantity and condition;

"(4) A photograph of the surplus property; and

"(5) The estimated value of the surplus property.".

(c) A new section 805 is added to read as follows: **Note, New § 2-358.05**

"Sec. 805. Surplus Property Sales Fund.

"(a) There is established as a special fund the Surplus Property Sales Fund ("Fund"), which shall be administered by the CPO in accordance with subsection (c) of this section.

"(b) There shall be deposited into the Fund:

"(1) Administrative fees collected pursuant to an agreement entered into pursuant to section 802a; and

"(2) Proceeds from the sale of surplus property by OCP.

"(c) Money in the Fund shall be used to pay the administrative costs of maintaining and disposing of surplus property, including the costs of online auctions.

"(d) Amounts in excess of the money needed to pay for the cost of online auction contracts for surplus personal property shall be deposited into the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 1013. Section 1062 of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.271), is repealed. **Note, Repeal § 2-325.271**

SUBTITLE C. OFFICE OF LGBTQ AFFAIRS AMENDMENT

Sec. 1021. Short title.

This subtitle may be cited as the "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs Name Change Emergency Amendment Act of 2015".

Sec. 1022. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006 (D.C. Law 16-89; D.C. Official Code § 2-1381 *et seq*.), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-1381) is amended as follows: **Note, § 2-1381**

(1) Paragraph (1) is amended by striking the phrase "Office of Gay, Lesbian, Bisexual, and Transgender Affairs" and inserting the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

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

"(2) "Lesbian, gay, bisexual, transgender, and questioning" or "LGBTQ" means individuals who identify themselves as lesbian, gay, bisexual, or transgender or are questioning or exploring their sexuality or sexual identity, or are concerned about applying a social label to themselves related to their sexuality or sexual identity and who are residents of the District of Columbia.".

(3) Paragraph (3) is amended by striking the phrase "Office of Gay, Lesbian, Bisexual, and Transgender Affairs" and inserting the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

(b) Section 3 (D.C. Official Code § 2-1382) is amended as follows: **Note, § 2-1382**

(1) Strike the phrase "Office of Gay, Lesbian, Bisexual, and Transgender Affairs wherever it appears and insert the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

(2) Strike the phrase "gay, lesbian, bisexual and transgender community" wherever it appears and insert the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

(c) Section 4 (D.C. Official Code § 2-1383) is amended as follows: **Note, § 2-1383**

(1) Subsection (a)(1) is amended by striking the phrase "full-time" and inserting the phrase "full time" in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "gay, lesbian, bisexual and transgender community" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

(B) Paragraph (3) is amended by striking the phrase "Gay, Lesbian, Bisexual and Transgender community" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

(C) Paragraph (8) is amended as follows:

(i) Strike the phrase "Gay, Lesbian, Bisexual and Transgender Program Coordinators" and insert the phrase "lesbian, gay, bisexual, transgender, and questioning services coordinators" in its place.

(ii) Strike the phrase "gay, lesbian, bisexual and transgender community" and insert the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

(D) Paragraph (9) is amended by striking the phrase "Gay, Lesbian, Bisexual and Transgender Program Coordinator" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning services coordinator" in its place

(E) Paragraph (10) is amended as follows:

(i) Strike the phrase "Gay, Lesbian, Bisexual and Transgendered program coordinator" and insert the phrase "lesbian, gay, bisexual, transgender, and questioning services coordinator" in its place.

(ii) Strike the phrase "gay, lesbian, bisexual and transgender health" and insert the phrase "lesbian, gay, bisexual, transgender, and questioning health" in its place.

(d) Section 4a(a) (D.C. Official Code § 2-1384(a)) is amended by striking the phrase "Office of Gay, Lesbian, Bisexual and Transgender Affairs" and inserting the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

Note, § 2-1384

Sec. 1023. Section 4(b)(2)(M) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-65; D.C. Official Code § 4-752.01(b)(2)(M)), is amended by striking the phrase "Office of Gay, Lesbian, Bisexual and Transgender Affairs" and inserting the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

Note, § 4-752.01

Sec. 1024. Section 23(d)(1)(F)(iv) of the Emergency Medical Services Act of 2008, effective March 25, 2009 (D.C. Law 17-357; D.C. Official Code § 7-2341.22(d)(1)(F)(iv)), is amended by striking the phrase "Gay, Lesbian, Bisexual and Transgender community" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

Note, § 7-2341.22

Sec. 1025. Section 10(c) of the Choice of Drug Treatment Act of 200, effective July 18, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3009(c)), is amended by striking the phrase "gays, lesbians, bisexuals, transgenders" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning persons" in its place.

Note, § 7-3009

Sec. 1026. Section 302(d) of the Cable Television Communications Act of 1981, effective August 21, 1982 (D.C. Law 4-142; D.C. Official Code § 34-1253.02(d)), is amended by striking the phrase "gays and lesbians" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning persons" in its place.

Note, § 34-1253.02

SUBTITLE D. ATTORNEY GENERAL AUTHORITY AND LITIGATION FUND

Sec. 1031. Short title.

This subtitle may be cited as the "Attorney General Authority and Litigation Fund Establishment Emergency Amendment Act of 2015".

Sec.1032. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.81 *et seq*.), is amended as follows:

(a) A new section 106b is added to read as follows: **Note, New § 1-301.86b**

"Sec. 106b. Litigation Support Fund.

"(a) There is established as a special fund the Litigation Support Fund ("Fund"), which shall be administered by the Office of the Attorney General in accordance with this section.

"(b) Subject to the limitations of subsection (d)(3) of this section, any recoveries from claims or litigation brought by the Office of the Attorney General on behalf of the District shall be deposited into the Fund.

"(c) The Fund shall be used for the purpose of supporting general litigation expenses associated with prosecuting or defending litigation cases on behalf of the District of Columbia.

"(d)(1) Except as provided in paragraph (3) of this subsection, the money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"(3) At no time shall the balance in the Fund, including interest earned, exceed $1.5 million. Any funds in excess of $1.5 million shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

"(e) For the purposes of this section, the term "recovery" shall include funds obtained through court determinations or through the settlement of claims in which the Office of the Attorney General represents the District, but shall not include funds obtained through an administrative proceeding or funds obligated to another source by District or federal law.".

(b) New sections 108a and 108b are added to read as follows:

"Sec. 108a. Authority over personnel. **Note, New § 1-301.88a**

"The Attorney General shall be the personnel authority for the Office of the Attorney General. The Attorney General's personnel authority shall be independent of the personnel authority of the Mayor established under section 422 of the District of Columbia Home Rule Act, approved December 23, 1973 (87 Stat. 790; D.C. Official Code §1-204.22), and section 406 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C Official Code §1-604.06), except that the personnel provisions applicable to the Mayor under the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C Official Code §1-601.01 *et seq*.), shall apply to the Attorney General's exercise of this authority, unless specifically exempted by District statute.

"Sec. 108b. Authority for procurement of goods and services. **Note, New § 1-301.88b**

"The Attorney General shall carry out procurement of goods and services for the Office of the Attorney General through a procurement office or division. The procurement office or division shall operate independently of, and shall not be governed by, the Office of Contracting and Procurement established pursuant to the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18- 371; D.C. Official Code § 2-351.01 *et seq*.), except as provided in section 201(b) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01(b)).".

(c) A new section 110a is added to read as follows: **Note, New § 1-301.89c**

"Sec. 110a. Authority to issue subpoenas in investigation of consumer protection matters.

"(a) The Attorney General, or his or her designee, shall have the authority to issue subpoenas for the production of documents and materials or for the attendance and testimony of witnesses under oath, or both, related to an investigation into unfair, deceptive, unconscionable, or fraudulent trade practices by or between a merchant or consumer, as defined in D.C. Official Code § 28-3901.

"(b) Subpoenas issued pursuant to subsection (a) of this section or D.C. Official Code § 28-3910 shall contain the following:

"(1) The name of the person from whom testimony is sought or the documents or materials requested;

"(2) The person at the Office of the Attorney General to whom the documents shall be provided;

"(3) A detailed list of the specific documents, books, papers, or objects being requested, if any;

"(4) The date, time, and place that the recipient is to appear to give testimony or produce the materials specified under paragraph (3) of this subsection, or both;

"(5) A short, plain statement of the recipient's rights and the procedure for enforcing and contesting the subpoena; and

"(6) The signature of the Attorney General, Chief Deputy Attorney General, Deputy Attorney General, or Assistant Deputy Attorney General approving the subpoena request.

"(c) Unless otherwise permitted by the Office of the Attorney General, only attorneys for the Office of the Attorney General and their staff, other people involved in the investigation, the witness under examination, his or her attorney, interpreters when needed, and, for the purpose of taking the evidence, a stenographer or operator of a recording device may be present during the taking of testimony.

"(d) In the case of refusal to obey a subpoena issued under this section, the Attorney General may petition the Superior Court of the District of Columbia for an order requiring compliance. Any failure to obey the order of the court may be treated by the court as contempt.

"(e) Any person to whom a subpoena has been issued under this section or pursuant to D.C. Official Code § 28-3910 may exercise the privileges enjoyed by all witnesses. A person to

whom a subpoena has been issued may move to quash or modify the subpoena in the Superior Court of the District of Columbia on grounds including:

"(1) The Attorney General failed to follow or satisfy the procedures set forth in this section for the issuance of a subpoena; or

"(2) Any grounds that exist under statute or common law for quashing or modifying a subpoena.".

Sec. 1033. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*.), is amended as follows:

(a) Section 202(1) (D.C. Official Code § 1-602.02(1)) is amended as follows: **Note, § 1-602.02**

(1) Strike the phrase "The Mayor and each member of the Council of the District of Columbia" wherever it appears and insert the phrase "The Mayor, each member of the Council of the District of Columbia, and the Attorney General" in its place.

(2) Strike the phrase "in accordance with the provisions of sections 421(d) and 403(a) of the District of Columbia Home Rule Act, approved December 24, 1973, (87 Stat. 787; D.C Official Code §§ 1-204.21(d) and 1-204.03(a))" and insert the phrase "in accordance with the provisions of sections 421(d) and 403(a) of the District of Columbia Home Rule Act, approved December 24, 1973, (87 Stat. 787; D.C Official Code §§ 1-204.21(d) and 1-204.03(a)), and section 105 of the Attorney General of the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.85)." in its place.

(b) Section 301 (D.C. Official Code § 1-603.01) is amended as follows: **Note, § 1-603.01**

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

"(a-1) The term "Attorney General" means the Attorney General for the District of Columbia.".

(2) Subsection (m) is amended by striking the phrase "For the purposes of this act, the Council of the District of Columbia shall be considered an independent agency of the District of Columbia." and inserting the phrase "For the purposes of this act, the Council of the District of Columbia and the Office of the Attorney General for the District of Columbia shall be considered independent agencies of the District of Columbia." in its place.

(3) Subsection (q)(4) is repealed.

(c) Section 406(b) (D.C. Official Code § 1-604.06(b)) is amended as follows: **Note, § 1-604.06**

(1) Paragraph (21) is amended by striking the phrase "Administration; and" and inserting the phrase "Administration;" in its place.

(2) Paragraph (22) is amended by striking the phrase "Education." and inserting the phrase "Education; and" in its place.

(3) A new paragraph (23) is added to read as follows:

"(23) For employees of the Office of the Attorney General, the personnel authority is the Attorney General.".

(d) Section 903(a) (D.C. Official Code § 1-609.03(a)) is amended by adding a new paragraph (2A) to read as follows: **Note, § 1-609.03**

"(2A) The Attorney General may appoint no more than 30 persons;".

(e) Section 1109 (D.C. Official Code § 1-611.09) is amended by adding a new subsection (b-1) to read as follows: **Note, § 1-611.09**

"(b-1) In accordance with section 105 of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.85), the Attorney General shall receive compensation in an amount equal to the Chairman of the Council.".

(f) Section 1715(a) (D.C. Official Code § 1-617.15(a)) is amended by striking the phrase ", or in the case of employees of the District of Columbia Board of Education or the Board of Trustees of the University of the District of Columbia, by the respective Boards" and inserting the phrase "; provided, that an agreement with a labor organization of employees of the Office of the Attorney General is subject to the approval of the Attorney General, and an agreement with a labor organization of employees of the District of Columbia Board of Education or the Board of Trustees of the University of the District of Columbia is subject to the approval of the respective Boards" in its place. **Note, § 1-617.15**

(g) Section 1716(a) (D.C. Official Code § 1-617.16(a)) is amended by striking the phrase "The Mayor," and inserting the phrase "The Mayor, the Attorney General for employees of the Office of the Attorney General," in its place. **Note, § 1-617.16**

Sec. 1034. Section 201(b) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01(b)), is amended by adding a new paragraph (1B) to read as follows: **Note, § 2-352.01**

"(1B) The Office of the Attorney General;".

Sec. 1035. Section 207 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-537), is amended as follows: **Note, § 2-537**

(a) Subsection (a) is amended by striking the phrase "subsection (a-1)" and inserting the phrase "subsections (a-1) and (a-2)" in its place.

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

"(a-2) Any person denied the right to inspect a public record in the possession of the Attorney General may institute proceedings in the Superior Court of the District of Columbia for injunctive or declaratory relief, or for an order to enjoin the public body from withholding the record and to compel the production of the requested record.".

(c) Subsection (b) is amended by striking the phrase "subsection (a) or (a-1)" and inserting the phrase "subsection (a), (a-1), or (a-2)" in its place.

Sec. 1036. Section 28-3910 of the District of Columbia Official Code is amended as follows: **Note, § 28-3910**

(a) The existing text is designated as subsection (a).

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

"(b) A subpoena issued pursuant to subsection (a) of this section shall be issued in accordance with section 110a of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, passed on emergency basis on June 30, 2015 (Enrolled version of 21-283).".

SUBTITLE E. OFFICE ON AGING REPORTING REQUIREMENTS

Sec. 1041. Short title.

This subtitle may be cited as the "Office on Aging Reporting Requirements Emergency Act of 2015".

Sec. 1042. Office on Aging reporting requirements. **Note, § 7-503.01**

In Fiscal Year 2016, the Mayor shall submit quarterly reports to the Council, within 30 days after the end of each quarter, beginning October 1, 2015, on programs and operations within the Office on Aging. Each report shall include the following information:

(1) The number of persons served through the Aging and Disability Resource Center, including the ages of those persons served and the types of services received;

(2) The number of new applications for sub-grants;

(3) A listing of current contracts and sub-grants by category;

(4) A comprehensive listing of senior wellness centers (by center), including the number of seniors who utilize each location per quarter;

(5) A complete listing of transportation services and the number of seniors who utilize transportation services, including the number of transports that originate from each ward;

(6) The number of seniors in each ward who utilize home meal delivery services;

(7) The locations of congregate meal services and the number of persons who utilize such services by ward; and

(8) The total funds expended for each program area of operations included in the report.

SUBTITLE F. GRANTS ADMINISTRATION

Sec. 1051. Short title.

This subtitle may be cited as the "Grant Administration Emergency Amendment Act of 2015".

Sec. 1052. Section 1014 of the Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-328.01), is repealed. **Note, Repeal § 1-328.01**

Sec. 1053. The Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), is amended as follows:

(a) Section 1092 (D.C. Official Code § 1-328.11) is amended to read as follows: **Note, § 1-328.11**

"Sec. 1092. Definitions.

"For the purposes of this subtitle, the term:

"(1) "Candidate" shall have the same meaning as provided in section 101(6) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(6).

"(2) "Contribution" shall have the same meaning as provided in section 101(10) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10)).

"(3) "Covered recipient" means:

"(A) An elected District official who is or could be involved in influencing or approving the award of a grant;

"(B) A candidate for elective District office who is or could be involved in influencing or approving the award of a grant;

"(C) A political committee affiliated with a District candidate or elected District official described in subparagraphs (A) and (B) of this paragraph;

"(D) A constituent-service program or fund, or substantially similar entity, controlled, operated, or managed by:

"(i) An elected District official who is or could be involved in influencing or approving the award of a grant; or

"(ii) A person under the supervision, direction, or control of an elected District official who is or could be involved in influencing or approving the award of a grant;

"(E) A political party; or

"(F) An entity or organization:

"(i) That a candidate or elected District official described in subparagraphs (A) and (B) of this paragraph, or a member of his or her immediate family, controls; or

"(ii) In which a candidate or elected District official described in subparagraphs (A) and (B) of this paragraph has an ownership interest of 10 % or more.

"(4) "Election" shall have the same meaning as provided in section 101(15) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(15)).

"(5) "Grant" means financial assistance to a person to support or stimulate the accomplishment of a public purpose as defined by the law that authorizes the grant; provided, that the organization, not the District, defines the specific services, the service levels, and the program approach for carrying out the grant.

"(6) "Grant program" means the management or administration by a grantor of grant-making or grant-issuing authority as covered by this subtitle.

"(7) "Grantee" means a person that receives funds under a grant program.

"(8) "Grantor" means a District agency, board, commission, instrumentality, or program designated by law as the grant-managing entity for a grant program.

"(9) "Immediate family" shall have the same meaning as provided in section 101(26) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(26)).

"(10) "Person" shall have the same meaning as provided in section 101(42) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(42)).

"(11) "Political committee" shall have the same meaning as provided in section 101(44) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(44)).

"(12) "Political party" shall have the same meaning as provided in section 101(45) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(45)).".

Note, § 1-328.12

(b) Section 1093 (D.C. Official Code § 1-328.12) is amended by striking the phrase 'established under the Fiscal Year 2014 Budget Support Act of 2013, passed on 2nd reading on June 26, 2013 (Enrolled version of Bill 20-199)," and inserting the phrase "established by District law" in its place.

Note, § 1-328.13

(c) Section 1094(a) (D.C. Official Code § 1-328.13(a)) is amended by striking the phrase "grant-issuing authority." and inserting the phrase "grant-issuing authority, unless a non-District entity that provides funds to the District to award as grants has rules or requirements that prohibit or otherwise limit competition." in its place.

Note, § 1-328.14

(d) Section 1095(1) (D.C. Official Code § 1-328.14(1)) is amended by striking the phrase "30 days" and inserting the phrase "45 days" in its place.

Note, § 1-328.15

(e) Section 1096 (D.C. Official Code § 1-328.15) is amended as follows:

(1) Designate the existing text as subsection (a).

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

"(b) Before a person may receive a grant under this subtitle, that person shall provide the District with a sworn statement, under penalty of perjury, that to the best of the person's knowledge, after due diligence, the person is in compliance with subsections (c) and (d) of this section and is therefore eligible to receive a grant.

"(c)(1) A person that makes a contribution or solicitation for contribution to a covered recipient shall be ineligible to receive a grant from the District valued at $100,000 or more during the time period set forth in subsection (d) of this section.

"(2) The District shall not award a grant valued at $100,000 or more to a person that is ineligible to receive a grant under paragraph (1) of this subsection during the time period set forth in subsection (d) of this section.

"(d)(1) For contributions made to persons described under section 1092(3)(A), (B), or (C), a person is ineligible to receive a grant under this subtitle beginning on the date the contribution or solicitation for contribution was made and continuing for one year after the general election for which the contribution or solicitation for contribution was made, whether or not the contribution was made before the primary election.

"(2) For contributions made to persons described under section 1092(3)(D), (E), or (F), a person is ineligible to receive a grant under this subtitle beginning on the date the contribution or solicitation for contribution was made and continuing for 18 months after that date.".

(f) A new section 1098 is added to read as follows: **Note, New § 1-328.17**

"Sec. 1098. Grant transparency.

"To ensure a transparent process for issuing and managing grants, the Office of Partnerships and Grants Development shall establish uniform guidelines for the application for and reporting on grants received from District government entities. The guidelines shall include a description of the project scope, budget, program activities, timelines, performance, and any appropriate financial information.".

SUBTITLE G. INDEPENDENT INVESTIGATION DEBARMENT AUTHORITY

Sec. 1061. Short title.

This subtitle may be cited as the "Independent Investigation Debarment Authority Emergency Amendment Act of 2015".

Sec. 1062. Section 907(d) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-359.07(d)), is amended to read as follows: **Note, § 2-359.07**

"(d)(1) After reasonable notice to a person and reasonable opportunity to be heard, the CPO may debar the person from consideration for award of any contract or subcontract if the CPO receives written notification from:

"(A) The Chairman of the Council or the chairperson of a Council committee that the person has willfully failed to cooperate in a Council or Council committee investigation conducted pursuant to section 413 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 789; D.C. Official Code § 1-204.13);

"(B) The District of Columbia Auditor that the person has willfully failed to cooperate in an audit conducted pursuant to section 455 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.55), or to produce books or records pursuant to section 418; or

"(C) The Inspector General that the person has willfully failed to cooperate in an audit, inspection, or investigation conducted pursuant to section 208(a)(3) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1-301.115a(a)(3)), or to produce books and records pursuant to section 418.

"(2) The CPO shall issue a decision on a debarment recommended through a notification received under paragraph (1) of this subsection within 30 days of receipt of the notification.

"(3) The debarment shall be for a period of 5 years, unless the CPO receives written notification during the 5-year period from the Chairman of the Council or the chairperson of a Council committee, the District of Columbia Auditor, or the Inspector General that the debarred person has cooperated in the audit, inspection, or investigation referred to in paragraph (1) of this subsection.

"(4) For the purposes of this subsection, the term "willfully failed to cooperate" means:

"(A) Intentionally failed to attend and give testimony at a public hearing convened in accordance with the Rules of Organization and Procedure for the Council; or

"(B) Intentionally failed to provide documents, books, papers, or other information upon request of the Council or a Council committee, the District of Columbia Auditor, or the Inspector General.".

SUBTITLE H. DISTRICT CULTURAL PLAN

Sec. 1071. Short title.

This subtitle may be cited as the "Cultural Plan for the District Emergency Act of 2015".

Sec. 1072. Creation of a cultural plan.

Note, § 6-1001

(a)(1) On or before December 15, 2016, the Director of the Office of Planning ("Office") shall submit to the Mayor and the Council and post on the Office's website a comprehensive cultural plan ("Plan"). Before that date, the Office shall oversee the solicitation, through a request for proposals, of a private cultural-planning firm to develop the Plan.

(2) The request for proposals to develop the Plan shall propose compensation for the firm developing the Plan that does not exceed $200,000. The Office may accept contributions from private foundations to defray additional costs, if any, of compensating the firm that develops the Plan.

(3) At a minimum, the Plan shall include:

(A) Recommended means by which the District may increase participation in cultural activities throughout the District and address the desires of residents of each of the 8 wards with respect to art and culture policy in their neighborhoods;

(B) An outline of the city's cultural policies and the means of implementing those policies and a study of the economic benefits and the impacts on quality of life, community development, and cultural literacy of those policies;

(C) A proposed process for community decision-making regarding cultural activities that focuses on neighborhoods, engages and encourages community input, and supports access to the arts and cultural programming in neighborhoods;

(D) An analysis of whether some neighborhoods are better served than others with respect to cultural activities and proposals to remedy the disparities;

(E) An analysis of the needs of artists and other members of the creative economy and recommendations regarding steps that may be taken to retain and otherwise support such individuals in the District's current real-estate environment, including recommendations with regard to the creation of both long-term and temporary affordable studio and rehearsal space, including space that otherwise would remain vacant, as well as affordable housing for artists and other members of the creative economy;

(F) An analysis of the current state of arts education in District of Columbia Public Schools and District public charter schools and recommendations regarding the improvement of arts education in the District;

(G) An analysis of the means by which District agencies can incorporate the arts to enhance their missions while better serving the cultural needs of the District. On or before November 1, 2015, each District agency shall submit its own analysis of those means that shall be incorporated in the Plan;

(H) An examination of means by which the arts can be incorporated into community and economic development planning processes and policies;

(I) Recommendations as to means by which the District can create a more arts-friendly regulatory structure, specifically with regard to facilitating performances and exhibitions that seek to engage the public in a public setting; and

(J) Any existing data sets regarding the distribution of cultural resources throughout the city, as well as any other existing data sets relevant to the Plan.

(4) All recommendations, initiatives, and priorities included in the Plan shall be indicated as being proposed to occur in a short-, medium-, or long-term timeframe and categorized by the following budget ranges: under $50,000; $50,000 to $250,000; $250,000 to $1 million; and over $1 million;

(5) The development of the Plan shall occur in a transparent and accessible fashion. Whenever feasible, the Office shall utilize appropriate technology to enhance outreach and communication with the public during the development of the Plan.

(6) The Office shall consult with the Commission on the Arts and Humanities in the development of the Plan.

(7) To the extent feasible, any agency implicated by the conclusions and recommendations of the Plan shall incorporate those conclusions and recommendations into its budget and programming.

(b)(1) A Cultural Planning Steering Committee ("Committee") shall be formed to assist in the implementation of the Plan. The Committee shall consist of at least 3 members of the arts and creative economy community with relevant arts and creative economy expertise and each of the following individuals, or his or her appointee:

(A) Deputy Mayor for Planning and Economic Development;

(B) The Director of the Office of Planning;

(C) The Executive Director of the Commission on the Arts and Humanities;

(D) The Chairperson of the Commission on the Arts and Humanities;

(E) The Chairman of the Council's designee;

(F) The Chairman of the Council's Committee on Finance and Revenue's designee; and

(G) The DC BID Council Executive Director.

(2) The Committee shall meet with the Office and representatives of other affected agencies on a quarterly basis to track the progress of the recommendations in the Plan, beginning with the first quarter after submission of the Plan to the Mayor and the Council.

SUBTITLE I. BEGA BOARD SIZE

Sec. 1081. Short title.

This subtitle may be cited as the "Board of Ethics and Government Accountability Board Size Emergency Amendment Act of 2015".

Sec. 1082. Section 203(a) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.03(a)), is amended as follows:

Note, § 1-1162.03

(a) Strike the phrase "3 members" and insert the phrase "5 members" in its place.

(b) Strike the phrase "2 of whom" and insert the phrase "3 of whom" in its place.

(c) Strike the phrase "one member shall be appointed to serve for a 2-year term, one member shall be appointed to serve for a 4-year term, and one member shall be appointed to serve for a 6-year term" and insert the phrase "one member shall be appointed to serve for a 2-year term, 2 members shall be appointed to serve for a 4-year term, and 2 members shall be appointed to serve for a 6-year term" in its place.

(d) A new sentence is added at the end to read as follows:

"The terms of the 5 initial members shall begin on July 1, 2012.".

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. DSLBD MICRO LOAN AMENDMENT

Sec. 2001. Short title.

This subtitle may be cited as the "Department of Small and Local Business Development Micro Loan Fund Emergency Amendment Act of 2015".

Sec. 2002. Section 2375 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 18, 2007 (D.C. Law 17-20; D.C. Code § 2-218.75), is amended as follows:

Note, § 2-218.75

(a) The section heading is amended to read as follows:

"Sec. 2375. Small Business Capital Access Fund.".

(b) Subsection (a) is amended to read as follows:

"(a) For the purposes of this section, the term:

"(1) "Eligible recipient" means a business certified, or eligible to be certified, as a small business enterprise pursuant to section 2332 or a disadvantaged business enterprise pursuant to section 2333.

"(2) "Fund" means the Small Business Capital Access Fund.".

(c) Subsection (b) is amended by striking the phrase "Micro Loan" and inserting the phrase "Capital Access" in its place.

(d) Subsection (d)(1) is amended to read as follows:

"(1) Eligible recipients that are certified as a small business enterprise pursuant to section 2332, a disadvantaged business enterprise pursuant to section 2333, or a resident-owned business enterprises pursuant to section 2335; or".

SUBTITLE B. APPRENTICESHIP MODERNIZATION AMENDMENT

Sec. 2011. Short title.

This subtitle may be cited as the "Apprenticeship Modernization Emergency Amendment Act of 2015".

Sec. 2012. An Act To provide for voluntary apprenticeship in the District of Columbia, approved May 21, 1946 (60 Stat. 204; D.C. Official Code § 32-1401 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 32-1401) is repealed. **Note, Repeal § 32-1401 Note, § 32-1402**

(b) Section 2 (D.C. Official Code § 32-1402) is amended as follows:

(1) Strike the phrase "Superintendent of Schools" and insert the word "Chancellor" in its place.

(2) Strike the phrase "remainder of said term." and insert the phrase "remainder of the term. At the end of a term, a member shall continue to serve until a successor is appointed and sworn into office." in its place.

(3) Strike the last sentence.

(c) Section 3 (D.C. Official Code § 32-1403) is amended to read as follows: **Note, § 32-1403**

"Sec. 3. Associate Director of Apprenticeship.

"(a) The Director of the Department of Employment Services shall appoint an Associate Director of Apprenticeship whose office shall have responsibility and accountability for the apprenticeship system in the District of Columbia.

"(b)(1) The Office of Apprenticeship, Information and Training, which shall also be known as the Registration Agency, shall have the authority to approve apprenticeship registration for federal purposes.

"(2) The Office of Apprenticeship, Information and Training is authorized to supply the Associate Director of Apprenticeship and the Apprenticeship Council with the clerical, technical, and professional assistance considered essential to effectuate the purposes of this act.".

(d) Section 4 (D.C. Official Code § 32-1404) is amended as follows: **Note, § 32-1404**

(1) Strike the word "Director" and insert the phrase "Associate Director of Apprenticeship" in its place.

(2) Strike the phrase "Secretary of Labor" and insert the phrase "Director of the Department of Employment Services" in its place.

(3) Strike the sentence "Not less than once every 2 years the Apprenticeship Council shall make a report through the Mayor of its activities and findings to Congress and to the public." and insert the sentence "Once every year the Registration Agency shall make a report through the Mayor of its findings and activities to the Council of the District of Columbia and to the public." in its place.

(e) Section 5 (D.C. Official Code § 32-1405) is amended to read as follows: **Note, § 32-1405**

"Sec. 5. Duties of Associate Director of Apprenticeship.

"The Associate Director of Apprenticeship, under the supervision of the Director of the Department of Employment Services and with the advice and guidance of the Apprenticeship Council, shall:

"(1) Administer the provisions of this act in cooperation with the Apprenticeship Council, local joint apprenticeship committees, and non-joint apprenticeship committees to develop criteria and training standards for apprentices, which shall in no case be lower than those required by this act;

"(2) Act as secretary of the Apprenticeship Council;

"(3) Approve, if approval is in the best interest of the apprentice, any apprentice agreement that meets the standards established by or in accordance with this act;

"(4) Terminate or cancel any apprenticeship agreement in accordance with the provisions of the apprenticeship agreement;

"(5) Engage with the State Board of Education and area community colleges on the administration and supervision of related and supplemental instruction for apprentices to ensure coordination of the instruction with job experiences; and

"(6) Perform such other duties as necessary to carry out the intent of this act.".

(f) Section 6 (D.C. Official Code § 32-1406) is amended to read as follows: **Note, § 32-1406**

"Sec. 6. Apprenticeship committees.

"(a) Local joint apprenticeship committees and non-joint apprenticeship committees in any trade or group of trades may be submitted to the Registration Agency for approval. Such apprenticeship committees shall be composed of an equal number of employer and employee representatives appointed by the groups or organizations they represent, or the committee may consist of the employer and not fewer than 2 representatives from the recognized bargaining agency.

"(b) In a trade or group of trades in which there is no bona fide employee organization, the Registration Agency, with the advice and guidance of the Apprenticeship Council, may approve a joint trade apprenticeship committee and a non-joint apprenticeship committee (also referred to as a unilateral or group non-joint committee).

"(c) Subject to the approval of the Registration Agency, and in accordance with standards established by or under authority of this act, joint trade apprenticeship committees and non-joint apprenticeship committees may develop standards to govern the training of apprentices and give such aid as may be necessary to effectuate the standards.".

(g) Section 7 (D.C. Official Code § 32-1407) is amended to read as follows: **Note, § 32-1407**

"Sec. 7. Definition of apprentice.

"For the purposes of this act, the term "apprentice" means a worker at least 16 years of age, except when a higher minimum age standard is otherwise fixed by law, who is employed to learn an apprenticeable occupation meeting the criteria approved by the Registration Agency and who has entered into a written apprenticeship agreement, which contains the terms and conditions of the employment and training of the apprentice, with either the apprentice's program sponsor or an apprenticeship committee acting as agent for the program sponsor.".

(h) Section 8 (D.C. Official Code § 32-1408) is amended to read as follows: **Note, § 32-1408**

"Sec. 8. Apprenticeship agreements – contents.

"Every apprenticeship agreement entered into pursuant to this act shall contain:

"(1) The names and signatures of the contracting parties, including the apprentice's parent or guardian, if the apprentice is a minor, and the contact information of the program sponsor and the Registration Agency:

"(2) The date of birth of the apprentice and the apprentice's social security number, given on a voluntary basis;

"(3) A statement of the craft or occupation that the apprentice is to be taught and the time period at which the apprenticeship will begin and end;

"(4) A statement showing:

"(A) The number of hours to be spent by the apprentice in on-the-job learning in a time-based program;

"(B)(i) A description of the skill sets to be attained by completion of a competency-based program, including the on-the-job learning component; or

"(ii) The minimum number of hours to be spent by the apprentice and a description of the skill sets to be attained by completion of a hybrid program; and

"(C) Provisions for related and supplemental instruction;

"(5) A statement setting forth a schedule of the processes in the occupation or industry division in which the apprentice is to be trained and the approximate time to be spent in each process;

"(6) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated;

"(7) A statement providing for a period of probation without adverse impact on the sponsor during which time the apprenticeship agreement shall be terminated by the Associate Director of Apprenticeship at the request, in writing, of the apprentice or suspended or cancelled by the sponsor for good cause with due notice to the apprentice and a reasonable opportunity for corrective action with due notice to the Associate Director of Apprenticeship, and providing that after a probationary period, the apprenticeship may be cancelled by the Associate Director of

Apprenticeship by mutual agreement of all parties or canceled by the Associate Director of Apprenticeship for good and sufficient reasons;

"(8) Contact information (name, address, phone, and e-mail, if appropriate) of the person in the Registration Agency designated under the program to receive, process, and make disposition of a controversy of difference arising out of the apprenticeship agreement when the controversy or difference cannot be adjusted locally or resolved in accordance with the established procedure or applicable collective bargaining provisions;

"(9) A provision that a sponsor who is unable to fulfill the obligations under the apprenticeship agreement may, with the approval of the Associate Director of Apprenticeship or under the direction of the joint trade apprenticeship committee or non-joint apprenticeship committee or individual sponsor, transfer the apprenticeship agreement to another sponsor; provided, that:

"(A) The apprentice consents and that the other sponsor agrees to assume the obligations of the apprenticeship agreement;

"(B) The transferring apprentice is provided a transcript of related instruction and on-the-job learning by the program sponsor;

"(C) The transfer is to the same occupation; and

"(D) A new apprenticeship agreement is executed when the transfer between program sponsors occurs; and

"(10) Such additional terms and conditions as may be prescribed or approved by the Registration Agency with the advice and guidance of the Apprenticeship Council, if not inconsistent with the provisions of this act.".

Note, § 32-1409

(i) Section 9 (D.C. Official Code § 32-1409) is amended by striking the word "Director" both times it appears and inserting the phrase "Associate Director of Apprenticeship" in its place.

Note, § 32-1410

(j) Section 10 (D.C. Official Code § 32-1410) is amended as follows:

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

(A) Strike the word "Director' and insert the phrase "Associate Director of Apprenticeship" in its place.

(B) Strike the phrase "under this act, and he may hold" and insert the phrase "under this act and may hold" in its place.

(C) Strike the phrase "Secretary of Labor" and insert the phrase "Registration Agency" in its place.

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

"(b)(1) The determination of the Associate Director of Apprenticeship shall be filed with the Apprenticeship Council. If no appeal is filed with the Apprenticeship Council within 10 days after the date of filing of the determination of the Associate Director of Apprenticeship, the determination shall become the order of the Apprenticeship Council.

"(2) Any person aggrieved by a determination or action of the Associate Director of Apprenticeship may appeal to the Apprenticeship Council, which shall hold a hearing after due notice to the interested parties.

"(3) Any person aggrieved by the action of the Apprenticeship Council may appeal as provided in Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204: D.C. Official Code § 2-501 *et seq.*).".

(k) Section 12 (D.C. Official Code § 32-1412) is repealed. **Note, Repeal § 32-1412**

Sec. 2013. Section 5(c)(2) of the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1431(c)(2)), is amended by striking the phrase "Contracting Officer" wherever it appears and inserting the phrase "Department of Employment Services" in its place. **Note, § 32-1431**

Sec. 2014. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE C. RETAIL PRIORITY AREA AMENDMENT

Sec. 2021. Short title.

This subtitle may be cited as the "Retail Priority Area Emergency Amendment Act of 2015".

Sec. 2022. The H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 *et seq.*), is amended as follows:

(a) Section 2(5) (D.C. Official Code § 1-325.171(5)) is amended to read as follows: **Note, § 1-325.171**

"(5) "H Street, N.E., Retail Priority Area" means the H Street, N.E., Retail Priority Area as defined in section 2(2) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194).".

(b) Section 3(c) (D.C. Official Code § 1-325.172(c)) is amended as follows: **Note, § 1-325.172**

(1) Paragraph (1)(B) is amended by striking the word "and".

(2) Paragraph (2) is amended by striking the period at the end and inserting a semicolon in its place.

(3) A new paragraph (3) is added to read as follows:

"(3) Beginning October 1, 2015, and ending September 30, 2016, make grants to support revitalization programs pursuant to section 4b of the Retail Incentive Act of 2004, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 2-1217.73b). Grants may be awarded for revitalization programs within any of the Retail Priority Areas established by or pursuant to section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73). The total amount of funds that may be granted pursuant to this paragraph shall not exceed $4 million; and".

Sec. 2023. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows: **Note, § 2-1217.73**

(a) Subsection (f) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(b) Subsection (g) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(c) Subsection (h) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(d) Subsection (i) is amended to read as follows:

"(i) There is established the Connecticut Avenue Retail Priority Area, which shall consist of the parcels, squares, and lots abutting Connecticut Avenue, N.W., beginning at the intersection of Connecticut Avenue , N.W., and Macomb Street, N.W., thence north on Connecticut Avenue, N.W., to its intersection with Western Avenue, N.W.".

(e) Subsection (j) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(f) Subsection (k) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(g) Subsection (l) is amended to read as follows:

"(l) There is established the Good Hope Road, S.E. Retail Priority Area, which shall consist of the parcels, squares, and lots abutting Good Hope Road , S.E., beginning at the intersection of Good Hope Road, S.E., and Anacostia Drive, S.E., thence southeast on Good Hope Road, S.E., to its intersection with Naylor Road, S.E.".

(h) Subsection (m) is amended to read as follows:

"(m) There is established the U Street/l4th Street Retail Priority Area, which shall consist of the parcels, squares, and lots within or abutting the boundary of the following area: Beginning at the intersection of T Street, N.W., and 11th Street, N.W.; thence west on T Street, N.W., to 19th Street, N.W.; thence north on 19th Street, N.W., to Columbia Road, N.W.; thence northeast on Columbia Road, N.W., to 18th Street, N.W.; thence northwest on Adams Mill Road, N.W., to Lanier Place, N.W.; thence northeast on Lanier Place, N.W. to Ontario Road, N.W.; thence northeast on Columbia Road, N.W., to Mount Pleasant Street, N.W.; thence northwest on Mount Pleasant Street, N.W., to Park Road, N.W.; thence southeast on Park Road, N.W., to 14th Street, N.W.; thence north on l4th Street, N.W., to Spring Road, N.W.; thence southeast on Spring Road, N.W., to l3th Street, N.W.; thence south on 13th Street, N.W., to Monroe Street, N.W.; thence South on 11th Street, N.W., to Kenyon Street, N.W.; thence west on Kenyon Street, N.W. to 13th. Street, N.W.; thence south on 13th Street, N.W. to V Street, N.W.; thence east on V Street, N.W., to 11th Street, N.W.; thence south on 11th Street, N.W., to the point of beginning.".

(i) A new subsection (n) is added to read as follows:

"(n) There is established the Tenleytown Retail Priority Area, which shall consist of the parcels, squares, and lots abutting Wisconsin Avenue, N.W., beginning at the intersection of Wisconsin Avenue, N.W., and Tenley Circle, N.W., thence north on Wisconsin Avenue, N.W., to its intersection with Western Avenue, N.W.".

Sec. 2024. Section 2 of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended as follows: **Not Codified**

(a) The lead-in text of paragraph (1) is amended by striking the phrase "within the following areas" and inserting the phrase "within or abutting the boundaries of the following areas" in its place.

(b) Paragraph (2) is amended to read as follows:

"(2) H Street, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within or abutting the area bounded by a line beginning at the intersection of the center lines of Massachusetts Avenue, N.E., Columbus Circle, N.E., and 1st Street, N.E.; continuing northeast along the center line of 1st Street, N.E., to the center line of K Street, N.E.; continuing east along the center line of K Street, N.E., to the center line of Florida Avenue, N.E.; continuing southeast along the center line of Florida Avenue, N.E., to the center line of Staples Street, N.E.; continuing northeast along the center line of Staples Street, N.E., to the center line of Oates Street, N.E.; continuing southeast along the center line of Oates Street, N.E., until the point where Oates Street, N.E., becomes K Street, N.E.; continuing east along the center line of K Street, N.E., to the center line of 17th Street, N.E.; continuing south along the center line of 17th Street, N.E., to the center line of Gales Street, N.E.; continuing northwest along the center line of Gales Street, N.E., to the center line of 15th Street, N.E.; continuing south along the center line of 15th Street, N.E., to the center line of F Street, N.E.; continuing west along F Street, N.E., to the center line of Columbus Circle, N.E.; and continuing south and circumferentially along the center line of Columbus Circle, N.E., to the beginning point, and, after October 1, 2014, the Bladensburg Road, N.E., Retail Priority Area, as defined in D.C. Official Code § 2-1217.73(g).".

(c) Paragraph (3) is amended by striking the phrase "within the area bounded by a line" and inserting the phrase "within or abutting the area bounded by a line" in its place.

(d) Paragraph (4) is amended to read as follows:

"(4) Ward 4 Georgia Avenue Retail Priority Area, which shall consist of the parcels, squares, and lots within or abutting the area bounded by a line beginning at the intersection of Kenyon Street, N.W. and Sherman Avenue, N.W.; continuing north along Sherman Avenue, N.W. to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W. to Spring Road, N.W.; then continuing northwest along Spring Road, N.W. to 14th Street, N.W., then continuing north along 14th Street, N.W. to Longfellow Street, N.W., then continuing east along Longfellow Street, N.W. to Georgia Avenue, N.W., then continuing north along Georgia Avenue, N.W. to Eastern Avenue, N.W., then continuing southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E. to Blair Road, N.W., then continuing south along Blair Road, N.W., to North Capitol Street, N.E., then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W., then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W., then continuing southwest along Kansas Avenue, N.W. to Varnum Street, N.W.; then continuing east along Varnum Street, N.W. to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then

continuing further south along Warder Street, N.W., to Kenyon Avenue, N.W.; and then continuing west along Kenyon Avenue, N.W. to the beginning point.".

(e) Paragraph (5) is amended by striking the phrase "within the area bounded by a line" and inserting the phrase "within or abutting the area bounded by a line" in its place.

(f) Paragraph (6) is amended by striking the phrase "within the following areas" and inserting the phrase "within or abutting the boundaries of the following areas" in its place.

SUBTITLE D. YOUTH EMPLOYMENT AND WORK READINESS TRAINING

Sec. 2031. Short title.

This subtitle may be cited as the "Youth Employment and Work Readiness Training Emergency Amendment Act of 2015".

Note, § 32-241

Sec. 2032. Section 2 of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241), is amended as follows:

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

(1) Subparagraphs (A) and (A-i) are amended to read as follows:

"(A)(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth 14 to 21 years of age on the date of enrollment in the program.

"(ii) Youth ages 14 to 15 years at the date of enrollment shall receive an hourly work readiness training rate of not less than $5.25.

"(iii) Youth ages 16 to 21years at the date of enrollment shall be compensated at an hourly rate of $8.25.

"(A-i) Registration for the summer youth jobs program shall occur on or before the last day of January and shall conclude by the last day of April of each year.".

(2) Subparagraph (B) is amended by striking the phrase "but shall not be less than 20 nor more than 25 hours" and inserting the phrase "but shall not be fewer than 20 hours or more than 40 hours" in its place.

(3) Subparagraph (C) is amended to read as follows:

"(C) Employment may include an appropriate number of supervisory positions at an hourly wage of $9.25 to $13. Supervisory positions shall not be subject to the requirements under this paragraph regarding the number of hours and weeks of employment.".

(4) Subparagraph (E) is repealed.

(b) Subsections (a)(2), (3), (4), and (5) are amended to read as follows:

"(2) *In school employment and work readiness training*. – An in-school employment and work readiness training program to provide for the employment or training during the school year of students aged 14 through 21 years on a part-time basis at no less than the federal minimum wage~~,~~ or work readiness training rate at no less than $5.25 per hour. Priority shall be given to students who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*) ("Workforce Innovation and Opportunity Act"), as identified in regulations

issued to implement this act. The Mayor may provide financial incentives to increase performance outcomes.

"(3) *Out-of–school, year-round employment and work readiness training.*—An out-of-school, year-round employment and work readiness training program to provide youth 16 through 24 years of age with employment at the prevailing entry-level wage for the job being performed and no less than the federal minimum wage~~,~~ or work readiness training at a training rate no less than $5.25 per hour. The Mayor may provide financial incentives to promote work readiness training activities and to increase performance outcomes. Priority shall be given to youth who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, as identified in regulations issued to implement this act. The program shall include safeguards to assure that the prospect of employment resulting from this program does not induce students to drop out of school.

"(4) *On-the-job training program for adults.*—An on-the-job training program for unemployed individuals at least 18 years of age. Priority shall be given to participants who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, as identified in regulations issued to implement this act. The District government shall reimburse participating employers no more than 75% of the prevailing wage paid for an occupation, as determined by the Mayor, for a period not to exceed 12 months. The employer shall pay all wages in excess of the allowable reimbursement and all fringe benefits. The Mayor shall require that participating private-sector employers agree to hire persons who successfully complete the program. On-the-job training participants shall not displace existing employees or be used as substitutes for regular workers.

"(5) *Training and retraining for employment.*—Programs for pre-employment training and retraining for persons 16 years of age and above. Priority shall be given to participants who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, as identified in regulations issued to implement this act. Training programs established pursuant to this paragraph may be coupled with those conducted pursuant to paragraphs (3) and (4) of this subsection.".

(c) Subsection (b) is amended by adding the following sentence at the end:

"The Mayor may enter into performance-based contracts to implement programs described in subsection (a) of this section.".

(d) Subsection (d) is amended to read as follows:

"(d) For the purposes of this section, to give priority to participants who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act means to engage in a good-faith effort to fill at least 30% of a program's available positions with persons who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act.".

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

"(g)(1) The Department of Employment Services shall collect, and publish on its website, aggregated information on the participants of the summer youth jobs program, including statistics on:

"(A) The demographics of participants;
"(B) Participants' activities in the program; and
"(C) Participants' employment following the end of the program.
"(2) The information required by paragraph (1) of this subsection shall be published by February 1, 2016 and annually thereafter.
"(3) It is the sense of the Council that the Department of Employment Services shall consult with the Council on revising the existing evaluation requirement for the summer youth jobs program to focus on program outcomes and program effectiveness.
"(4) With regard to the summer 2015 program only, the Mayor shall conduct an assessment and evaluation of employment outcomes for summer employment participants 22 through 24 years of age.".

Sec. 2033. The Youth Employment and Work Readiness Training Temporary Amendment Act of 2015, enacted on June 17, 2015 (D.C. Act 21-93; 62 DCR 8852), is repealed. **Note, § 32-241**

Sec. 2034. Applicability. **Note, § 32-241**
(a) Section 2032(b), (c), (d), and (e) and section 2033 shall apply as of the effective date of this act.
(b) Section 2032(a) shall apply as of August 24, 2015.

SUBTITLE E. LOCAL RENT SUPPLEMENT AMENDMENT
Sec. 2041. Short title.
This subtitle may be cited as the "Local Rent Supplement Emergency Amendment Act of 2015".

Sec. 2042. Section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended as follows: **Note, § 6-228**
(a) Subsection (b) is amended by striking the phrase "selected from" and inserting the phrase "selected from the households referred to the Authority pursuant to subsection (c) of this section or" in its place.
(b) New subsections (c), (d), and (e) are added to read as follows:
"(c) Eligible families may be referred to the Authority by the Department of Human Services or by another District agency designated by the Mayor.
"(d) Families and individuals housed in the Rapid Rehousing Program administered by the Department of Human Services or by another District agency designated by the Mayor may be referred to the Authority for the Local Rent Supplement Program for eligibility determination.
"(e) Households that no longer require supportive services under the Permanent Supportive Housing Program but still require long term housing assistance may be referred by the Department of Human Services, or another District agency designated by the Mayor, to the Authority for the Local Rent Supplement Program for eligibility determination.".

SUBTITLE F. AFFORDABLE HOMEOWNERSHIP

Sec. 2051. Short title.

This subtitle may be cited as the "Affordable Homeownership Preservation and Equity Accumulation Emergency Amendment Act of 2015".

Note, § 42-2801

Sec. 2052. Section 2(8A) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801(8A)), is amended by striking the phrase "the greater of".

Note, § 47-3502

Sec. 2053. Section 47-3502(c) of the District of Columbia Official Code is amended by striking the phrase "is filed" and inserting the phrase "is filed, unless the unit or residential property is a for-sale unit constructed pursuant to the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801 *et seq*.), that remains affordable for 180 months or a longer period selected by the developer, in accordance with section 2218 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2218), then this chapter shall apply" in its place.

SUBTITLE G. SIDEWALK CAFE AND SUMMER GARDEN ENDORSEMENT

Sec 2061. Short title.

This subtitle may be cited "Sidewalk Cafe and Summer Garden Endorsement Emergency Amendment Act of 2015".

Note, § 25-113a

Sec. 2062. Section 25-113a(c) of the District of Columbia Official Code is amended as follows:

(a) Strike the phrase "under an" and insert the phrase "under a manufacturer's license class A or B holding an on-site sales and consumption permit or an" in its place.

(b) Strike the phrase "private space." and insert the phrase "private space. The licensee under a manufacturer's license class A or B holding an on-site sales and consumption permit may be authorized to conduct business operations on a sidewalk cafe or summer garden only between the hours of 1:00 p.m. and 9:00 p.m., 7 days a week." in its place.

DCMR

Sec. 2063. Title 24 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 301 is amended as follows:

(1) Subsection 301.3 is amended as follows:

(A) Strike the phrase "is zoned for restaurant or grocery store use" and insert the phrase "is zoned for restaurant, grocery store, brewery, winery, or distillery use" in its place.

(B) Strike the phrase "variance to operate a restaurant or grocery store" and insert the phrase "variance to operate a restaurant, grocery store, brewery, winery, or distillery" in its place.

(2) A new subsection 301.6 is added to read as follows:

"301.6 The holder of a Sidewalk Cafe Permit adjacent to a brewery, winery, or distillery may conduct business operations on a sidewalk cafe between the hours of 1:00 p.m. and 9:00 p.m., 7 days a week.".

(b) Section 303.13(h) is amended by striking the phrase "abutting restaurant" and inserting the phrase "abutting restaurant, distillery, brewery, winery, grocery store, fast food establishment, or prepared food shop" in its place.

(c) Section 399.1 is amended as follows:

(1) The definition of "Enclosed sidewalk cafe" is amended as follows:

(A) Strike the phrase "adjacent to a restaurant" and insert the phrase "adjacent to a restaurant, distillery, brewery, winery, grocery store, fast food establishment, or prepared food shop" in its place.

(B) Strike the phrase "abutting the restaurant" and insert the phrase "abutting the restaurant, distillery, brewery, winery, grocery store, fast food establishment, or prepared food shop" in its place.

(2) Add a new definition after the definition of "Enclosed sidewalk cafe" to read as follows:

"Fast food establishment – a place of business, other than a "prepared food shop," where food is prepared on the premises and sold to customers for consumption and at least one of the following conditions apply:

"(a) The premises include a drive-through;

"(b) Customers pay for the food before it is consumed. One characteristic that would satisfy this element would be building permit plans that depict a service counter without seating unless the applicant certifies that the intended principal use is for a restaurant or grocery and that the counter is part of a carry out service that is clearly subordinate to that principal use; or

"(c) Food is served on/in anything other than non-disposable tableware. Characteristics that would satisfy this element include, but are not limited to: the building permit plans do not depict a dishwasher or do depict trash receptacles in public areas.

"A proposed or existing establishment meeting this definition shall not be deemed to constitute any other use permitted under the authority of these regulations, except that a restaurant, grocery store, movie theater, or other use providing carryout service that is clearly subordinate to its principal use shall not be deemed a fast food establishment.".

(3) Add 2 new definitions after the definition of "Owner" to read as follows:

"Prepared food - food that is assembled, but not heated by means other than microwave or toaster, on the premises of a prepared food shop.

"Prepared food shop - a place of business that offers seating or carry out service, or both, and which is principally devoted to the sale of prepared food, non-alcoholic beverages, or cold refreshments. This term includes an establishment known as a sandwich shop, coffee shop, or an ice cream parlor.".

(4) Add a new definition after the definition of "Public Space Committee" to read as follows:

"Restaurant - a place of business that does not meet the definition of a "fast food establishment" or "prepared food shop," where food, drinks, or refreshments are prepared and sold to customers primarily for consumption on the premises. Any facilities for carryout shall be clearly subordinate to the principal use providing prepared foods for consumption on the premises.".

(5) The definition of "Unenclosed sidewalk cafe" is amended by striking the phrase "adjacent to a restaurant" and inserting the phrase "adjacent to a restaurant, distillery, brewery, winery, grocery store, fast food establishment, or prepared food shop" in its place.

Sec. 2064. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE H. ENTERTAINMENT AND MEDIA PRODUCTION AND DEVELOPMENT AMENDMENT

Sec. 2071. Short title.

This subtitle may be cited as the "Entertainment and Media Production and Development Emergency Amendment Act of 2015".

Sec. 2072. The Cable Television Reform Act of 2002, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 34-1251.01) is amended to read as follows: **Note, § 34-1251.01**

"Sec. 101. Short title.

"This act may be cited as the "Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2015".".

(b) Section 102 (D.C. Official Code § 34-1251.02) is repealed. **Note, Repeal § 34-1251.02**

(c) Section 103 (D.C. Official Code § 34-1251.03) is amended as follows: **Note, § 34-1251.03**

(1) Paragraph (10) is repealed.

(2) A new paragraph (10A) is added to read as follows:

"(10A) "Director" means the Director of the Office of Cable Television, Film, Music, and Entertainment.".

(3) A new paragraph (12A) is added to read as follows:

"(12A) "Entertainment industry" means film, television, music, video, photography, gaming, digital media, and entertainment production.

(4) Paragraph (13) is repealed.

(5) Paragraph (23) is amended to read as follows:

"(23) "Office" means the Office of Cable Television, Film, Music, and Entertainment established by section 201.".

(6) Paragraph (26) is amended to read as follows:

"(26) "PEG" means public access, educational, and governmental channels with channel capacity designated for public access channels, educational channels, and government channels, and the facilities and equipment for the use of the channels.".

(d) Section 201 (D.C. Official Code § 34-1252.01.) is amended as follows: **Note, § 34-1252.01**

(1) The heading is amended to read as follows:

"Sec. 201. Establishment of the Office of Cable Television, Film, Music, and Entertainment; Director; General Counsel.".

(2) Subsection (a) is amended to read as follows

"(a) There is established within the executive branch, as a subordinate agency, the Office of Cable Television, Film, Music, and Entertainment. The Office shall be responsible for:

"(1) Oversight of cable television services, including:

"(A) Regulating cable service, cable service providers, and the cable television industry;

"(B) Protecting and promoting the public interest in cable service; and

"(C) Executing the policies and provisions of the cable television laws and regulations of the District;

"(2) Producing content for the government and educational channels and managing those channels and producing video content for District government agencies and residents; and

"(3) Fostering the development of an entertainment industry in the District, including:

"(A) Marketing and promoting the District to the entertainment industry as a prime location for productions and events;

"(B) Stimulating employment and business opportunities related to the entertainment industry;

"(C) Creating a workforce-development program for the training of District residents on entertainment industry skillsets;

"(D) Serving as a clearinghouse for information regarding government requirements affecting the entertainment industry within the District;

"(E) Assisting producers and companies in securing permits and other appropriate services connected with the entertainment industry, including television shows and films; and

"(F) Facilitating cooperation from the District government, the federal government, and private sector groups in the location and production of entertainment industry projects, including television shows and films.".

(3) Subsections (b) and (c) are amended by striking the term "Executive Director" wherever it appears and inserting the term "Director" in its place.

(4) Subsection (d) is amended as follows:

(A) Strike the phrase "Executive Director" wherever it appears and insert the phrase "Director" in its place.

(B) Strike the phrase "Corporation Counsel" both times it appears and insert the phrase "Director of the Mayor's Office of Legal Counsel" in its place.

(C) A new sentence is added at the end to read as follows:
"The General Counsel shall have significant experience with cable regulation matters.".

(5) New subsections (d-1) and (d-2) are added to read as follows:

"(d-1) There shall be established within the Office a:

"(1) Cable Television Division that shall oversee matters related to the regulation of the cable television industry; and

"(2) Film, Music, and Entertainment Development Division to support the development of an entertainment industry in the District.

"(d-2) The Director may establish other offices and divisions as the Director determines are in the interest of the Office and the purposes of this act.".

(6) Subsection (e) is amended by striking the phrase "Executive Director" and inserting the phrase "Director" in its place.

Note, § 34-1252.02

(e) The heading for section 202 (D.C. Official Code § 34-1252.02) is amended to read as follows:

"Sec. 202. Powers and responsibilities of the Office of Film, Cable Television, Film, Music, and Entertainment.".

Note, § 34-1252.03

(f) Section 203(c) (D.C. Official Code § 34-1252.03(c)) is amended by striking the phrase "Executive Director" and inserting the word "Director in its place.

Note, § 34-1256.02

(g) Section 602(b) (D.C. Official Code § 34-1256.02(b)) is amended by striking the phrase "to the Corporation Counsel" and inserting the phrase "to the Director of the Mayor's Office of Legal Counsel" in its place.

Note, § 34-1256.04

(h) Section 604(c) (D.C. Official Code § 34-1256.04(c)) is amended by striking the phrase "to the Corporation Counsel" and inserting the phrase "to the Director of the Mayor's Office of Legal Counsel" in its place.

Note, § 34-1264.06

(i) A new section 1406 is added to read as follows:

"Sec. 1406. Additional transition provisions.

"(a) All appointments, rules, regulations, orders, administrative issuances, obligations, determinations, and agreements made, established, issued, promulgated, or entered into by the Office of Cable Television or the Office of Motion Picture and Television Development shall remain in effect until amended, modified, superseded, or repealed by the Office of Cable Television, Film, Music, and Entertainment.

"(b) All unexpended balances of appropriations, allocations, income, and other funds available to the Office of Cable Television or the Office of Motion Picture and Television Development shall be transferred to the appropriate accounts of the Office of Cable Television, Film, Music, and Entertainment.

"(c) All lawful existing contractual rights and obligations of the Office of Cable Television or the Office of Motion Picture and Television Development shall transfer to the Office of Cable Television, Film, Music, and Entertainment, which shall assume all rights, duties, liabilities, and obligations as a successor in interest.".

Note, Repeal §§ 2-1204.01, 2-1204.02

Sec. 2073. The Office of Motion Picture and Television Development Establishment Act of 2014, effective May 2, 2015 (D.C. Law 20-268; 62 DCR 1549), is repealed.

SUBTITLE I. LOCAL BUSINESS ENTERPRISE

Sec. 2081. Short title.

This subtitle may be cited as the "Local Business Enterprise Certification Emergency Amendment Act of 2015".

Sec. 2082. Section 2331(2A) of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31(2A)), is amended as follows: **Note, § 2-218.31**

(a) The lead-in language is amended by striking the word "Can" and inserting the phrase "Beginning June 10, 2014, can" in its place.

(b) Subparagraph (B) is amended by striking the word "or" at the end.

(c) Subparagraph (C) is amended to read as follows:

"(C) More than 50% of the assets of the business enterprise, excluding bank accounts, are located in the District; or".

(d) A new subparagraph (D) is added to read as follows:

"(D) More than 50% of the business enterprise's gross receipts are District gross receipts; and".

Sec. 2083. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE J. SOLAR PERMITTING FEES TECHNICAL AMENDMENT

Sec. 2091. Short title.

This subtitle may be cited as the "Solar Permitting Fees Technical Clarification Emergency Amendment Act of 2015".

Sec. 2092. Section 2022 of the Solar Permitting Fees Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 62 DCR 3601), is amended by striking the phrase "12-K," both times it appears and inserting the phrase "12-M" in its place. **DCMR**

SUBTITLE K. ELECTRIC COMPANY INFRASTRUCTURE IMPROVEMENT

Sec. 2101. Short title.

This subtitle may be cited as the "Electric Company Infrastructure Improvement Financing Emergency Amendment Act of 2015".

Sec. 2102. Section 101 of the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01), is amended by adding a new paragraph (8A) to read as follows: **Note, § 34-1311.01**

"(8A)(A) "Distribution service customer class cost allocations" means the allocation of the electric company's revenue requirement to each customer rate class on the basis of the total rate class distribution service revenue minus the customer charge revenue.

"(B) This paragraph shall apply as of May 3, 2014.".

Sec. 2103. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE L. ADULT CAREER PATHWAYS TASK FORCE AMENDMENT

Sec. 2111. Short title.

This subtitle may be cited as the "Adult Career Pathways Task Force Emergency Amendment Act of 2015".

Sec. 2112. Section 2122 of the Adult Literacy Task Force Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 32-1661), is amended as follows: **Note, § 32-1661**

(a) Subsection (c) is amended as follows:

(1) The lead-in language is amended by striking the number "13" and inserting the number "14" in its place.

(2) A new paragraph (8A) is added to read as follows:

"(8A) The Director of the Department on Disability Services, or his or her designee.".

(b) Subsection (d) is amended as follows:

(1) The lead-in language is amended to read as follows:

"(d) No later than September 30, 2015, the Task Force shall submit to the Council and the Mayor the city-wide strategic plan required under this section. The plan shall be developed in concert with the District's state integrated workforce development plan required under the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq*.). In developing the strategic plan, the Task Force shall:".

(2) Paragraph (8) is amended by striking the phrase "GED or secondary school diploma attainment" and inserting the phrase "secondary school diploma or equivalent credential attainment" in its place.

Sec. 2113. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE M. ADULT CAREER PATHWAYS IMPLEMENTATION

Sec. 2121. Short title.

This subtitle may be cited as the "Career Pathways Implementation Emergency Amendment Act of 2015".

Sec. 2122. The Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1601 *et seq*.), is amended by adding a new section 6a to read as follows:

Note, New § 32-1605.01

"Sec. 6a. Career Pathways Innovation.

"(a) Beginning in Fiscal Year 2017, and pursuant to section 4(c), the Council shall issue Career Pathways Innovation grants to design, pilot, and scale best practices in the implementation of adult career pathways and improve district performance as mandated by the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq*.), using a career pathways approach, consistent with the city-wide strategic plan developed by the Adult Career Pathways Task Force pursuant to section 2122 of the Adult Literacy Task Force Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 32-1661).

"(b) In Fiscal Year 2016, the Council shall solicit technical assistance to prepare for the issuance of the grants authorized by subsection (a) of this section.".

Note, § 51-114

Sec. 2123. Section 14(d)(2) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-114(d)(2)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase "Administrative Assessment Account" wherever it appears and inserting the phrase "Unemployment and Workforce Development Administrative Fund" in its place.

(b) Subparagraph (B) is amended by striking the phrase "Administrative Assessment Account" and inserting the phrase "Unemployment and Workforce Development Administrative Fund" in its place.

(c) Subparagraph (C)(vi) is amended to read as follows:

"(vi) Other activities that may increase the likelihood of employment or reemployment, including the activities of the Workforce Investment Council, established by section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603) ("Workforce Investment Implementation Act")."

(d) A new subparagraph (D) is added to read as follows:

"(D) The following amounts in the Unemployment and Workforce Development Administrative Fund may be used by the Workforce Investment Council, for the purposes set forth in section 6a of the Workforce Investment Implementation Act:

"(i) In Fiscal Year 2016, $500,000; and

"(ii) In Fiscal Year 2017 and each fiscal year thereafter, $1.5 million.".

SUBTITLE N. CLEAN TEAM EXTENSION

Sec. 2131. Short title.

This subtitle may be cited as the "Clean Team Extension Emergency Amendment Act of 2015".

Not Codified

Sec. 2132. Section 6087(a)(2) of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is amended by striking the phrase "Wisconsin Avenue, N.W., from Lowell Street, N.W., to Davenport Street, N.W." and inserting the phrase "Wisconsin Avenue, N.W., from Lowell Street, N.W., to Western Avenue, N.W.; and Connecticut Avenue, N.W., between Calvert Street, N.W., and Cathedral Avenue, N.W., between Macomb Street, N.W., and Porter Street, N.W., between Tilden Street, N.W., and Albemarle Street, N.W., between Fessenden Street, N.W., and Nebraska Avenue, N.W., and between Livingston Street, N.W., and Western Avenue, N.W." in its place.

SUBTITLE O. DC BEAUTIFUL PILOT PROGRAM

Sec. 2141. Short title.

This subtitle may be cited as the "DC Beautiful Pilot Program Emergency Act of 2015".

Note, § 6-1001

Sec. 2142. DC Beautiful Pilot Program.

(a) The Office of Planning shall create a one-year pilot program during Fiscal Year 2016 to beautify 2 or more street segments in Ward 7 or Ward 8 that are not located in a Business Improvement District, as that term is defined in section 3(7) of the Business Improvements Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)).

(b) For the pilot program, the Office of Planning shall allocate 2 employees who shall design, plan, and coordinate efforts of private actors and government agencies to beautify the selected street segments by, at a minimum:

(1) Engaging community members and local businesses to determine priorities for beautification;

(2) Soliciting private organizations for resources and assistance; and

(3) Identifying and coordinating beautification services from various District agencies to:

(A) Increase the number of tree boxes and planters;

(B) Abate graffiti;

(C) Survey the designated area to ensure an adequate number of trash and recycle bins;

(D) Maintain bus shelters and triangle parks;

(E) Landscape tree boxes, planters, and triangle parks; and

(F) Clean up litter.

SUBTITLE P. GREATER ECONOMIC OPPORTUNITY STRATEGIC PLANNING

Sec. 2151. Short title.

This subtitle may be cited as the "Greater Economic Opportunity Strategic Planning Emergency Act of 2015".

Sec. 2152. Strategic Plans for Economic Opportunity for Ward 7 and Ward 8. **Note, § 6-1001**

(a) In Fiscal Year 2016, the Deputy Mayor for Greater Economic Opportunity is authorized to prepare, publish, and submit to the Council a comprehensive Strategic Plan for Economic Development for Ward 7 and a comprehensive Strategic Plan for Economic Development for Ward 8, no later than September 30, 2016.

(b) The plans required by this section shall:

(1) Include analysis of data related to education, housing, employment, transit, and economic development in each ward;

(2) Include a needs assessment for each ward that takes into account existing data;

(3) Include analysis of strategies that have been successful in spurring economic development in similar communities within the District and across the country;

(4) Include specific recommendations for improvements in the areas of education, housing, employment, transit, and economic development; and

(5) Include assessments of and recommendations to achieve viability of existing commercial corridors in each ward.

(c) The plans required by this section shall identify any new legislation necessary to implement its recommendations and provide recommendations concerning how to fund the provisions of the plan.

SUBTITLE Q. UNIFORM COMMERCIAL CODE BULK SALES CONFORMING CLARIFICATION

Sec. 2161. Short title.

This subtitle may be cited as the "Uniform Commercial Code Bulk Sales Conforming Clarification Emergency Act of 2015".

Sec. 2162. Section 25-303 of the District of Columbia Official Code is amended by adding a new subsection (e) to read as follows: **Note, § 25-303**

"(e) Nothing in this section shall prohibit a wholesaler or other licensee under this title from obtaining, perfecting, or enforcing a security interest under Article 9 of Subtitle I of Title 28 in any personal property or fixtures of a retailer or other licensee, including inventory and accounts and other rights to payment.".

SUBTITLE R. CREATIVE AND OPEN SPACE MODERNIZATION

Sec. 2171. Short title.

This subtitle may be cited as the "Creative and Open Space Modernization Emergency Amendment Act of 2015".

Sec. 2172. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-811.03(a)(4) is amended to read as follows:

"(4) "Eligible building" means a non-residential or mixed-use building.".

(b) Chapter 46 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

Note, New § 47-4664

"47-4664. Qualified High Technology Company interior renovation tax rebate.".

(2) A new section 47-4664 is added to read as follows:

"§ 47-4664. Qualified High Technology Company interior renovation tax rebate.

"(a) For the purposes of this section, the term:

"(1) "Directly related entity" means a Qualified High Technology Company that is closely associated with a tenant, including:

"(A) A subsidiary or parent company of a tenant;

"(B) A special purpose vehicle of a tenant;

"(C) A holding company of a tenant;

"(D) An operating company of a tenant;

"(E) A flow-through entity of a tenant; or

"(F) A company otherwise substantially sharing, directly or indirectly, common directors, officers, employees, facilities, or profits with a tenant.

"(2) "Eligible building" means a non-residential or mixed-use building.

"(3) "Eligible premises" means a nonresidential, interior portion of an eligible building that is used as an office (including ancillary uses) or retail space by a Qualified High Technology Company under a lease.

"(4) "Lease commencement" means the date on which a tenant, or a directly related entity, takes possession of eligible premises or the occupancy date for eligible premises agreed to in a lease or sublease by a tenant, whichever occurs first.

"(5) "Mixed-use building" means a building used for both residential and non-residential purposes.

"(6) "Public benefit" means an undertaking by a tenant or a directly related entity that the Mayor, in his or her sole discretion, determines will have a material, positive impact on the District of Columbia. The term "public benefit" may include:

"(A) Providing employment or contracting opportunities for District of Columbia residents and Certified Business Enterprises;

"(B) Providing low-income or underserved individuals or communities in the District of Columbia with reduced-price or free products, services, or commercial or community space;

"(C) Providing economic opportunities, training, or jobs for individuals or communities beyond those offered through the normal course of business; or

"(D) Providing innovation-and-technology-related educational, training, or internship opportunities for students in the District of Columbia.

"(7) "Qualified High Technology Company" shall have the same meaning as provided in § 47-1817.01(5).

"(8) "Qualified tenant improvement" means an improvement to eligible premises made pursuant to a lease or a sublease by a tenant or a directly related entity that is substantially completed no later than one year after lease commencement.

"(9) "Tenant" means a Qualified High Technology Company that executes a lease or a sublease for at least 50,000 square feet of net rentable area of eligible premises within the District for a minimum term of 12 years, under which the tenant, or a directly related entity, occupies and uses the eligible premises, or will occupy and use the eligible premises, on or after the lease commencement date.

"(10) "Total value of qualified tenant improvements" means the amount expended by a tenant or a directly related entity to make qualified tenant improvements.

"(b) A tenant that leases or subleases eligible premises taxable under Chapter 8 of this title shall receive, to the extent provided in this section, a rebate of the real property tax paid with respect to the eligible premises for the portion of the tax year that the eligible premises are occupied by the tenant or a directly related entity if:

"(1) The tenant is liable under the lease or sublease for its proportionate share of the real property tax for the tax lot on which the eligible building is located;

"(2) The tenant has been certified as eligible for a rebate by the Mayor under subsection (e) of this section;

"(3) The real property tax has been paid for the year during which the rebate is sought;

"(4) The tenant complies with the requirements of subsection (d) of this section during the tax year for which the rebate is sought; and

"(5) No abatement of the real property tax on the eligible building pursuant to § 47-811.03 has been claimed for the tax year for which the rebate is sought.

"(c)(1) The amount of a rebate provided pursuant to this section to a single tenant or any directly related entity in a single year shall be equal to the least of the following:

"(A) 10% of the total value of any qualified tenant improvements substantially completed during the preceding 5 years, as certified by the Mayor pursuant to subsection (e)(3) of this section;

"(B) The portion of the real property tax paid during the year for which the rebate is sought, either directly or indirectly, by the tenant or by a directly related entity under the tenant's or directly related entity's lease or sublease; or

"(C) $1 million.

"(2) The amount of the rebate calculated pursuant to paragraph (1) of this subsection shall be reduced by the amount of any grant received by the tenant or by a directly related entity pursuant to section 3(c)(4) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.172(c)(4)), as certified by the Mayor to the Office of Tax and Revenue.

"(3) Payment of the rebate of real property tax shall be made no later than December 31 of the year following the tax year for which the taxes to be rebated were paid; provided, that the tenant is eligible to receive the rebate payment.

"(d) No later than September 15 of the tax year in which the tax was paid as provided under § 47-811, a tenant seeking a rebate pursuant to this section shall submit to the Chief Financial Officer:

"(1) A copy of the tenant's lease or sublease including any provisions requiring the tenant to pay a portion of the property tax for the tax lot on which the eligible building is located;

"(2) Documentation that the tenant has paid its proportional share of the real property tax to date, as required under the lease or sublease for the eligible premises, to be supplemented by the tenant once it has made its final payment for the calendar year;

"(3) An itemization of the rentable square footage of the eligible premises actually occupied by the tenant or a directly related entity and the period of such occupancy during the tax year; and

"(4) If obtained by the tenant before the date of the submission to the Chief Financial Officer, certifications by the Mayor of the tenant's eligibility for a rebate pursuant to subsection (e)(2) of this section and of the total value of qualified tenant improvements pursuant to subsection (e)(3) of this section, and, if known to the tenant before the date of the submission to the Chief Financial Officer, the maximum amount of the rebate allowable under subsection (c) of this section. If these items are not available at the time of submission, the tenant shall supplement the application with these items when they become available.

"(e)(1) A tenant who seeks to be considered eligible for a rebate provided under this section, shall file with the Mayor on or after June 1, 2016, in a manner and form as the Mayor may prescribe, an eligibility certification application, which shall include:

"(A) The identity of the tenant, including the tenant's taxpayer identification number, and the identity of any directly related entity that may be occupying all or part of the eligible premises, including the directly related entity's taxpayer identification number;

"(B) A description of the eligible building, by square and lot, parcel, or reservation number, and of the eligible premises, including floors, location, and square footage;

"(C) The estimated cost of making any qualified tenant improvements to the eligible premises;

"(D) The date of lease commencement and anticipated duration of the lease or sublease.

"(E) A description of the public benefit that the tenant proposes to furnish; and

"(F) Any other information that the Mayor considers necessary.

"(2) The Mayor shall review the tenant's eligibility certification application. If the Mayor determines that the tenant has proposed to furnish a public benefit and that the tenant is otherwise eligible, the Mayor shall certify to the Office of Tax and Revenue the tenant's

eligibility to receive a rebate pursuant to this section. The certification shall be made before the tenant's lease commencement or within 45 days after the eligibility certification application is received, whichever is later in time.

"(3) Within 60 days following substantial completion of qualified tenant improvements, the tenant shall submit to the Mayor an itemization of the total value of qualified tenant improvements, together with supporting documentation. Within 60 days following the receipt of this submission, the Mayor shall review and certify the total value of qualified tenant improvements to the Office of Tax and Revenue.

"(4) No later than 31 days before the end of each calendar year following lease commencement, the Mayor shall certify to the Office of Tax and Revenue whether the tenant has furnished or has made substantial progress toward furnishing a public benefit. If the Mayor certifies that a tenant has not furnished or made substantial progress toward furnishing a public benefit, the Office of Tax and Revenue shall not pay a rebate to the tenant for that calendar year.

"(5) If at any time the Mayor determines that a tenant has become ineligible for a rebate under this section, either for failure to make substantial progress toward furnishing a public benefit or for some other reason, the Mayor immediately shall notify the Office of Tax and Revenue and thereafter the Office of Tax and Revenue shall not pay to the tenant any rebate pursuant to this section.

"(f) Notwithstanding any other provision of this section, the total combined rebate payments per fiscal year for all tenants under this section, beginning in Fiscal Year 2017, shall not exceed $3 million.".

Note, § 2-1225.21

Sec. 2173. Section 301 of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-1) to read as follows:

"(d-1) In Fiscal Year 2017 and each fiscal year thereafter, up to $3 million in monies credited to the Account may be used to fund real property tax rebates to one or more Qualified High Technology Companies ("QHTCs"), as defined by D.C. Official Code § 47-1817.01(5), pursuant to D.C. Official Code § 47-4664.".

Note, § 1-325.172

Sec. 2174. Section 3(c) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.172(c)), is amended by adding a new paragraph (4) to read as follows:

"(4)(A) In Fiscal Year 2016, the Deputy Mayor for Planning and Economic Development may use monies credited to the Fund to award up to $2 million in grants to one or more Qualified High Technology Companies ("QHTCs"), as defined by D.C. Official Code § 47-1817.01(5), for the purpose of assisting the recipients in making improvements to building space that is rented, or to be rented, and occupied exclusively, or to be occupied exclusively, by those QHTCs.

"(B) The total amount of grants to a single recipient shall not exceed $1 million.".

SUBTITLE S. SOCCER STADIUM DEVELOPMENT TECHNICAL CLARIFICATION

Sec. 2181. Short title.

This subtitle may be cited as the "Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015".

Sec. 2182. The Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq*.), is amended as follows:

(a) Section 101 (to be codified at D.C. Official Code § 10-1651.01) is amended to read as follows: **Note, New § 10-1603.01**

"Sec. 101. Definitions.

"For the purposes of this title, the term:

"(1) "Northwest portion of Lot 24 in Square 665" means the northwest portion of Lot 24 in Square 665 as described in the letter of intent between the District and Potomac Electric Power Company dated December 27, 2013.

"(2) "Soccer stadium site" means the real property described as Squares 603S, 605, 607, 661, and 661N, and the northwest portion of Lot 24 in Square 665, and all public alleys and streets to be closed within these squares.".

(b) Section 102 (to be codified at D.C. Official Code § 10-1651.02) is amended as follows: **Note, New § 10-1603.02**

(1) A new paragraph (1A) is added to read as follows:

"(1A) The acquisition of land for, construction of, and operation of a new stadium for D.C. United in itself serves a public purpose, in particular because the stadium will promote the recreation, entertainment, and enjoyment of the public.".

(2) Paragraph (2) is amended by striking the phrase "Without the development" and inserting the phrase "In addition, without the development" in its place.

(c) Section 103 (to be codified at D.C. Official Code § 10-1651.03) is amended as follows: **Note, New § 10-1603.03**

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

(A) Strike the phrase "shall acquire" and insert the phrase "is authorized to acquire" in its place.

(B) Strike the phrase "as described in the letter of intent between the District and Potomac Electric Power Company ("PEPCO") dated December 27, 2013".

(2) Subsection (d) is amended to read as follows:

"(d) The Mayor shall transmit to the Council any agreement to acquire any portion of Squares 605, 607, or 661, or the northwest portion of Lot 24 in Square 665 that requires the approval of the Council pursuant to section 451 of the District of Columbia Home Rule Act,

approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), not later than 30 days before the effective date of the agreement. Any such agreement shall be exempt from section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)).".

(3) Subsection (e) is amended by striking the phrase "as described in the letter of intent between the District and PEPCO dated December 27, 2013".

Note, New § 10-1603.04

(d) Section 104 (to be codified at D.C. Official Code § 10-1651.04) is amended as follows:

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

"(a) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq*.), the Mayor may enter into a ground lease ("revised ground lease") between the District of Columbia and DC Stadium LLC; provided, that:

"(1) The revised ground lease amends the ground lease between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original ground lease") to:

"(A) Not contain any provision to abate District sales tax;

"(B) Include the labor peace provisions set forth in subsection (c) of this section; and

"(C) Contain modifications to conform the terms of the original ground lease to the provisions of this act;

"(2) The Mayor transmits the revised ground lease to the Council for its review not later than 30 days before the effective date of the revised ground lease;

"(3) The Mayor transmits simultaneously to the Council for its review pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), a revised development agreement ("revised development agreement") that amends the development agreement between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original development agreement"), for the development of the soccer stadium site and that:

"(A) Extends the date by which the District shall acquire control of the soccer stadium site to September 30, 2015;

"(B) Extends the dates by which the District shall close streets and alleys, acquire fee title, demolish existing structures, perform infrastructure work (including all District obligations under article V of the original development agreement), and perform environmental remediation work (including all District obligations under article VI of the original development agreement), as such actions are described in articles III, IV, V, and VI of the original development agreement and may be described or referenced in other provisions of the original development agreement, each by 6 months;

"(C) Sets a date by which DC Stadium LLC shall complete the construction of a soccer stadium at the soccer stadium site;

"(D) Extends other dates as negotiated between the District and DC Stadium, LLC;

"(E) Amends section 5.9 of the original development agreement to read as follows: "Land Contribution. Within 30 days of the District's acquisition of either Lot 7 or Lot 802 in Square 605, the Stadium Developer shall pay to the District, or its designee, Two Million Five Hundred Thousand Dollars ($2,500,000.00) to offset Land acquisition costs, unless the District acquires either Lot 7 or Lot 802 in Square 605 by the use of eminent domain and the aggregate price paid by the District for Lot 7 and Lot 802 is less than $25,148,760.";

"(F) Amends section 9.1(c) of the original development agreement to read as follows: "Designated Entertainment Area. The District shall grant to the Developer 'signage rights' with respect to the Land, such signage rights to be those rights described in the proposed Chapter 8 of Title 13 of the District of Columbia Municipal Regulations published in the DC Register on August 17, 2012.";

"(G) Provides that no fees, proffers, or deposits shall be borne or waived by the District pursuant to section 7.6 of the original development agreement before October 1, 2015."; and

"(H) Includes the labor peace provisions set forth in subsection (c) of this section; and

"(4) The Council does not adopt a resolution of disapproval pertaining to the ground lease within 30 days beginning on the day on which the ground lease is submitted to the Council, excluding days of Council recess.".

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

"(b)(1) The revised ground lease and the revised development agreement each may provide an enhanced "Performance Assurance" without increasing the District's financial obligations.

"(2) The revised development agreement shall be exempt from section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)).".

(3) Subsection (c) is amended by striking the phrase "DC Stadium, LLC and the District shall agree" and inserting the phrase "The District is authorized to agree" in its place.

Note, New § 10-1603.07

(e) Section 107(b) (to be codified at D.C. Official Code § 10-1651.07(b)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "September 4, 2014;" and inserting the phrase "December 15, 2014;" in its place.

(2) A new paragraph (2A) is added to read as follows:

"(2A) Any payment made by D.C. United to the District government pursuant to the revised ground lease;".

Note, New § 10-1603.08

(f) Section 108 (to be codified at D.C. Official Code § 10-1651.08) is amended as follows:

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

"(a) The Mayor shall implement the Convention Center – Southwest Waterfront corridor as described in the "DC Circulator 2014 Transit Development Plan Update" dated September 2014.".

(2) Subsection (c) is amended to read as follows:

"(c) The Mayor shall make capital improvements of at least $250,000 to the Randall Recreation Center in Ward 6.".

(3) Subsection (d) is amended by striking the phrase "provide ongoing operations and programming funding for" and inserting the phrase "operate and provide programmed activities for" in its place.

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

"(e) The Mayor is authorized to negotiate other community-benefit commitments from D.C. United and its affiliated entities, including those that promote youth soccer, education, employment opportunities, and job training programs.".

Sec. 2183. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE T. DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT LIMITED GRANT-MAKING

Sec. 2191. Short title.

This subtitle may be cited as the "Fiscal Year 2016 Deputy Mayor for Planning and Economic Development Limited Grant-making Emergency Amendment Act of 2015".

Not Codified

Sec. 2192. In Fiscal Year 2016, the Deputy Mayor for Planning and Economic Development shall award a grant of $3 million to a qualified partner of the C&O Canal National Historic Park to improve infrastructure or facilities on or along the Georgetown section of the C&O Canal.

SUBTITLE U. DCHA BOARD OF COMMISSIONERS AMENDMENT

Sec. 2201. Short title.

This subtitle may be cited as the "DCHA Board of Commissioners Emergency Amendment Act of 2015".

Note, § 1-611.08

Sec. 2202. Section 1108(c-2)(1) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(1)), is amended as follows:

(a) Strike the figure "$3,000" and insert the figure "$4,000" in its place.

(b) Strike the figure "$5,000" and insert the figure "$6,000" in its place.

(c) Strike the phrase "quarterly;" and insert the phrase "quarterly; provided, that all stipends shall be paid from non-District funds;" in its place.

SUBTITLE V. RENT CONTROL HOUSING CLEARINGHOUSE

Sec. 2211. Short title.

This subtitle may be cited as the "Rent Control Housing Clearinghouse Emergency Amendment Act of 2015".

Sec. 2212. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

Note, New § 42-3502.03c

(a) A new section 203a is added to read as follows:

"Sec. 203a. Public Accessible Rent Control Housing Clearinghouse.

"(a) The Rental Accommodations Division ("RAD") of the Department of Housing and Community Development ("DHCD"), in close consultation with the Office of the Tenant Advocate and the Office of the Chief Technology Officer, is authorized to establish a user-friendly, internet-accessible, searchable database for the submission, management, and review of all documents and relevant data that title II of this act requires housing providers to submit to the RAD.

"(b) The database shall:

"(1) Include an online portal, not accessible to the general public, for the filing of all documents and data by housing providers as required by title II of this act, and all regulations promulgated pursuant to title II of this act; and

"(2) Include an online portal accessible to the general public that provides information drawn from the documents submitted by housing providers pursuant to paragraph (1) of this subsection, relevant to tenants seeking and living in rent control accommodations.

"(c) The portal accessible to the general public shall include at a minimum, the following real-time, searchable parameters:

"(1) The building address and ward number;

"(2) The base rent for each rental unit in the accommodation;

"(3) Any services or facilities provided as part of the base rent;

"(4) The amount and date of each annual rent increase or decrease;

"(5) The number of bedrooms in each unit;

"(6) The vacancy status of each unit;

"(7) The accessibility information of the building, as it relates to District of Columbia and federal law;

"(8) The name, telephone number, and email address of the housing provider and property manager;

"(9) Dates and numbers of the basic business license of the housing provider;

"(10) Dates and numbers of the certificate of occupancy of the building;

"(11) The name, contact information, and place of business of the registered agent of the building, if applicable;

"(12) The licensing and registration of the property manager of the accommodation, when other than the housing provider;

"(13) The RAD registration exemption number and date of the housing accommodation;

"(14) Any pro-active inspection dates;

"(15) Any outstanding violations of the housing regulations applicable to the accommodation;

"(16) The notice date of any housing code violations;

"(17) The rate of return for the housing accommodation and computation required by section 205(f)(6);

"(18) Any petitions filed by the housing provider including, related services and facilities petition, capital improvement petition, substantial rehabilitation petition, voluntary agreement petition, hardship petition, other valid tenant petitions;

"(19) Any court or administrative actions; and

"(20) Other information the RAD determines is relevant to tenants seeking and living in rent control accommodations.

"(d) The portal accessible to the general public shall exclude any documentation submitted in support of a tenant's application for elderly or disability status pursuant to section 208(h)(2), and any other information the Rent Administrator may deem necessary to exclude to protect the privacy and personal information of a tenant.

"(e) The database should be completed in phases according to the following timeline:

"(1) Phase 1 - Within 6 months of the effective date of the Rent Control Housing Clearinghouse Amendment Act of 2015, passed on 2nd reading on June 30, 2015 (Enrolled version of Bill 21-158)("Clearinghouse Act"), DHCD should award a contract to build the database.

"(2) Phase 2 - Within one year of the effective date of the Clearinghouse Act, DHCD should ensure that the database portals are operational for the entry of data by housing providers, and for the general public to conduct searches of the information in the database.

"(3) Phase 3 - Within 2 years of the effective date of the Clearinghouse Act, DHCD should ensure the integration of existing data contained in documents previously submitted to the RAD, pursuant to title II of this act, into the database.

"(f) Beginning with the completion of Phase 2, all documents required to be filed by title II of this act, should be submitted to the RAD through the online database.

"(g) Beginning 6 months after the effective date of the Clearinghouse Act, and continuing every 6 months thereafter until phase 3 of database is completed, the RAD should report to the Council on the progress of the establishment of the database.".

(b) Section 205(g)(2) (D.C. Official Code § 42-3502.05(g)(2)) is repealed.

Note, § 42-3502.05

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. BODY-WORN CAMERA REGULATION AND REPORTING REQUIREMENTS

Sec. 3001. Short title.

This subtitle may be cited as the "Body-Worn Camera Regulation and Reporting Requirements Emergency Act of 2015".

Sec. 3002. Body-Worn Camera Program; generally. **Note, New § 5-134.01**

The Body-Worn Camera Program in the Metropolitan Police Department in Fiscal Year 2016 shall not be implemented until certification by the Chief Financial Officer that the cost of public access to body-worn camera recordings, if any, is funded in the Fiscal Year 2016 budget and 4-year financial plan.

Sec. 3003. Body-Worn Camera Program; rulemaking requirement. **Note, New § 5-134.02**

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), and in accordance with this section, shall issue rules regarding the Metropolitan Police Department's Body-Worn Camera Program. The rules, at a minimum, shall provide:

(1) Standards for public access to body-worn camera recordings;

(2) Policies for retaining body-worn camera recordings;

(3) Procedures for auditing the Body-Worn Camera Program;

(4) Policies for protecting the security and integrity of body-worn camera data; and

(5) Mechanisms for cost recovery of Freedom of Information Act requests.

(b) The Mayor shall establish and consult with an advisory group to provide recommendations for the proposed rules required by subsection (c) of this section. The advisory group shall consist of one representative from each of the following agencies and organizations:

(1) The Committee on the Judiciary of the Council of the District of Columbia;

(2) The Office of Police Complaints;

(3) The Office of Open Government of the Board of Ethics and Government Accountability;

(4) The Fraternal Order of Police, D.C. Police Union;

(5) The Electronic Privacy and Information Center;

(6) The D.C. Coalition Against Domestic Violence;

(7) The American Civil Liberties Union of the National Capital Area;

(8) The Reporters Committee for Freedom of the Press;

(9) The D.C. Open Government Coalition;

(10) The Office of the Attorney General;

(11) The United States Attorney's Office for the District of Columbia; and

(12) The Public Defender Service for the District of Columbia.

(c) The Mayor shall submit the proposed rules required by this section to the Council by October 1, 2015, for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within this 45-day period of review, the proposed rules shall be deemed disapproved.

Sec. 3004. Body-Worn Camera Program; reporting requirements. **Note, New § 5-134.03**

(a) By October 1, 2015, and every 6 months thereafter, the Mayor shall collect, and make available in a publicly accessible format, data on the Metropolitan Police Department's Body-Worn Camera Program, including:

(1) How many hours of body-worn camera recordings were collected;

(2) How many times body-worn cameras failed while officers were on shift and the reasons for the failures;

(3) How many times internal investigations were opened for a failure to turn on body-worn cameras during interactions;

(4) How many times body-worn camera recordings were used by the Metropolitan Police Department in internal affairs investigations;

(5) How many times body-worn camera recordings were used by the Metropolitan Police Department to investigate complaints made by an individual or group;

(6) How many body-worn cameras are assigned to each police district and police unit for the reporting period; and

(7) How many Freedom of Information Act requests the Metropolitan Police Department received for body-worn camera recordings during the reporting period, and the outcome of each request, including any reasons for denial.

(b) The Metropolitan Police Department shall provide the Office of Police Complaints with direct access to body-worn camera recordings.

Sec. 3005. Section 8 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1107), is amended by adding a new subsection (k) to read as follows: **Note, § 5-1107**

"(k) By February 1 of each year, the Office of Police Complaints shall provide a report to the Council on the effectiveness of the Metropolitan Police Department's Body-Worn Camera Program, including an analysis of use of force incidents.".

Sec. 3006. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE B. CHILD FATALITY REVIEW COMMITTEE AMENDMENT

Sec. 3011. Short title.

This subtitle may be cited as the "Child Fatality Review Committee Establishment Emergency Amendment of 2015".

Sec. 3012. Section 4604(a) of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.04(a)), is amended as follows: **Note, § 4-1371.04**

(a) Paragraph (8) is amended by striking the phrase "Department of Housing and Community Development; and" and inserting the phrase "District of Columbia Housing Authority;" in its place.

(b) Paragraph (9) is amended by striking the phrase "Office of the Corporation Counsel." and inserting the phase "Office of the Attorney General;" in its place.

(c) New paragraphs (10), (11), (12), and (13) are added to read as follows:

"(10) Department of Behavioral Health;

"(11) Department of Health Care Finance;

"(12) Department of Youth Rehabilitation Services; and

"(13) Office of the State Superintendent of Education.".

SUBTITLE C. OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE

Sec. 3021. Short title.

This subtitle may be cited as the "Office of the Deputy Mayor for Public Safety and Justice Emergency Amendment Act of 2015".

Note, § 1-301.191

Sec. 3022. Section 3022(c)(5)(A) of the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191(c)(5)(A)), is amended by striking the phrase "Oversee and provide administrative support for the" and inserting the phrase "Be responsible for providing guidance and support to, and coordination of, the" in its place.

SUBTITLE D. SENTENCING AND CRIMINAL CODE REVISION COMMISSION STAFFING

Sec. 3031. Short title.

This subtitle may be cited as the "Sentencing and Criminal Code Revision Commission Staffing Emergency Amendment Act of 2015".

Note, § 1-609.03

Sec. 3032. Section 903(a)(9) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.03(a)(9)), is amended by striking the phrase "10 persons" and inserting the phrase "11 persons" in its place.

SUBTITLE E. DOC INMATE AND RETURNING CITIZEN ASSISTANCE

Sec. 3041. Short title.

This subtitle may be cited as the "DOC Inmate and Returning Citizen Assistance Emergency Act of 2015".

Not Codified

Sec. 3042. DOC inmate and returning citizen assistance grant.

From the Fiscal Year 2016 funds available to the Office of Justice Grants Administration,

no less than $100,000 shall be awarded to help fund an organization that assists inmates at the DC Jail or Correctional Treatment Facility and recently released inmates.

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT

Sec. 4001. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Emergency Amendment Act of 2015".

Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following tabular array in its place: **Note, § 38-2904**

"Grade Level	Weighting	Per Pupil Allocation in FY 2016
"Pre-Kindergarten 3	1.34	$12,719
"Pre-Kindergarten 4	1.30	$12,340
"Kindergarten	1.30	$12,340
"Grades 1-5	1.00	$9,492
"Grades 6-8	1.08	$10,251
"Grades 9-12	1.22	$11,580
"Alternative program	1.44	$13,668
"Special education school	1.17	$11,106
"Adult	0.89	$8,448

".

(b) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows: **Note, § 38-2905**

"(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

"Special Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016

"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	$9,207
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	$11,390
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	$18,699
"Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	$33,127
"Special education enhancement	Weighting provided in addition to special education level add-on weightings on a per-student basis	0.069	$655
"Attorney's Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney's fees	0.089	$845
"Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	$15,852

"General Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
"ELL	Additional funding for English Language Learners	0.49	$4,651
"At-risk	Additional funding for students who are at-risk as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A))	0.219	$2,079

"Residential Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
"Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	$3,493

"Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	$12,691
"Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	$27,438
"Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non-English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.874	$27,280
"LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	$6,341

"Special Education Add-ons for Students with Extended School Year ("ESY") Indicated in Their Individualized Education Programs ("IEPs"):

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
"Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	$598
"Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	$2,155
"Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	$4,661
"Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.489	$4,642

".

(c) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase "fiscal year 2016" and inserting the phrase "Fiscal Year 2017" in its place.

Note, § 38-2913

SUBTITLE B. SCHOOL TECHNOLOGY FUND

Sec. 4011. Short title.

This subtitle may be cited as the "School Technology Fund Emergency Amendment Act of 2015".

Sec. 4012. Section 10005 of the Revised Revenue Estimate Adjustment Allocation Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.251), is amended by adding a new subsection (d) to read as follows: **Note, § 1-325.251**

"(d) By November 15 of each year, each LEA receiving money from the Fund shall submit to the Office of the State Superintendent of Education a report of all expenditures from the Fund for the preceding fiscal year. The report shall include the following information:

"(1) A detailed description of the equipment or software that was purchased by the LEA with money from the Fund, including the cost associated with each piece of equipment or software; and

"(2) A detailed description of the technological improvements that were made to the LEA's school facilities using money from the Fund.".

SUBTITLE C. STUDENT RESIDENCY VERIFICATION FUND

Sec. 4021. Short title.

This subtitle may be cited as the "Student Residency Verification Fund Emergency Amendment Act of 2015".

Sec. 4022. Section 2(c) of An Act To require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(c)), is amended to read as follows: **Note, § 38-302**

"(c) All non-resident tuition and fees collected under this section shall be deposited in the Student Residency Verification Fund, established by section 15b of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.02).".

Sec. 4023. Section 15b(d) of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.02(d)), is amended to read as follows: **Note, § 38-312.02**

"(d) The Fund shall consist of the revenue from the following sources:

"(1) All payments collected pursuant to this act; and

"(2) All non-resident tuition and fees collected pursuant to section 2(c) of An Act To require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(c)).".

SUBTITLE D. AT-RISK SUPPLEMENTAL ALLOCATION PRESERVATION FUND

Sec. 4031. Short title.

This subtitle may be cited as the "At-Risk Supplemental Allocation Preservation Fund Establishment Emergency Act of 2015".

Sec. 4032. At-Risk Supplemental Allocation Preservation Fund. **Note, New § 1-325.35**

(a) There is established as a special fund the At-Risk Supplemental Allocation Preservation Fund ("Fund"), which shall be administered by the Chancellor of the District of Columbia Public Schools in accordance with subsection (c) of this section.

(b)(1) Subject to the limitations set forth in paragraph (2) of this subsection, at the end of each fiscal year, all unspent local funds in the District of Columbia Public Schools budget that are based on the at-risk add-on established by section 106(c) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2905(c)), shall be deposited in the Fund.

(2) Each year's deposit pursuant to paragraph (1) of this subsection shall not exceed 5% of the lower of the District of Columbia Public Schools budget associated with the at-risk add-on for:

(A) The fiscal year in which the funds would be deposited; or

(B) The fiscal year after the year in which the funds would be deposited.

(c) The Fund shall be used solely to fund services and materials designed to assist at-risk students, as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)).

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE E. CHANCELLOR OF DCPS SALARY ADJUSTMENT AMENDMENT

Sec. 4041. Short title.

This subtitle may be cited as the "Chancellor of the District of Columbia Public Schools Salary Adjustment Emergency Amendment Act of 2015".

Sec. 4042. Section 1052(b)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)(2)), is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($275,000)," and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($284,000)," in its place. **Note, § 1-610.52**

Sec. 4043. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE F. DCPS SPONSORSHIP OPPORTUNITIES AMENDMENT

Sec. 4051. Short title.

This subtitle may be cited as the "District of Columbia Public Schools Sponsorship Opportunities Emergency Amendment Act of 2015".

Note, § 38-174.01

Sec. 4052. The District of Columbia Public Schools Agency Establishment Act of 2007, effective April 23, 2007 (D.C. Law 17-09; D.C. Official Code § 38-171 *et seq*.), is amended by adding a new section 105a to read as follows:

"Sec. 105a. Event sponsorships.

"(a) The Chancellor may contract for advertisements and sponsorships for athletics, community engagement events, educational programs, or facilities improvements designed to generate resources for the District of Columbia Public Schools.

"(b)(1) There is established as a special fund the District of Columbia Public Schools Advertisements and Sponsorships Fund ("Fund"), which shall be administered by the Chancellor in accordance with paragraph (3) of this subsection.

"(2) The Fund shall consist of all revenue from contracts for advertisements and sponsorships for athletics, community engagement events, educational programs, or facilities improvements pursuant to subsection (a) of this section.

"(3) The Fund shall be used for the support of the operations of the District of Columbia Public Schools.

"(4)(A) The money deposited into the Fund, and interest earned, shall not revert to the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE G. EDUCATOR EVALUATION DATA PROTECTION

Sec. 4061. Short title.

This subtitle may be cited as the "Educator Evaluation Data Protection Emergency Amendment Act of 2015".

Sec. 4062. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq*.), is amended by adding a new section 7g to read as follows:

Note, New § 38-2615

"Sec. 7g. Educator evaluations.

"(a) Individual educator evaluations and effectiveness ratings, observation, and value-added data collected or maintained by OSSE are not public records and shall not be subject to disclosure pursuant to section 202 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).

"(b) Nothing in this section shall prohibit OSSE from:

"(1) Using educator evaluations or effectiveness ratings to fulfill existing requirements of a state educational agency under applicable federal or local law; or

"(2) Publicly disclosing aggregate reports and analyses regarding the results of educator evaluation data.

"(c) For the purposes of this section, the term "educator" means a principal, assistant principal, school teacher, assistant teacher, or a paraprofessional.".

Note, § 2-534

Sec. 4063. Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as follows:

(a) Paragraph (14) is amended by striking the word "and" at the end.

(b) Paragraph (15) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (16) is added to read as follows:

"(16) Information exempt from disclosure pursuant to section 7g of the State Education Office Establishment Act of 2000, passed on emergency basis on June 30, 2015 (Enrolled version of Bill 21-283).".

Sec. 4064. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE H. BOOKS FROM BIRTH

Sec. 4071 . Short title.

This subtitle may be cited as the "Books from Birth Establishment Emergency Amendment Act of 2015".

Note, New § 39-115

Sec. 4072. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-101 *et seq*.), is amended by adding new sections 15 and 16 to read as follows:

"Sec. 15. Books from Birth.

"(a) There is established the Books from Birth program as a program of the District of Columbia Public Library ("DCPL"), to be administered by the Executive Director of DCPL.

"(b) The Books from Birth program shall provide books to all children registered with the program, delivered to the residence of the child at the rate of one per month, from the month following the child's birth or enrollment in the program to the child's 5th birthday.

"(c)(1) The Executive Director shall make reasonable efforts to register every child under the age of 5 residing in the District who wishes to participate in the Books from Birth program.

"(2) The Executive Director may enter into such memoranda of agreement or understanding as necessary to ensure each family receives registration information upon the child's birth.

"(d)(1) Except as provided in paragraph (2) of this subsection, the registration list shall be used solely for activities related to the Books from Birth program and shall not be sold or used for any other purpose.

"(2) The Executive Director may use the registration list to conduct outreach and provide information about library programs and services, including those related to children, adult, or family literacy, or other educational or literacy material as DCPL considers useful to registered families.

"(e) Book titles for each age group shall be selected to reflect age-appropriate concepts and diversity of characters, culture, and authors.

"(f) The Executive Director may enter into contractual and promotional agreements necessary to effectively implement the Books from Birth program.

"Sec. 16. Books from Birth Fund. **Note, New § 39-116**

"(a) There is established as a special fund the Books from Birth Fund ("Fund"), which shall be administered by the Board in accordance with subsection (c) of this section.

"(b) Revenue from the following sources shall be deposited in the Fund:

"(1) Funds appropriated by the District;

"(2) Donations from the public;

"(3) Donations from private entities; and

"(4) Funds provided through a sponsorship agreement.

"(c) Money in the Fund shall be used to implement and promote the Books from Birth program, including:

"(1) Purchasing books for the Books from Birth program;

"(2) Handling and delivery costs;

"(3) Promotional costs; and

"(4) Appropriate overhead or administrative expenses related to the Books from Birth program and the Fund.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE I. EDUCATION REPORTING REQUIREMENTS

Sec. 4081. Short title.

This subtitle may be cited as the "Education Reporting Requirements Emergency Act of 2015".

Sec. 4082. Office of the State Superintendent of Education reporting requirements. **Not Codified**

By October 1, 2015, the Office of the State Superintendent of Education ("OSSE") shall submit to the Council a report on the following:

(1) The status and implementation of its new automated teacher licensure system; and

(2) An update on OSSE's work to revise the Health Education Standards, including the timeline for when the new standards will be released.

Sec. 4083. Public Charter School Board reporting requirements. **Not Codified**

By October 1, 2015, the Public Charter School Board shall submit to the Council the following:

(1) A report on the distribution of at-risk funds to each local education agency ("LEA") it oversees for students in pre-k through grade 12 for school year 2015-2016, which shall include, at a minimum, the allocation to each LEA and a specific breakdown of how that money was or is planned to be spent, including a description of the programs, initiatives, and enrichment activities it supported or is planned to support; and

(2) A report on the status of the public charter schools that have not submitted a bullying prevention policy, or have not submitted a compliant bullying prevention policy to the Bullying Prevention Task Force in accordance with section 4 of the Youth Bullying Prevention Act of 2012, effective September 14, 2012 (D.C. Law 19-167; D.C. Official Code § 2-1535.03).

Sec. 4084. Deputy Mayor for Education reporting requirements. **Not Codified**

By October 1, 2015, the Deputy Mayor for Education shall submit to the Council a report on the Cross Sector Collaboration Task Force's strategic plan and timeline for the process for formalizing the disposition of former District of Columbia Public Schools buildings to charter schools.

Sec. 4085. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE J. AT-RISK FUNDING AMENDMENT

Sec. 4091. Short title.

This subtitle may be cited as the "At-Risk Funding Emergency Amendment Act of 2015".

Sec. 4092. Section 108a(b) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective February 22, 2014 (D.C. Law 20-87; D.C. Official Code § 38-2907.01(b)), is amended as follows: **Note, § 38-2907.01**

(a) Paragraph (1) is amended to read as follows:

"(1) Funds provided to schools pursuant to subsection (a)(3) of this section shall be available for school utilization at the direction of the Chancellor in consultation with the principal and local school advisory team, for the purpose of improving student achievement among at-risk students. By October 1 of each year, the Chancellor shall make publicly available an annual report that explains the allocation of funds sorted by individual schools.".

(b) Paragraph (2) is repealed.

Sec. 4093. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE K. ENVIRONMENTAL LITERACY SPECIALIST PILOT PROGRAM

Sec. 4101. Short title.

This subtitle may be cited as the "Environmental Literacy Specialist Pilot Program Emergency Amendment Act of 2015".

Note, § 38-825.02

Sec. 4102. Section 502 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-825.02), is amended by adding a new subsection (d) to read as follows:

"(d)(1) The Office of the State Superintendent of Education ("OSSE") shall establish a one-year pilot program to provide funds to employ environmental literacy specialists at selected District of Columbia Public Schools elementary schools and public charter elementary schools.

"(2) For the pilot program, OSSE shall make funds available for 4 environmental literacy specialists. Each environmental literacy specialist shall serve at 2 of the selected schools.

"(3) Only schools that have an existing school garden or plan to create a school garden with the assistance of an environmental literacy specialist may submit an application to participate in the pilot program. OSSE shall select 8 schools from among the applicants to participate in the pilot program.

"(4) Each environmental literacy specialist shall:

"(A) Create, if applicable, and maintain the school garden;

"(B) Implement composting and recycling programs;

"(C) Implement the 2012 environmental literacy plan developed pursuant to this section; and

"(D) Assist teachers with incorporating earth science into lesson plans.".

SUBTITLE L. DISTRICT OF COLUMBIA PUBLIC LIBRARY REVENUE-GENERATING ACTIVITIES

Sec. 4111. Short title.

This subtitle may be cited as the "District of Columbia Public Library Revenue-Generating Activities Emergency Amendment Act of 2015".

Sec. 4112. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D. C. Official Code § 39-101 *et seq.*), is amended as follows:

Note, § 39-105

(a) Section 5(a) (D.C. Official Code § 39-105(a)) is amended by adding new paragraphs (14) and (15) to read as follows:

"(14) Allow, beginning March 25, 2015, and subject to rules issued pursuant to paragraph (15) of this subsection, revenue-generating activities on District of Columbia Public Library property; provided, that:

"(A)(i) Revenue-generating activity conducted by the District of Columbia Public Library shall benefit the public but need not be related to library services as described in this act; and

"(ii) Revenue generated pursuant to this subparagraph shall be deposited in the DCPL Revenue Generating Services Fund, established pursuant to section 15;

"(B) Revenue-generating activity may be conducted by private users only with a permit granted by and at the discretion of the Board and after payment of a fee reasonably determined to cover the costs that will be incurred by the District of Columbia Public Library as a result of the activity; and

"(C) Private users conducting revenue-generating activity may solicit donations subject to the District of Columbia Charitable Solicitation Act, approved July 10, 1957 (71 Stat. 278; D.C. Official Code § 44-1701 *et seq*.).

"(15) Within 90 days of the effective date of the District of Columbia Public Library Revenue Generating Services Emergency Amendment Act of 2015, passed on emergency basis on June 30, 2015 (Enrolled version of Bill 21-283), issue rules to implement the provisions of paragraph (14) of this subsection.".

(b) A new section 15 is added to read as follows: **Note, § 39-117**

"Sec. 15. DCPL Revenue-Generating Activities Fund.

"(a) Beginning March 25, 2015, there is established as a special fund the DCPL Revenue-Generating Activities Fund ("Fund"), which shall be administered by the Board in accordance with subsection (c) of this section.

"(b) The Fund shall consist of the revenue from revenue-generating activities and services described in section 5(a)(14).

"(c) The Fund shall be used for the following purposes:

"(1) Payment of any expenses associated with activities and services described in section 5(a)(14), including expenses for space rental and special events associated with the activities and services authorized in section 5(a)(14); and

"(2) Payment of any non-personnel costs related to the library services mission of the District of Columbia Public Library.".

Sec. 4113. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE M. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING

Sec. 4121. Short title.

This subtitle may be cited as the "My School DC EdFest Sponsorship and Advertising Emergency Act of 2015".

Sec. 4122. (a) Notwithstanding any other provision of law, the Deputy Mayor for Education may enter into one or more written agreements for advertisements and sponsorships to fund My School DC EdFest, an annual citywide public school fair. **Note, § 38-191**

(b) No agreement pursuant to this section may require the District to expend funds.

(c) Only advertisements shall be agreed to in exchange for corporate goods, services, or funds.

(d) There shall be no limit to the value of goods, services, or funds that may be received from an organization, registered or not, or from an individual, regardless of whether the organization is located, or the individual resides, within the District of Columbia.

(e) Any sponsorship or advertisement pursuant to this section shall be memorialized by written agreement of the parties.

(f) The Deputy Mayor for Education shall keep an accounting of all goods, services, and funds received pursuant to this section and shall submit to the Mayor and to the Council of the District of Columbia a report accounting for all goods, services, and funds received pursuant to this section by December 31st of each year.

SUBTITLE N. YOUTH BULLYING PREVENTION

Sec. 4131. Short title.

This subtitle may be cited as the "Youth Bullying Prevention Emergency Amendment Act of 2015".

Sec. 4132. Section 3 of the Youth Bullying Prevention Act of 2012, effective September 14, 2012 (D.C. Law 19-167; D.C. Official Code § 2-1535.02), is amended as follows: **Note, § 2-1535.02**

(a) Subsection (c) is amended as follows:

(1) Paragraph (5) is amended by striking the word "and".

(2) New paragraphs (5A), (5B), and (5C) are added to read as follows:

"(5A) Appropriately engage parents and legal guardians of youth served by each agency in bullying prevention efforts;

"(5B) Provide to each agency and parents or legal guardians a referral list of community-based programs or similar resources that mitigate bullying and address identified behavioral health needs as necessary;

"(5C) Provide consultation and review evidence-based school climate data to ensure full implementation of the law; and".

(b) Subsection (d) is amended by striking the phrase "2 years after its initial meeting" and inserting the phrase "by August 2018" in its place.

SUBTITLE O. EARLY LITERACY GRANT PROGRAM

Sec. 4141. Short title.

This subtitle may be cited as the "Early Literacy Grant Program Emergency Amendment Act of 2015".

Sec. 4142. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows: **Note, § 38-2602**

(a) Paragraph (22) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (23) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (24) is added to read as follows:

"(24) Provide supplemental funding for early literacy programs targeting 3rd-grade reading success through a competitive grant program for eligible grantees who are early literacy providers that, at a minimum:

"(A) Provide a full continuum of school-based, early literacy intervention services for all grades pre-K through 3rd consisting of developmentally appropriate components for each grade;

"(B) Deliver the literacy program by professionally coached interventionists;

"(C) Provide direct services each day that school is in session;

"(D) Collect data on student progress monthly;

"(E) Use an intervention model that is comprehensive and has been proven to be effective in one or more empirical studies; and

"(F) Are not local education agencies.".

SUBTITLE P. DEPUTY MAYOR FOR EDUCATION LIMITED GRANT-MAKING AUTHORITY

Sec. 4151. Short title.

This subtitle may be cited as the "Deputy Mayor for Education Limited Grant-Making Authority Emergency Amendment Act of 2015".

Sec. 4152. Deputy Mayor for Education limited grant-making authority.

Note, § 38-191

(a) For Fiscal Year 2016, the Deputy Mayor for Education shall have grant-making authority solely to provide:

(1) Grants not to exceed $270,000 to organizations to provide advocacy, individual counseling, academic support, enrichment, life-skills training, and employment-readiness services for high school students in the District who are at risk of dropping out.

(2) Grants not to exceed $150,000 to organizations to provide a music instruction program serving elementary school students in the District that have limited means to afford or access to instrumental music instruction.

(3) A grant in an amount not to exceed $150,000, for a study, in consultation with the Board of Trustees of the University of the District of Columbia, to evaluate the cost, benefits, and feasibility of relocating the University of the District of Columbia Community College to a location east of the Anacostia River. The Deputy Mayor for Education, in consultation with the

Board of Trustees of the University of the District of Columbia, may conduct the study in lieu of issuing a grant.

(b) Grants issued under this section shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

SUBTITLE Q. PUBLIC CHARTER SCHOOL PAYMENT REPROGRAMMING

Sec. 4161. Short title.

This subtitle may be cited as the "Public Charter School Payment Reprogramming Emergency Amendment Act of 2015".

Note, § 38-1804.03

Sec. 4162. Section 2403(a)(2) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(a)(2)), is amended by adding a new subparagraph (E) to read as follows:

"(E) *Reprogramming limitation* -- Funds appropriated for public charter school payments that remain in the escrow account for public charter schools due to projected public charter school enrollment exceeding audited enrollment may only be reprogrammed to agencies in the public education system cluster of the District's budget.".

SUBTITLE R. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING MATCH

Sec. 4171. Short title.

This subtitle may be cited as the "University of the District of Columbia Fundraising Match Emergency Act of 2015".

Not Codified

Sec. 4172. In Fiscal Year 2016 and each fiscal year thereafter, of the funds allocated to the Non-Departmental agency, an amount up to $1 million shall be transferred to the University of the District of Columbia ("UDC") to match dollar-for-dollar the amount UDC raises in private donations by January 1 of that fiscal year for the purpose of meeting accreditation standards and implementation of the university's strategic plan.

SUBTITLE S. PUBLIC CHARTER SCHOOL BOARD ADMINISTRATIVE FUND

Sec. 4181. Short title.

This subtitle may be cited as the "Public Charter School Board Administrative Fund Emergency Amendment Act of 2015".

Note, § 38-1802.14

Sec. 4182. Section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), is amended by adding a new subsection (g-1) to read as follows:

"(g-1) *Fund.*

"(1) *Establishment* - There is established as a special fund the District of Columbia Public Charter School Board Fund ("Fund"), which shall be administered by the Board in accordance with paragraph (3) of this subsection.

"(2) *Deposits* - There shall be deposited into the Fund:

"(A) All fees authorized by section 2211;

"(B) Appropriations as authorized by subsection (g) of this section; and

"(C) Any other revenues, including grants or gifts, dedicated to the Fund.

"(3) *Authorized uses* - The Fund shall be used to pay for goods, services, property, capital improvements, or any other permitted use as authorized by this section or section 2211.

"(4) *Nonlapsing, no-year appropriation –*

"(A) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE T. RAISING EXPECTATIONS FOR EDUCATION AMENDMENT

Sec. 4191. Short title.

This subtitle may be cited as the "Raising Expectations for Education Emergency Amendment Act of 2015".

Sec. 4192. Section 403 of the Raising the Expectations for Education Outcomes Omnibus Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-754.03), is amended as follows:

Note, § 38-754.03

(a) Subsection (a) is amended as follows:

(1) Paragraphs (1) and (2) are amended to read as follows:

"(1) A focus on mental health prevention and treatment services;

"(2) A student population where more than 60% of the students are at- risk as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)); and".

(2) A new paragraph (3) is added to read as follows:

"(3) A focus on improving academic outcomes for students.".

(b) Subsection (d) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) Paragraph 5(C) is amended by striking the period and inserting the phrase "; and" in its place.

(3)A new paragraph (6) is added to read as follows:

"(6) Meet at least annually to review and evaluate the annual progress of the Incentive Initiative and to make recommendations, if any, to the Mayor and the Council for improvement of the Incentive Initiative.".

(c) Subsection (e) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) An assessment of the local school community, the neighborhood's needs and assets, and an analysis of the academic, health, and social service needs of the target population of students;".

(2) Paragraph (4) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(3) Paragraph (5) is amended by striking the period and inserting a semicolon in its place.

(4) New paragraphs (6) and (7) are added to read as follows:

"(6) A narrative description of the program approach, including an implementation action plan and explanation of how the chosen approach is evidence-based either through research or other proven community schools models; and

"(7) A plan for quarterly qualitative and quantitative program evaluation, including measurable indicators of success in areas such as student academic achievement; graduation and attendance rate; and improvement in student health and socio-emotional well-being.".

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AMENDMENT

Sec. 5001. Short title.

This subtitle may be cited as the "Temporary Assistance for Needy Families Emergency Amendment Act of 2015".

Sec. 5002. Section 552 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52), is amended as follows:

Note, § 4-205.52

(a) Subsection (c-3) is amended as follows:

(1) Paragraph (2) is amended by striking the word "and" at the end.

(2) Paragraph (3) is amended to read as follows:

"(3) For Fiscal Year 2016, the level of assistance payment shall be equal to the Fiscal Year 2015 amount, plus an amount equal to the Fiscal Year 2015 amount multiplied by the Consumer Price Index percentage increase in the Consumer Price Index for Urban Consumers ("CPI-U") for all items from the preceding calendar year, as determined by the United States Department of Labor Bureau of Labor Statistics; and".

(3) A new paragraph (4) is added to read as follows:

"(4) For Fiscal Year 2017 and thereafter, no benefits shall be provided.".

(b) Subsection (d-1) is amended to read as follows:

"(d-1)(1) Effective October 1, 2014, the assistance levels set forth in subsection (c) of this section shall be adjusted annually for the rate of inflation, except for the following:

"(A) For Fiscal Year 2017, the assistance level shall be increased by 15.3%;

"(B) For Fiscal Year 2018, the assistance level shall be increased by 13.3%; and

"(C) For Fiscal Year 2019, the assistance level shall be increased by 11.8%.

"(2) In annually adjusting the assistance levels for the rate of inflation, the prior year's assistance level shall be increased by an amount equal to the prior year's assistance level multiplied by the CPI-U for all items from the preceding calendar year, as determined by the United States Department of Labor Bureau of Labor Statistics.".

SUBTITLE B. MEDICAL ASSISTANCE PROGRAM AMENDMENTS

Sec. 5011. Short title.

This subtitle may be cited as the "Medical Assistance Program Emergency Amendment Act of 2015".

Note, § 1-307.02

Sec. 5012. Section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), is amended by adding a new paragraph (9) to read as follows:

"(9) Review and approval by the Council of the Fiscal Year 2016 Budget and Financial Plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any amendment, modification, or waiver of the state plan required to:

"(A) Update the reimbursement methodology model for intermediate care facilities for persons with developmental disabilities to ensure compliance with federal law;

"(B) Update the payment methodology for hospital services;

"(C) Update the payment methodology for Federally-Qualified Health Centers;

"(D) Update the payment methodology and program standards for Home Health Agencies;

"(E) Create health homes for chronically ill District residents;

"(F) Establish a provider fee on District Medicaid hospitals for in-patient services; and

"(G) Establish a supplemental payment to District Medicaid hospitals for outpatient services.".

SUBTITLE C. POWER EXPANSION AMENDMENT

Sec. 5021. Short title.

This subtitle may be cited as the "POWER Expansion Emergency Amendment Act of 2015".

Sec. 5022. Section 572a(a) of the District of Columbia Public Assistance Act of 1982, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 4-205.72a(a)), is amended as follows: **Note, § 4-205.72a**

(a) The lead-in language is amended by striking the phrase "beginning October 1, 2013,".

(b) Paragraph (1)(A) is amended by striking the phrase "Is the parent" and inserting the phrase "Beginning October 1, 2013, is the parent" in its place.

(c) Paragraph (1A) is amended to read as follows:

"(1A) Beginning October 1, 2016, is a single custodial parent or caretaker with a child under 6 months of age; provided, that no parent or caretaker may remain eligible for assistance under this paragraph for more than 12 months;".

(d) Paragraph (2)(A) is amended by striking the phrase "Is the parent" and inserting the phrase "Beginning October 1, 2013, is the parent" in its place.

(e) Paragraph (3) is amended by striking the phrase "Is a pregnant" and inserting the phrase "Beginning October 1, 2013, is a pregnant" in its place.

(f) Paragraph (5) is amended by striking the phrase "Is a parent" and inserting the phrase "Beginning October 1, 2013, is a parent" in its place.

(g) Paragraph (6) is amended by striking the phrase "Is the head" and inserting the phrase "Beginning October 1, 2013, is the head" in its place.

SUBTITLE D. PHARMACEUTICAL DETAILING LICENSURE EXEMPTION

Sec. 5031. Short title.

This subtitle may be cited as the "Pharmaceutical Detailing Licensure Exemption Emergency Amendment Act of 2015".

Sec. 5032. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq*.), is amended as follows:

(a) Section 502(a) (D.C. Official Code § 3-1205.02(a)) is amended by adding a new paragraph (2A) to read as follows: **Note, § 3-1205.02**

"(2A) To an individual engaged in the practice of pharmaceutical detailing for less than 30 consecutive days per calendar year;".

(b) Section 741(a) (D.C. Official Code § 3-1207.41(a)) is amended by striking the phrase "An individual" and inserting the phrase "Except as provided in section 502(a)(2A), an individual" in its place. **Note, § 3-1207.41**

(c) Section 745 (D.C. Official Code § 3-1207.45) is amended by striking the phrase "without a license" and inserting the phrase "without a license, except as provided in section 502(a)(2A)," in its place. **Note, § 3-1207.45**

SUBTITLE E. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION

Sec. 5041. Short title.

This subtitle may be cited as the "Department of Health Functions Clarification Emergency Amendment Act of 2015".

Sec. 5042. Section 4907a of the Department of Health Functions Clarification Act of 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended by adding a new subsection (h) to read as follows:

Note, § 7-736.01

"(h)(1) For Fiscal Year 2016, the Director of the Department of Health shall have the authority to issue grants to qualified community organizations for the purpose of providing the following services:

"(A) Programs designed to promote healthy development in girls attending public and chartered schools in grades 8-12 located in areas of the city possessing the highest rates of teen pregnancy and highest enrollment in state-funded health programs in the District, not to exceed $569,000;

"(B) Clinical nutritional home delivery services for individuals living with cancer and other life-threatening diseases, not to exceed $150,000; and

"(C) Programs designed to support teen peer educators who work to provide sexual health information and condoms to youth, not to exceed $157,000.

"(2) All grants issued pursuant to paragraph (1) of this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

"(3) The Department of Health shall submit a quarterly report to the Secretary to the Council on all grants issued pursuant to the authority granted in paragraph (1) of this subsection.".

SUBTITLE F. TEEN PREGNANCY PREVENTION FUND

Sec. 5051. Short title.

This subtitle may be cited as the "Teen Pregnancy Prevention Fund Establishment Emergency Amendment Act of 2015".

Sec. 5052. Section 5146 of the Teen Pregnancy Prevention Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.325), is amended by striking the phrase "For Fiscal Year 2015" and inserting the phrase "For Fiscal Year 2016" in its place.

Note, § 1-325.325

SUBTITLE G. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL PAYMENT

Sec. 5061. Short title.

This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment Emergency Act of 2015".

Note, New § 44-661.01

Sec. 5062. Definitions.

For the purposes of this subtitle, the term:

(1) "Department" means the Department of Health Care Finance.

(2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(l)), but excludes any hospital operated by the federal government.

(3) "Hospital system" means any group of hospitals licensed separately, but operated, owned, or maintained by a common entity.

(4) "Medicaid" means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq*.), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

(5) "Outpatient gross patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported as the sum of Lines 18 and 19; Column 2; Worksheet G-2 of the Hospital and Hospital Health Care Complex Cost Report (Form CMS 2552-10), filed for the period ending between October 1, 2012, and June 30, 2013.

Note, New § 44-661.02

Sec. 5063. Hospital Provider Fee Fund.

(a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which shall be administered by the Department in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Fees collected under this subtitle; and

(2) Interest and penalties collected under this subtitle.

(c) Money in the Fund may only be used for the following purposes:

(1) Making Medicaid outpatient hospital access payments to hospitals as required under section 5066;

(2) Payment of administrative expenses incurred by the Department or its agent in performing the activities authorized by this subtitle in an amount not to exceed $150,000 annually; and

(3) Providing refunds to hospitals pursuant to section 5065.

(d) Money in the Fund may not be used to replace money appropriated to the Medicaid program.

(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 5064. Hospital provider fee. **Note, New § 44-661.03**

(a) Beginning October 1, 2015, and subject to section 5065, the District may charge each hospital a fee based on its outpatient gross patient revenue. The fee shall be charged at a uniform rate necessary to generate the following:

(1) An amount equal to the non-federal share of the total available spending room under the Medicaid upper payment limit for private hospitals applicable to District Fiscal Year ("DFY") 2016 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus

(2) An amount equal to the lesser of the non-federal share of the total available spending room under the Medicaid upper payment limit for District operated hospitals applicable to DFY 2016 consistent with the federal approval of the authorizing Medicaid State Plan amendment or United Medical Center's Medicaid disproportionate share hospital limit as adjusted by the District in accordance with the federally approved Medicaid State Plan; plus

(3) An amount equal to the Department's administrative expenses as described in section 5063(c)(2).

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

Sec. 5065. Applicability of fees. **Note, New § 44-661.04**

(a) The fee imposed by section 5064 shall not be due and payable until such time that the federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in section 5066.

(b) The fee imposed by section 5064 shall cease to be imposed, and any moneys remaining in the Fund shall be refunded to hospitals in proportion to the amounts paid by them, if:

(1) The Department makes changes in its rules that reduce the hospital inpatient or outpatient Medicaid payment rates, including adjustment to payment rates that are in effect on October 1, 2014; or

(2) The payments to hospitals required under section 5066 are modified in any way other than to secure federal approval of such payments as described in section 5066 or are not eligible for federal matching funds under section 1903(w) of the Social Security Act, approved July 30, 1965 (70 Stat. 349; 42 U.S.C. §1396b(w)) ("Social Security Act").

(c) The fee imposed by section 5064 shall not take effect or shall cease to be imposed if the fee is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social Security Act by the Centers for Medicare and Medicaid Services.

(d) Should the fee imposed by section 5064 not take effect or cease to be imposed, moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section 5066 to the extent federal matching is available. If federal matching is not available due to a determination by the Centers for Medicare and Medicaid Services that the fee is impermissible, any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5066. Medicaid outpatient hospital access payments.

Note, New § 44-661.05

(a)(1) For visits and services beginning October 1, 2015, quarterly Medicaid outpatient hospital access payments shall be made to each private hospital.

(2) Each payment will be equal to the hospital's DFY 2013 outpatient Medicaid payments divided by the total in District private hospital DFY 2013 outpatient Medicaid payments multiplied by 1/4 of the total outpatient private hospital access payment pool.

(3) The total outpatient private hospital access payment pool is equal to the total available spending room under the private hospital outpatient Medicaid upper payment limit for DFY 2016.

(b)(1) A private hospital that is also a Disproportionate Share Hospital ("DSH") will receive no more in Medicaid outpatient hospital access payments than the available room under its District-adjusted, hospital-specific DSH limit.

(2) Any Medicaid outpatient hospital access payments that would otherwise exceed a private DSH’s adjusted DSH limit shall be distributed to the remaining private hospitals consistent with each private hospital's relative share of DFY 2013 outpatient Medicaid payments.

(c)(1) For visits and services beginning October 1, 2015, outpatient hospital access payments shall be made to the United Medical Center.

(2) Each payment will be equal to one quarter of the total outpatient public hospital access payment pool.

(3) The total outpatient public hospital access payment pool is equal to the lesser of the total available spending room under the District-operated hospital outpatient Medicaid upper payment limit for DFY 2016, and the United Medical Center District-adjusted Medicaid DSH limit.

(d) The quarterly Medicaid outpatient hospital access payments shall be made within 15 business days after the end of each DFY quarter for the Medicaid visits and services rendered during that quarter.

(e) No payments shall be made under this section until such time that the federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in this subtitle.

(f) The Medicaid payment methodologies authorized under this subtitle shall not be altered in any way unless such alteration is necessary to gain federal approval from the Centers for Medicare and Medicaid Services.

Sec. 5067. Quarterly notice and collection. **Note, New § 44-661.06**

(a) The fee imposed under section 5064, which shall be calculated, due, and payable on a quarterly basis, shall be due and payable by the 15th of the last month of each DFY quarter; provided, that the fee shall not be due and payable until:

(1) The District issues written notice that the payment methodologies for payments to hospitals required under section 5066 have been approved by the federal Centers for Medicare and Medicaid Services; and

(2) The District issues written notice to the hospital informing the hospital of its fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period commencing on October 1, 2015, to ensure all applicable fee obligations have been identified.

(b)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(c) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

Sec. 5068. Multi-hospital systems, closure, merger, and new hospitals. **Note, New § 44-661.07**

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person ceases to conduct, operate, or maintain a hospital that is subject to a fee under section 5064, as evidenced by the transfer or surrender of the hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5064 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducted, operated, or maintained the hospital, and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision in this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee computed under section 5064 and subsection (a) of this section in installments on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due dates of the initial notice.

Sec. 5069. Rules. **Note, New § 44-661.08**

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

Sec. 5070. Sunset. **Note, New § 44-661.09**

This subtitle shall expire on September 30, 2016.

SUBTITLE H. MEDICAID HOSPITAL INPATIENT FEE

Sec. 5071. Short title.

This subtitle may be cited as the "Medicaid Hospital Inpatient Rate Supplement Emergency Act of 2015".

Sec. 5072. Definitions. **Note, New § 44-662.01**

For the purposes of this subtitle, the term:

(1) “Department” means the Department of Health Care Finance.

(2) “Hospital” shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-50l(a)(l)), but excludes any hospital operated by the federal government and any specialty hospital, as defined by the District of Columbia’s Medicaid State Plan (“State Plan”), or a hospital that is reimbursed under a specialty hospital reimbursement methodology under the State Plan.

(3) “Hospital system” means any group of hospitals licensed separately but operated, owned, or maintained by a common entity.

(4) “Inpatient net patient revenue” means the amount calculated in accordance with generally accepted accounting principles for hospitals as derived from each hospital’s filed Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-10), filed for the period ending between October 1, 2012, and June 30, 2013, using the references below:

(A) The sum of: Worksheet G-2; Column 1; Lines 1, 2, 3, 4, 16 and 18.

(B) Minus: The ratio of the sum of Worksheet G-2; Column 1; Lines 5, 6, and 7 divided by Worksheet G-2; Column 1; Line 17 multiplied by Worksheet G-2; Column 1; Line 18.

(C) Divided by: Worksheet G-2; Column 3; Line 28

(D) Multiplied by: Worksheet G-2; Column 1; Line 3

(5) “Medicaid” means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq*.) (“Social Security Act”), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

Sec. 5073. Hospital Fund. **Note, New § 44-662.02**

(a) There is established as a special fund the Hospital Fund ("Fund"), which shall be administered by the Department in accordance with subsection (c) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Fees collected under this subtitle;

(2) Interest and penalties collected under this subtitle; and

(3) Other amounts collected under this subtitle.

(c) Money in the Fund shall be used solely as set forth in section 5074 (a)(2) of this subtitle.

(d)(1) The money deposited in the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation; provided, that any remaining money in the Fund at the end of each fiscal year shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5074. Hospital provider fee. **Note, New § 44-662.03**

(a)(1) Beginning October 1, 2015, and except as provided in subsection (b) of this section and section 5077, the District, through the Office of Tax and Revenue, may charge each hospital a fee based on its inpatient net patient revenue.

(2) The fee shall be charged at a uniform rate necessary to generate no more than $10.4 million. Of this amount, $1.4 million may be used to support the Medicaid Managed Care Organization rates for inpatient hospitalization. The remaining amount shall be used to support the maintenance of inpatient Medicaid Fee-for-Service rates at the District Fiscal Year ("DFY") 2015 level of 98% of cost to non-specialty hospitals.

(3) The fee collected pursuant to this section shall be deposited in the Hospital Fund, established by section 5073.

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

(c) By August 1, 2015, the Department shall submit a provider tax waiver application to the Center for Medicare and Medicaid Services to ensure the provisions of this subtitle qualify as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act.

Sec. 5075. Quarterly notice and collection. **Note, New § 44-662.04**

(a) The fee imposed under section 5074 shall be due and payable by the 15th of the last month of each DFY quarter.

(b) The fee imposed under section 5074 shall be calculated, due, and payable on a

quarterly basis, but shall not be due and payable until the District issues written notice to each hospital informing the hospital of its fee rate, inpatient net patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period October 1, 2015, to ensure all applicable fee obligations have been identified.

(c)(1) If a hospital fails to pay the full amount of its fee by the date required, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(d) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

Sec. 5076. Multi-hospital systems, closure, merger, and new hospitals. **Note, New § 44-662.05**

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding section 5074, if a hospital system or person that is subject to a fee under section 5074 ceases to conduct, operate, or maintain a hospital, as evidenced by the transfer or surrender of a hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5074 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducts, operates, or maintains the hospital and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision of this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee required under 5074 in accordance with subsection (a) of this section on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due date of the initial notice.

Sec. 5077. Federal determinations; suspension and termination of assessment. **Note, New § 44-662.06**

(a) If the Centers for Medicare and Medicaid Services determines that an assessment imposed on a hospital pursuant to this subtitle does not satisfy the requirements for federal financial participation set forth in section 1903(w) of the Social Security Act that determination shall not affect the validity, amount, applicable rate, or any other terms of an assessment on other hospitals imposed by this subtitle.

(b) If the Centers for Medicare and Medicaid Services determines that an exclusion for specialty hospitals under this subtitle would prevent an assessment imposed by this subtitle from qualifying as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act, the exclusion of specialty hospitals shall not be made.

Sec. 5078. Rules. **Note, New § 44-662.07**

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

Sec. 5079. Applicability; sunset. **Note, New § 44-662.08**

(a) Section 5074(c) shall apply as of the effective date of this act.

(b) This subtitle shall expire on September 30, 2016.

SUBTITLE I. UNDERSERVED YOUTH COMMUNITY PROGRAMMING

Sec. 5081. Short title.

This subtitle may be cited as the "Underserved Youth Community Programming Emergency Amendment Act of 2015".

Sec. 5082. Section 2403(a-1) of the Children and Youth Initiative Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1553(a-1)), is amended by adding a new paragraph (4) to read as follows: **Note, § 2-1553**

"(4) For Fiscal Year 2016, $660,448 of available funds for sub-grants shall be awarded to the following types of programs to serve children and youth in areas of the city possessing the highest rates of poverty:

"(A) Out-of-school time programs for underserved children and youth that include free after school and summer day camps provided at public schools, community centers, and community rooms in public housing;

"(B) Programs through which students, faculty, and staff engage in the District through activism, advocacy, service, volunteer projects, and community-based learning and research opportunities;

"(C) Programs to educate youth on how to plan and prepare healthy meals;

"(D) Afterschool and summer academic programs for 5th through 8th graders in at-risk communities that are designed to combine demanding academic work with mentoring, skill-building, and individual student achievement plans;

"(E) Programs to enrich the quality of life, foster intellectual stimulation, and promote cross-cultural understanding and appreciation of local history in all neighborhoods of the District;

"(F) Programs that use artistic expression to develop character and leadership, and help to prepare at-risk African American boys and young men to have a positive impact on their communities;

"(G) Programs that provide an extended day program for kindergartners through 5th graders and provide afterschool academic enrichment that supports the daytime instruction through alternative learning methods and activities and homework assistance;

"(H) Programs that provide low-income children individualized reading instruction in order to improve their literacy;

"(I) Rehabilitation programs that serve female youth ages 9 through 17 years involved in the juvenile justice system and provide individual and group counseling, therapeutic recreation, job training, mentoring, and community service opportunities;

"(J) Programs that offer anger management, conflict resolution, teamwork, good sportsmanship, and other life skills while helping youth stay occupied in productive activities, such as basketball or other sports;

"(K) Programs that develop and foster the creative talents of youth through performing and visual arts while teaching them discipline, commitment, and team motivation; and

"(L) Programs that offer music instruction and performance, tutoring, life skills, summer arts, and culture to youth from ages of 9 through 18 years of age.".

SUBTITLE J. REPRODUCTIVE HEALTH NON-DISCRIMINATION CLARIFICATION

Sec. 5091. Short title.

This subtitle may be cited as the "Reproductive Health Non-Discrimination Clarification Emergency Amendment Act of 2015".

Sec. 5092. Section 105(a) of the Human Rights Act of 1977, effective July 17, 1985 (D.C. Law 6-8; D.C. Official Code § 2-1401.05(a)), is amended by adding a new sentence at the end to read as follows: **Note, § 2-1401.05**

"This section shall not be construed to require an employer to provide insurance coverage related to a reproductive health decision.".

Sec. 5093. Applicability.

This subtitle shall apply as of the effective date of this act.

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT
SUBTITLE A. PARKING AMENDMENT

Sec. 6001. Short title.

This subtitle may be cited as the "Parking Emergency Amendment Act of 2015".

Sec. 6002. The Performance Parking Pilot Zone Act of 2008, effective November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*), is amended as follows:

(a) Section 2(e)(2) (D.C. Official Code § 50-2531(e)(2)) is amended by striking the phrase "once per month" and inserting the phrase "once per month; provided, that the Mayor may increase fees in performance parking zones by a maximum of $1.50 in a 3-month period, in any increment or time period, up to a maximum hourly rate of $8.00 per hour" in its place. **Note, § 50-2531**

(b) A new section 3b is added to read as follows: **Note, § 50-2532.02**

"Sec. 3b. Penn Quarter/Chinatown Performance Parking Pilot Zone.

"(a) The Penn Quarter/Chinatown Performance Parking Pilot Zone is designated as the area bounded by H Street, N.W., on the north, 11th Street, N.W., on the west, 3rd Street, N.W., on the east, and E Street, N.W., on the south, including both sides of these boundary streets.

"(b) In addition to maintaining a sufficient number of parking control officers and traffic control officers in the existing performance parking pilot zones, the Mayor shall assign parking control and traffic control officers for implementation of the pilot program in the Penn Quarter/Chinatown Performance Parking Pilot Zone and for enhanced enforcement during peak-parking-demand hours.

"(c) The Mayor shall set the initial performance parking pilot zone fee equal to the existing parking meter fee in that zone.

"(d) Pursuant to section 2(d)(1), the Mayor shall adjust curbside parking fees to achieve 10% to 20% availability of curbside parking spaces.

"(e) Within the first 30 days of the implementation of the Penn Quarter/Chinatown Performance Parking Pilot Zone, the Mayor may issue warning citations for curbside parking violations related to the pilot program in the zone.".

Sec. 6003. Section 2601.1 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2601.1) is amended as follows: **DCMR**

(a) Under the header "Meter Infractions", strike the rows:

Illegally parked at [§ 2404.8, § 2424.12]	$25.00	$25.00	$50.00
Failure to deposit payment [§ 2404.6, § 2424.12]	$25.00	$25.00	$50.00
Overtime at [§ 2404.3, § 2424.12]	$25.00	$25.00	$50.00

and insert the following rows in their place:

Illegally parked at [§ 2404.8, § 2424.12]	$30.00	$30.00	$50.00
Failure to deposit payment [§ 2404.6, § 2424.12]	$30.00	$30.00	$50.00
Overtime at [§ 2404.3, § 2424.12]	$30.00	$30.00	$50.00

(b) Under the header "Residential Parking Permit", strike the row:

Residential permit parking area, beyond consecutive two hour period without valid permit [§ 2411.1, § 2424.12]	In the calendar year: First offense $30, Second offense $30, Third and any subsequent offense $60.	In each calendar year: First offense $30, Second offense $30, Third and any subsequent offense $60.	In each calendar year: First offense $60, Second offense $60, Third and any subsequent offense $60.

and insert the following row in its place:

Residential permit parking area, beyond consecutive two hour period without valid permit [§ 2411.1, § 2424.12]	In the calendar year: First offense $35, Second offense $35, Third and any subsequent offense $65	In the calendar year: First offense $35, Second offense $35, Third and any subsequent offense $65	In the calendar year: First offense $60, Second offense $60, Third and any subsequent offense $60

Note, § 50-2633.01

Sec. 6004. As of October 1, 2015, the District Department of Transportation shall provide for enforcement of parking meters in Premium Demand Parking Meter Rate Zones from 7:00 a.m. until midnight.

SUBTITLE B. UNLAWFULLY PARKED VEHICLES

Sec. 6011. Short title.

This subtitle may be cited as the "Unlawfully Parked Vehicles Emergency Act of 2015".

Note, New § 50-2671

Sec. 6012. It shall be a violation of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*), for a person to park, leave unattended, or store a vehicle in violation of posted parking restrictions at a parking facility, as that term is defined in section 2(4) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2602(4)), owned by the Washington Metropolitan Area Transit Authority.

SUBTITLE C. DDOT DC STREETCAR FARE VIOLATION ENFORCEMENT

Sec. 6021. Short title.

This subtitle may be cited as the "DDOT DC Streetcar Fare Violation Enforcement Emergency Amendment Act of 2015".

Note, § 50-921.72

Sec. 6022. Section 11n of the Department of Transportation Establishment Act of 2002, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-921.72), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (3) is added to read as follows:

"(3) Concurrent with any other agency's authority to do so, enforce violations of this title and regulations promulgated thereunder, with respect to fare payment.".

SUBTITLE D. VISION ZERO PEDESTRIAN AND BICYCLE SAFETY FUND ESTABLISHMENT

Sec. 6031. Short title.

This subtitle may be cited as the "Vision Zero Pedestrian and Bicycle Safety Fund Establishment Emergency Amendment Act of 2015".

Note, Repeal § 1-325.131

Sec. 6032. Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), is repealed.

Note, New § 50-921.20

Sec. 6033. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

(a) A new section 9l is added to read as follows:

"Sec. 9l. Vision Zero Pedestrian and Bicycle Safety Fund.

"(a) There is established as a special fund the Vision Zero Pedestrian and Bicycle Safety Fund ("Fund"), which shall be administered by the Director of DDOT in accordance with subsection (c) of this section.

"(b) There shall be deposited in the Fund $500,000 per fiscal year from the fines generated from the automated traffic enforcement system, authorized by section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01).

"(c) The Fund shall be used solely to enhance the safety and quality of pedestrian and bicycle transportation, including education, engineering, and enforcement efforts designed to calm traffic and provide safe routes.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and fiscal plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

(b) Section 11j(a) (D.C. Official Code § 50-921.53(a)) is amended by striking the phrase "the Pedestrian and Bicycle Safety Enhancement Fund, established by section 6021 of the Pedestrian and Bicycle Safety and Enhancement Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131)" and inserting the phrase "the Vision Zero Pedestrian and Bicycle Safety Fund, established by section 9l" in its place.

SUBTITLE E. SUSTAINABLE ENERGY TRUST FUND AMENDMENT

Sec. 6041. Short title.

This subtitle may be cited as the "Sustainable Energy Trust Fund Emergency Amendment Act of 2015".

Note, § 8-1774.10

Sec. 6042. Section 210(c) of the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)), is amended as follows:

(a) Paragraph (8) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (9) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (10) is added to read as follows:

"(10) The Low Income Home Energy Assistance Program, in the amount of no more than $1.5 million in Fiscal Year 2016.".

SUBTITLE F. ANACOSTIA RIVER CLEAN UP AND PROTECTION FUND CLARIFICATION

Sec. 6051. Short title.

This subtitle may be cited as the "Anacostia River Clean Up and Protection Fund Clarification Emergency Amendment Act of 2015".

Note, § 8-102.05

Sec. 6052. Section 6(b) of the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05(b)), is amended by striking the phrase "Funds shall be used for the following projects in the following order of priority:" and inserting the phrase "Funds shall be used for the following projects:" in its place.

SUBTITLE G. BENCHMARKING ENFORCEMENT FUND ESTABLISHMENT

Sec. 6061. Short title.

This subtitle may be cited as the "Benchmarking Enforcement Fund Establishment Emergency Amendment Act of 2015".

Sec. 6062. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 *et seq.*), is amended by adding a new section 8a to read as follows:

Note, New § 8-102.05

"Sec. 8a. Benchmarking Enforcement Fund.

"(a) There is established as a special fund the Benchmarking Enforcement Fund ("Fund"), which shall be administered by the Mayor in accordance with subsection (c) of this section.

"(b) Penalties collected pursuant to section 4(c)(2)(D) shall be deposited in the Fund.

"(c) Money in the Fund shall be used to support and improve the administration and practices of the benchmarking program established by this act.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and fiscal plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE H. BICYCLE AND PEDESTRIAN ADVISORY COUNCIL TERM CLARIFICATION

Sec. 6071. Short title.

This subtitle may be cited as the "Bicycle and Pedestrian Advisory Council Term Clarification Emergency Amendment Act of 2015".

Note, § 50-1604

Sec. 6072. Section 5(c) of the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1604(c)), is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) A new paragraph (2) is added to read as follows:

"(2) Vacancies shall be filled in the same manner as the original appointment to the position that became vacant. Community members who are appointed to fill vacancies that occur before the expiration of a community member's full term shall serve only the unexpired portion of the community member's term.".

Note, § 50-1931

Sec. 6073. Section 6061(d) of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 50-1931(d)), is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) A new paragraph (2) is added to read as follows:

"(2) Vacancies shall be filled in the same manner as the original appointment to the position that became vacant. Community members who are appointed to fill vacancies that occur before the expiration of a community member's full term shall serve only the unexpired portion of the community member's term.".

SUBTITLE I. BID PARKING ABATEMENT FUND ESTABLISHMENT

Sec. 6081. Short title.

This subtitle may be cited as the "BID Parking Abatement Fund Establishment Emergency Act of 2015".

Note, New § 1-325.131a

Sec. 6082. BID Parking Abatement Fund.

(a) There is established as a special fund the BID Parking Abatement Fund ("Fund"), which shall be administered by the Mayor in accordance with subsection (c) of this section.

(b) An allocation in the amount of $120,000 from the Fiscal Year 2016 approved budget and financial plan shall be deposited in the Fund.

(c) Money in the Fund shall be used to abate parking fees for a Business Improvement District ("BID"), as that term is defined in section 3(7) of the Business Improvements Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)), that applies and is approved to reserve a public parking space within the BID for use by pedestrians;

provided, that no more than 70% of the money available in a fiscal year shall be distributed to a single BID.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and fiscal plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE J. CLEAN AND AFFORDABLE ENERGY ACT AMENDMENT

Sec. 6091. Short title.

This subtitle may be cited as the "Clean and Affordable Energy Emergency Amendment Act of 2015".

Sec. 6092. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.01 *et seq.*), is amended as follows:

(a) Section 201(d) (D.C. Official Code § 8-1774.01(d)) is amended to read as follows: **Note, § 8-1774.01**

"(d) The SEU contract shall:

"(1) Provide minimum performance benchmarks consistent with the purposes of this act, including:

"(A) Reducing energy consumption in the District;

"(B) Increasing renewable energy generating capacity in the District;

"(C) Increasing the energy efficiency and renewable energy generating capacity of low-income housing, shelters, clinics, or other buildings serving low-income residents in the District; and

"(D) Increasing the number of green-collar jobs in the District; and

"(2) Require the SEU to track and report to DDOE, at least semiannually, on the reduction of the growth in peak electricity demand and the reduction in the growth of energy demand of the District's largest energy users due to SEU programs.".

(b) Section 202 (D.C. Official Code § 8-1774.02) is amended as follows: **Note, § 8-1774.02**

(1) Subsection (d) is amended by striking the phrase "on an annual and contract-term basis." and inserting the phrase "on a contract-term basis." in its place.

(2) Subsection (h) is amended by striking the phrase "75%, and no greater than 125%, of the amount" and inserting the phrase "75% of the amount" in its place.

(3) Subsection (i) is amended by striking the phrase "75%, and no greater than 125%, of the amount" and inserting the phrase "75% of the amount" in its place.

(c) Section 204 (D.C. Official Code § 8-1774.04) is amended as follows: **Note, § 8-1774.04**

(1) Subsection (c) is amended to read as follows:

"(c) At least biennially, the Board shall recommend changes to the performance benchmarks of the SEU contract to DDOE.".

(2) Subsection (d) is repealed.

(d) Section 205 (D.C. Official Code § 8-1774.05) is amended as follows: **Note, § 8-1774.05**

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

"(b) At least 90 days before issuing a new RFP for the SEU contract, DDOE shall solicit recommendations from the Board and the public for performance benchmarks for the contract. In preparing the RFP, DDOE shall hold an industry day to solicit the advice and input of private entities that may bid on the contract.

(2) Subsection (c) is repealed.

(3) Subsection (j) is amended by striking the number "30" and inserting the number "90" in its place.

Note, § 8-1774.10

(e) Section 210(c)(2) (D.C. Official Code § 8-1774.10(c)(2)) is amended by striking the phrase "administration of the SEU contract by DDOE" and inserting the phrase "administration of the SEU contract and the development of a comprehensive energy plan by DDOE" in its place.

SUBTITLE K. COMPETITIVE GRANTS

Sec. 6101. Short title.

This subtitle may be cited as the "Competitive Grants Emergency Act of 2015".

Not Codified

Sec. 6102. In Fiscal Year 2016, the Office of the People's Counsel ("OPC") shall award a grant, on a competitive basis, in an amount not to exceed $125,000, for a study to address emerging alternatives for energy choice for residential customers in the District of Columbia, and the integration of those alternatives into Pepco's evolving smart grid. OPC shall also award a grant, on a competitive basis, in an amount not to exceed $125,000, to provide targeted outreach and education of low-income and elderly residents regarding the benefits and options for energy-efficiency programs and practices.

Not Codified

Sec. 6103. In Fiscal Year 2016, the Office on Aging shall award a grant, on a competitive basis, in an amount not to exceed $100,000, to one or more nonprofit organizations to conduct a feasibility study and outline a plan for developing virtual senior wellness centers in wards that do not have senior wellness centers, using existing and future capital investments in schools, recreation centers, libraries, and other facilities in those wards.

Not Codified

Sec. 6104. In Fiscal Year 2016, the District Department of Transportation shall award a grant, on a competitive basis, in an amount not to exceed $35,000, to conduct a feasibility study for an aerial transportation option connecting Georgetown in the District to Rosslyn in Virginia.

Not Codified

Sec. 6105. In Fiscal Year 2016, the District of Columbia Taxicab Commission shall award a grant, on a competitive basis, in an amount not to exceed $100,000, to conduct a study to determine the demand for wheelchair-accessible service within the vehicle-for-hire industry in the District and recommend the number or percentage of accessible vehicles within the vehicle-for-hire industry that would adequately meet the demand for wheelchair accessible service.

SUBTITLE L. CONGESTION MANAGEMENT STUDY

Sec. 6111. Short title.

This subtitle may be cited as the "Congestion Management Study Emergency Amendment Act of 2015".

Sec. 6112. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a new section 9m to read as follows:

Note, New § 50-921.21

"Sec. 9m. Congestion management study.

"No later than September 30, 2016, the Department shall make publicly available a congestion management study that includes at a minimum:

"(1) An assessment of the current state of congestion in the District;

"(2) A collection of data, using objective criteria, that demonstrates the average commute times for District residents based on each of the following modes of transportation:

"(A) Walking;

"(B) Bicycling;

"(C) By bus; and

"(D) By driving a personal car;

"(3) Recommendations for remedying existing congestion problems in the District; and

"(4) One-year, 3-year, and 5-year plans for implementing the recommendations required by paragraph (3) of this section.".

SUBTITLE M. ELECTRONIC DELIVERY OF NOTICE TO THE COUNCIL AND ADVISORY NEIGHBORHOOD COMMISSIONS

Sec. 6121. Short title.

This subtitle may be cited as the "Electronic Delivery to the Council and Advisory Neighborhood Commissions Emergency Amendment Act of 2015".

Sec. 6122. Section 301(5)(B)(iv) of the District of Columbia Administrative Procedure Act, effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code § 2-551(5)(B)(iv)), is amended as follows:

Note, § 2-551

(a) Strike the phrase "30-days written notice" and insert the phrase "30-days notice via electronic delivery" in its place.

(b) Strike the period and insert the phrase "; provided, that the Council and the affected ANC may elect to receive written notice by means other than electronic delivery by notifying the Mayor of that preference." in its place.

SUBTITLE N. GREEN INFRASTRUCTURE SPECIAL PURPOSE FUNDS

Sec. 6131. Short title.

This subtitle may be cited as the "Green Infrastructure Special Purpose Revenue Funds Establishment Emergency Amendment Act of 2015".

Sec. 6132. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14–137; D.C. Official Code § 50–921.01 *et seq.*), is amended by adding a new section 9n to read as follows:

Note, New § 50-921.22

"Sec. 9n. DDOT Stormwater Retention Credit Fund.

"(a) There is established as a special fund the DDOT Stormwater Retention Credit Fund ("Fund"), which shall be administered by the Director in accordance with subsection (c) of this section.

"(b) Revenue from the following sources shall be deposited in the Fund:

"(1) Revenue received directly from the sale of a Stormwater Retention Credit ("SRC") by the Director;

"(2) Revenue received through lease of District property or public space by the Department for the purpose of generating or selling a SRC;

"(3) Revenue received through the lease of a stormwater best management practice on District property or public space by the Department for the purpose of generating or selling a SRC;

"(4) Revenue received from a third-party intermediary in exchange for giving the third-party intermediary the authority to sell, or broker the sale of, a SRC generated on District property or public space under the control of the Department; and

"(5) Revenue received by the Department pursuant to a contract for the installation and maintenance of a stormwater best management practice on property or public space under the control of the Department.

"(c)(1) Money in the Fund shall be used for the following purposes:

"(A) To fulfill or exceed the District's obligations pursuant to the MS4 Permit; and

"(B) To install, operate, and maintain stormwater retention projects regulated by the District's MS4 Permit.

"(2) The Director may sell a SRC generated on District property or public space under the control of the Department, upon the certification of the SRC by the District Department of the Environment.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"(e) The Director shall publish on the Department's website, at least annually, a report describing how money in the Fund has been spent, including the following information:

"(1) The total amount of SRC payments deposited in the Fund to date;

"(2) The total amount of money spent from the Fund to date;

"(3) For each sub-drainage area or watershed, the aggregate values of SRC purchased per year; and

"(4) For each of the stormwater best management practices installed using money from the Fund, the type of stormwater best management practice used by the facility, the number of gallons of stormwater retained by the facility, the sub-drainage or watershed location of the facility, and a summary of the capital and maintenance costs of the project.

"(f) For the purposes of this section, the term:

"(1) "MS4 Permit" shall have the same meaning as provided in section 101(15) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(15)).

"(2) "Stormwater best management practice" shall have the same meaning as provided in section 101(14) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(14)).

"(3) "Stormwater Retention Credit" shall have the same meaning as provided in 21 DCMR § 599.".

Sec. 6133. The Department of General Services Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19–21; D.C. Official Code § 10–551.01 *et seq.*), is amended by adding a new section 1028b to read as follows:

Note, New § 10-551.07b

"Sec. 1028b. Establishment of the Department of General Services Stormwater Retention Credit Fund.

"(a) There is established as a special fund the Department of General Services Stormwater Retention Credit Fund ("Fund"), which shall be administered by the Director in accordance with subsections (c) of this section.

"(b) Revenue from the following sources shall be deposited in the Fund:

"(1) Revenue received directly from the sale of a Stormwater Retention Credit ("SRC") by the Director;

"(2) Revenue received through lease of District property by the Department for the purpose of generating or selling a SRC;

"(3) Revenue received through the lease of a stormwater best management practice on District property by the Department for the purpose of generating or selling a SRC;

"(4) Revenue received from a third party intermediary for the authority to sell, or broker the sale of, a SRC generated on District property under the control of the Department; and

"(5) Revenue received by the Department pursuant to a contract for the installation and maintenance of a stormwater best management practice on property or public space under the control of the Department.

"(c)(1) Money in the Fund shall be used for the following purposes:

"(A) To fulfill or exceed the District's obligations pursuant to the MS4 Permit; and

"(B) To install, operate, and maintain stormwater retention projects regulated by the District's MS4 Permit.

"(2) The Director may sell a SRC generated on District property under the control of the Department, upon the certification of the SRC by the District Department of the Environment.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"(e) The Director shall publish on the Department's website, at least annually, a report describing how money in the Fund has been spent, including the following information:

"(1) The total amount of SRC payments deposited in the Fund to date;

"(2) The total amount of money spent from the Fund to date;

"(3) For each sub-drainage area or watershed, the aggregate values of SRC purchased per year; and

"(4) For each of the stormwater best management practices installed using money from the Fund, the type of stormwater best management practice used by the facility, the number of gallons of stormwater retained by the facility, the sub-drainage or watershed location of the facility, and a summary of the capital and maintenance costs of the project.

"(f) For the purposes of this section, the term:

"(1) "MS4 Permit" shall have the same meaning as provided in section 101(15) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(15)).

"(2) "Stormwater best management practice" shall have the same meaning as provided in section 101(14) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(14)).

"(3) "Stormwater Retention Credit" shall have the same meaning as provided in 21 DCMR § 599.".

SUBTITLE O. PEPCO COST-SHARING FUND FOR DC PLUG

Sec. 6141. Short title.

This subtitle may be cited as the "Pepco Cost-Sharing Fund for DC PLUG Establishment Emergency Act of 2015".

Sec. 6142. Pepco Cost-Sharing Fund for DC PLUG.

Note, New § 1-325.331

(a) There is established as a special fund the Pepco Cost-Sharing Fund for DC PLUG ("Fund"), which shall be administered by the Director of the District Department of Transportation in accordance with subsection (c) of this section.

(b) The Fund shall consist of transfers from the Potomac Electric Power Company to facilitate cost-sharing for the District of Columbia Power Line Undergrounding ("DC PLUG") initiative.

(c) The Fund shall be used to pay for any purpose authorized by the Electric Company

Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01 et seq.), for the DC PLUG initiative.

(d) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

Sec. 6143. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE P. PUBLIC SPACE RENTAL FEE WAIVER

Sec. 6151. Short title.

This subtitle may be cited as the "Public Space Rental Fee Waiver Emergency Amendment Act of 2015".

Note, New § 10-1102.02a

Sec. 6152. The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), is amended by adding a new section 202a to read as follows:

"Sec. 202a. Fee waiver.

"The first $83,000 of annual rent for use of public space, established pursuant to section 202, shall be waived for the use of land between Lot 16, Square 3832 and Lot 47, Square 3831.".

SUBTITLE Q. STREETCAR AUTHORIZATION

Sec. 6161. Short title.

This subtitle may be cited as the "Streetcar Authorization Emergency Amendment Act of 2015".

Note, § 50-921.71

Sec. 6162. Section 5 of the District Department of Transportation DC Streetcar Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-921.71, note), is amended by striking the phrase "September 30, 2015." and inserting the phrase "September 30, 2016." in its place.

Sec. 6163. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE R. SUSTAINABLE FOOD SERVICE WARE CLARIFICATION

Sec. 6171. Short title.

This subtitle may be cited as the "Sustainable Food Service Ware Clarification Emergency Amendment Act of 2015".

Sec. 6172. The Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531 *et seq.*), is amended as follows:

(a) Section 401 (D.C. Official Code § 8-1531) is amended as follows: **Note, § 8-1531**

(1) Paragraph (1) is amended by striking the phrase "prepared by a food service business" and inserting the phrase "prepared by a food service entity" in its place.

(2) Paragraph (4) is amended as follows:

(A) Strike the phrase ""Food service business" means" and insert the phrase ""Food service entity" means" in its place.

(B) Strike the phrase "business or institutional cafeterias" and insert the word "cafeterias" in its place.

(C) Strike the phrase "and other businesses" and insert the phrase "and other entities" in its place.

(3) A new paragraph (5) is added to read as follows:

"(5) "Recyclable" means made solely of materials that are currently accepted for recycling, as that term is used in section 101(14) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01(14)), by the food service entity's recycling collector.".

(b) Section 402 (D.C. Official Code § 8-1532) is amended as follows: **Note, § 8-1532**

(1) Subsection (a) is amended by striking the phrase "no food service business shall" and inserting the phrase "no food service entity shall" in its place.

(2) Subsection (b) is amended by striking the phrase "before a food service business" and inserting the phrase "before a food service entity" in its place.

(c) Section 403 (D.C. Official Code § 8-1533) is amended as follows: **Note, § 8-1533**

(1) Subsection (a) is amended by striking the phrase "shall use compostable or recyclable disposable food service ware unless there is no suitable affordable or compostable or recyclable product available as determined by the Mayor in accordance with this subtitle" and inserting the phrase "shall use compostable or recyclable disposable food service ware" in its place.

(2) Subsection (b) is amended by striking the phrase "shall use compostable or recyclable disposable food service ware unless there is no suitable affordable or compostable or recyclable product available as determined by the Mayor in accordance with this subtitle" and inserting the phrase "shall use compostable or recyclable disposable food service ware" in its place.

(3) Subsection (c) is amended as follows:

(A) Strike the phrase "no food service business shall sell" and insert the phrase "no food service entity shall sell" in its place.

(B) Strike the phrase "before a food service business received them" and insert the phrase "before a food service entity received them" in its place.

(d) Section 404 (D.C. Official Code § 8-1534) is amended by striking the phrase "vendors offering affordable compostable or recyclable disposable food service ware products" and inserting the phrase "vendors offering compostable or recyclable disposable food service ware products" in its place. **Note, § 8-1534**

(e) Section 405 (D.C. Official Code § 8-1535) is repealed. **Note, Repeal § 8-1535**

(f) Section 407 (D.C. Official Code § 8-1537) is amended by adding a new subsection (d) to read as follows: **Note, § 8-1537**

"(d)(1) For the purpose of enforcing the provisions of this subtitle, or any rule issued pursuant to subsection (a) of this section, the Mayor may, upon the presentation of appropriate credentials to the owner, operator, or agent in charge, enter upon any public or private land in a reasonable and lawful manner during normal business hours for the purpose of sampling, inspection, and observation.

"(2) If denied access to any place while carrying out the activities described in paragraph (1) of this subsection, the Mayor may apply to a court of competent jurisdiction for a search warrant.".

(g) Section 502(g) (D.C. Official Code § 8-1533, note) is amended to read as follows: **Note, § 8-1533**

"(g) Title IV, Subtitle A, sections 403 and 404 shall apply as of October 1, 2015.".

SUBTITLE S. URBAN FARMING AND FOOD SECURITY

Sec. 6181. Short title.

This subtitle may be cited as the "Urban Farming and Food Security Emergency Amendment Act of 2015".

Sec. 6182. The Food Production and Urban Gardens Program Act of 1986, effective February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended by adding a new section 3b to read as follows:

"Sec 3b. Limitation on expenditures. **Note, New § 48-402.02**

"No more than $400,000 in Fiscal Year 2016 and $350,000 in each fiscal year thereafter shall be used by the Mayor to implement the Urban Farming and Gardens Program pursuant to section 3, the Urban Farming Land Leasing Initiative pursuant to section 3a, the real property tax abatement for urban agricultural uses pursuant to D.C. Official Code § 47-868, the maintenance of tax-exempt status pursuant to D.C. Official Code § 47-1005(c), and the tax credits for food donations pursuant to D.C. Official Code §§ 47-1806.14, 47-1807.12, and 47-1808.12.".

Sec. 6183. Section 302 of the Urban Farming and Food Security Amendment Act of 2014, effective April 30, 2015 (D.C. Law 20-248; 62 DCR 1504), is amended to read as follows: **Note, § 48-701.01**

"Sec. 302. Applicability.

"Section 201(a) of this act shall apply to tax years beginning after September 30, 2015.".

SUBTITLE T. KIDS RIDE FREE METRORAIL BENEFIT

Sec. 6191. Short title.

This subtitle may be cited as the "Kids Ride Free Metrorail Benefit Emergency Amendment Act of 2015".

Sec. 6192. Section 2 of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended by adding a new subsection (h) to **Note, § 35-233**

read as follows:

"(h)(1) Subject to available funds, the Mayor may establish a program for students to receive subsidies for the Metrorail Transit System that would supplement the reduced student fares established by this section.

"(2) To be eligible for the program, a student shall be:

"(A) Under 22 years of age; and

"(B) Enrolled in a District of Columbia Public School or District of Columbia Public Charter School at the 12th grade or lower or enrolled in an Alternative, Adult, or Special Education District of Columbia Public School or District of Columbia Public Charter School.

"(3) The Mayor shall require each student, student's parent or guardian, or student's school counselor to file an application to participate in the program.

"(4) The subsidy benefit shall be distributed by fare card or similar medium acceptable to the Washington Area Metropolitan Transit Authority.

"(5) The transit subsidy established by this subsection shall be capped at $100 per month per student.

"(6) The total appropriation available for the program shall not exceed $7 million.".

Sec. 6193. Sunset. **Note, § 35-233**

This subtitle shall expire on September 30, 2016.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS

Sec. 7001. Short title.

This subtitle may be cited as the "Subject to Appropriations Emergency Amendment Act of 2015".

Sec. 7002. Section 1014(c) of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is repealed. **Note, §§ 1-608.62, 1-608.63, 1-608.64, 1-608.51a**

Sec. 7003. Section 3 of the Cottage Food Amendment Act of 2013, effective January 25, 2014 (D.C. Law 20-63; 60 DCR 16530), is amended to read as follows: **Note, §§ 7-749.01 – 7-749.02**

"Sec. 3. Applicability.

"This act shall apply as of October 1, 2015.".

Sec. 7004. Section 6 of the McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (D.C. Res. 20-705; 62 DCR 1091), is amended to read as follows: **Not Codified**

"Sec. 6. Applicability.

"This resolution shall apply as of October 1, 2015.".

Sec. 7005. Section 6 of the McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (D.C. Res. 20-706; 62 DCR 1094), is amended to read as follows: **Not Codified**

"Sec. 6. Applicability.

"This resolution shall apply as of October 1, 2015.".

Sec. 7006. Section 6 of the McMillan Commercial Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (D.C. Res. 20-707; 62 DCR 1097), is amended to read as follows: **Not Codified**

"Sec. 6. Applicability.

"This resolution shall apply as of October 1, 2015.".

Sec. 7007. Section 9 of the Unemployed Anti-Discrimination Act of 2012, effective May 31, 2012 (D.C. Law 19-132; 59 DCR 2391), is amended to read as follows: **Note, § 32-1368**

"Sec. 9. Applicability.

"This act shall apply as of October 1, 2015.".

Sec. 7008. Section 302(a) of the Public-Private Partnership Act of 2014, effective March 11, 2015 (D.C. Law 20-228; 62 DCR 4499), is amended to read as follows: **Note, § 2-275.01**

"(a) This act shall apply as of October 1, 2015.".

Sec. 7009. Section 16 of the Protecting Pregnant Workers Fairness Act of 2015, effective March 3, 2015 (D.C. Law 20-168; 62 DCR 3614), is amended to read as follows: **Note, § 32-1231.15**

"Sec. 16. Applicability.

"This act shall apply as of October 1, 2015.".

SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS

Sec. 7011. Short title.

This subtitle may be cited as the "Prior Budget Act Emergency Amendment Act of 2015".

Sec. 7012. (a) Sections 1041 through 1043 of the Fiscal Year 2005 Budget Support Act of 2004, effective December 7, 2004 (D.C. Law 15-205; 51 DCR 8441), are repealed. **Note, Repeal § 47-318.01a**

(b) Section 47-318.01a of the District of Columbia Official Code is repealed. **Note, Repeal § 47-318.01a**

Sec. 7013. Section 47-361(14) of the District of Columbia Official Code is amended by striking the phrase "another budget category." and inserting the phrase "another budget category; provided, that with respect to a capital reprogramming, the term "reprogramming" means a cumulative adjustment to a project's capital budget during a fiscal year of $500,000 or more.". **Note, § 47-361**

Not Codified

Sec. 7014. Section 9009 of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 3601), is repealed.

Note, § 42-2506

Sec. 7015. Section 7(c) of the Government Employer-Assisted Housing Amendment Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2506(c)), is amended to read as follows:

"(c) This section shall not apply to a home purchase with a closing date of after March 30, 2015.".

Note, § 47-362

Sec. 7016. (a) Section 47-362(f)(2) of the District of Columbia Official Code is amended as follows:

(1) Designate the existing text as subparagraph (A).

(2) The newly designated subparagraph (A) is amended by striking the phrase "to the Capital Fund as Paygo." and inserting the phrase "equally among the Local Streets Ward-Based Capital Projects." in its place.

(3) A new subparagraph (B) is added to read as follows:

"(B) For the purposes of this paragraph, the term "Local Streets Ward Based Capital Projects" means the District Department of Transportation's 8 local streets ward-based capital projects (Project No. SR301-SR308), which endeavor to preserve, maintain, repair, or replace the District's sidewalks, curbs, and local roads.".

Note, § 1-612.03c

(b) Section 1203c(g)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-612.03c(g)(2), is amended to read as follows:

"(2) "Eligible employee" means a District government employee; provided, that the term "eligible employee" does not include:

"(A) A short-term employee appointed for less than 90 days; or

"(B) An employee with intermittent employment.".

Note, § 28-3903

(c) Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking the phrase "§ 28-3905" and inserting the phrase "the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*)" in its place.

Note, § 1-611.03

(d) Section 1103(f)(4)(A) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.03(f)(4)(A)), is amended as follows:

(1) The existing text is designated as sub-subparagraph (i) and amended as follows:

(A) Strike the phrase "2014, and 2015" and insert the phrase "and 2014" in its place.

(B) Strike the figure "$30,000" and insert the figure "$20,000" in its place.

(2) A new sub-subparagraph (ii) is added to read as follows:

"(ii) For Fiscal Year 2015, and except as provided in subparagraph (B) of this paragraph, no officer or member of the Fire and Emergency Medical Services Department who is authorized to receive overtime compensation under this subsection may earn overtime in excess of $30,000 in a fiscal year.".

Note, § 1-612.03c

(e) Section 1053 of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 62 DCR 3601), is repealed.

(f) The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-281 *et seq.*), is amended as follows:

Note, New § 38-282.01

(1) A new section 4073a is added to read as follows:

"Sec. 4073a. Child development facility requirements.

"(a) If 50 % or more children in a licensed child development facility are eligible to participate in the CACF Program, the facility shall participate in the program unless OSSE grants it an exemption pursuant to subsection (b) of this section.

"(b) To be eligible for an exemption, a child development facility must provide OSSE with a written statement describing why participation in the CACF Program constitutes a hardship. OSSE will determine whether good cause exists and provide notice to the child development facility that it is excused from participating in the CACF Program for one year from the date of the notice. To the extent possible, OSSE shall work with excused child development facilities to address barriers to participating in the CACF Program.

"(c) Subsection (b) of this section shall expire on September 30, 2016.".

Note, § 38-283

(2) Section 4074(a) (D.C. Official Code § 38-283(a)) is amended as follows:

(A) Paragraph (2) is amended by striking the word "and" at the end.

(B) Paragraph (3) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new paragraph (4) is added to read as follows:

"(4) Provide to the Mayor, the Council, and the Healthy Schools and Youth Commission, no later than June 30 of each year, a report listing the names and locations of licensed child development facilities with 50 % or more eligible children enrolled, whether or not the facility participates in the CACF Program, and whether and why the facility was excused from participation.".

Note, §§ 38-281 – 38-284, 38-2602

(3) A new section 4077 is added to read as follows:

"Sec. 4077. Applicability.

"This subtitle shall apply as of October 1, 2015.".

(g) The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), is amended as follows:

Note, § 10-1102.02

(1) Section 202(b) (D.C. Official Code § 10-1102.02(b)) is amended to read as follows:

"(b) Notwithstanding the requirements of subsection (a) of this section, the District shall not charge a fee to an organization for occupying public space to operate a farmers market; provided, that it participates in the Supplemental Nutritional Assistance Program and the Women, Infants and Children Farmers Market Nutrition Program.".

(2) Section 303 (D.C. Official Code § 10-1103.02) is amended to read as follows:

"Sec. 303. (a)(1) The Chief Financial Officer shall assess and collect rent and charges from the owner or owners of abutting property for any vault located in the public space abutting such property, unless such vault has been removed, filled, sealed, or otherwise rendered unusable in a manner satisfactory to the Mayor. **Note, § 10-1103.02**

"(2) Bills and notices shall be deemed to be properly served when mailed via first class mail to the abutting property owner's mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(b)(1) Notwithstanding section 104 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision of law that imposes liability for vault rent that is contrary to this subsection, vault rent shall be assessed against a responsible condominium unit owners' association.

"(2) The responsible condominium unit owners' association shall be billed for vault rent as a separate and distinct taxable entity with its own vault rent account, as designated by the Chief Financial Officer, and, unless the context requires otherwise, for purposes of this title shall be deemed to be the owner of the property abutting public space in which any vault is located.

"(3) A notice of proposed land assessment relating to the vault rent account shall be given to the responsible condominium unit owners' association by March 1st before the beginning of the applicable vault rent year. Only the land values of comparable multi-family residential properties shall be used in determining land values for vault rent purposes of residential condominiums.

"(4) The assessed value of the land derived for purposes of billing the vault rent may be appealed as provided under D.C. Official Code § 47-825.01a(d), (e), and (g); except, that for the purposes of this section any references in that section to an owner shall be deemed to be references to a responsible condominium unit owners' association.

"(5) The Chief Financial Officer may correct or change any land assessment relating to the vault rent account for which a responsible condominium unit owners' association is responsible as under the circumstances and subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to:

"(A) Tax years shall be deemed to be a reference to vault rent years;

"(B) Owner shall be deemed to be a reference to a responsible condominium unit owners' association; and

"(C) The owner's address of record shall be deemed to be a reference to the responsible condominium unit owners' mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(c) Where vault rent is assessed against any owner other than a responsible condominium owners' association, the Mayor may adjust any utilization factor or area of the vault level under the circumstances, subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to tax years shall be deemed to be a reference to vault rent years .".

(h) Section 47-4304.01(3) of the District of Columbia Official Code is amended by striking the phrase "3-year period" and inserting the phrase "4-year period" in its place. **Note, § 47-4304.01**

(i) The Retail Incentive Amendment Act of 2012, effective April 27, 2013 (D.C. Law 19-288; 60 DCR 9530), is repealed. **Note, § 2-1217.73**

(j) Section 701 of the Raising Expectations for Education Outcomes Omnibus Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-757.01), is repealed. **Note, repeal § 38-757.01**

(k) The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2201.01 *et seq.*), is amended as follows:

(1) Section 206g(d) (D.C. Official Code § 34-2202.06g(d)) is repealed. **Note, § 34-2202.06g,**

(2) Section 206h(e) (D.C. Official Code § 34-2202.06h(e)) is repealed. **§ 34-2202.06h**

(l) The Senior Citizen Real Property Tax Relief Act of 2013, effective May 28, 2014 (D.C. Law 20-105; 61 DCR 5897), is repealed. **Note, § 47-863**

(m) Section 601(m) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1164.01(m)), is repealed. **Note, § 1-1164.01**

(n) Section 47-181 of the District of Columbia Official Code is amended as follows: **Note, § 47-181**

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

"(a) If local Fiscal Year 2016 recurring annual revenues included in the quarterly revenue estimate issued in September 2015 exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2016, the additional revenue shall be used to implement the provisions set forth in the Tax Revision Commission Implementation Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 62 DCR 3601) ("TRC Act"), according to the priority set forth in subsection (c) of this section, for taxable years beginning or deaths occurring, as applicable, after December 31, 2015; provided, that the Chief Financial Officer shall recalculate the cost of the provisions of the TRC Act with the September 2015 estimate.".

(2) Subsection (b) is amended by striking the phrase "has been approved, any recurring revenues in a quarterly revenue estimate" and inserting the phrase "has been approved by the District, any recurring revenues in a February revenue estimate" in its place.

(3) Subsection (c) is amended as follows:

(A) Paragraph (7) is amended by striking the figure "$6,650" and inserting the figure "$6,500" in its place.

(B) Paragraph (13) is amended by striking the phrase "Raise estate" and inserting the phrase "Raise the estate" in its place.

(4) Subsection (d) is amended by striking the phrase "Except for those provisions of the TRC Act that are funded in the approved budget and financial plan for Fiscal Year 2015, the currently unfunded provisions of the TRC Act" and inserting the phrase "Unfunded provisions of the TRC Act" in its place.

(o) Section 47-1801.04(44) of the District of Columbia Official Code is amended to read as follows: **Note, § 47-1801.04**

"(44) "Standard deduction" means:

"(A) In the case of a return filed by a single individual or married individual filing a separate return:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50) for a single individual and one-half of the amount that may be taken by a single individual for a married individual filing a separate return;

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $5,200 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $5,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the amount of the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(B) In the case of a return filed by a head of household:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $6,500 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $7,800 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) Subject to availability of funding and in accordance with § 47-181, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(C) In the case of a return filed by married individuals filing a joint return, or a surviving spouse:

"(i) For taxable years beginning before January 1, 2015, the amount of $4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(ii) For taxable years beginning after December 31, 2014, the highest of:

"(I) $8,350 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50);

"(II) Subject to availability of funding and in accordance with § 47-181, $10,275 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of $50, rounded to the next lowest multiple of $50); or

"(III) The standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986; and

"(D) In the case of an individual who is a resident, as defined in paragraph (42) of this section, for less than a full 12-month taxable year, the amounts specified in subparagraph (A), (B), or (C) of this paragraph prorated by the number of months that the individual was a resident.".

Note, § 47-1803.02

(p) Section 47-1803.02(a)(2)(N) of the District of Columbia Official Code is amended to read as follows:

"(N)(i) Pension, military retired pay, or annuity income received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year, except that the exclusion shall not exceed the lesser of $3,000 or the actual amount of the pension, military retired pay, or annuity received during the taxable years; provided, that the pension, military retired pay, or annuity is otherwise subject to taxation under this chapter; provided further, that this sub-subparagraph shall apply for taxable years beginning before January 1, 2015.

"(ii) Survivor benefits received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year.".

Note, § 47-1806.02

(q) Section 47-1806.02 of the District of Columbia Official Code is amended as follows:

(1) Subsection (c) is amended to read as follows:

"(c) There shall be allowed an additional exemption for a taxpayer who qualifies as a head of household; provided, that this subsection shall not apply for a tax year in which the deduction amount for personal exemptions under subsection (i) of this section is $2,200 or more.".

(2) Subsection (h-1) is amended by striking the phrase "The amount" and inserting the phrase "For tax years beginning after December 31, 2014, the amount" in its place.

(3) Subsection (i)(2) is amended by striking the phrase "and subject to § 47-1806.04(e)".

Note, § 47-1806.04

(r) Section 47-1806.04(f)(1)(B) of the District of Columbia Official Code is amended by striking the phrase "40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986" and inserting the phrase "40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986; provided, that the credit shall not be allowed to a resident who has elected to claim the low income tax credit provided for in subsection (e) of this section" in its place.

Note, § 47-2002

(s) Section 47-2002(a) of the District of Columbia Official Code is amended as follows:

(1) Paragraph (5) is repealed.

(2) Paragraph (6) is repealed.

Note, § 47-3701

(t) Section 47-3701(14) is amended to read as follows:

"(14) "Zero bracket amount" means $1 million or subject to available funding and in accordance with § 47-181:

"(A) $2 million; or

"(B) $5 million increased by an amount equal to $5 million multiplied by the cost of living adjustment for the calendar year.".

(u) Section 47-3702 of the District of Columbia Official Code is amended as follows: **Note, § 47-3702**

(1) Subsection (a) is amended by striking the phrase "before January 1, 2015" and inserting the phrase "before January 1, 2016" in its place.

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

"(1)The rate of tax shall be 16%; except, that the portion of the taxable estate that does not exceed the current zero bracket amount shall be taxed at 0%, and if the taxable estate exceeds the zero bracket amount, the following tax rates shall be applied to the incremental values of the taxable estate above the zero bracket amount:

"(A) The rate of tax on the taxable estate over $1 million but not over $1.5 million shall be 6.4%;

"(B) The rate of tax on the taxable estate over $1.5 million but not over $2 million shall be 7.2%;

"(C) The rate of tax on the taxable estate over $2 million but not over $2.5 million shall be 8%;

"(D) The rate of tax on the taxable estate over $2.5 million but not over $3 million shall be 8.8%;

"(E) The rate of tax on the taxable estate over $3 million but not over $3.5 million shall be 9.6%;

"(F) The rate of tax on the taxable estate over $3.5 million but not over $4 million shall be 10.4%;

"(G) The rate of tax on the taxable estate over $4 million but not over $5 million shall be 11.2%;

"(H) The rate of tax on the taxable estate over $5 million but not over $6 million shall be 12%;

"(I) The rate of tax on the taxable estate over $6million but not over $7 million shall be 12.8%;

"(J) The rate of tax on the taxable estate over $7 million but not over $8 million shall be 13.6%;

"(K) The rate of tax on the taxable estate over $8 million but not over $9 million shall be 14.4%; and

"(L) The rate of tax on the taxable estate over $9 million but not over $10 million shall be 15.2%.".

(3) Subsection (b) is amended by striking the phrase "before January 1, 2015" and inserting the phrase "before January 1, 2016" in its place.

(v) Title 47 of the District of Columbia Official Code is amended as follows:

(1) Section 47-845(c) is amended by striking the phrase "interest at the rate of 8% per annum" and inserting the phrase "simple interest at the rate of 1/2% per month or portion of a month until paid" in its place. **Note, § 47-845**

(2) Section 47-845.02 is amended as follows: **Note, § 47-845.02**

(A) Subsection (a)(2) is amended to read as follows:

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year ending immediately before the beginning of the real property tax year during which application is made under subsection (e) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.".

(B) Subsection (c) is amended by striking the phrase "interest at the rate of 8% per annum" and inserting the phrase "simple interest at the rate of 1/2% per month or portion of a month until paid" in its place.

(C) Subsection (d) is amended by striking the phrase "and § 47-845," and inserting the phrase ", § 47-845, and § 47-845.03" in its place.

(D) Subsection (h) is amended by adding a new paragraph (5) to read as follows:

"(5)(A) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(1)(B) of this section.

"(B) This paragraph shall not apply if the senior's household no longer qualifies for the deferral for any other reason.".

(3) Section 47-845.03 is amended as follows: **Note, § 47-845.03**

(A) Subsection (a)(2) is amended to read as follows:

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year ending immediately before the beginning of the real property tax year during which application is made under subsection (f) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.".

(B) Subsection (c) is amended to read as follows:

"(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than $12,500 of household interest and dividend income, and has owned a residence in the District for at least the immediately preceding 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section.".

(C) Subsection (d) is amended by striking the phrase "and § 47-845," and inserting the phrase ", §47-845, and § 47-845.02" in its place.

(D) Subsection (i) is amended by adding a new paragraph (5) to read as follows:

"(5)(A) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be

deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(4)(D) of this section.

"(B) This paragraph shall not apply where the senior's household no longer qualifies for the deferral for any other reason.".

(4) Section 47-1806.06 is amended as follows: **Note, § 47-1806.06**

(A) Subsection (a) (2A)is amended by striking the year "2014" and inserting the year "2013" in its place.

(B) Subsection (e)(1) is amended by striking the phrase "§ 47-845" and inserting the phrase ""§§ 47-845, 47-845.02 and 47-845.03" in its place.

(5) Chapter 13A is amended by striking the section designation "47-1390. Office of Real Property Tax Sale Review.". **Note, Remove § 47-1390**

(6) Section 47-1334(b) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place. **Note, § 47-1334**

(7) Section 47-1341 is amended as follows: **Note, § 47-1341**

(A) Subsection (a)(2) is amended to read as follows:

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form and may include a payment coupon or enclosed bill:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by May 31, 20__)

"The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com or at any District branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is not made before May 31, 20__, the amount listed on this notice may no longer be accurate. In that case, you must contact the Office of Tax and Revenue at …….. to obtain an updated payoff amount.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

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

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form, and may include a payment coupon or enclosed bill:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by [Last Business Day before tax sale begins]

"The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com, at any District branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is made less than 10 calendar days before [the last business day before tax sale], you must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure that your property is removed from the tax sale.

- "You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the Customer Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.
- "Do not mail your paid receipt.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

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IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

Note, § 47-1346

(8) Section 47-1346(a)(5) is amended as follows:

(A) Subparagraph (A) is amended by striking the word "taxes" and inserting the phrase "in rem taxes" in its place.

(B) Subparagraph (B) is amended by striking the word "taxes" and inserting the phrase "in rem taxes" in its place.

Note, § 47-1348

(9) Section 47-1348 is amended as follows:

(A) Subsection (a)(10) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place.

(B) Subsection (c) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place.

Note, § 47-1353

(10) Section 47-1353(d) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place.

Note, § 47-1353.01

(11) Section 47-1353.01(b) is amended to read as follows:

"(b) The notice required pursuant to subsection (a) of this section shall be in substantively the following form:

"[Date]

"ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address]

"Tax Sale Date: [July __, 20__]

"If you do not pay all amounts due, the purchaser will have the right to file a lawsuit to foreclose on the property and you may lose title.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Please follow the below instructions to redeem your property from tax sale and prevent a foreclosure lawsuit.

- "To redeem your property from the tax sale, you must pay all taxes owed, as well as any legal fees and expenses that may become due.
- "A tax bill is mailed to you during the month of August. You should pay the bill in full and on time.
- "If you are receiving this notice after October 31, 20__, or if you have not already paid your tax bill in full, you should contact the Office of Tax and Revenue ("OTR") at …….. for a current tax bill and up-to-date payoff amount.
- "After you have paid your taxes, you should call OTR to confirm that you have redeemed your property. Keep a copy of your proof of payment in case there is a later dispute about the payment.
- "If you have not paid all taxes within four months after the Tax Sale Date stated above, an additional $381.50 may be added to reimburse the purchaser for some costs.
- "If you do not redeem the property within six months of the Tax Sale Date stated above, the tax sale purchaser may file a lawsuit against you to obtain title to the property.
- "If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees and expenses that may total thousands of dollars. You may also lose title to the property.
- "For further information on how to redeem, please read our Real Property Owner's Guide to the Tax Sale Redemption Process, available on our Web site at www.taxpayerservicecenter.com by clicking on "Real Property." You may also request a copy by visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

"YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE. SEE THE NEXT PAGE FOR MORE INFORMATION.

"Should you have additional questions, please call OTR's Customer Service Center at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

(12) Section 47-1354(b) is amended by striking the phrase "the other purchaser" and inserting the phrase "such other purchaser" in its place. **Note, § 47-1354**

(13) Section 47-1361(d)(1) is amended by striking the phrase "subsection (b-1)" and inserting the phrase "subsection (b-2)" in its place. **Note, § 47-1361**

(14) Section 47-1377(a)(1)(A)(i) is amended by striking the word "amount" and inserting the word "cost" in its place. **Note, § 47-1377**

(w) Section 15(f) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-34; D.C. Official Code § 2-1215.15(f)), is amended by striking the phrase "plus interest on the unpaid amount at the rate of 1%" and inserting the phrase "plus simple interest on the unpaid amount at the rate of 1.5%" in its place. **Note, § 2-1215.15**

(x) Section 303(a-4) of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 12; D.C. Official Code § 42-1103(a-4)), is amended by striking the word "transferred" and inserting the phrase "transferred by deed of title" in its place. **Note, § 42-1103**

(y) Applicability. **Note, §§ 10-1102.02, 10-1102.03**

(1) Subsection (g) of this section shall apply to periods beginning July 1, 2015;

(2) Subsections (v)(1) through (3) and (5) through (15), (w) and (x) of this section shall apply to periods beginning October 1, 2014. **Note, §§ 47-845, 47-845.02 et seq., 47-845.03**

(z) The Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 3601), is amended as follows:

(1) A new section 7173 is added to read as follows: **Note, § 47-1817.01**

"Sec. 7173. Applicability.

"This subtitle shall be applicable for tax years beginning after December 31, 2014.".

(2) Section 7152(b)(1) is amended by striking the phrase "$60.9 million".

(3) Section 7153(b) is amended by striking the phrase "$60.9 million". **Note, § 1-325.291, 1-325.301, 1-325.311**

(4) Section 7154(b) is amended by striking the phrase "$55.9 million from the $60.9 million settlement the District obtained" and inserting the phrase "the full amount the District

obtained from the settlement, minus the amounts designated for other purposes in sections 7152 and 7153 of this act," in its place.

(5) Section 7182 and 7183 are repealed.

Note, § 2-1210.31, 2-1210.32 Not Codified

(6) Section 8032(a) is amended by striking the phrase "Regional Transportation Improvement Program" and inserting the phrase "region's Transportation Improvement Program" in its place.

(aa) The Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 61 DCR 962), is amended as follows:

(1) Section 7313 is repealed.

Note, § 47-753.01a, 1-325.241

(2) Section 7314(b) is amended by striking the phrase "50% of".

(3) Section 7315 is amended to read as follows:

"Sec. 7315. Applicability.

Note, §§ 47-3931, 4-453.01a, 1-325.241

"This subtitle shall apply as of the effective date of federal legislation or judicial action that permits the District to impose a sales tax on sales over the Internet.".

Sec.7017. LIHTC Pilot Program initiation.

Section 47-4802(a)(2) of the District of Columbia Official Code is amended by striking the phrase "tax year 2015" and inserting the phrase "tax year 2016" in its place.

Note, § 47-4802

SUBTITLE C. PARKING TAX CONTINGENCY

Sec. 7021. Short title.

This subtitle may be cited as the "Parking Tax Contingency Emergency Amendment Act of 2015".

Sec. 7022. Section 47-2002(a)(1) of the District of Columbia Official Code is amended by striking the phrase "or station;" and inserting the phrase "or station; provided, that after October 1, 2017, the rate of tax shall be 22%;" in its place.

Note, § 47-2002

Sec. 7023. Section 7022 shall not apply if Fiscal Year 2015 revenues in the June 2015 quarterly revenue estimate issued by the Chief Financial Officer are sufficient to implement fully section 7062(c).

Note, § 47-2002

SUBTITLE D. LOW INCOME CREDIT AMENDMENT

Sec. 7031. Short title.

This subtitle may be cited as the "Low Income Credit Emergency Amendment Act of 2015".

Sec. 7032. Section 47-1806.04(e) of the District of Columbia Official Code is amended as follows:

Note, § 47-1806.04

(a) Paragraph (1) is amended to read as follows:

"(1)(A) If a return is filed for a full calendar year, the amount of the tax payable under this subchapter by a resident of the District with respect to the taxable year shall be reduced by a low income credit designed to make the District's income tax threshold equal to the federal income tax threshold. For the purposes of this subsection, the term "tax threshold" means the point at which a taxpayer begins to owe income tax after allowance of the standard deduction and all personal exemptions to which the taxpayer is entitled, but before application of any itemized deductions or credits. The credit shall be calculated in accordance with a table prescribed by the Chief Financial Officer.

"(B)(i) If a return is filed for a period of less than a full calendar year beginning after December 31, 2014, the income eligibility for the credit allowed under this subsection shall be determined by annualizing the income earned during the portion of the year the taxpayer was a District resident.

"(ii) If a part-year resident meets the annualized income and other requirements of this subsection, the part-year resident shall be entitled to the pro rata share of the credit allowed by the annualized income. The pro rata share shall be determined by multiplying the credit allowed, from the table prescribed by the Chief Financial Officer, for the annualized income by the fraction consisting of the number of days the taxpayer was a District resident over 365 days (or, in the case of a leap year, 366 days).".

(b) Paragraph (2) is amended to read as follows:

"(2) The credit provided for in paragraph (1) of this subsection shall not be allowed to a resident:

"(A) Who has a federal tax liability determined in accordance with section 55 of the Internal Revenue Code of 1986;

"(B) Who has net federal adjusted gross income in excess of the minimum federal income tax filing requirements. For the purposes of this subparagraph, the term "net federal adjusted gross income" means federal adjusted gross income less:

"(i) Taxable refunds, credits, or offsets of state and local income tax;

"(ii) Tax-exempt municipal bond interest income; and

"(iii) Federal taxable amount of social security or tier 1 railroad retirement income; or

"(C) Who has elected to claim the earned income tax credit provided for in subsection (f) of this section.".

Sec. 7033. Applicability.

Note, § 47-1806.04

This subtitle shall apply to taxable years beginning after December 31, 2014.

SUBTITLE E. VAPOR PRODUCT AMENDMENT

Sec. 7041. Short title

This subtitle may be cited as the "Vapor Product Emergency Amendment Act of 2015".

Sec. 7042. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-2001 is amended as follows: **Note, § 47-2001**

(1) Subsection (e-1) is repealed.

(2) Subsection (h-3) is repealed.

(b) Section 47-2401 is amended as follows: **Note, § 47-2401**

(1) Paragraph (5A) is amended to read as follows:

"(5A) The term "other tobacco product" means any product containing, made from, or derived from tobacco, other than a cigarette or premium cigar, that is intended or expected to be consumed. The term "other tobacco product" includes vapor products, as defined in paragraph (9A) of this section, but does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and that is being marketed and sold solely for such an approved purpose.".

(2) A new paragraph (9A) is added to read as follows:

"(9A) The term "vapor product" means:

"(A) Any non-lighting, noncombustible product that employs a mechanical heating element, battery, or electronic circuit, regardless of shape or size, that can be used to produce aerosol from nicotine in a solution; or

"(B) Any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.".

Sec. 7043. Applicability. **Note, §§ 47-2001, 47-2401**

This subtitle shall apply for taxable periods beginning on or after October 1, 2015.

SUBTITLE F. NOTICE OF PROPOSED AUDIT CHANGES REQUIREMENT

Sec. 7051. Short title.

This subtitle may be cited as the "Notice of Proposed Audit Changes Requirement Emergency Amendment Act of 2015".

Sec. 7052. Chapter 43 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-4303 is amended to read as follows: **Note, § 47-4303**

"§ 47-4303. Suspension of running of period of limitation.

"The running of the period of limitation provided in §§ 47-4301 and 47-4302 on the making of assessments or collection shall be suspended:

"(1) Beginning on the day the Chief Financial Officer of the District of Columbia ("CFO") issues a notice of proposed audit changes pursuant to § 47-4312 for 90 days or until the issuance of a proposed assessment, whichever occurs first; and

(2) Beginning on the day the CFO issues a proposed assessment, until the issuance of a final order by the Office of Administrative Hearings and for the period during which the CFO is prohibited from making the assessment or from collecting due to a proceeding in court, plus:

"(i) For assessment, 60 days thereafter; and

"(ii) For collection, 6 months thereafter.".

(b) Section 47-4312 is amended by adding a new subsection (a-1) to read as follows: **Note, § 47-4312**

"(a-1) Unless otherwise provided in this title, the CFO shall send a notice of proposed audit changes to the person at least 30 days before the proposed assessment is sent.".

SUBTITLE G. FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT OVERTIME SETTLEMENT

Sec. 7061. Short title.

This subtitle may be cited as the "Fire and Emergency Medical Services Overtime Settlement Fund Emergency Act of 2015".

Sec. 7062. Fire and Emergency Medical Services Overtime Settlement Fund. **Note, New § 5-525.01**

(a) There is established as a special fund the Fire and Emergency Medical Services Overtime Settlement Fund ("Fund"), which shall be administered by the Office of the City Administrator in accordance with subsection (c) of this section.

(b)(1) Subject to paragraph (2) of this subsection, there shall be deposited into the Fund:

(A) Excess Fiscal Year 2015 revenues certified by the Chief Financial Officer in the June 2015 quarterly revenue estimate; and

(B) Immediately upon completion of the fiscal year-end close, the undesignated and unreserved end-of-the-year fund balance of the General Fund of the District of Columbia.

(2) The Chief Financial Officer shall deposit into the Fund only the amount necessary to fully satisfy the District's obligations referenced in subsection (c) of this section. Any excess above that amount shall be deposited into the unrestricted fund balance of the General Fund of the District of Columbia+, subject to any allocation required by D.C. Official Code § 47-392.02.

(c) The Fund shall be used to pay the District's obligations arising from the decision of the District of Columbia Court of Appeals in *District of Columbia Fire and Emergency Medical Services Department v. District of Columbia Public Employee Relations Board, et al.,* 105 A.3d 992 (D.C. 2014).

(d) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

Sec. 7063. Applicability. **Note, § 5-525.02**

(a) This subtitle shall apply as of the effective date of this act.

(b) If funds deposited under section 7062(b) are sufficient to fully satisfy the District's obligations arising from the decision of the District of Columbia Court of Appeals in *District of Columbia Fire and Emergency Medical Services Department v. District of Columbia Public Employee Relations Board, et al.*, 105 A.3d 992 (D.C. 2014), as certified by the Chief Financial Officer, section 7022 shall not apply.

SUBTITLE H. BUSINESS IMPROVEMENT DISTRICT TECHNICAL CLARIFICATION

Sec. 7071. Short title.

This subtitle may be cited as the "Business Improvement District Technical Emergency Amendment Act of 2015".

Sec. 7072. The Business Improvement District Amendment Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

(a) Section 3(24)(C) (D.C. Official Code § 2-1215.02 (24)(C)) is amended by striking the date "September 30, 2014" and inserting the date "September 30, 2003" in its place. **Note, § 2-1215.02**

(b) Section 16(g-1) (D.C. Official Code § 2-1215.15(g-1)) is amended as follows: **Note, § 2-1215.15**

(1) Paragraph (2) is amended by striking the phrase "The BID tax resulting" and inserting the phrase "For periods beginning after September 30, 2003, the BID tax resulting" in its place.

(2) Paragraph (3) is repealed.

SUBTITLE I. DISTRICT OF COLUMBIA DEPOSITORY EXPANSION

Sec. 7081. Short title.

This subtitle may be cited as the "District of Columbia Depository Expansion Emergency Amendment Act of 2015".

Sec. 7082. Section 47-351.08(b) of the District of Columbia Official Code is amended as follows: **Note, § 47-351.08**

(a) Paragraph (3) is amended by striking the word "or" at the end.

(b) Paragraph (4) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(c) A new paragraph (5) is added to read as follows:

"(5) Letters of credit issued by a Federal Home Loan Bank.".

SUBTITLE J. 4427 HAYES STREET, N.E., REAL PROPERTY TAX ABATEMENT

Sec. 7091. Short title.

This subtitle may be cited as the "4427 Hayes Street, N.E., Real Property Tax Abatement Emergency Amendment Act of 2015".

Sec. 7092. Section 47-4649 of the District of Columbia Official Code is amended as follows: **Note, § 47-4649**

(a) Strike the phrase "tax years 2011, 2012, 2013, 2014, and 2015" and insert the phrase "tax years 2011 through 2040" in its place.

(b) Strike the number "$140,000" and insert the phrase "$30,000 a year" in its place.

SUBTITLE K. MARKET-BASED SOURCING CLARIFICATION

Sec. 7101. Short title.

This subtitle may be cited as the "Market-based Sourcing Clarification Emergency Amendment Act of 2015".

Sec. 7102. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1334 is amended to read as follows: **Note, § 47-1334**

"§ 47-1334. Interest rate.

"Beginning October 1, 2014:

"(1) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid, excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

"(2) The purchaser shall receive simple interest of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following when the real property was sold or the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no interest for expenses or the reasonable value of improvements.".

(b) Section 47-1348 is amended as follows: **Note, § 47-1348**

(1) Subsection (a)(10) is amended to read as follows:

"(10) Beginning October 1, 2014, a statement that the rate of simple interest, upon redemption, shall be 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.".

(2) Subsection (c) is amended by striking the phrase "On redemption, the purchaser will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 18% per annum from the date the real property was sold to the date of redemption; provided, that the purchaser shall not receive interest on any surplus." and inserting the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor

is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus." in its place.

(c) Section 47-1353(d) is amended to read as follows: **Note, § 47-1353**

"(d) Beginning October 1, 2014, upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the day of the tax sale to the purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.".

(d) Section 47-1810.02(g)(3) is amended to read as follows: **Note, § 47-1810.02**

"(3)(A) For the tax years beginning after December 31, 2014, sales, other than sales of tangible personal property, are in the District if the taxpayer's market for the sales is in the District. The taxpayer's market for sales is in the District:

"(i) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in the District;

"(ii) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in the District;

"(iii) In the case of the sale of a service, if and to the extent the service is delivered to a location in the District; and

"(iv) In the case of intangible property:

"(I) That is rented, leased, or licensed, if and to the extent the property is used in the District; provided, that intangible property utilized in marketing a good or service to a consumer is used in the District if that good or service is purchased by a consumer who is in the District; and

"(II) That is sold, if and to the extent the property is used in the District; provided, that:

"(aa) A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is used in the District if the geographic area includes all or part of the District;

"(bb) Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under sub-sub-subparagraph (I) of this sub-subparagraph; and

"(cc) All other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the sales factor.

"(B) If the state or states of assignment under subparagraph (A) of this paragraph cannot be determined, the state or states of assignment shall be reasonably approximated.

"(C) If the taxpayer is not taxable in a state in which a sale is assigned under subparagraph (A) or (B) of this paragraph, or if a state of assignment cannot be determined under subparagraph (A) of this paragraph or reasonably approximated under subparagraph (B) of this paragraph, the sale shall be excluded from the denominator of the sales factor.

"(D) The Chief Financial Officer may issue rules to implement the provisions of this subsection.".

Sec. 7103. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE L. REAL PROPERTY ASSESSMENT APPOINTMENT CLARIFICATION

Sec. 7111. Short title.

This subtitle may be cited as the "Real Property Assessment Appointment Clarification Emergency Amendment Act of 2015".

Sec. 7112. Section 47-825.02 of the District of Columbia Official Code is repealed.

Note, Repeal § 47-825.02

SUBTITLE M. SOUTHWEST BUSINESS IMPROVEMENT DISTRICT CLARIFICATION

Sec. 7121. Short title.

This subtitle may be cited as the "Southwest Business Improvement District Clarification Emergency Amendment Act of 2015".

Sec. 7122. Section 209(c) of the Business Improvement Districts Act of 1996, effective September 9, 2014 (D.C. Law 20-136; D.C. Official Code § 2-1215.60(c)), is amended as follows:

Note, § 2-1215.60

(a) Paragraph (1)(A)(iii) is amended by striking the phrase "other law;" and inserting the phrase "other law, but shall not include any property covered by paragraph (4) of this subsection;" in its place.

(b) A new paragraph (4) is added to read as follows:

"(4) Notwithstanding paragraph (1)(A)(iii) of this subsection, the total BID tax payable with respect to any property that is an integral part of a development larger than 5 acres and the owner of which is required to contribute to the maintenance and improvement of roadways and sidewalks adjacent to the property or otherwise associated with the development in lieu of the District having that responsibility shall be reduced by 30% from that which would

otherwise be payable with respect to such property, to reflect the reduced services provided by the Southwest BID with respect to the property.".

SUBTITLE N. STANDARD DEDUCTION WITHHOLDING CLARIFICATION

Sec.7131. Short title.

This subtitle may be cited as the "Standard Deduction Withholding Clarification Emergency Amendment Act of 2015".

Note, § 47-1812.08

Sec. 7132. Section 47-1812.08(b) of the District of Columbia Official Code is amended by adding a new paragraph (1A) to read as follows:

"(1A) Notwithstanding which method of determination for withholding set forth in paragraph (1) of this subsection is used, no allowance for the standard deduction shall be permitted.".

SUBTITLE O. UNIFIED ECONOMIC DEVELOPMENT REPORT CLARIFICATION

Sec. 7141. Short title.

This subtitle may be cited as the "Unified Economic Development Clarification Emergency Amendment Act of 2015".

Note, § 2-1208.02

Sec. 7142 Section 2253 of the Unified Economic Development Budget Transparency and Accountability Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 2-1208.02), is amended as follows:

(a) Subsection (a)(1) is amended by striking the phrase "Not more than 3 months after the end of each fiscal year" and inserting the phrase "On or before March 1" in its place.

(b) Section (b) is amended by striking phrase "The Chief Financial Officer" and inserting the phrase "The Mayor" in its place.

SUBTITLE P. COMBINED REPORTING CLARIFICATION

Sec. 7151. Short title.

This subtitle may be cited as the "Combined Reporting Clarification Emergency Amendment Act of 2015".

Sec. 7152. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1810.09. Tax haven updates.".

Note, New § 47-1810.09

(b) A new section 47-1810.09 is added to read as follows:

"§ 47-1810.09. Tax haven updates.

"(a) The Council shall review the list of tax havens set forth in § 47-1801.04(49)(B-i) biennially or as needed.

"(b) The Chief Financial Officer of the District of Columbia ("CFO") may submit amendments, as the CFO considers necessary, to the Council for revision by act of the list of tax havens.".

Note, § 47-1801.04

(c) Section 47-1801.04(49) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "means a jurisdiction that" and inserting the phrase "means the jurisdictions listed in subparagraph (B-i) of this paragraph and any jurisdiction that" in its place.

(2) A new subparagraph (B-i) is added to read as follows:

"(B-i) Each of the following jurisdictions is a tax haven:

"(i) Andorra;
"(ii) Anguilla;
"(iii) Antigua and Barbuda;
"(iv) Aruba;
"(v) The Bahamas;
"(vi) Bahrain;
"(vii) Barbados;
"(viii) Belize;
"(ix) Bermuda;
"(x) The British Virgin Islands;
"(xi) The Cayman Islands;
"(xii) The Cook Islands;
"(xiii) Cyprus;
"(xiv) Dominica;
"(xv) Gibraltar;
"(xvi) Grenada;
"(xvii) Guernsey-Sark-Alderney;
"(xviii) The Isle of Man;
"(xix) Jersey;
"(xx) Liberia;
"(xxi) Liechtenstein;
"(xxii) Luxembourg;
"(xxiii) Malta;
"(xxiv) The Marshall Islands;
"(xxv) Mauritius;
"(xxvi) Monaco;
"(xxvii) Montserrat;
"(xxviii) Nauru;
"(xxix) The islands formerly constituting the Netherlands Antilles;
"(xxx) Niue;

"(xxxi) Samoa;
"(xxxii) San Marino;
"(xxxiii) Seychelles;
"(xxxiv) St. Kitts and Nevis;
"(xxxv) St. Lucia;
"(xxxvi) St. Vincent and the Grenadines;
"(xxxvii) The Turks and Caicos Islands;
"(xxxviii) The U.S. Virgin Islands; and
"(xxxix") Vanuatu.".

SUBTITLE Q. UNION MARKET DISTRICT TIF

Sec. 7161. Short title.

This subtitle may be cited as the "Union Market District TIF Inducement Emergency Act of 2015".

Note, New § 2-1217.36a

Sec. 7162. Definitions.

For the purposes of this subtitle, the term:

(1) "Development costs" shall have the same meaning as provided in section 2(13) of the TIF Act.

(2) "Development Sponsor" means Edens, or an affiliate thereof approved by the Mayor.

(3) "Eligible project" shall have the same meaning as provided in section 2(18) of the TIF Act.

(4) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq*.).

(5) "Project" means the financing, refinancing, or reimbursing of certain tax increment qualified costs incurred for the development of projects, including retail, residential, and office space on parcels, lots, and squares, within and abutting the boundary of the Florida Avenue Market as set forth in the Florida Avenue Market Small Area Plan, dated 2009, approved by the Florida Avenue Market Small Area Plan Approval Resolution of 2009, effective October 6, 2009 (Res. 18-257; 56 DCR 8401).

(6) "Tax increment" shall have the same meaning as provided in section 490(n)(6) of the Home Rule Act.

(7) "TIF Act" means the Tax Increment Financing Authorization Act of 1998, effective September 11, 1998 (D.C. Law 12-143; D.C. Official Code § 2-1217.01 *et seq*.).

(8) "TIF Bonds" means bonds, notes, or other obligations issued pursuant to the TIF Act.

Sec. 7163. Findings. **Note, New § 2-1217.36b**

The Council finds that:

(1) Pursuant to section 490 of the Home Rule Act, the TIF Act provides for the issuance of TIF Bonds to finance certain public infrastructure costs of eligible projects to the extent the debt service on the TIF Bonds can be paid from tax revenues generated by those eligible projects and does not violate District law with regard to the limitations on the issue of debt.

(2) The Development Sponsor has requested that the District consider the issuance of TIF Bonds, in one or more taxable or tax-exempt issues, for the purpose of financing or reimbursing the Development Sponsor for development costs of the Project in the net amount of $90 million.

(3) The Project is desirable and in the public interest.

Sec. 7164. Declaration of intent. **Note, New § 2-1217.36c**

(a) The Council supports the Project and, to the extent feasible, legal, and prudent under the District's debt limitations, and in compliance with law, supports efforts to issue TIF Bonds to finance eligible development costs of the Project.

(b) The maximum principal amount of the TIF Bonds to be issued to finance the Project shall be determined by agreement of the Development Sponsor, the Chief Financial Officer, and the Mayor.

(c) The issuance of the TIF Bonds shall be dependent on the execution of a mutually agreed upon development agreement and other agreements between the District and the Development Sponsor and certification of the Project by the Chief Financial Officer pursuant to the TIF Act.

Sec. 7165. Future legal requirements. **Note, New § 2-1217.36d**

The issuance of TIF Bonds to finance the Project and the terms of the resolution approving the issuance of the TIF Bonds are subject to approval by the Council as set forth in the TIF Act. Enactment of this subtitle in no way guarantees that the District will authorize the issue of TIF Bonds in any amount, that the TIF Bonds will be approved by the District, or that the TIF Bonds will actually be issued.

SUBTITLE R. REAL PROPERTY TAX TRANSFER DEFERRAL

Sec. 7171. Short title.

This subtitle may be cited as the "Real Property Tax Transfer Deferral Emergency Amendment Act of 2015".

Sec. 7172. Section 47-845.03 of the District of Columbia Official Code is amended as follows: **Note, § 47-845.03**

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

"(1A) "Heir" means an individual named in an enforceable will or transfer on death deed, or an individual named as a beneficiary of an enforceable trust, or in the absence of the foregoing, an individual who shall inherit pursuant to Chapter 3 of Title 19 of the District of Columbia Official Code.".

(b) Subsection (e) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

"(2) Deferred real property tax, interest thereon, and any penalties, shall be payable within 30 days from the transfer of the real property. Upon such transfer, real property tax that is not timely paid, with interest thereon, shall thereafter be deemed delinquent real property tax.".

(2) New paragraphs (3), (4), and (5) are added to read as follows:

"(3) Where the real property that is the subject of the deferral is not or is no longer part of the estate of the eligible applicant and in an active probate proceeding thereof, real property tax, interest thereon, and any penalties shall be due as follows:

"(A) Within 90 days from the date of death of the eligible applicant, or 30 days from the date of transfer or cessation of probate legal proceedings related to the real property, whichever is sooner, if the real property is not transferred to heirs; or

"(B) Within one year from the date of death of the eligible applicant if the real property is or shall be transferred to heirs pursuant to trust, transfer on death deed, or other such instrument.

"(4) Where the real property that is the subject of the deferral is part of the estate of the eligible applicant and in an active probate proceeding thereof, real property tax, interest thereon, and any penalties shall be due within one year from the date of transfer by the personal representative of such real property.

"(5) Real property tax, interest thereon, and any penalties on a real property due and not timely paid shall be deemed delinquent real property tax.".

(c) Subsection (i)(1) is amended as follows:

(1) Strike the phrase "If the senior's" and insert the phrase "Unless otherwise provided in this section, if the senior's" in its place.

(2) Strike the phrase "paid within 30 days of the change in eligibility" and insert the phrase "paid within 90 days of the change in eligibility" in its place.

(3) Strike the phrase "fails to notify the Mayor timely" and insert the phrase "fails to pay timely to the Mayor" in its place..

SUBTITLE S. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING MATCH

Sec. 7181. Short title.

This subtitle may be cited as the "National Cherry Blossom Festival Fundraising Match Emergency Act of 2015".

Sec. 7182. (a) In Fiscal Year 2016, of the funds allocated to the Non-Departmental agency, $250,000 shall be transferred to the Washington Convention and Sports Authority to administer a matching grants program to support the National Cherry Blossom Festival. A matching grant of up to $250,000 shall be awarded to a nonprofit organization that organizes and produces an event or events as part of the official, month-long National Cherry Blossom Festival dollar-for-dollar for corporate donations above $750,000 raised by the nonprofit for this purpose by March 31, 2016. Any matching grant awarded under this section shall be in addition to any other grants awarded by the Washington Convention and Sports Authority in support of the National Cherry Blossom Festival. **Not Codified**

(b) Grants issued pursuant to this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

SUBTITLE T. TREGARON CONSERVANCY TAX EXEMPTION AND RELIEF

Sec. 7191. Short title.

This subtitle may be cited as the "Tregaron Conservancy Tax Exemption and Relief Emergency Amendment Act of 2015".

Sec. 7192. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for section designation 47-1077 is amended to read as follows:

"47-1077. Tregaron Conservancy, Lots 848, 857, 859, and 860, Square 2084.".

(b) Section 47-1077 is amended as follows: **Note, § 47-1077**

(1) The heading is amended by striking the phrase "Lots 857, 859, and 860" and inserting the phrase "Lots 848, 857, 859, and 860" in its place.

(2) The lead-in language is amended by striking the phrase "The real property described as Lots 857, 859, and 860" and inserting the phrase "Beginning March 1, 2015, the real property described as Lots 848, 857, 859, and 860" in its place.

Sec. 7193. Transfer exempt from transfer and recordation taxes. **Note, § 47-1077**

Beginning March 1, 2015, the conveyance of the real property described as Lot 848, Square 2084 to the Tregaron Conservancy shall be exempt from the tax imposed by section 303 of the District of Columbia Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1103), and D.C. Official Code § 47-903.

Sec. 7194. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE U. RETAIL SERVICE STATION TRANSFER TAX

Sec. 7201. Short title.

This subtitle may be cited as the "Retail Service Station Transfer Tax Emergency Amendment Act of 2015".

Sec. 7202. Section 47-903(a-5) of the District of Columbia Official Code is repealed. **Note, § 47-903**

SUBTITLE V. IPW FUND, DESTINATION DC MARKETING FUND, AND WMATA MOMENTUM FUND AMENDMENT

Sec. 7211. Short title.

This subtitle may be cited as the "IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Fund Emergency Amendment Act of 2015".

Sec. §. The IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Fund Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 62 DCR 3601), is amended as follows:

(a) Section 7152(b) (D.C. Official Code § 1-325.291(b)) is amended as follows: **Note, § 1-325.291**

(1) Paragraph (1) is amended as follows:

(A) Strike the figure "$3.5 million" and insert the figure "$2 million" in its place.

(B) Strike the phrase "obtained; and" and insert the phrase "obtained;" in its place.

(2) A new paragraph (1A) is added to read as follows:

"(1A) The amount of $1.5 million from any recoveries from litigation brought on behalf of the District; provided, that the Litigation Support Fund established in section 106b of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, passed on emergency basis on June 30, 2015 (Enrolled version of Bill 21-283), has reached its initial balance cap; and".

(b) Section 7154 (D.C. Official Code § 1-325.311) is amended by adding a new subsection (b-1) to read as follows: **Note, § 1-235.311**

"(b-1) Upon settlement of litigation in *United States ex rel. Mills v. Compass Group North America et al.*, 2013 CAB SLD 004624, any and all recoveries by the District from the settlement not otherwise encumbered pursuant to the settlement agreement shall be deposited into the Fund.".

SUBTITLE W. PUBLIC SPACE REVENUE CLARIFICATION

Sec. 7221. Short title.

This subtitle may be cited as the "Public Space Revenue Clarification Emergency Amendment Act of 2015".

Note, § 47-305.01

Sec. 7222. Section 47-305.01 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase "public space authorized by the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101 et seq.)" and inserting the phrase "public rights-of-way authorized by Title VI of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01 *et seq*.)" in its place.

(b) Subsection (b) is amended by striking the phrase "public space authorized by the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101 et seq.)" and inserting the phrase "public rights-of-way authorized by Title VI of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01 *et seq*.) " in its place.

Note, § 10-1141.01

Sec. 7223. Section 601(3) of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01(3)), is amended by striking the phrase "or boulevard" and inserting the phrase "or boulevard used pursuant to District law for public services, including rail lines and electric, natural gas, water, sewer, and communication utilities" in its place.

TITLE VIII. CAPITAL BUDGET

SUBTITLE A. FY 2016 CAPITAL PROJECT FINANCING REALLOCATION

Sec. 8001. Short title.

This subtitle may be cited as the "Fiscal Year 2016 Capital Project Reallocation Approval Emergency Act of 2015".

Not Codified

Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate $164,988,727 in general obligation bond proceeds from District capital projects listed in Table A to the District capital projects, in the amounts specified, listed in Table B.

(b) The current allocations were made pursuant to the Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011, effective December 6, 2011 (Res. 19-315; 58 DCR 10556), the Fiscal Year 2013 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2012, effective October 16, 2012 (Res. 19-635; 59 DCR 12818), the Fiscal Year 2014 Income Tax Secured Revenue Bond and General Obligation Approval Resolution of 2013, effective November 5, 2013 (Res. 20-321; 60 DCR 15794), and the Fiscal Year 2015 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective November 18, 2014 (Res. 20-687; 61 DCR 12738).

TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount

Commission On Arts and Humanities	AH7	CAH	Arts & Humanities Grants & Projects	2013A G.O.	2,166,753
Commission On Arts and Humanities	AH7	CAH	Arts & Humanities Grants & Projects	2014C G.O.	2,451,957
Commission On Arts and Humanities	DA1	CAH	Arts & Humanities Grants & Projects	2012 C - IT	157,088
D.C. Public Library	LB2	DCPL	Library Improvements	2012 C - IT	5,924
D.C. Public Library	LB2	DCPL	Library Improvements	2013A G.O.	6,536
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2012 C - IT	1,759,993
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2013A G.O.	1,000,000
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2014C G.O.	3,000,000
Department of Corrections	CR1	DOC	HVAC Replacement	2013A G.O.	210,299
Department of General Services	PR1	DGS	One Judiciary Square Roof	2014C G.O.	566,687
Department of Parks and Recreation	COM	DGS	Congress Heights Modernization	2012 FG IT	26,761
Department of Parks and Recreation	QS5	DGS	Barry Farm Recreation Center	2012 FG IT	177,483
Department of Public Works	FS1	DPW	Upgrade to DPW Fueling Sites	2013A G.O.	76,427
Deputy Mayor for Education	CES	DMED	Language Immersion MS/HS Facility Grant	2014C G.O.	3,000,000
Deputy Mayor for Planning and Economic Development	AWR	DMPED	St Elizabeths Infrastructure	2012 C - IT	41,196,793
Deputy Mayor for Planning and Economic Development	EB0	DMPED	New Communities	Pending	8,000,000
Deputy Mayor for Planning and Economic Development	EDP	DMPED	Economic Development Pool	2014C G.O.	347,460
District Department of Transportation	CE3	DDOT	Alley Maintenance	2012 C - IT	227,938
District Department of Transportation	CE3	DDOT	Alley Maintenance	2013A G.O.	328,043
District Department of Transportation	ED0	DDOT	11th Street Bridge Park	Pending	2,003,643
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2012 C - IT	1,430,163
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2013A G.O.	3,500,000
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2014C G.O.	2,500,000
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	Pending	4,481,447
District Department of Transportation	PM3	DDOT	Advanced Design and Planning	2012 C - IT	532,146
District Department of Transportation	PM3	DDOT	Advanced Design and Planning	2013A G.O.	1,000,000
District Department of Transportation	SA3	DDOT	H Street/Benning/K Street Streetcar Line	Pending	36,011,922
District of Columbia Public Schools	CHA	DGS	Challenger Center For Space Education	2012 C - IT	1,000,000
District of Columbia Public Schools	CHA	DGS	Challenger Center For Space Education	2014C G.O.	500,000
District of Columbia Public Schools	MH1	DGS	Dunbar SHS Modernization	2012 FG IT	4,243,657
District of Columbia Public Schools	NX3	DGS	Cardozo HS Modernization	2012 FG IT	12,304,374
District of Columbia Public Schools	PE3	DCPS	Drew ES Modernization/Renovation	2012 C - IT	511,155
Fire and Emergency Management Services	F34	FEMS	Emergency Communication Systems	2013A G.O.	16,841
Fire and Emergency Management Services	LC5	FEMS	Engine Company 23 Renovation	2014C G.O.	2,886,745
Metropolitan Police Department	CTV	MPD	Tactical Village Training Facility	2014C G.O.	738,768
Office of Municipal Planning	PLN	OP	District Public Plans and Studies	2012 C - IT	3,542,714
Office of Municipal Planning	PLN	OP	District Public Plans and Studies	2014C G.O.	6,525,205
Office of the Chief Financial Officer	BF3	OCFO	SOAR Modernization	Pending	10,000,000
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2012 C - IT	1,001,550
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2013A GO	648,627
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2014C G.O.	63,000
Special Education Transportation	BU2	SET	Special Education Transportation Center	2012 C - IT	4,840,628
TOTAL					**$164,988,727**

TABLE B

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Department of Corrections	CR0	DGS	Inmate Processing Center	N/A	4,500,000
D.C. Public Library	NEL	DCPL	Northeast Library	N/A	547,780
District of Columbia Public Schools	NA6	DGS	Ballou Senior High School	N/A	27,986,000
District of Columbia Public Schools	NR9	DGS	Roosevelt Senior High School	N/A	20,223,161
District of Columbia Public Schools	YY1	DGS	Modernizations & Renovations	N/A	50,864,967
District of Columbia Public Schools	BRK	DGS	Brookland MS Modernization	N/A	8,500,000
Office on Aging	EA3	DGS	Washington Center for Aging Services Renovation	N/A	409,442
WMATA	SA3	WMATA	WMATA Fund - PRIIA	N/A	10,406,472
WMATA	SA5	WMATA	WMATA CIP Contribution	N/A	21,550,905
University of the District of Columbia	UG7	UDC	Renovation of University Facilities	N/A	20,000,000
TOTAL					**$164,988,727**

SUBTITLE B. SALE OF PUBLIC LANDS PROCEEDS AMENDMENT

Sec. 8011. Short title.

This subtitle may be cited as the "McMillan Redevelopment Proceeds Emergency Amendment Act of 2015".

Note, § 10-801

Sec. 8012. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), is amended by adding a new subsection (n) to read as follows:

"(n) The net proceeds from the disposition of the McMillan Sand Filtration Site approved by the McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-705; 62 DCR 1091), the McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-706; 62 DCR 1094), and the McMillan Commercial Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-707; 62 DCR 1097), shall not be deposited into the unrestricted fund balance of the General Fund of the District of Columbia but instead shall be deposited into the capital fund account associated with the McMillan Site Redevelopment, EB0-AMS11C.".

SUBTITLE C. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY AMENDMENT

Sec. 8021. Short title.

This subtitle may be cited as the "Department of Transportation Capital Budget Allocation Authority Emergency Amendment Act of 2015".

Sec. 8022. Section 3(e)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)(2)), is amended by striking the phrase "for the Related Projects of each capital project" and inserting the phrase "for the Related Projects, as submitted annually by DDOT through the approved Transportation Improvement Program as part of the budget request for each capital project" in its place.

Note, § 50-921.02

SUBTITLE D. PAY-AS-YOU-GO CAPITAL ACCOUNT AMENDMENT

Sec. 8031. Short title.

This subtitle may be cited as the "Pay-as-you-go Capital Account Emergency Amendment Act of 2015".

Sec. 8032. Section 47-392.02(f)(2) of the District of Columbia Official Code is amended by striking the phrase "Fiscal Year 2017" and inserting the phrase "Fiscal Year 2019" in its place.

Note, § 47-392.02

SUBTITLE E. CAPITAL PROJECT REVIEW AND RECONCILIATION

Sec. 8041. Short title.

This subtitle may be cited as the "Capital Project Review and Reconciliation Emergency Amendment Act of 2015".

Sec. 8042. The Capital Project Support Fund Establishment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-325.151 *et seq*.), is amended as follows:

(a) Section 1261 (D.C. Official Code § 1-325.151) is amended to read as follows:

Note, § 1-325.151

"Sec. 1261. Definitions.

"For the purposes of this act, the term:

"(1) "Alley Rehabilitation Project" means the capital project designated as District Department of Transportation capital project CEL21C in the District's capital improvement program.

"(2) "Buyer agency" means a District department, office, or agency that places an order for goods or services using funds appropriated for a capital project pursuant to a memorandum of understanding.

"(3) "Capital project" shall have the same meaning as provided in section 103(8) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.03(8)).

"(4) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

"(5) "Fund" means the Capital Project Support Fund established by section 1262.

"(6) "Memorandum of understanding" means an agreement between District departments, offices, or agencies authorized pursuant to section 1(k)(1) of An Act To Grant

Additional Powers to the Commissioners of the District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C. Official Code § 1-301.01(k)(1)), to provide goods or services for the benefit of a capital project with payment to be made with funds appropriated for that capital project.

"(7) "OCFO" means the Office of the Chief Financial Officer of the District of Columbia established by section 424(1) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(a)).

"(8) "Seller agency" means a District department, office, or agency that receives a transfer of funds appropriated for a capital project to provide goods or services related to that project pursuant to a memorandum of understanding.

"(9) "Surplus capital funds" means unexpended funds appropriated for a capital project that have been identified by the OCFO as available for transfer pursuant to section 1263a or section 1263b.

(b) Section 1262 (D.C. Official Code § 1-325.152) is amended to read as follows: **Note, § 1-325.152**

"Sec. 1262. Capital Project Support Fund.

"(a) There is established as a special fund the Capital Project Support Fund, which shall be administered by the Chief Financial Officer in accordance with this act.

"(b) All surplus capital funds identified by the Chief Financial Officer pursuant to sections 1263a and 1263b shall be deposited into the Fund.".

(c) Section 1263(b) (D.C. Official Code § 1-325.153(b)) is amended by striking the second sentence. **Note, § 1-325.153**

(d) New sections 1263a and 1263b are added to read as follows:. **Note, New § 1-325.153a**

"Sec. 1263a. Closure of capital budget memoranda of understanding; transfer of surplus capital funds.

"(a) After the termination date of a memorandum of understanding, the buyer agency shall have 60 days to reconcile the accounting and budget data and close the funding line for the memorandum of understanding associated with the capital project in the system of accounting and reporting.

"(b)(1) After the closing date of the memorandum of understanding, the Office of Budget and Planning within the OCFO shall notify the buyer agency and the seller agency of any issues that must be resolved to close the funding line for the memorandum of understanding in the project management system, including:

"(A) Any outstanding issues related to removal of any encumbrances and pre-encumbrances:

"(B) The need for reconciliation of the capital project budget and expenditures between the buyer agency and the seller agency related to the memorandum of understanding; or

"(C) Needed accounting entries necessary to zero out the budget balance for the memorandum of understanding.

"(3) After the 60-day reconciliation period required by subsection (a) of this section, the OCFO, through its Director of Capital Improvements, shall adjust entries to ensure

the close of the funding line for a memorandum of understanding associated with a capital project, with no outstanding balances remaining.

"(c) Any surplus capital funds that the Director of Capital Improvements identifies following the 60-day reconciliation period shall be deposited in the Capital Project Support Fund.

"Sec. 1263b. Transfer of other surplus capital funds. **Note, New § 1-325.153b**

"(a) If a department, office, or agency has a capital project with an unexpended balance of more than $250,000 for which no funds have been expended or encumbered for 3 consecutive years, the OCFO shall provide 30 days written notice to the department, office, or agency of the CFO's intent to transfer the surplus capital funds to the Capital Project Support Fund. The CFO shall make this transfer unless the department, office, or agency to which the funds have been budgeted or allotted:

"(1) Certifies to the Mayor, Council, and CFO, within the 30-day notice period that it intends to use the funds to implement the capital project within 18 months of the certification; and

"(2) Submits a satisfactory activity report to the OCFO describing the status of the implementation within 180 days from the date of certification.

"(b) The OCFO shall have sole and complete discretion to determine whether the activity report required by subsection (a) of this section is satisfactory. If the OCFO determines that an activity report is unsatisfactory, the OCFO shall transfer the surplus capital funds to the Capital Project Support Fund after providing 10 days written notice to the agency.

"(c) The OCFO shall transfer to the Capital Project Support Fund surplus capital funds from a capital project with an unexpended balance of $250,000 or less for which no funds have been expended or encumbered for 3 consecutive years upon the OCFO's identification of such funds.".

(e) Section 1264 (D.C. Official Code § 1-325.154) is amended to read as follows: **Note, § 1-325.154**

"Sec. 1264 Reporting requirements.

"The Chief Financial Officer shall submit a written report to the Mayor and the Council on a quarterly basis on the status of the Fund, including the current balance of the Fund and a list of the projects supported by the Fund.".

(f) Section 1265(a) (D.C. Official Code § 1-325.155(a)) is amended by striking the phrase "Notwithstanding any other provision of this act," and inserting the phrase "Except as provided in section 1266 and notwithstanding any other provision of this act," in its place. **Note, § 1-325.155**

(g) A new section 1266 is added to read as follows: **Note, New § 1-325.156**

"Sec. 1266. Alley Rehabilitation Project.

"(a) Notwithstanding any other provision of this act, the Chief Financial Officer shall transfer to and retain in the Alley Rehabilitation Project the first $6 million of surplus capital funds identified pursuant to section 1263a or section 1263b, to be made available for purposes of the Alley Rehabilitation Project through a reprograming pursuant to Chapter 3 of Title 47 of the District of Columbia Official Code.

"(b) This section shall expire on September 30, 2016.".

Sec. 8043. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE F. CAPITAL RESCISSIONS

Sec. 8051. Short title.

This subtitle may be cited as the "Fiscal Year 2016 Capital Rescission Emergency Act of 2015".

Sec. 8052. The Chief Financial Officer shall rescind or adjust existing capital project allotment as set forth in the following tabular array: **Not Codified**

Owner Agency	Project No	Project Title	Fund Detail	Existing Allotment Adjustments
AM0 - DEPARTMENT OF GENERAL SERVICES	A0502CC	WARD 6 SENIOR WELLNESS CENTER	0300	(200.00)
BA0 - OFFICE OF THE SECRETARY	AB102C	ARCHIVES	0300	(1,000,000.00)
BD0 - OFFICE OF PLANNING	PLN37C	DISTRICT PUBLIC PLANS & STUDIES	0300	(280,946.04)
CE0 - DC PUBLIC LIBRARY	LB2CEC	LIBRARY IMPROVEMENTS	0300	(5,952.61)
CR0 - DEPT. OF CONSUMER AND REGULATORY AFFAIRS	EB301C	VACANT PROPERTY INSPECTION AND ABATEMENT	0300	(25,015.96)
EB0 - DEPUTY MAYOR FOR PLANNING AND ECON DEV	AWR01C	SAINT ELIZABETHS E CAMPUS INFRASTRUCTURE	0300	(2,500,000.00)
	EB008C	NEW COMMUNITIES	0300	(10,000,000.00)
	EB409C	WASA NEW FACILITY	0300	6,000,000.00
ELC - EQUIPMENT LEASE - CAPITAL	ITI05C	MASTER EQUIPMENT LEASE - FA POLICE	0300	(7,887.12)
	MLP01C	MASTER EQUIPMENT LEASE - DC LIBRARY	0300	(2,804.93)
	MLP02C	MASTER EQUIPMENT LEASE - DC LIBRARY	0300	(62.00)
	MLP03C	MASTER EQUIPMENT LEASE - DC LIBRARY	0300	(621.15)

FA0 - METROPOLITAN POLICE DEPARTMENT	IT101C	INFORMATION TECHNOLOGY INITIATIVE	0300	(3,936.00)
FB0 - FIRE AND EMERGENCY MEDICAL SERVICES	LB637C	E-15 COMPLETE MODERNIZATION/RENOVATION	0300	(71.16)
FL0 - DEPARTMENT OF CORRECTIONS	CEV01C	DOC ELEVATOR REFURBISHMENT	0300	(800,000.00)
GA0 - DISTRICT OF COLUMBIA PUBLIC SCHOOLS	GI010C	SPECIAL EDUCATION CLASSROOMS	0300	(500,000.00)
	MJ138C	JANNEY ES MODERNIZATION/RENOVATION	0300	(906.84)
	NJ837C	MCKINLEY HS-MODERNIZATION/RENOVATION	0300	(20,000.00)
	NX437C	ANACOSTIA HS MODERNIZATION/RENOV	0300	(32,800.00)
	PK337C	MARTIN LUTHER KING ES MODERNIZATION	0300	(1,000,000.00)
	SK120C	ATHLETIC FAC IMPROVEMENT	0300	(1,000,000.00)
	SK1ASC	ANNE GODING/SHERWOOD RC (PLAYGROUND)	0300	(55,000.00)
	T2241C	STUDENT INFORMATION SYSTEM-PCS	0301	(500,000.00)
	YY142C	BRUCE MONROE @ PARKVIEW ES MODERNIZATION	0300	5,762,564.83
	YY105C	PROSPECT ES MODERNIZATION/RENOVATION	0300	(2,963,250.00)
	YY141C	BROOKLAND ES MODERNIZATION/RENOVATION	0300	(10,268.26)
	YY146C	LASALLE ES MODERNIZATION/RENOVATION	0300	(75,142.98)
	YY150C	NALLE ES MODERNIZATION/RENOVATION	0300	(28,328.87)
	YY168C	LUDLOW-TAYLOR ES MODERNIZATION/RENOVATION	0300	(100,000.00)
	YY1MRC	MARIE REED ES MODERNIZATION/RENOVATION	0300	3,500,000.00
GF0 - UNIVERSITY OF THE DISTRICT OF COLUMBIA	UG706C	RENOVATION OF UNIVERSITY FACILITIES	0300	7,500,000.00

HA0 - DEPARTMENT OF PARKS AND RECREATION	IVYCTC	IVY CITY COMMUNITY CENTER	0300	(1,925,000.00)
	QA501C	STODDERT RECREATION CENTER	0300	(16,482.17)
	RG001C	GENERAL IMPROVEMENTS - DPR	0300	(622,278.96)
HT0 - DEPARTMENT OF HEALTH CARE FINANCE	HI101C	DISTRICT OPERATED HEALTH INFORMATION	0300	(1,456,147.34)
	MPM02C	DISTRICT MMIS UPGRADE	0300	(7,363.83)
KA0 - DEPARTMENT OF TRANSPORTATION	AD310C	SHERMAN STREET	0300	(521.66)
	BR005C	H STREET BRIDGE	0300	20,000,000.00
	BR101C	PEDESTRIAN BRIDGE	0300	(4,000,000.00)
	SA306C	H ST/BENNING/K ST. LINE	0300	(31,000,197.00)
	SR097C	IVY CITY STREETSCAPES	0300	350,000.00
	EDL18C	NEW YORK AVENUE STREETSCAPES	0300	2,725,000.00
	ED202C	BANNEKER OVERLOOK STEPS	0301	500,000.00
TO0 - OFFICE OF THE CHIEF TECHNOLOGY OFFICER	ZA143C	DC GIS CAPITAL INVESTMENT	0300	(67,626.95)
Rescission of Existing Allotment				**(13,671,247.00)**

SUBTITLE G. 11TH STREET BRIDGE PARK FUNDING LIMITATIONS

Sec. 8061. Short title.

This subtitle may be cited as the "11th Street Bridge Park Funding Limitations Emergency Act of 2015".

Sec. 8062. (a) No funds allocated for the purpose of the 11th Street Bridge Park project may be awarded or disbursed to any entity for purposes of construction until at least 50% of the total projected construction costs of the project have been raised from private donors.

Not Codified

(b) No District funds may be awarded or expended for the purpose of operations or maintenance of the 11th Street Bridge Park.

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS

SUBTITLE A. SPECIAL FUND AMENDMENT

Sec. 9001. Short title.

This subtitle may be cited as the "Special Fund Emergency Amendment Act of 2015".

Sec. 9002. Section 1082(b) of the Fiscal Year 2012 Budget Support Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-325.201(b)), is amended as follows:

Note, § 1-325.201

(a) Strike the phrase "solely for the purposes of maintaining and upgrading" and insert the phrase "for capital expenses, or for operating expenses related to furniture, fixtures, equipment, or maintaining or upgrading" in its place.

(b) Strike the phrase "Council's Chief Technology Officer" and insert the phrase "Secretary to the Council" in its place.

SUBTITLE B. DESIGNATED FUND TRANSFERS

Sec. 9011. Short title.

This subtitle may be cited as the "Designated Fund Transfer Emergency Act of 2015".

Sec. 9012. Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer from certified fund balances or revenues to the General Fund of the District of Columbia, and recognize as Fiscal Year 2016 local funds resources, the Fiscal Year 2015 amounts from the following funds:

Not Codified

Designated Fund Balance/Revenue - Overview		
Agency	**Fund Name**	**FY 15 Amount**
Budget Reserves:		
BD0	Historic Landmark District Protection Fund	1,250,000
	Subtotal	**1,250,000**
Dedicated Taxes:		
HT0	Nursing Homes Quality of Care Fund	4,078,020
HT0	Healthy DC Fund	22,991,412
HT0	Stevie Sellows	2,522,743
	Subtotal	**29,592,175**
Purpose Restrictions:		

AT0	OFT Central Collection Unit	13,000,000
CR0	OPLA - Special Account	500,000
CR0	Board of Engineers Fund	500,000
CR0	Corporate Recordation Fund	500,000
CT0	Cable Franchise Fees	5,500,000
FL0	Correction Trustee Reimbursement	4,170,231
FL0	Correction Reimbursement-Juveniles	922,547
HC0	State Health Planning and Development Fund	1,764,017
HC0	Pharmaceutical Protection Fund	2,841,368
HT0	Medicaid Collections-3rd Party Liability	3,905,187
KG0	Sustainable Energy Trust Fund	3,500,000
KG0	Energy Assistance Trust Fund	500,000
KG0	Soil Erosion and Sediment Control	1,233,451
KG0	Wetland and Stream Mitigation	1,000
KG0	Municipal Aggregation Program	329,665
KT0	Supercan Program	175,004
KT0	Solid Waste Disposal Cost Recovery	202,511
KV0	Motor Vehicle Inspection Station	3,478,223
SR0	Securities and Banking Regulatory Trust Fund	9,509,627
TC0	Public Vehicles-for-Hire Consumer Service Fund	1,938,003
PA0	Right-of-Way Revenues	3,296,805
	Subtotal	**57,767,639**
Total General Fund		**88,609,814**
Enterprise and Other Funds:		
TX0	Tax Increment Financing	2,750,000
Total Enterprise and Other Funds		**2,750,000**
TOTAL		**91,359,814**

Not Codified

Sec. 9013. The Chief Financial Officer shall allocate the amount in section 9012 pursuant to the approved Fiscal Year 2016 Budget and Financial Plan.

Sec. 9014. Applicability.

This subtitle shall apply as of September 30, 2015.

TITLE X. APPLICABILITY, FISCAL IMPACT, AND EFFECTIVE DATE

Sec. 10001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2015.

Sec. 10002. Fiscal impact statement.

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

Sec. 10003. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-128, effective July 27, 2015 (Expiration date October 25, 2015)

AN ACT

Bill 21-286

Emergency Declaration Res. 21-158 21 DCStat 1913

Not Codified

To approve, on an emergency basis, Modification No. M0006 and proposed Modification No. M0009 to Human Care Agreement No. CW15105 with Opportunities Industrialization Center of DC for work readiness and placement services to non-exempt, adult Temporary Assistance for Needy Families customers, and to authorize payment for the services received and to be received under the human care agreement.

Human Care Agreement No. CW15105 Modifications with Opportunities Industrialization Center of DC Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Human Care Agreement No. CW15105 Modifications with Opportunities Industrialization Center of DC Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. M0006 and proposed Modification No. M0009 to Human Care Agreement No. CW15105 with Opportunities Industrialization Center of DC for work readiness and placement services to non-exempt, adult Temporary Assistance for Needy Families customers, and authorizes payment in the amount of $1,452,378 for services received and to be received under the human care agreement during Option Year 3, which covers the period from January 27, 2015, through January 26, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided pursuant to emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-129, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-278

Emergency Declaration Res. 21-204 21 DCStat 1982

Not Codified

To approve, on an emergency basis, Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-0074 with MCN Build, LLC for design-build services for the Hyde-Addison Elementary School Complex, and to authorize payment to MCN Build, LLC in the aggregate amount of $1,038,564 for the goods and services received and to be received under the contract.

Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-0074 with MCN Build, LLC for design-build services for the Hyde-Addison Elementary School Complex in the aggregate amount of $1,038,564 and authorizes payment for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-130, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-296

Emergency Declaration Res. 21-169 21 DCStat 1929

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Retail Electric Competition and Consumer Protection Act of 1999 to prohibit the electric company from disconnecting residential electric service when the heat index is forecasted to be 95 degrees Fahrenheit or above.

Heat Wave Safety Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Heat Wave Safety Congressional Review Emergency Amendment Act of 2015".

Note, New § 34-1506.01

Sec. 2. The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended by adding a new section 106a to read as follows:

"Sec. 106a. Disconnection of service in extreme temperature prohibited.

"(a) For the purposes of this section, the term "forecast of extreme temperature" means a National Weather Service forecast that the heat index for the District of Columbia will be 95 degrees Fahrenheit or above at any time during a day.

"(b) The electric company shall not disconnect residential electric service during the day preceding, and the day of, a forecast of extreme temperature. If the forecast of extreme temperature precedes a holiday or weekend day, the electric company shall not disconnect residential electric service on any day during the holiday or weekend.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-131, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-297

Emergency Declaration Res. 21-206 21 DCStat 1986

Not Codified

To approve, on an emergency basis, Modification No. 6 and proposed Modification No. 10 to Contract No. CW15111 with Career T.E.A.M., LLC to provide job placement and retention services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW15111 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW15111 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 6 and proposed Modification No. 10 to Contract No. CW15111 with Career T.E.A.M., LLC to provide job placement and retention services and authorizes payment in the total not-to-exceed amount of $1,558,201 for services received and to be received under the contract modifications for the period from January 27, 2015, through January 26, 2016.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-132, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-300

Emergency Declaration Res. 21-201 21 DCStat 1969

Not Codified

To approve, on an emergency basis, proposed multiyear Contract No. DCAM-13-NC-0147 between the District government and South Chestnut LLC, to provide wind power for the District government for the next 20 years.

South Chestnut Wind Power Purchase Agreement Contract No. DCAM-13-NC-0147 Approval Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "South Chestnut Wind Power Purchase Agreement Contract No. DCAM-13-NC-0147 Approval Emergency Act of 2015".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), the Council approves Contract No. DCAM-13-NC-0147, a multiyear agreement between the District government and South Chestnut LLC, to provide wind power for the District government for the next 20 years.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-133, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-302

Emergency Declaration Res. 21-209 21 DCStat 1989

Not Codified

To approve, on an emergency basis, Change Order Nos. 002 through 004 to Contract No. DCAM-13-CS-0061Et for Design-Build Services for Shepherd Elementary School, and to authorize payment to Turner Construction Company in the aggregate amount of $10,574,896.36 for the goods and services received and to be received under these change orders.

Change Order Nos. 002 through 004 to Contract No. DCAM-13-CS-0061E Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 002 through 004 to Contract No. DCAM-13-CS-0061E Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Order Nos. 002 through 004 to Contract No. DCAM-13-CS-0061E with Turner Construction Company for Design-Build Services for Shepherd Elementary School, and authorizes payment in the aggregate amount of $10,574,896.36 for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-134, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-303

Emergency Declaration Res. 21-196 21 DCStat 1963

Not Codified

To approve, on an emergency basis, the reprogramming request of $2,400,000 within the Department of General Services for Facilities Operations.

Reprogramming $2,400,000 in Local Funds within the Department of General Services Approval Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Reprogramming $2,400,000 in Local Funds within the Department of General Services Approval Emergency Act of 2015".

Sec. 2. (a) Pursuant to section 47-363 of the District of Columbia Official Code, the Mayor transmitted to the Council a reprogramming request in the amount of $2,400,000 of local funds within the Department of General Services from its rent program to Facilities Operations.

(b) The Council approves the $2,400,000 reprogramming request.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-135, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-304

Emergency Declaration Res. 21-205 21 DCStat 1984

Not Codified

To approve, on an emergency basis, Modification No. 3 and Modification No. 4 to Contract No. NFPHC-039-2 between the Not-for-Profit Hospital Corporation ("NFPHC") and Emcare, Inc. ("Emcare"), to provide anesthesiology services to NFPHC, and to authorize payment for the services received and to be received under the contract modifications.

NFPHC Omnibus Anesthesiology Services Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "NFPHC Omnibus Anesthesiology Services Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the following contract modifications, and authorizes payment as stated below:

(1) Modification No. 3 to Contract No. NFPHC-039-2 between NFPHC and EmCare to provide anesthesiology services to NFPHC and to authorize payment for the services received and to be received under this contract modification in the amount of $1,027,641.50; and

(2) Proposed Modification No. 4 to Contract No. NFPHC-039-2 between NFPHC and EmCare to provide anesthesiology services to NFPHC and to authorize payment for the services to be received under this contract modification in the amount of $1,338,171.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-136, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-308

Emergency Declaration Res. 21-193 21 DCStat 1958

Not Codified

To approve, on an emergency basis, the disposition by lease of District-owned real property located at 1351 Nicholson Street, N.W., commonly known as the Old Brightwood School and designated for tax and assessment purposes as Lot 0846 in Square 2794.

1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Emergency Act of 2015".

Sec. 2. Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), and the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), the Council authorizes the Mayor:

(1) To amend the existing lease agreement between the District of Columbia and Community Academy Public Charter School, Inc. (the "Lease"), dated March 1, 2001, for the real property located at 1351 Nicholson Street, N.W., commonly known as the Old Brightwood School and designated for tax and assessment purposes as Lot 0846 in Square 2794 (the "Property"), to:

(A) Adopt Friendship Public Charter School, Inc. as assignee of the lease;

(B) Extend the term of the Lease for a period of greater than 20 years; and

(C) Provide such other terms related to the extension of the Lease and transfer of the Property as are consistent with the letter of intent approved by both parties to the Lease; and

(2) To execute any associated transactional documents.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-137, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-309

Emergency Declaration Res. 21-208 21 DCStat 1988

Not Codified

To approve, on an emergency basis, proposed Modification Nos. 9 and 11 to Contract No. DCPO-2012-R-0177 to provide management oversight services under the Homeless Services Program Continuum of Care.

Modifications to Contract No. DCPO-2012-R-0177 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. DCPO-2012-R-0177 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 9 and 11 to Contract No. DCPO-2012-R-0177 with The Community Partnership for the Prevention of Homelessness to provide management oversight services under the Homeless Services Program Continuum of Care, and authorizes payment in the total amount for option year three of $17,243,102.19 for the period from October 1, 2014, through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-138, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-310

Emergency Declaration Res. 21-207 21 DCStat 1987

Not Codified

To approve, on an emergency basis, Modification Nos. 10 and 12 to Contract No. DCPO-2012-C-0154 to provide management oversight services under the Homeless Services Program Continuum of Care.

Modifications to Contract No. DCPO-2012-C-0154 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. DCPO-2012-C-0154 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 10 and 12 to Contract No. DCPO-2012-C-0154 with The Community Partnership for the Prevention of Homelessness to provide management oversight services under the Homeless Services Program Continuum of Care, and authorizes payment in the total amount for option year three of $85,359,939.87 for the period from October 1, 2014, through September 30, 2015.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-139, effective July 31, 2015 (Expiration date October 29, 2015)

AN ACT

Bill 21-311

Emergency Declaration Res. 21-195 21 DCStat 1962

Codification District of Columbia Official Code 2001 Edition

Margaret Peters and Roumania Peters Walker Tennis Courts Designation Emergency Act of 2015

Note, § 9-204.01

To designate the tennis courts at Rose Park, located at 2600 O Street, N.W., in Ward 2, as the Margaret Peters and Roumania Peters Walker Tennis Courts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Margaret Peters and Roumania Peters Walker Tennis Courts Designation Emergency Act of 2015".

Sec. 2. Pursuant to sections 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01) ("Act"), and notwithstanding the requirements of section 407 (D.C. Official Code 9-204.07) of the Act, the Council designates the tennis courts at Rose Park, located at 2600 O Street, N.W., in Ward 2, as the "Margaret Peters and Roumania Peters Walker Tennis Courts".

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Director of the Department of Parks and Recreation.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Margaret Peters and Roumania Peters Walker Tennis Courts Act of 2015, passed on 2nd reading on July 14, 2015 (Enrolled version of Bill 21-174), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code§ l-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-294

Emergency Declaration Res. 21-192 21 DCStat 1956

Not Codified

To approve, on an emergency basis, an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-02 with Square 50 Affordable Housing, LLC, for Local Rent Supplement Program units located at 1211 23rd Street, N.W., and to authorize payment for housing services received and to be received under the contract.

Local Rent Supplement Program Contract No. 2014-LRSP-02 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-02 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the agreement to enter into a long-term subsidy contract with Square 50 Affordable Housing, LLC, for an annual subsidy amount of $55,908, and authorizes payment for services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-305

Emergency Declaration Res. 21-191 21 DCStat 1954

Not Codified

To order, on an emergency basis, the closing of Potomac Avenue, S.W., between 2nd Street, S.W., and R Street, S.W.; R Street, S.W., between Potomac Avenue, S.W., and Half Street, S.W.; 1st Street, S.W., between T Street, S.W., and Potomac Avenue, S.W.; and S Street, S.W., between 2nd Street, S.W., and approximately 230 feet west of Half Street, S.W.; all adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in Reservations 243 and 244, in Ward 6.

Closing of Public Streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Public Streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Emergency Act of 2015".

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and notwithstanding section 209(b)(5)(B) of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.09(b)(5)(B)), the Council of the District of Columbia finds that the public streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in Reservations 243 and 244, as shown by the hatch-marks on the Surveyor's plat in the official file for S.O. 13-14605, are unnecessary for street purposes and orders them closed, with the title to the land to vest in the District of Columbia.

Sec. 3. Notwithstanding section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)), and An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et. seq.*), the Mayor is authorized to enter into easement agreements or covenants with the Potomac Electric Power Company, Verizon, the District of Columbia Water and Sewer Authority, Washington Gas Light Company, and the National Capital Planning Commission necessary to accomplish the street and alley closings set forth in section 2, as well as the utility relocations required by the Amended and Restated Development Agreement between the District and DC Stadium, LLC, approved by the Council of the District of Columbia on June 30, 2015, for the development of a soccer stadium at Buzzard Point.

Sec. 4. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor of the District of Columbia and the Office of the Recorder of Deeds.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of Public Streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015, passed on 2nd reading on July 14, 2015 (Enrolled version of Bill 21-200), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-151, effective August 11, 2015 (Expiration date November 9, 2015)

AN ACT

Bill 21-306

Emergency Declaration Res. 21-168 21 DCStat 1926

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Rental Housing Conversion and Sale Act of 1980, to clarify that a bona fide offer of sale for a housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party contract, shall be based on current, applicable, matter-of-right zoning regulations or laws, or by an existing right to convert to another use, that the offer may take into consideration the highest and best use of the property, and to establish the right of a tenant organization to a determination of the appraised value of a housing accommodation under certain circumstances.

TOPA Bona Fide Offer of Sale Clarification Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "TOPA Bona Fide Offer of Sale Clarification Congressional Review Emergency Amendment Act of 2015".

Sec. 2. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01), is amended as follows:

Note, § 42-3401.03

(a) Section 103 (D.C. Official Code § 42-3401.03) is amended as follows:

(1) New paragraphs (1A) and (1B) are added to read as follows:

"(1A) Beginning January 1, 2014, "appraised value" means the value of a housing accommodation as of the date of the appraisal, based on an objective, independent property valuation, performed according to professional appraisal industry standards.

"(1B) Beginning January 1, 2014, "bona fide offer of sale" means an offer of sale for a housing accommodation or the interest in the housing accommodation, that is either:

"(A) For a price and other material terms that are at least as favorable as those accepted by a purchaser in an arm's length third-party contract; or

"(B) In the absence of an arm's length third-party contract, an offer of sale with a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value.".

(2) A new paragraph (12A) is added to read as follows:

"(12A) Beginning January 1, 2014, "matter-of-right" means a land use, development density, or structural dimension to which a property owner is entitled by current zoning regulations or law.".

Note, § 42-3404.02

(b) Section 402 (D.C. Official Code § 42-3404.02) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Before an owner" and inserting the phrase "Before October 7, 2014, before an owner" in its place.

(2) New subsections (a-1), (a-2), (a-3), and (a-4) are added to read as follows:

"(a-1) Beginning October 7, 2014, before an owner of a housing accommodation may sell the housing accommodation or issue a notice to vacate for purposes of demolition or discontinuance of housing use, the owner shall give the tenant an opportunity to purchase the housing accommodation at a price and terms that represent a bona fide offer of sale.

"(a-2) Beginning January 1, 2014, whenever an offer of sale is made to tenants for a housing accommodation with 5 or more units that is required by subsection (a) or (a-1) of this section before the owner may issue a notice to vacate for purposes of demolition or discontinuance of housing use, and the offer is made in the absence of an arm's-length third-party contract, the following shall apply:

"(1) The sales price contained in the offer of sale shall be less than or equal to a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value of the housing accommodation as determined by this subsection.

"(2) An appraised value shall only be based on rights an owner has as a matter-of-right as of the date of the offer, including any existing right an owner may have to convert the property to another use.

"(3) Within the restrictions of paragraph (2) of this subsection, an appraised value may take into consideration the highest and best use of the property.

"(4) The owner of the housing accommodation shall have the burden of proof to establish that an offer of sale under this subsection is a bona fide offer of sale.

"(5)(A) A tenant organization registered according to section 411(1) may challenge the offer presented by an owner of a housing accommodation as not being a bona fide offer of sale, and request a determination of the appraised value of the housing accommodation.

"(B) The tenant organization shall request an appraisal by delivering the request to the Mayor and the owner by hand or by certified mail, within 45 days of receipt of a valid bona fide offer of sale.

"(C)(i) The tenant organization and owner of the housing accommodation shall jointly select an appraiser. If within 14 days after a tenant organization has requested an appraisal, the tenant organization and owner of the housing accommodation have not agreed upon an appraiser, either party may request that the Mayor select an appraiser.

"(ii) A request that the Mayor select an appraiser shall be in writing and delivered by hand or by certified mail to the Mayor and to the owner or tenant organization, respectively.

"(iii) The Mayor shall select the appraiser on a sole source basis within 7 days of receiving the request for an appraiser.

"(D) The tenant organization and owner of the housing accommodation shall pay one-third and two-thirds of the cost of the appraisal, respectively.

"(E)(i) The appraiser shall hold an active license to be a Certified General Real Property Real Estate Appraiser that has been issued by District of Columbia Board of Real Estate Appraisers.

"(ii) The owner shall give the appraiser full, unfettered access to the property.

"(iii) The owner shall respond within 7 days to any request for information from the appraiser.

"(iv) The tenant organization may give the appraiser information relevant to the valuation of the property.

"(F) The appraisal shall be completed expeditiously according to standard industry timeframes.

"(6) Beginning with the date of a tenant organization request for an appraisal, and for each day thereafter until the tenant organization receives the appraisal, the negotiation period described in section 411(2) shall be extended by one day.

"(7)(A) The determination of the appraised value of the housing accommodation in accordance with this subsection shall become the sales price of the bona fide offer of sale for the housing accommodation, unless:

"(i) The owner and the tenant organization agree upon a different sales price of the housing accommodation; or

"(ii) Within 14 days of the receipt of the appraisal by the owner, the owner elects to withdraw the offer of sale.

"(B) The owner shall withdraw the offer of sale by delivering a letter of withdrawal to the Mayor and a member of the board of directors of the tenant organization, by hand or by certified mail. Upon such election, the owner shall reimburse the tenant organization for its entire share of the cost of the appraisal within 14 days. An owner who withdraws an offer of sale in accordance with this paragraph, shall be precluded from making a subsequent offer of sale to the tenant organization without an arm's-length third party contract, for 6 months from the date of the election to withdraw the offer of sale.

"(8) Within 30 days of the receipt of the appraisal conducted by an appraiser selected by the Mayor according to this subsection, either the tenant organization or the owner of the housing accommodation may appeal the appraisal as being in violation of the requirements of this subsection, to the Superior Court of the District of Columbia for the court to take any appropriate action the court may deem necessary.

"(a-3) Notwithstanding subsections (a-1) and (a-2) of this section, for a tenant organization that before the effective date of the TOPA Bona Fide Offer of Sale Clarification Emergency Amendment Act of 2015, effective June 25, 2015 (D.C. Act 21-95; 62 DCR 9225), has registered the tenant organization with the Mayor according to section 411(1), and has requested an appraisal of the housing accommodation by delivering the request to the Mayor and the owner by hand or by certified mail, the following shall apply:

"(1) Beginning January 1, 2014, before an owner of a housing accommodation may sell the accommodation, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use, the owner shall give the tenant an opportunity to purchase the accommodation at a price and terms that represent a bona fide offer of sale.

"(2) If within 360 days of the date of the issuance of a bona fide offer of sale pursuant to this subsection, an owner has neither sold, or is in the process of selling, the property pursuant to that bona fide offer of sale nor taken possession of the property, the owner shall comply anew with the requirements of this subsection before the owner may again act to sell the housing, or issue a notice of intent to recover possession or notice to vacate for purposes of demolition or discontinuance of housing use.

"(3) For the purposes of this subsection, in the case of multi-unit housing, the term:

"(A)(i) "A bona fide offer of sale" means a sales price that is less than or equal to the appraised value of the real property, multi-unit housing, and any other appurtenant improvements ("property") plus, except as provided in sub-subparagraph (ii) of this subparagraph, the amount of liens existing before the sale or transfer; provided, that the liens shall be satisfied by the seller in the sale or transfer transaction.

"(ii) If the seller and the purchaser agree that the purchaser shall assume the liens, if any, a bona fide offer of sale means a sale price that is less than or equal to the appraised value of the property less the amount of any lien assumed by the purchaser.

"(B)(i) "Appraised value" means an objective property valuation based on the current state of the property and existing zoning, building, and occupancy permits that is no more than 6 months older than the date of issuance of the offer of sale that has been determined by 2 independent appraisals performed by 2 appraisers qualified to perform multi-unit appraisals.

"(ii) Of the 2 appraisers required by sub-subparagraph (i) of this subparagraph, one shall be selected by the owner and one shall be selected by the tenant. If the appraisers fail to agree upon a fair market value, the owner and the tenant shall jointly select and pay a third appraiser, whose appraisal shall be binding, or agree to take an average of the 2 appraisals.

"(C) "Multi-unit housing" means housing with 5 or more units.

"(a-4) Subsection (a-3) shall expire on October 9, 2015.".

Note, § 42-3404.11

(c) Section 411(4) (D.C. Official Code § 42-3404.11(4)) is amended by striking the phrase "the owner has not sold or contracted for the sale of the accommodation" and inserting the phrase "the owner has not sold or contracted for the sale of the accommodation, or in the case of an offer of sale given for the purposes of demolition or discontinuance of housing use, has not issued a notice to vacate for demolition or discontinuance of housing use, pursuant to section 501(g) or section 501(i) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(g) or (i))" in its place.

Sec. 3. The Tenant Opportunity to Purchase Temporary Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-166; 61 DCR 11101), is repealed.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,

approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-152, effective August 11, 2015 (Expiration date November 9, 2015)

AN ACT

Bill 21-307

Emergency Declaration Res. 21-194 21 DCStat 1960

Not Codified

To approve, on an emergency basis, the disposition by lease of District-owned real property located at 4095 Minnesota Avenue, N.E., commonly known as the Woodson School and designated for tax and assessment purposes as Lot 0813 in Square 5078.

4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Emergency Act of 2015".

Sec. 2. Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code §10-801 *et seq.*), and the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), the Council authorizes the Mayor:

(1) To amend the existing lease agreement between the District of Columbia and Friendship Public Charter School, Inc. (the "Lease"), dated May 1, 2008, for the real property located at 4095 Minnesota Avenue, N.E., commonly known as the Woodson School and designated for tax and assessment purposes as Lot 0813 in Square 5078 (the "Property"), to:

(A) Extend the term of the Lease for a period of greater than 20 years; and

(B) Provide such other terms related to the extension of the Lease and transfer of the Property as are consistent with the letter of intent approved by both parties to the Lease; and

(2) To execute any associated transactional documents.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

A RESOLUTION

Proposed Resolution 21-53

To approve the removal of portions of 13th, 14th, Butternut, and Dahlia Streets, N.W., within Parcels 319/2, 319/3, 319/4, and 319/5, as shown on the Surveyor's Plat filed under S.O. 14-20028, from the plan of the permanent system of highways of the District of Columbia.

Abandonment of the Highway Plan for Portions of 13th, 14th, Butternut and Dahlia Streets, NW, S.O. 14-20028, Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Abandonment of the Highway Plan for Portions of 13th, 14th, Butternut and Dahlia Streets, NW, S.O. 14-20028, Resolution of 2015".

Sec. 2. The Mayor has proposed the abandonment of the plan of the permanent system of highways of the District of Columbia (the "Highway Plan") for portions of 13th, 14th, Butternut and Dahlia Streets, N.W., within Parcels 319/2, 319/3, 319/4, and 319/5, as shown on the Surveyor's Plat filed under S.O. 14-20028.

Sec. 3. Pursuant to section 6 of An Act To amend an Act of Congress approved March second, eighteen hundred and ninety-three, entitled "An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and for other purposes, approved June 28, 1898 (30 Stat. 520; D.C. Official Code § 9-101.06), the Council approves the abandonment of the Highway Plan referred to in section 2.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-185

***See* Emergency D.C. Act 21-96 21 DCStat 1673**

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 001 through 003 to Contract No. DCAM-14-CS-0095B with MCN Build, LLC, for design-build services for Langdon Education Campus, and to authorize payment in the aggregate amount of $8,698,428.86 for the goods and services received and to be received under these change orders.

Contract No. DCAM-14-CS-0095B Change Order Nos. 001 through 003 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-14-CS-0095B Change Order Nos. 001 through 003 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 001 through 003 to Contract No. DCAM-14-CS-0095B for design-build services for Langdon Education Campus, and to authorize payment in the aggregate amount of $8,698,428.86 for the goods and services received and to be received under these change orders.

(b) Last year, the Council approved Contract No. DCAM-14-CS-0095B (CA20-0352) to provide design-build services for the modernization of Langdon Education Campus with a target Guaranteed Maximum Price ("GMP") of $9.2 million. Thereafter, the Department of General Services issued Change Order No. 001 ($0), and Change Order No. 002 ($962,029.86), with a total aggregate value of $962,029.86; thus, Council approval was not required.

(c) Council approval of Change Order No. 003 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because this change order will increase the total expenditures under Contract No. DCAM-14-CS-0095B to an amount in excess of $1 million during a 12-month period.

(d) In addition, Council approval is necessary to compensate MCN Build, LLC for work to be completed under Change Order No. 003 to Contract No. DCAM-14-CS-0095B.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-14-CS-0095B Change Order Nos. 001 through 003 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-170

To reappoint Mr. Corbett A. Price as a principal member of the Board of Directors of the Washington Metropolitan Area Transit Authority.

Board of Directors of the Washington Metropolitan Area Transit Authority Principal Member Corbett Price Reappointment Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Directors of the Washington Metropolitan Area Transit Authority Principal Member Corbett Price Reappointment Resolution of 2015".

Sec. 2. The Council of the District of Columbia reappoints:

Mr. Corbett A. Price
3520 Massachusetts Avenue, N.W.
Washington, D.C. 20007
(Ward 3)

as a principal member of the Board of Directors of the Washington Metropolitan Area Transit Authority, in accordance with the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), and section 2 of the Washington Metropolitan Area Transit Authority Board of Directors Ac of 2012, effective April 27, 2013 (D.C. Law 19-286; D.C. Official Code § 9-1108.11), for a term to end June 30, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee, the Washington Metropolitan Area Transit Authority, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-112

To confirm the appointment of Mr. Fred Hill to the Board of Zoning Adjustment.

Board of Zoning Adjustment Fred Hill Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Zoning Adjustment Fred Hill Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Fred Hill
912 F Street, N.W., Unit 208
Washington, D.C. 20004
(Ward 2)

as a member of the Board of Zoning Adjustment, established by section 8 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes, approved June 20, 1938 (52 Stat. 799; D.C. Official Code § 6-641.07), for a term to end September 30, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-221

See Emergency D.C. Act 21-106 21 DCStat 1684

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design-build services for Kramer Middle School, and to authorize payment in the aggregate amount of $1,023,848 for the goods and services received and to be received under the change orders.

Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Declaration Resolution 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Declaration Resolution 2015".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design-build services for Kramer Middle School, and to authorize payment in the aggregate amount of $1,023,848 for the goods and services received and to be received under the change orders.

(b) In 2014, the Council approved Contract No. DCAM-14-CS-0095A with Turner Construction Company to provide design-build services for the modernization of Kramer Middle School with a Guaranteed Maximum Price ("GMP") of $28,959,000. Thereafter, the Department issued Change Order No. 001 ($31,765.00), Change Order No. 002 ($878,195.00), and Change Order No. 003 ($56,212.00), with a total aggregate value of $966,172.00; thus, Council approval was not required.

(c) The Department has issued Change Order No. 004, in the amount of $57,676 to revise the scope of work to include new auditorium windows.

(d) The aggregate value of Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A exceeds the $1 million threshold under section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(e) Approval of Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A is necessary to compensate Turner Construction Company for the work performed and to be performed under the change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 001 through 004 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-210

To approve the proposed contracts (CA 21-74, CA 21-75, CA 21-76, CA 21-77, CA 21-78, and CA 21-79) between the District of Columbia and Super Salvage, Inc., Potomac Electric Power Company ("Pepco"), Rollingwood Real Estate, LLC, and DC Stadium LLC, for the acquisition of several properties from Super Salvage, Inc., Pepco, and Rollingwood Real Estate, LLC, the conveyance of another property to Pepco, the improvement of the acquired properties with a soccer stadium by DC Stadium LLC, and the lease of the stadium property to DC Stadium LLC, all related to the development of a soccer stadium at Buzzard Point.

Omnibus Soccer Stadium Contracts Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Omnibus Soccer Stadium Contracts Approval Resolution of 2015".

Sec. 2. (a) On June 9, 2015, pursuant to the Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq.*), as amended by the Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015, effective May 8, 2015 (D.C. Act 21-59; 62 DCR 5962), the Mayor transmitted to the Council a proposed Purchase and Sale Agreement (CA 21-74) between the District and Super Salvage, Inc. in the amount of $15,861,752 for the purchase by the District of real property that will be part of the site for the proposed soccer stadium at Buzzard Point.

(b) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the proposed Purchase and Sale Agreement with Super Salvage, Inc.

Sec. 3. (a) On June 9, 2015, pursuant to the Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq.*), as amended by the Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015, effective May 8, 2015 (D.C. Act 21-59; 62 DCR 5962), the Mayor transmitted to the Council a proposed Purchase and Sale Agreement (CA 21-75) between the District and Potomac Electric Power Company ("Pepco") in the amount of $15,800,000 for the sale by the District of real property located at 1st and K Streets, N.W.

(b) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), the Council approves the proposed Purchase and Sale Agreement with Pepco.

Sec. 4. (a) On June 9, 2015, pursuant to the Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq.*), as amended by the Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015, effective May 8, 2015 (D.C. Act 21-59; 62 DCR 5962), the Mayor transmitted to the Council a proposed Purchase and Sale Agreement (CA 21-76) between the District and Rollingwood Real Estate, LLC in the amount of $10,325,920 for the purchase by the District of real property that will be part of the site for the proposed soccer stadium at Buzzard Point.

(b) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the proposed Purchase and Sale Agreement with Rollingwood Real Estate, LLC.

Sec. 5. (a) On June 9, 2015, pursuant to the Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq.*), as amended by the Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015, effective May 8, 2015 (D.C. Act 21-59; 62 DCR 5962), the Mayor transmitted to the Council a proposed Purchase and Sale Agreement (CA 21-77) between the District and Potomac Electric Power Company ("Pepco") in the amount of $39,345,788 for the purchase by the District of real property that will be part of the site for the proposed soccer stadium at Buzzard Point.

(b) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the proposed Purchase and Sale Agreement with Pepco.

Sec. 6. (a) On June 9, 2015, pursuant to the Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq.*), as amended by the Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015, effective May 8, 2015 (D.C. Act 21-59; 62 DCR 5962), the Mayor transmitted to the Council the Amended and Restated Development Agreement (CA 21-78) between the District and DC Stadium LLC for the construction of a soccer stadium at Buzzard Point.

(b) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the Amended and Restated Development Agreement with D.C. Stadium LLC.

Sec. 7. (a) On June 9, 2015, pursuant to the Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq.*), as amended by the Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015, effective May 8, 2015 (D.C. Act 21-59; 62 DCR 5962), the Mayor transmitted to the Council the Amended and Restated Ground Lease (CA 21-79) between the District and D.C. Stadium LLC for the lease of the soccer stadium property at Buzzard Point to DC Stadium LLC.

(b) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), the Council approves the Amended and Restated Ground Lease with DC Stadium LLC.

Sec. 8. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 9. Fiscal impact statement.

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

Sec. 10. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-191

See **Emergency D.C. Res. 21-137 21 DCStat 1881**

To declare the existence of an emergency with respect to the need to approve the employment contract of Mr. Ronald F. Mason, Jr., submitted by the Board of Trustees of the University of the District of Columbia, for Mr. Mason to serve as President of the University of the District of Columbia for a period beginning July 6, 2015, and ending on or before June 30, 2018.

Employment Contract of Mr. Ronald F. Mason, Jr. as President of the University of the District of Columbia Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Employment Contract of Mr. Ronald F. Mason, Jr. as President of the University of the District of Columbia Emergency Declaration Resolution of 2015".

Sec. 2. There exists an immediate need to approve the employment contract of Mr. Ronald F. Mason, Jr. prior to Council recess, as the start date of his employment as President of the University of the District of Columbia is projected to be July 6, 2015. Doing so will ensure continuity as the university moves forward with the implementation of its Strategic Plan and its accreditation preparedness. Mr. Mason will succeed Dr. James E. Lyons, Sr., who has served as Interim President of the University of the District of Columbia since March 2014.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Employment Contract of Mr. Ronald F. Mason, Jr. as President of the University of the District of Columbia Emergency Approval Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-192

Emergency Declaration Res. 21-136 21 DCStat 1880

To approve, on an emergency basis, the employment contract of Mr. Ronald F. Mason, Jr., submitted by the Board of Trustees of the University of the District of Columbia, for Mr. Mason to serve as President of the University of the District of Columbia for a period beginning July 6, 2015, and ending on or before June 30, 2018.

Employment Contract of Mr. Ronald F. Mason, Jr. as President of the University of the District of Columbia Emergency Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Employment Contract of Mr. Ronald F. Mason, Jr. as President of the University of the District of Columbia Emergency Approval Resolution of 2015".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), and notwithstanding section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the employment contract of Mr. Ronald F. Mason, Jr., which was transmitted to the Council by the University of the District of Columbia's Vice Chairperson of the Board of Trustees on June 5, 2015 and is reflected in the contract and resolution adopted by the board at a meeting on June 1, 2015.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the University of the District of Columbia Board of Trustees and the Mayor.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-246

***See* Emergency D.C. Act 21-127 21 DCStat 1708**

To declare the existence of an emergency with respect to the need to approve measures that are necessary to support action taken on the District's Fiscal Year 2016 Budget and Financial Plan.

Fiscal Year 2016 Budget Support Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2016 Budget Support Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Fiscal Year 2016 Budget Support Act of 2015 contains various measures necessary to support the Fiscal Year 2016 Budget and Financial Plan.

(b) There are several time-sensitive provisions contained in the Fiscal Year 2016 Budget Support Act of 2015 that need to be in place in advance of October 1, 2015.

(c) Other provisions in the emergency bill will retain the October 1, 2015, applicability date as provided in the permanent legislation, but should be enacted prior to October 1, 2015, to allow agencies and stakeholders to prepare for implementation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2016 Budget Support Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-245

***See* Emergency D.C. Act 21-121 21 DCStat 1700**

To declare the existence of an emergency with respect to the need to institute a moratorium on the construction or operation of any additional facilities that provide automobile painting services in Ward 5.

Ward 5 Paint Spray Booth Moratorium Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Ward 5 Paint Spray Booth Moratorium Emergency Declaration Resolution of 2015".

Sec. 2. (a) It is necessary to place a moratorium on the establishment of new and renewed paint spray booths within Ward 5.

(b) This emergency legislation addresses the immediate and longstanding concerns of residents who are adversely affected by the noxious fumes emanating from already existing paint spray booth operators. Not all operators are in compliance with current law and even those that are, due to the low threshold of certain regulations, persistently pollute the air with such fumes.

(c) There are several pending permit applications in Ward 5 under consideration before the Department of the Environment. The possible granting of these permits will exacerbate the problem by adding new operators within a ward with an already high concentration and disproportionate number of such operators.

(d) The effects of the fumes have a negative impact on economic development and property value within the ward, as well as the quality of life of its residents.

(e) The Council previously enacted legislation entitled the Air Quality Amendment Act of 2014, effective September 9, 2014, (D.C. Law 20-135; 61 DCR 6767). One of the purposes of this law is to combat toxic odors. Even with this, however, the complaints from residents due to such odors caused by paint spray booths remain frequent and steady.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Ward 5 Paint Spray Booth Moratorium Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-206

See Emergency D.C. Act 21-110 21 DCStat 1688

To declare the existence of an emergency with respect to the need to approve Contract No. DCFB-2012-D-0007 with Advanced Data Processing, Inc., to provide ambulance billing and collection services, and to authorize payment for the goods and services received and to be received under the contract.

Contract No. DCFB-2012-D-0007 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCFB-2012-D-0007 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Contract No. DCFB-2012-D-0007 with Advanced Data Processing, Inc., ("ADP") to provide ambulance billing and collection services, and to authorize payment for the goods and services received and to be received under the contract.

(b) On October 1, 2012, the Office of Contracting and Procurement ("OCP"), on behalf of the Fire and Emergency Medical Services Department, awarded Contract No. DCFB-2012-D-0007 to ADP in an estimated amount of $876,840 for the period from October 1, 2012, through March 31, 2013. Actual expenditures for this period were $1,245,767.

(c) By Modification No. 1, the contract was extended until September 30, 2013.

(d) By Modification No. 2, OCP increased the estimated amount of the contract by $980,000 for the period from April 1, 2013, through September 30, 2014. Actual expenditures for this period were $881,611.

(e) Modification No. 3 was an administrative change only.

(f) By Modification No. 4, OCP extended the term of the contract from October 1, 2013, through March 31, 2014, for an estimated additional amount of $980,000. Actual expenditures for this period were $1,058,255.

(g) Modification No. 5 was an administrative change only.

(h) By Modification No. 6, OCP extended the term of the contract from April 1, 2014, through September 30, 2014, and increased the estimated amount for Contract No. DCFB-2012-D-0007 by $ 980,000. Actual expenditures for this period were $1,072,189.61.

(i) By Modification No. 7, OCP extended the term of the contract from October 1, 2014, through December 31, 2014, for an estimated additional amount of $531,000. Actual expenditures for this period were $495,246.65.

(j) Modification No. 8 extended the contract to September 30, 2015, and increased the estimated amount by $1,592,820.

(k) The total estimated amount of Contract No. DCFB-2012-D-0007, including the foregoing modifications, is $6,345,889.26 for the period from October 1, 2012, through September 30, 2015.

(l) Approval is necessary to allow the continuation of these vital services. Without this approval, ADP cannot be paid for goods and services provided in excess of $1 million for each 12-month period of the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCFB-2012-D-0007 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-219

See Emergency D.C. Act 21-100 21 DCStat 1674

To declare the existence of an emergency with respect to the need to amend section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

Sale of Synthetic Drugs Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sale of Synthetic Drugs Emergency Declaration Resolution of 2015".

Sec. 2. (a) The sale of prohibited synthetic drugs in the District of Columbia has continued despite enforcement by multiple District agencies. Prohibited synthetic drugs have the potential for life-threatening harm of users, and users in the District and nationwide have experienced severe health consequences for their use.

(b) Enactment of the Sale of Synthetic Drugs Emergency Amendment Act of 2015, passed on emergency basis on June 30, 2015 (Enrolled version of Bill 21-259), will enable the District to immediately seal the premises of, or levy a fine against, a business engaging in the sale of synthetic drugs, which presents an imminent health, safety, and welfare risk to the residents of the District.

(c) Determination of whether a product is a "synthetic drug" would be based on a number of factors, including:

(1) The product is not suitable for its marketed use (such as powders being marketed as "glass cleaner");

(2) The business selling the product does not sell the products used for the product's marketed use (such as a liquor store selling "plant food");

(3) The product contains labeling not typically found on products used for its marketed use (such as "Not for human consumption," "100% legal," "Must be 18 years or older to purchase");

(4) The product is significantly more expensive than products used for its marketed use or resembles an illegal drug; or

(5) The business or any of its employees was warned by a District government agency that a product it was selling was a synthetic drug.

(d) The proposed legislation would allow the District to seal the premises of an offending business, issue heavy fines, and require an administrative hearing within a few days of the event. Because violators of this increased enforcement scheme would face significant financial penalties, it may dissuade other businesses from engaging in the same prohibited behavior.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sale of Synthetic Drugs Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-186

See Emergency D.C. Act 21-103 21 DCStat 1680

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 with GCS, Inc., for design-build services for the St. Elizabeths Chapel renovation, and to authorize payment in the aggregate amount of $1,177,427 for the goods and services received and to be received under these change orders.

Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 for design-build services for the St. Elizabeths Chapel renovation, and to authorize payment in the aggregate amount of $1,177,427 for the goods and services received and to be received under these change orders.

(b) Contract No. DCAM-14-CS-0104 was previously approved by the Council (CA20-0310) and Change Order No. 001 was also approved by the Council (CA20-0423). Thereafter, the Department of General Services issued Change Order No. 002 ($45,124) and Change Order No. 003 ($171,520). The aggregate value of these change orders was less than $1 million; thus, Change Order Nos. 002 and 003 did not require Council approval.

(c) Change Order No. 004 ($960,783) will cause the aggregate value of the change orders issued, after the Council's last approval of Change Order No. 001, to exceed the $1 million threshold pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Order Nos. 002 through 004 in the aggregate amount of $1,177,427 is necessary to compensate GCS, Inc., for work completed and to be completed pursuant to Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 for design-build services for the St. Elizabeths Chapel renovation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 002 through 004 to Contract No. DCAM-14-CS-0104 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-239

See Emergency D.C. Act 21-108 21 DCStat 1686

To declare the existence of an emergency with respect to the need to approve Modification Nos. 7, 9, and 11 to Contract No. DCAM-12-NC-0031 with Allied Barton Security Services, LLC, for city-wide security services, and to authorize payment in the aggregate amount of $5,216,538.93 for the goods and services received under these modifications.

Modification Nos. 7, 9, and 11 to Contract No. DCAM-12-NC-0031 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 7, 9, and 11 to Contract No. DCAM-12-NC-0031 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 7, 9, and 11 to Contract No. DCAM-12-NC-0031 with Allied Barton Security Services, LLC, for city-wide security services, and to authorize payment in the aggregate amount of $5,216,538.93 for the goods and services received under these modifications.

(b) Contract No. DCAM-12-NC-0031 was competitively bid and awarded to Allied Barton Security Services, LLC. Modification No. 6 was approved by the Council in the amount of $21,721,800 for Option Year 2 as CA20-297. Thereafter, Modification No. 7 was issued with a value of $62,500. Modification No. 8 extended the contract's period of performance to April 19, 2014. Modification No. 9 had a value of $504,000. Modification Nos. 7 and 9 had an aggregate value of $566,500 and did not require Council approval. The Department of General Services recently issued Modification No. 10, which exercised Option Year 3 in the amount of $22,986,000 and was approved by the Council as CA21-39.

(c) Modification No. 11 increases the not-to-exceed value of Option Year 2 of Contract No. DCAM-12-NC-0031 by $4,650,038.93, which exceeds the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Modification Nos. 7, 9, and 11 in the aggregate amount of $5,216,538.93 is necessary to compensate Allied Barton Security Services, LLC, for additional security services provided at the direction of the District.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 7, 9, and 11 to Contract No. DCAM-12-NC-0031 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-249

***See* Emergency D.C. Act 21-122 21 DCStat 1701**

To declare the existence of an emergency with respect to the need to approve Modification No. M037 to Contract No. DCKA-2011-C-0121 with Ratp Dev McDonald Transit, LLC, to increase the contract ceiling to allow capacity for additional operation and maintenance services related to the DC Streetcar Program, and to authorize payment for the goods and services received and to be received under the contract.

Contract No. DCKA-2011-C-0121 Modification No. M037 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKA-2011-C-0121 Modification No. M037 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. M037 to Contract No. DCKA-2011-C-0121 with Ratp Dev McDonald Transit, LLC, to increase the contract ceiling to allow capacity for additional operation and maintenance services related to the DC Streetcar Program on behalf of the District Department of Transportation.

(b) Modification No. M037 to Contract No. DCKA-2011-C-0121 will modify the contract by increasing the ceiling price for the term of this multiyear contract with Ratp Dev McDonald Transit, LLC, in the amount of $15,930,457, which will increase the contract ceiling to $37,944,630.20. The term will be from the date of award through June 30, 2017.

(c) Council approval is necessary since this modification increases the expenditures under the contract to an amount in excess of $1 million during a 12-month period.

(d) Approval is necessary to allow the continuation of these vital services.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKA-2011-C-0121 Modification No. M037 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-244

***See* Emergency D.C. Act 21-109 21 DCStat 1687**

To declare the existence of an emergency with respect to the need to approve Modification No. 5 and proposed Modification No. 6 to Contract No. GAGA-2014-C-0026A to provide occupational and physical therapy assessment, consultation, and intervention services to the District and to authorize payment for the services to be received under that contract.

Modifications to Contract No. GAGA-2014-C-0026A Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. GAGA-2014-C-0026A Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 5 and proposed Modification No. 6 to Contract No. GAGA-2014-C-0026A with Educational Based Services to provide occupational and physical therapy assessment, consultation, and intervention services to the District and to authorize payment for the services to be received under that contract.

(b) On June 19, 2015, by Modification No. 5, the District of Columbia Public Schools exercised a partial option of option year one of Contract No. GAGA-2014-C-0026A to provide occupational and physical therapy assessment, consultation, and intervention services for the period from June 20, 2015, through July 31, 2015.

(c) Modification No. 6 is now necessary to exercise the remainder of option year one for the total not-to-exceed amount of $1,411,888.10.

(d) Council approval is necessary because these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Educational Based Services cannot be paid for services provided in excess of $1 million for the contract period June 20, 2015, through June 19, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. GAGA-2014-C-0026A Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-212

See Emergency D.C. Act 21-104 21 DCStat 1681

To declare the existence of an emergency with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow applicants that received notification on July 25, 2014, that there medical marijuana cultivation center was eligible for registration to modify their application; to allow holders of cultivation center registrations that own or have valid leases for the real property adjacent to their existing cultivation centers to expand their facilities into that adjacent real property for purposes of increasing production not to exceed the authorized limit; and to increase the number of living plants medical marijuana cultivation centers may possess at any time to 1000.

Medical Marijuana Cultivation Center Expansion Amendment Act Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Cultivation Center Expansion Amendment Act Emergency Declaration Resolution of 2015".

Sec. 2. (a) Enactment of the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2015, passed on emergency basis on June 30, 2015 (Enrolled version of Bill 21-255) ("Act"), will enable the District to increase the number of live marijuana plants to assuage the demand for medical marijuana in medical marijuana distribution centers.

(b) The District is currently experiencing higher demand for medical marijuana than there is capacity to produce.

(c) The Act will enable existing cultivation centers to expand the size of their facilities when they have leaseholds for adjacent real property.

(d) The Act will also authorize twice the number of live marijuana plants, up to a maximum of 1000, for all cultivation centers.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-207

***See* Emergency D.C. Act 21-124 21 DCStat 1703**

To declare the existence of an emergency with respect to the need to approve Human Care Agreement No. DCHT-2014-C-0010-A01, Human Care Agreement No. DCHT-2014-C-0018-A01, Human Care Agreement No. DCHT-2014-C-0024-A01, and Modification No. DCHT-2014-C-0024-A01-M002 with American Health Care Services, Inc., for home health agency temporary staffing services; Human Care Agreement No. DCHT-2014-C-0010-A03, Modification No. DCHT-2014-C-0010-A03-M002, Modification No. DCHT-2014-C-0010-A03-M003, Human Care Agreement No. DCHT-2014-C-0018-A03, Modification No. DCHT-2014-C-0018-A03-M003, Human Care Agreement No. DCHT-2014-C-0024-A03, and Modification No. DCHT-2014-C-0024-A03-M002 with Capital Care, Inc., for home health agency temporary staffing services; Human Care Agreement No. DCHT-2014-C-0010-A05, Human Care Agreement No. DCHT-2014-C-0018-A05, Human Care Agreement No. DCHT-2014-C-0024-A05, and Modification No. DCHT-2014-C-0024-A05-M0003 with Family and Health Care Solutions, Inc., for home health agency temporary staffing services; Human Care Agreement No. DCHT-2014-C-0010-A02, Modification No. DCHT-2014-C-0010-A02-M002, Human Care Agreement No. DCHT-2014-C-0018-A02, Modification No. DCHT-2014-C-0018-A02-M003, Human Care Agreement No. DCHT-2014-C-0024-A02, and Modification No. DCHT-2014-C-0024-A02-M003 with Integrated Community Services, Inc., for home health agency temporary staffing services; Human Care Agreement No. DCHT-2014-C-0010-A04, Human Care Agreement No. DCHT-2014-C-0018-A04, Human Care Agreement No. DCHT-2014-C-0024-A04, and Modification No. DCHT-2014-C-0024-A04-M003 with Lifeline, Inc. for home health agency temporary staffing services; and Human Care Agreement No. DCHT-2014-C-0010-A06, Human Care Agreement No. DCHT-2014-C-0018-A06, Human Care Agreement No. DCHT-2014-C-0024-A06, and Modification No. DCHT-2014-C-0024-A06-M0002 with MBI Health Services, LLC, for home health agency temporary staffing services; and to authorize payment for the services received and to be received under these human care agreements.

Omnibus Home Health Agency Temporary Staffing Services Human Care Agreements Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Omnibus Home Health Agency Temporary Staffing Services Human Care Agreements Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to:

(1) Approve the following contract actions:

(A) Human Care Agreement No. DCHT-2014-C-0010-A01, Human Care Agreement No. DCHT-2014-C-0018-A01, Human Care Agreement No. DCHT-2014-C-0024-A01, and Modification No. DCHT-2014-C-0024-A01-M002 with American Health Care Services, Inc., for home health agency temporary staffing services;

(B) Human Care Agreement No. DCHT-2014-C-0010-A03; Modification No. DCHT-2014-C-0010-A03-M002; Modification No. DCHT-2014-C-0010-A03-M003;

Human Care Agreement No. DCHT-2014-C-0018-A03, Modification No. DCHT-2014-C-0018-A03-M003; Human Care Agreement No. DCHT-2014-C-0024-A03; and Modification No. DCHT-2014-C-0024-A03-M002 with Capital Care, Inc., for home health agency temporary staffing services;

(C) Human Care Agreement No. DCHT-2014-C-0010-A05, Human Care Agreement No. DCHT-2014-C-0018-A05, Human Care Agreement No. DCHT-2014-C-0024-A05, and Modification No. DCHT-2014-C-0024-A05-M0003 with Family and Health Care Solutions, Inc., for home health agency temporary staffing services;

(D) Human Care Agreement No. DCHT-2014-C-0010-A02, Modification No. DCHT-2014-C-0010-A02-M002, Human Care Agreement No. DCHT-2014-C-0018-A02, Modification No. DCHT-2014-C-0018-A02-M003, Human Care Agreement No. DCHT-2014-C-0024-A02, Modification No. DCHT-2014-C-0024-A02-M003 with Integrated Community Services, Inc., for home health agency temporary staffing services;

(E) Human Care Agreement No. DCHT-2014-C-0010-A04, Human Care Agreement No. DCHT-2014-C-0018-A04, Human Care Agreement No. DCHT-2014-C-0024-A04, and Modification No. DCHT-2014-C-0024-A04-M003 with Lifeline, Inc., for home health agency temporary staffing services; and

(F) Human Care Agreement No. DCHT-2014-C-0010-A06, Human Care Agreement No. DCHT-2014-C-0018-A06, Human Care Agreement No. DCHT-2014-C-0024-A06, and Modification No. DCHT-2014-C-0024-A06-M0002 with MBI Health Services, LLC, for home health agency temporary staffing services; and

(2) Authorize payment for the services received and to be received under the human care agreements described in paragraph (1) of this subsection.

(b) In April 2014, the District awarded human care agreements to American Health Services, Inc., Capital Care, Inc., Family and Health Care Solutions, Inc., Integrated Community Services, Inc., Lifeline, Inc., and MBI Health Services, LLC, on an emergency basis, each in the not-to-exceed contract amount of $1 million for a period of performance of 120 days to provide personal care assistance ("PCA") services for District Medicaid beneficiaries.

(c) In August 2014, the District again awarded human care agreements to American Health Services, Inc., Capital Care, Inc., Family and Health Care Solutions, Inc., Integrated Community Services, Inc., Lifeline, Inc., and MBI Health Services, LLC, on an emergency basis, each in the not-to-exceed contract amount of $1 million for the period of performance of 90 days to provide PCA services for District Medicaid beneficiaries.

(d) Between October 31, 2014, and November 3, 2014, the District awarded human care agreements, on a sole source basis, to American Health Services, Inc., Capital Care, Inc., Family and Health Care Solutions, Inc., Integrated Community Services, Inc., Lifeline, Inc., and MBI Health Services, LLC, in the not-to-exceed contract amounts between $1 million and $2 million for the period of performance beginning the day after the expiration of the August 2014 emergency human care agreements and ending on June 30, 2015, to provide PCA services for District Medicaid beneficiaries.

(e) During the performance of the April 2014 emergency human care agreements, the August 2014 emergency human care agreements, and the sole source human care agreements, the District issued certain modifications, in various amounts ranging from $400,000 to $3,144,128.68, to American Health Services, Inc., Capital Care, Inc., Family and Health Care Solutions, Inc., Integrated Community Services, Inc., Lifeline, Inc., and MBI Health Services, LLC, increasing the not-to-exceed contract amount for each contractor to an amount in excess of $1 million during a 12-month period.

(f) Approval of the contract actions set forth in subsection (a) of this section is necessary to allow the continuation of these vital services for District Medicaid beneficiaries. Without this approval, American Health Services, Inc., Capital Care, Inc., Family and Health Care Solutions, Inc., Integrated Community Services, Inc., Lifeline, Inc., and MBI Health Services, LLC, cannot be paid for goods and services provided in excess of $1 million pursuant to the human care agreements.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Omnibus Home Health Agency Temporary Staffing Services Human Care Agreements Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-224

***See* Emergency D.C. Act 21-107 21 DCStat 1685**

To declare the existence of an emergency with respect to the need to approve Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted Health Plan (District of Columbia), Inc. for managed care organization healthcare services for Medicaid beneficiaries for the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program and to authorize payment for the goods and services received and to be received under the contract modification.

Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted Health Plan (District of Columbia), Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted Health Plan (District of Columbia), Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted Health Plan (District of Columbia), Inc., (Trusted) for providing managed care organization services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program and to authorize payment for the services received and to be received under the contract modification.

(b) On May 1, 2013, the District awarded to Thrive Health Plan (District of Columbia), Inc., Contract No. DHCF-2013-C-0003-A01 in the not-to-exceed (NTE) amount of $542,535,279 for the period of May 1, 2013, through April 30, 2014, to provide manage care organization services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program.

(c) On December 13, 2013, the District Office of Contracting and Procurement (OCP) issued Modification M005 to Contract No. DHCF-2013-C-0003-A01 changing the contractor's name from "Thrive Health Plans, Inc." to "Trusted Health Plan (District of Columbia), Inc."

(d) On April 30, 2014, OCP issued Modification No. M007 to Contract No. DHCF-2013-C-0003-A01 with Trusted exercising Option Year One in the NTE amount of $737,041,491, for the period May 1, 2014, through April 30, 2015, to continue providing managed care organization services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program.

(e) On April 30, 2015, OCP issued Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted exercising Option Year Two in the NTE amount of $338,670,442 for the period May 1, 2015, to September 30, 2015, to continue providing managed care organization services to the Medicaid eligible population enrolled in the District

of Columbia Healthy Families Program and the DC Health Care Alliance Program without interruption.

(f) OCP seeks retroactive Council approval of Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 in the total NTE amount of $338,670,442 for the period May 1, 2015, through September 30, 2015.

(g) Approval is necessary to allow the continuation of these vital goods and services for District Medicaid beneficiaries. Without this approval, Trusted cannot be paid for goods and services provided in excess of $1 million pursuant to the contract modification.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. M015 to Contract No. DHCF-2013-C-0003-A01 with Trusted Health Plan (District of Columbia), Inc., Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-223

***See* Emergency D.C. Act 21-113 21 DCStat 1692**

To declare the existence of an emergency with respect to the need to approve Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth District of Columbia, Inc., for managed care organization healthcare services for the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program and to authorize payment for the goods and services received and to be received under the contract modification.

Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth District of Columbia, Inc., Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth District of Columbia, Inc., Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth District of Columbia, Inc., (AmeriHealth) to continue providing managed care organization healthcare services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program, and to authorize payment for the services received and to be received under the contract modification.

(b) On April 30, 2013, the District awarded to AmeriHealth Contract No. DHCF-2013-C-0003-A02 in the not-to-exceed (NTE) amount of $542,535,279 for the period of May 1, 2013, through April 30, 2014, to provide managed care organization services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program.

(c) On April 28, 2014, the District Office of Contracting and Procurement (OCP) issued Modification No. M007 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth exercising Option Year One in the NTE amount of $737,041,491, for the period May 1, 2014, through April 30, 2015, to continue providing managed care organization services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program.

(d) OCP issued Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth on April 30, 2015, to exercise Option Year Two for the period from May 1, 2015, through September 30, 2015, in the NTE amount $338,670,442 to continue providing managed care organization services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program without interruption.

(e) OCP seeks retroactive Council approval of Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 in the total NTE amount of $338,670,442 for the period May 1, 2015, through September 30, 2015.

(f) Approval is necessary to allow the continuation of these vital goods and services for District Medicaid beneficiaries. Without this approval, AmeriHealth cannot be paid for goods and services provided in excess of $1 million pursuant to the contract modification.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. M016 to Contract No. DHCF-2013-C-0003-A02 with AmeriHealth District of Columbia, Inc., Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-222

***See* Emergency D.C. Act 21-112 21 DCStat 1691**

To declare the existence of an emergency with respect to the need to approve Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar Family Choice, Inc., for managed care organization healthcare services for the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program and to authorize payment for the goods and services received and to be received under the contract modification.

Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar Family Choice, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar Family Choice, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar Family Choice, Inc., (MedStar) for providing managed care organization healthcare services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program and to authorize payment for the goods and services received and to be received under the contract modification.

(b) On May 1, 2013, the District awarded to MedStar Contract No. DHCF-2013-C-0003-A03 in the not-to-exceed (NTE) amount of $542,535,279 for the period of May 1, 2013, through April 30, 2014, to provide managed care organization healthcare services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program.

(c) On April 30, 2014, the District Office of Contracting and Procurement (OCP) issued Modification No. M007 to Contract No. DHCF-2013-C-0003-A03 with MedStar exercising Option Year One in the NTE amount of $737,041,491 for the period May 1, 2014, through April 30, 2015, to continue providing managed care organization healthcare services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program.

(d) On April 30, 2015, OCP issued Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar exercising Option Year Two in the NTE amount of $338,670,442 for the period May 1, 2015, to September 30, 2015, to continue providing managed care organization healthcare services to the Medicaid eligible population enrolled in the District of Columbia Healthy Families Program and the DC Health Care Alliance Program.

(e) OCP seeks retroactive Council approval of Modification No. 015 to Contract No. DHCF-2013-C-0003-A03 with MedStar in the total NTE amount of $338,670,442 for the period May 1, 2015, through September 30, 2015.

(f) Approval is necessary to allow the continuation of these vital goods and services for District Medicaid beneficiaries. Without this approval MedStar cannot be paid for goods and services provided in excess of $1 million pursuant to the contract modification.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. M015 to Contract No. DHCF-2013-C-0003-A03 with MedStar Family Choice, Inc., Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-178

See Emergency D.C. Res. 21-152 21 DCStat 1903

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCHC-2015 M-0015 with the United States Department of Defense Logistics Agency, Defense Supply Center Philadelphia to provide pharmaceuticals to supply the AIDS Drug Assistance Program, Medicaid, and other District indigent-care programs.

Contract No. DCHC-2015 M-0015 Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHC-2015 M-0015 Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Department of Health, proposes to enter into a multiyear agreement with the United States Department of Defense Logistics Agency, Defense Supply Center Philadelphia ("DLA/DSCP") to provide pharmaceuticals to supply the AIDS Drug Assistance Program, Medicaid, and other District indigent care programs.

(b) The price under this multiyear contract with the DLA/DSCP is in the not-to-exceed amount of $172,209,636.

(c) Approval is necessary to allow the District to receive the benefit of these vital services in a timely manner from DLA/DSCP.

(d) These critical services can only be obtained through an award of the multiyear contract with DLA/DSCP.

Sec 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCHC-2015 M-0015 Emergency Approval Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-179

Emergency Declaration Res. 21-151 21 DCStat 1902

To approve, on an emergency basis, multiyear Contract No. DCHC-2015 M-0015 with the United States Department of Defense Logistics Agency, Defense Supply Center Philadelphia to provide pharmaceuticals to supply the AIDS Drug Assistance Program, Medicaid, and other District indigent-care programs.

Contract No. DCHC-2015 M-0015 Emergency Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHC-2015 M-0015 Emergency Approval Resolution of 2015".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), the Council approves Contract No. DCHC-2015 M-0015, a multiyear agreement with the United States Department of Defense Logistics Agency, Defense Supply Center Philadelphia to provide pharmaceuticals to supply the AIDS Drug Assistance Program, Medicaid, and other District indigent-care programs, in the not-to-exceed amount of $172,209,636. The term will be from the date of award through September 30, 2016.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-184

***See* Emergency D.C. Act 21-102 21 DCStat 1679**

To declare the existence of an emergency with respect to the need to approve Blanket Purchase Agreement No. DOC108575 and Purchase Orders PO464923, PO480867, PO481916, PO483589, PO488803, PO492965, PO493959, PO493967, PO495335, and PO496400 with Cardiac Connection Quality Compliance Corp. to provide Registered Nurses II services and to authorize payment for the goods and services received and to be received under the contracts.

Blanket Purchase Agreement No. DOC108575 and Purchase Orders Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Blanket Purchase Agreement No. DOC108575 and Purchase Orders Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Blanket Purchase Agreement No. DOC108575 and Purchase Orders PO464923, PO480867, PO481916, PO483589, PO488803, PO492965, PO493959, PO493967, PO495335, and PO496400 with Cardiac Connection Quality Compliance Corp. to provide Registered Nurses II services and to authorize payment for the goods and services received and to be received under the contracts.

(b) On June 3, 2013, Blanket Purchase Agreement No. DOC108575 ("Contract") was awarded to Cardiac Connection Quality Compliance Corp. for the period from June 3, 2013, to June 2, 2014.

(c) Between June 27, 2013, and May 15, 2014, the Department of Health Care Finance issued 10 purchase orders pursuant to the Contract with a total Contract not-to-exceed amount of $975,000.

(d) During the Contract period of performance, the Department of Health Care Finance ordered nursing services in the amount of $1,112,561 from Cardiac Connection Quality Compliance Corp.

(e) Council approval is necessary because the actual value of the Contract and the purchase orders issued pursuant to the Contract exceeded $1,000,000 during a 12-month period.

(f) Approval of the Contract and Purchase Orders is necessary to allow payment for goods and services received by the District for vital services under the Contract and purchase orders. Without this approval, Cardiac Connection Quality Compliance Corp. cannot be paid for goods and services it provided and will provide in excess of $1,000,000.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Blanket Purchase Agreement No. DOC108575 and Purchase Orders Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-242

***See* Emergency D.C. Act 21-120 21 DCStat 1699**

To declare the existence of an emergency with respect to the need to approve Contract No. DCHT-2014-C-0021 and Modification Nos. M0001 and M0003 and proposed Modification No. M0005 to Contract DCHT-2014-C-0021with Mercer Health & Benefits, LLC for actuarial consulting services related to the development and implementation of actuarially sound capitation rates for the District of Columbia Medicaid and DC Healthcare Alliance programs, and to authorize payment for the services received and to be received under the contract and contract modifications.

Contract No. DCHT-2014-C-0021 and Modifications with Mercer Health & Benefits, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHT-2014-C-0021 and Modifications with Mercer Health & Benefits, LLC Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCHT-2014-C-0021 and Modification Nos. M0001 and M0003 and proposed Modification No. M0005 to Contract DCHT-2014-C-0021with Mercer Health & Benefits, LLC for actuarial consulting services related to the development and implementation of actuarially sound capitation rates for the District of Columbia Medicaid and DC Healthcare Alliance programs and to authorize payment for the services received and to be received under the contract and contract modifications.

(b) On October 17, 2014, the Department of Health Care Finance ("DHCF") executed Contract No. DCHT-2014-C-0021 for actuarial consulting services with Mercer Health & Benefits, LLC in the amount of $330,000 for the period from October 17, 2014, through January 15, 2015.

(c) On January 15, 2015, DHCF issued Modification No. DCHT-2014-C-0021 M0001to extend the period of performance of Contract No. DCHT-2014-C-0021 for the period from January 16, 2015, through May 15, 2015 in the amount of $460,000.

(d) On May 5, 2015, DHCF issued Modification No. DCHT-2014-C-0021 M0003 to extend the period of performance of Contract No. DCHT-2014-C-0021 for the period from May 16, 2015, through June 30, 2015, in the amount of $105,500.

(e) DHCF now proposes Modification No. DCHT-2014-C-0021 M0005 which will extend the period of performance of Contract No. DCHT-2014-C-0021 for the period from July 1, 2015, through September 30, 2015, in the amount of $460,000.

(f) Approval is necessary to allow the continuation of these vital services. Without this approval, Mercer Health & Benefits, LLC cannot be paid for services provided in excess of $1 million during the proposed period of performance.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCHT-2014-C-0021 and Modifications with Mercer Health & Benefits, LLC Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-209

See Emergency D.C. Act 21-111 21 DCStat 1689

To declare the existence of an emergency with respect to the need to approve Modification No. 11 to Contract No. CFSA-11-C-0124 with Integrated Community Services, Inc., to provide Developmentally Disabled Services for developmentally disabled children presenting issues that cannot be served by traditional group home or independent living programs, in accordance with the Adoption and Safe Families Act of 1997, the LaShawn A. v. Bowser Implementation and Exit Plan, and the Fostering Connections to Success and Increasing Adoptions Act of 2008, and to authorize payment for the services received and to be received under the contract.

Modification of Contract No. CFSA-11-C-0124 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification of Contract No. CFSA-11-C-0124 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. 11 to Contract No. CFSA-11-C-0124 with Integrated Community Services, Inc. ("ICS"), to provide Developmentally Disabled Services to District children in accordance with the Adoption and Safe Families Act of 1997 approved November 19, 1997 (Pub. L. No. 05-89; 111 Stat. 2115), the LaShawn A. v. Bowser Implementation and Exit Plan, and the Fostering Connections to Success and Increasing Adoptions Act of 2008, approved October 8, 2008 (Pub. L. No. 110-351; 122 Stat. 3949), and to authorize payment for the services received and to be received under the contract.

(b) The base year contract was awarded to ICS on September 30, 2011, in the not-to-exceed amount of $494,100, for services to be provided to 3 clients for the period from September 30, 2011, through September 29, 2012.

(c) Modification No. 1, dated March 7, 2012, increased the number of clients by one, from 3 to 4, and increased the total not-to-exceed amount by $93,150, from $494,100 to $587,250, for the period from March 7, 2012, through September 29, 2012 (207 days). This modification necessitated increasing the total not-to-exceed amount of $494,100 to $658,800 for Option Years 1 through 4.

(d) Modification No. 2, dated September 28, 2012, clarified that the total not-to-exceed amount for Option Years 1 through 3 had been increased to $657,000, rather than $658,800.

(e) During Option Year 1, Modification No. 3, dated September 28, 2012, authorized payment in the not-to-exceed amount of $657,000, for the period from September 30, 2012, through September 29, 2013 (365 days).

(f) During Option Year 1, Modification No. 5, dated April 4, 2013, increased the number of clients by 2, from 4 to 6, and increased the total not-to-exceed amount by $161,000, from $657,000 to $818,000 for Option Year 1, increased the total not-to-exceed amount by $328,500,

from $657,000 to $985,500 for Option Years 2 and 3 and increased the total not-to-exceed amount by $329,400 from $658,800 to $988,200 for Option Year 4.

(g) During Option Year 2, Modification No. 6, dated September 27, 2013, authorized payment in the not-to-exceed amount of $985,500, for the period from September 30, 2013, through September 29, 2014 (365 days).

(h) During Option Year 3, Modification No. 8, dated September 25, 2014, authorized payment in the not-to-exceed amount of $985,500, for the period from September 30, 2014, through September 29, 2015 (365 days).

(i) During Option Year 3, Modification No. 11, dated March 27, 2015, increased the number of clients by 3, from 6 to 9, for the period from March 30, 2015, through September 29, 2015, and increased the total not-to-exceed amount by $248,400, from $985,500 to $1,233,900 for Option Year 3.

(j) Council approval is necessary because the expenditures under the contract are in an amount in excess of $1 million during a 12-month period.

(k) Approval is necessary to allow the continuation of these vital services. Without this approval, Integrated Community Services, Inc., cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification of Contract No. CFSA-11-C-0124 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-225

***See* Emergency D.C. Act 21-114 21 DCStat 1693**

To declare the existence of an emergency with respect to the need to approve Modification No. M0012 and proposed Modification M0013 to Human Care Agreement No. CFSA-11-H-0097 with God's Anointed New Generation to continue to provide Teen Bridge Program services, and to authorize payment for the services received and to be received under the human care agreement.

Modification of Human Care Agreement No. CFSA-11-H-0097 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification of Human Care Agreement No. CFSA-11-H-0097 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. M0012 and proposed Modification No. M0013 to Human Care Agreement No. CFSA-11-H-0097 with God's Anointed New Generation to continue to provide Teen Bridge Program, which provides short-term placement of youth in a structured environment in preparation for self-sufficiency and transition to a less structured environment, and to authorize payment for the services received and to be received under the human care agreement.

(b) On May 24, 2011, the District Child and Family Services Agency ("CFSA") awarded Human Care Agreement No. CFSA-11-H-0097 to God's Anointed New Generation for a base year from June 7, 2011, through June 6, 2012.

(c) Modification No. M0001, dated June 6, 2012, exercised a partial option of Option Year 1 in the estimated amount of $365,446.15 for the period of June 7, 2012, through September 30, 2012.

(d) Modification No. M0002, dated October 1, 2012, exercised the remainder of Option Year 1 for the period from October 1, 2012, through June 6, 2013, in the amount of $784,449.05.

(e) Modification No. M0004, dated June 5, 2013, exercised Option Year 2 for the period June 7, 2013, through June 6, 2014, in the amount not to exceed $1,149,895.20.

(f) Modification No. M0006, dated June 5, 2014, exercised a partial option for Option Year 3 for the period from June 7, 2014, through August 5, 2014, in the not-to-exceed amount of $197,506.09.

(g) Modification No. M0007, dated August 2, 2014, exercised the remaining option for Option Year 3 for the period of August 6, 2014, through June 6, 2015, in the not-to-exceed amount of $1,003,989.11, making the total not-to-exceed amount for Option Year 3 $1,201,495.20.

(h) Modification No. M0012, dated June 5, 2015, exercised a partial option for Option Year 4 for the period from June 7, 2015, through August 5, 2015, in the not-to-exceed amount of $199,005.24.

(i) Proposed Modification No. M0013would exercise the remainder of Option Year 4 for the period of August 6, 2015, through June 6, 2016, in an amount not to exceed $1,014,926.51, making the total not-to-exceed amount for Option Year 4 $1,213,931.95.

(j) Council approval is necessary because the value of Option Year 4 would increase the expenditures under the contract are in an amount in excess of $1 million during a 12-month period.

(k) Approval is necessary to allow the continuation of these vital services. Without this approval, God's Anointed New Generation cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification of Human Care Agreement No. CFSA-11-H-0097 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-220

***See* Emergency D.C. Act 21-105 21 DCStat 1683**

To declare the existence of an emergency with respect to the need to approve Modification No. 1 and proposed Modification No. 2 to Contract No. DCJM-2013-H-0007-06 with Community Multi-Services, Inc., to provide residential services to District citizens with intellectual and developmental disabilities and to authorize payment for the goods and services received and to be received under the contract modifications.

Modifications to Contract No. DCJM-2013-H-0007-06 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. DCJM-2013-H-0007-06 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 1 and proposed Modification No. 2 to Contract No. DCJM-2013-H-0007-06 with Community Multi-Services, Inc., to provide residential services to District citizens with intellectual and developmental disabilities and to authorize payment for the goods and services received and to be received under the contract modifications.

(b) On June 1, 2014, the Department on Disability Services (DDS) awarded Contract No. DCJM-2013-H-0007-06 to Community Multi-Services, Inc., for the period from June 1, 2014 through May 31, 2015.

(c) By Modification No. 1 dated May 29, 2015, DDS exercised a partial option of Option Year One in the amount of $196,540.26 for the period of June 1, 2015, through July 30, 2015.

(d) Proposed Modification No. 2 is now necessary to exercise the remainder of Option Year One for the total estimated amount of $1,195,619.90.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Community Multi-Services, Inc., cannot be paid for goods and services provided in excess of $1 million for each 12- month period of the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCJM-2013-H-0007-06 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-251

***See* Emergency D.C. Act 21-128 21 DCStat 1849**

To declare the existence of an emergency with respect to the need to approve Modification No. M0006 and proposed Modification No. M0009 to Human Care Agreement No. CW15105 with Opportunities Industrialization Center of DC for work readiness and placement services to non-exempt, adult Temporary Assistance for Needy Families customers, and to authorize payment for the services received and to be received under the human care agreement.

Human Care Agreement No. CW15105 Modifications with Opportunities Industrialization Center of DC Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement No. CW15105 Modifications with Opportunities Industrialization Center of DC Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. M0006 and proposed Modification No. M0009 to Human Care Agreement No. CW15105 with Opportunities Industrialization Center of DC for work readiness and placement services to non-exempt, adult Temporary Assistance for Needy Families customers, and to authorize payment for the services received and to be received under the human care agreement.

(b) On January 27, 2012, the District Department of Human Services ("DHS") executed Human Care Agreement CW15105 with Opportunities Industrialization Center of DC in the amount of $753,769 for the period from January 27, 2012, through January 26, 2013.

(c) On January 25, 2013, DHS issued Modification No. M0001to exercise Option Year 1 to extend the period of performance of the human care agreement for the period from January 27, 2013, through January 26, 2014, in the amount of $985,440.

(d) On December 29, 2013, DHS issued Modification No. M0003 to exercise Option Year 2 to extend the period of performance of the human care agreement for the period from January 27, 2014, through January 26, 2015, in the amount of $1,368,748.

(e) On January 26, 2015, DHS issued Modification No. M0006 to exercise Option Year 3 to extend the period of performance of the human care agreement for the period from January 27, 2015, through January 26, 2016, in the amount of $998,865.

(f) DHS now proposes Modification No. M0009 to increase the not-to-exceed amount of the human care agreement for Option Year 3 by $453,513, from $998,865 to $1,452,378.

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, Opportunities Industrialization Center of DC cannot be paid for services provided in excess of $1 million during Option Year 3.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Human Care Agreement No. CW15105 Modifications with Opportunities Industrialization Center of DC Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-250

***See* Emergency D.C. Act 21-123 21 DCStat 1702**

To declare the existence of an emergency with respect to the need to approve Modification No. M0006 and proposed Modification No. M0010 to Human Care Agreement No. CW15109 with America Works of Washington DC for job placement services to non-exempt, adult Temporary Assistance for Needy Families customers, and to authorize payment for the services received and to be received under the human care agreement.

Human Care Agreement No. CW15109 Modifications with America Works of Washington DC Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement No. CW15109 Modifications with America Works of Washington DC Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. M0006 and proposed Modification No. M0010 to Human Care Agreement No. CW15109 with America Works of Washington DC for job placement services to non-exempt, adult Temporary Assistance for Needy Families customers, and to authorize payment for the services received and to be received under the human care agreement.

(b) On January 27, 2012, the District Department of Human Services ("DHS") executed Human Care Agreement No. CW15109 with America Works of Washington DC in the amount of $711,572 for the period from January 27, 2012, through January 26, 2013.

(c) On January 25, 2013, DHS issued Modification No. M0001to exercise Option Year 1 to extend the period of performance of the human care agreement for the period from January 27, 2013, through January 26, 2014, in the amount of $961,366.

(d) On December 20, 2013, DHS issued Modification No. M0003 to exercise Option Year 2 to extend the period of performance of the human care agreement for the period from January 27, 2014, through January 26, 2015, in the amount of $ 845,099.00.

(e) On January 26, 2015, DHS issued Modification No. M0006 to exercise Option Year 3 to extend the period of performance of the human care agreement for the period from January 27, 2015, through January 26, 2016, in the amount of $921,094.

(f) DHS now proposes Modification No. M0010 to increase the not-to-exceed amount of the human care agreement for Option Year 3 by $422,381, from $921,094 to $1,343,475.

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, America Works of Washington DC cannot be paid for services provided in excess of $1 million during Option Year 3.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Human Care Agreement No. CW15109 Modifications with America Works of Washington DC Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-231

See Emergency D.C. Act 21-119 21 DCStat 1698

To declare the existence of an emergency with respect to the need to approve Modification No. 3 and proposed Modification No. 4 to Contract No. CW29403 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29403 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW29403 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 3 and proposed Modification No. 4 to Contract No. CW29403 with Pathways to Housing to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

(b) On May 19, 2015, by Modification No. 3, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Human Services, exercised a no-cost partial option of option year one of Contract No. CW29403 to provide case management services for the period from May 23, 2015, to June 22, 2015.

(c) Modification No. 4 is now necessary to exercise the remainder of option year one for the total not-to-exceed amount of $1,474,740.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Pathways to Housing cannot be paid for services provided in excess of $1 million for the contract period May 23, 2015, through May 22, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW29403 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-230

See Emergency D.C. Act 21-118 21 DCStat 1697

To declare the existence of an emergency with respect to the need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW29396 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29396 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW29396 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW29396 with Transitional Housing Corporation to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

(b) On May 26, 2015, by Modification No. 4, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Human Services, exercised a no cost partial option of option year one of Contract No. CW29396 to provide case management services for the period from May 27, 2015, to June 26, 2015.

(c) Modification No. 5 is now necessary to exercise the remainder of option year one for the total not-to-exceed amount of $1,084,500.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Transitional Housing Corporation cannot be paid for services provided in excess of $1 million for the contract period May 27, 2015, through May 26, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW29396 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-228

See Emergency D.C. Act 21-117 21 DCStat 1696

To declare the existence of an emergency with respect to the need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW29492 for case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29492 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW29492 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW29492 with The Community of Hope for case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

(b) On May 26, 2015, by Modification No. 4, the Office of Contracting and Procurement, on behalf of the Department of Human Services, exercised a no-cost partial option of option year one of Contract No. CW29492 to provide case management services for the period from May 27, 2015, to June 26, 2015.

(c) Modification No. 5 is now necessary to exercise the remainder of option year one for the total not-to-exceed amount of $1,339,818.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, The Community of Hope cannot be paid for services provided in excess of $1 million for the contract period from May 27, 2015, through May 26, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW29492 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-227

See Emergency D.C. Act 21-116 21 DCStat 1695

To declare the existence of an emergency with respect to the need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW29494 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29494 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW29494 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW29494 with Community Connections to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

(b) On May 26, 2015, by Modification No. 4, the Office of Contracting and Procurement, on behalf of the Department of Human Services, exercised a no-cost partial option of option year one of Contract No. CW29494 to provide case management services for the period from May 27, 2015, to June 26, 2015.

(c) Modification No. 5 is now necessary to exercise the remainder of option year one for the total not-to-exceed amount of $1,666,140.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Community Connections cannot be paid for services provided in excess of $1 million for the contract period from May 27, 2015, through May 26, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW29494 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-229

See Emergency D.C. Act 21-125 21 DCStat 1706

To declare the existence of an emergency with respect to the need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW29496 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29496 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW29496 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW29496 with Catholic Charities of the Archdiocese of Washington to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

(b) On May 26, 2015, by Modification No. 4, the Office of Contracting and Procurement, on behalf of the Department of Human Services, exercised a no-cost partial option of option year one of Contract No. CW29496 to provide case management services for the period from May 28, 2015, to June 27, 2015.

(c) Modification No. 5 is now necessary to exercise the remainder of option year one for the total not-to-exceed amount of $3,117,207.72.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Catholic Charities of the Archdiocese of Washington cannot be paid for services provided in excess of $1 million for the contract period from May 28, 2015, through May 27, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW29496 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-226

See Emergency D.C. Act 21-115 21 DCStat 1694

To declare the existence of an emergency with respect to the need to approve Modification No. 6 and proposed Modification No. 7 to Contract No. CW29777 for case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW29777 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW29777 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 6 and proposed Modification No. 7 to Contract No. CW29777 with Friendship Place for case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

(b) On May 26, 2015, by Modification No. 6, the Office of Contracting and Procurement, on behalf of the Department of Human Services, exercised a no-cost partial option of option year one of Contract No. CW29777 to provide case management services for the period from May 27, 2015, to June 26, 2015.

(c) Modification No. 7 is now necessary to exercise the remainder of option year one for the total not-to-exceed amount of $2,784,780.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Friendship Place cannot be paid for services provided in excess of $1 million for the contract period from May 27, 2015, through May 26, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW29777 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-238

See Emergency D.C. Act 21-126 21 DCStat 1707

To declare the existence of an emergency with respect to the need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW30986 to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW30986 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW30986 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 4 and proposed Modification No. 5 to Contract No. CW30986 with Metropolitan Education Solutions, Inc., to provide case management services to the District and to authorize payment for the services received and to be received under the contract modifications.

(b) On May 26, 2015, by Modification No. 4, the Office of Contracting and Procurement, on behalf of the Department of Human Services, exercised a no-cost partial option of option year one of Contract No. CW30986 to provide case management services for the period from May 28, 2015, to June 27, 2015.

(c) Modification No. 4 is now necessary to exercise the remainder of option year one for the total not-to-exceed amount of $1,842,727.20.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Metropolitan Education Solutions, Inc., cannot be paid for services provided in excess of $1 million for the contract period from May 28, 2015, through May 27, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW30986 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-183

***See* Emergency D.C. Act 21-101 21 DCStat 1678**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 24 and 25 to Contract No. DCTO-2008-C-0135 with OST, Inc. to provide IT Staff Augmentation (ITSA) services, and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 24 and 25 to Contract No. DCTO-2008-C-0135 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 24 and 25 to Contract No. DCTO-2008-C-0135 with OST, Inc. to IT Staff Augmentation (ITSA) services, and to authorize payment for the goods and services received and to be received under the modifications.

(b) On August 19, 2008 Contract Number DCTO-2008-C-0135 was awarded to OST, Inc., for a term from August 19, 2008, through August 18, 2009, with 4 option years, in an amount not to exceed $150 million, with a minimum guarantee of $100,000.

(c) The District exercised all 4 option years through August 18, 2013.

(d) By Modification No. 19, the District extended the term of Contract Number DCTO-2008-C-0135 from August 19, 2013, through January 18, 2014, in an amount not to exceed $20 million, with a minimum guarantee of $100,000.

(e) By Modification No. 20, the District extended the term of Contract No. DCTO-2008-C-0135 from January 19, 2014, through May 31, 2014, in an amount not to exceed $20 million, with a minimum guarantee of $100,000.

(f) By Modification No. 21, the District extended the term of Contract No. DCTO-2008-C-0135 from June 1, 2014, through August 31, 2014, in an amount not to exceed $20 million, with a minium guarantee of $100,000.

(g) By Modification No. 22, the District extended the term of Contract No. DCTO-2008-C-0135 from September 1, 2014, through November 30, 2014, in an amount not to exceed $20 million, with a minimum guarantee of $100,000.

(h) By Modification No. 23, the District extended the term of Contract No. DCTO-2008-C-0135 from December 1, 2014, through March 31, 2015, in an amount not to exceed $20 million, with a minimum guarantee of $100,000.

(i) By Modification No. 24, the District extended the term of Contract No. DCTO-2008-C-0135 from April 1, 2015, through September 30, 2015, in an amount not to exceed $50 million, with a minimum guarantee of $100,00.

(j) By Modification No. 25, the District reduced from $50 million to $35 million the not-to-exceed amount for the extension of Contract No. DCTO-2008-C-0135 from April 1, 2015, through September 30, 2015.

(k) Council approval is necessary because Modification Nos. 24 and 25 would increase the contract value to more than $1 million during a 12-month period.

(l) Approval is necessary to allow the continuation of these vital services. Without this approval, OST Inc., cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 24 and 25 to Contract No. DCTO-2008-C-0135 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-297

***See* Emergency D.C. Act 21-151 21 DCStat 1865**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Rental Housing Conversion and Sale Act of 1980 to clarify that a bona fide offer of sale for a housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party contract, shall be based on current, applicable, matter-of-right zoning regulations or laws, or by an existing right to convert to another use, and that the offer may take into consideration the highest and best use of the property, and to establish the right of a tenant organization to a determination of the appraised value of a housing accommodation under certain circumstances.

TOPA Bona Fide Offer of Sale Clarification Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "TOPA Bona Fide Offer of Sale Clarification Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to amend sections 103, 402, and 411 of the Rental Housing Conversion and Sale Act of 1980 ("the Act" or "TOPA"), to clarify that a bona fide offer of sale for a housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party contract, shall be based on current, applicable, matter-of-right zoning regulations or laws, or by an existing right to convert to another use. Further, there is an immediate need to clarify TOPA that a bona fide offer of sale may take into consideration the highest and best use of the property; and finally, to establish the right of a tenant organization to request a determination of the appraised value of a housing accommodation under certain circumstances.

(b) Last September 23, 2014, in an attempt to clarify the term "bona fide offer of sale", and thereby preserve the TOPA rights of the residents at Museum Square and other similarly situated tenants, the Council passed Act 20-434, the Tenant Opportunity to Purchase Emergency Amendment Act of 2014. Law 20-166, the Tenant Opportunity to Purchase Temporary Amendment Act of 2014, the substantively identical temporary version of the emergency bill, went into effect on February 26, 2015, and will expire on October 9, 2015.

(c) Unfortunately, both acts were drafted too broadly and inadvertently covered all TOPA sales, and not just those occurring without a third-party contract, like at Museum Square. As a result, all TOPA sales retroactive to January 1, 2014, were suddenly required to have included two appraisals of the housing accommodation. Due to concerns of the title insurance industry, this all-encompassing retroactive appraisal requirement has stalled a significant number of transactions in the residential real estate market for previous and current TOPA sales. As a result, the collection of recordation taxes has been adversely affected, which in turn has had the potential of reducing funding available to the Housing Production Trust Fund.

(d) This emergency bill is being moved to expeditiously remedy this situation, was drafted in consultation with many stakeholders from all sides of the issue over a period of many weeks, and will fill a gap in effectiveness between the previous emergency act, the TOPA Bona Fide Offer of Sale Clarification Emergency Amendment Act of 2015, effective June 25, 2015 (D.C. Act 21-95; 62 DCR 9225), that will expire on September 23, 2015, and the temporary legislation, the TOPA Bona Fide Offer of Sale Clarification Temporary Amendment Act of 2015, enacted on July 2, 2015 (D.C. Act 21-98; 62 DCR 9456).

(1) The emergency and temporary bills replace the relevant section of TOPA law, D.C. Official Code § 42-3404.02, and essentially return this subsection to its pre-emergency and pre-temporary language. This means that TOPA will no longer require all TOPA sales to have 2 appraisals, regardless of whether there is a third-party offer.

(2) These bills require that a bona fide offer of sale for a building with 5 or more units based on a landlord's intention to demolish or discontinue housing use, in the very limited circumstance where there is no third-party offer, must be based on current, applicable, matter-of-right laws and regulations, or by an existing right to convert to another use. The offer may take into consideration the highest and best use of the property. This requirement ensures that a bona fide offer of sale will be based on the present value of the property, and not some speculative future value.

(3) These bills protect the elderly residents of Museum Square and other similarly situated tenants by including a retroactive provision for housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party.

(4) These bills establish a tenant right to request an appraisal, if the tenants believe that an offer, in the absence of a third-party offer, is too high. They direct tenants to jointly select an appraiser with the landlord, but if they cannot agree, then the appraiser is selected by DHCD's Conversion and Sale Administrator. The cost of the appraisal is split 66/33 between the landlord and tenant (roughly $40-$65 per tenant). The time the appraisal takes is added to the negotiation period allowed tenants.

(5) These bills grandfather-in tenant organizations that, prior to the effective date of the TOPA Bona Fide Offer of Sale Clarification Emergency Amendment Act of 2015, have registered the tenant organization with the Mayor and have reasonably relied upon Act 20-434, the Tenant Opportunity to Purchase Emergency Amendment Act of 2014, and Law 20-166, the Tenant Opportunity to Purchase Temporary Amendment Act of 2014, by requesting an appraisal of their housing accommodations as required under those bills.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the TOPA Bona Fide Offer of Sale Clarification Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-283

See Emergency D.C. Act 21-130 21 DCStat 1851

To declare the existence of an emergency, due to congressional review, with respect to the need to prohibit the electric company from shutting off service when the heat index is forecasted to be 95 degrees Fahrenheit or above.

Heat Wave Safety Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Heat Wave Safety Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to protect District residents who are vulnerable to health impairments that may be caused by periods of extreme heat and who may be unable to cool their homes if their electricity is shut off.

(b) District law prohibits utilities from disconnecting their service when the forecast predicts the temperature will be 32 degrees Fahrenheit or below during the following 24 hours.

(c) Exposure to extreme heat is more likely than extreme cold to cause people to experience negative health consequences, including death; yet the District does not prohibit the disconnection of electricity during or directly preceding periods of extreme heat analogous to the prohibition on disconnections during or directly preceding periods of extreme cold.

(d) Enacting a prohibition on the disconnection of electricity during or directly preceding periods of extreme heat will provide a measure of security for District residents without creating undue hardship for the electric company.

(e) Further, this congressional review emergency legislation is necessary to ensure that there is no gap in legal authority between the expiration of the Heat Wave Safety Emergency Amendment Act of 2015 on September 15, 2015, and the effective date of the Heat Wave Safety Temporary Amendment Act of 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Heat Wave Safety Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-127

To approve as a small area action plan the proposed Southwest Neighborhood Plan.

Southwest Neighborhood Plan Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Southwest Neighborhood Plan Approval Resolution of 2015".

Sec. 2. Pursuant to section 4(c)(4) of the District of Columbia Comprehensive Plan Act of the 1984 Land Use Element Amendment Act of 1984, effective March 16, 1985 (D.C. Law 5-187; D.C. Official Code § 1-306.03(c)(4)), the Mayor transmitted to the Council the proposed Southwest Neighborhood Plan, dated March 27, 2015 ("Plan").

Sec. 3. The Council finds that:

(1) The Plan area, located in Ward 6, is bordered on the north by I-395, to the west by Maine Avenue, S.W., to the east by South Capitol Street, and to the south by P Street, S.W.

(2) Several of the recommendations for the Plan area contained in the Comprehensive Plan have been completed or are underway, including the restoration of 4th Street, S.W., and the replacement of Waterside Mall. In addition, significant change has happened in and around Southwest since the adoption of the Comprehensive Plan in 2006, necessitating the creation of a small area action plan to guide both growth and preservation at the neighborhood level in the Southwest community.

(3) The Office of Planning commenced the process of developing the Plan with a public kickoff in September of 2013. The proposed Plan was published and made available to the public on November 21, 2014, and a Mayoral hearing was conducted on January 28, 2015.

(4) The purpose of the Plan is to provide a community-based strategy and an urban-design, land-use, and neighborhood-preservation framework to enhance parks and pedestrian and street connections, integrate community amenities, enhance transportation choices, and accommodate and guide the direction of future growth in the Southwest neighborhood. The Plan also provides land-use guidance, as well as design guidelines for new development throughout the neighborhood. The Plan envisions creating a thriving, active environment that preserves and enhances the Southwest Neighborhood's culture and character.

(5) The Plan documents the community-based process and records the shared vision and guiding principles that were collectively developed to serve as the foundation for the Plan's key opportunity areas and recommendations.

(6) The Plan is informed by existing conditions, land use, and market analysis, and incorporates a broad range of planning techniques and practical solutions to achieve the District's goals and objectives.

(7) The Plan outlines strategies under 7 core concepts, as follows:

(A) Model Community – remain an exemplary model of equity and inclusion that retains diversity of races, ages, and income levels as the neighborhood continues to grow and change;

(B) Modernist Gem – promote the preservation of Southwest's unique architectural legacy and support new development that reflects the form and rhythm of the historic fabric, reinforcing the neighborhood's architectural legacy;

(C) Green Oasis – improve and enhance existing parks and green spaces, incorporating sustainable best practices and improved environmental performance;

(D) Arts and Culture – position Southwest to flourish as a premier arts and cultural destination, creating synergies between existing cultural assets and attracting new and creative uses and arts-related activities;

(E) Thriving Town Center – develop 4th Street, S.W., as the town center of neighborhood-serving retail and high-quality public realm;

(F) Optimized District Parcels – anticipate future demands on District-controlled parcels, allowing for the use of public resources to benefit the greater community and encouraging high-quality design, while meeting District needs; and

(G) Vibrant Connections – create vibrant connections that support an active and attractive environment, accommodate multiple transportation modes, increase mobility and safety within the community, and provide ease of access to adjacent neighborhoods and the Waterfront.

(8) The Plan includes an implementation table to define each recommendation as near-, mid-, or long-term, and to identify the agency, community partner, or civic organization primarily responsible for the implementation of each recommendation.

(9) Once approved, the Plan will provide supplemental guidance to the Zoning Commission and other District agencies in carrying out the policies of the Comprehensive Plan.

(10) These findings are further explained in the committee report accompanying this resolution.

Sec. 4. The Plan, as submitted, is approved by the Council as a small area action plan.

Sec. 5. The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-176

To approve the disposition by lease of District-owned real property located at 908 Wahler Place, S.E., commonly known as the Draper School and designated for tax and assessment purposes as Lot 0801 in Square 5926.

Draper School Lease Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Draper School Lease Approval Resolution of 2015".

Sec. 2. Definitions

For the purposes of this resolution, the term:

(1) "CBE Agreement" means an agreement with the District governing certain obligations of the Lessee or the developer of the Property under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.)* ("CBE Act"), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

(2) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the CBE Act.

(3) "First Source Agreement" means an agreement with the District governing certain obligations of the Lessee or the developer of the Property pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983), regarding job creation and employment generated as a result of the construction on the Property.

(4) "Lessee" means Achievement Preparatory Academy, Inc., a District of Columbia non-profit corporation or its successor.

(5) "Property" means the real property located at 908 Wahler Place, S.E. in Washington, D.C, commonly known as the Draper School and designated for tax and assessment purposes as Lot 0801, Square 5926.

Sec. 3. Approval of disposition

(a) Pursuant to section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code §10-801) ("Act"), the Mayor transmitted to the Council a request for Council to authorize a lease of the Property to the Lessee.

(b) The proposed disposition would occur through a negotiated ground lease of greater than 20 years to the Lessee, whose primary address is 908 Wahler Place, S.E., Washington, D.C. 20032.

(c) The proposed disposition is expected to include the following terms and conditions, in addition to such other terms and conditions as the Mayor deems necessary or appropriate:

(1) The Lessee shall redevelop the Property in accordance with plans approved by the District and shall use the Property primarily as an educational facility.

(2) The Lessee will enter into a CBE Agreement with the District. The CBE Agreement will require the Lessee to contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the redevelopment of the Property, if any, and if possible, will require at least 20% equity and development participation of local, small and disadvantaged business enterprises.

(3) The Lessee will enter into a First Source Agreement with the District.

(d) The Council finds that the Property is not required for public purposes.

(e) The Council finds that the Mayor's analysis of economic and other policy factors supporting the disposition of the Property justifies the lease proposed by the Mayor.

(f) All documents executed in accordance with this resolution shall be consistent with the executed term sheet (the April 29, 2015 "Letter of Intent") transmitted to the Council pursuant to section 1(b-1)(2) of the Act (D.C. Official Code §10-801 (b-1)(2)).

(g) The Council approves the disposition of the Property.

Sec. 4. Transmittal

The Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor, the Department of General Services, and the Chief Financial Officer.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-187

To confirm the appointment of Mr. Thorn Pozen to the Metropolitan Washington Airports Authority Board of Directors.

Metropolitan Washington Airports Authority Board of Directors Thorn Pozen Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Metropolitan Washington Airports Authority Board of Directors Thorn Pozen Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Thorn Pozen
4822 Upton Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the Metropolitan Washington Airports Authority Board of Directors, established by section 5 of the District of Columbia Regional Airports Authority Act of 1985, effective December 3, 1985 (D.C. Law 6-67; D.C. Official Code § 9-904), replacing Shirley Robinson Hall, for a term to end January 5, 2021.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-188

To confirm the appointment of Mr. George Schutter as the Chief Procurement Officer.

Chief Procurement Officer George Schutter Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chief Procurement Officer George Schutter Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. George Schutter
611 Elliott Street, N.E.
Washington, D.C. 20002
(Ward 6)

as the Chief Procurement Officer, established by section 203 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371, D.C. Official Code § 2-352.03), to serve for one 5-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-174, effective July 14, 2015

A RESOLUTION

Proposed Resolution 21-169

To confirm the appointment of Ms. Melinda Bolling as the Director of the Department of Consumer and Regulatory Affairs.

Director of the Department of Consumer and Regulatory Affairs Melinda Bolling Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Consumer and Regulatory Affairs Melinda Bolling Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Melinda Bolling
2018 31st Street, S.E.
Washington, D.C. 20020
(Ward 7)

as the Director of the Department of Consumer and Regulatory Affairs, established by Reorganization Plan No. 1 of 1983, effective March 31, 1983, and in accordance with section 2 of the Confirmation Act 28 of l978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-200

To confirm the appointment of Mr. Bryan Scottie Irving to the District of Columbia Housing Finance Agency Board of Directors.

District of Columbia Housing Finance Agency Board of Directors Bryan Scottie Irving Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Bryan Scottie Irving Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Bryan Scottie Irving
1204 Fairmont Street, N.W.
Washington, D.C. 20009
(Ward 1)

as a member, with experience in planning, of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), succeeding Charles R. Lowery, Jr., for a term to end June 28, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-201

To confirm the appointment of Mr. Stephen Green to the District of Columbia Housing Finance Agency Board of Directors.

District of Columbia Housing Finance Agency Board of Directors Stephen Green Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Stephen Green Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Stephen Green
215 I Street, N.E., Unit #411
Washington, D.C. 20002
(Ward 6)

as a member, with experience in finance, of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), replacing Derek Ford, for a term to end June 28, 2016.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-202

To confirm the appointment of Mr. Buwa Binitie to the District of Columbia Housing Finance Agency Board of Directors.

District of Columbia Housing Finance Agency Board of Directors Buwa Binitie Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Buwa Binitie Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Buwa Binitie
72 V Street, N.W.
Washington, D.C. 20001
(Ward 5)

as a member, with experience in finance, of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), succeeding Martin Craig Pascal, Esq., for a term to end June 28, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-165

To confirm the appointment of Mr. Gregory Dean as the Chief of the Fire and Emergency Medical Services Department.

Chief of the Fire and Emergency Medical Services Department Gregory Dean Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chief of the Fire and Emergency Medical Services Department Gregory Dean Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Gregory Dean
750 3rd Street, N.W.
Washington, D.C. 20001
(Ward 2)

as the Chief of the Fire and Emergency Medical Services Department, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-189

To confirm the appointment of Mr. Eugene Adams as the Chief Administrative Law Judge of the Office of Administrative Hearings.

Chief Administrative Law Judge of the Office of Administrative Hearings Eugene Adams Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chief Administrative Law Judge of the Office of Administrative Hearings Eugene Adams Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Eugene Adams
5020 Klingle Street, N.W.
Washington, D.C. 20016
(Ward 3)

as the Chief Administrative Law Judge of the Office of Administrative Hearings, in accordance with section 7(b) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.04(b)), to serve a 6-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-194

To confirm the appointment of Mr. Adam E. Maier to the Commission on Human Rights.

Commission on Human Rights Adam E. Maier Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Adam E. Maier Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Adam E. Maier
333 10th Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-195

To confirm the appointment of Mr. Earl D. Fowlkes, Jr., to the Commission on Human Rights.

Commission on Human Rights Earl D. Fowlkes, Jr., Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Earl D. Fowlkes, Jr., Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Earl D. Fowlkes, Jr.
905 6th Street, S.W., Apt. 412
Washington, D.C. 20024
(Ward 6)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-211

To confirm the reappointment of Mr. Marvin Turner to the District of Columbia Sentencing and Criminal Code Revision Commission.

District of Columbia Sentencing and Criminal Code Revision Commission Marvin Turner Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Sentencing and Criminal Code Revision Commission Marvin Turner Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Marvin Turner
2221 Ridge Place, S.E.
Washington, D.C. 20020
(Ward 8)

as a citizen member of the District of Columbia Sentencing and Criminal Code Revision Commission, established by section 2 of the Advisory Commission on Sentencing Establishment Act of 1998, effective October 16, 1998 (D.C. Law 12-167; D.C. Official Code § 3-101), for a term to end July 2, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-196

To confirm the reappointment of Mr. Richard G. Amato to the Real Property Tax Appeals Commission.

Real Property Tax Appeals Commission Richard G. Amato Confirmation Resolution 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Real Property Tax Appeals Commission Richard G. Amato Confirmation Resolution 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Richard G. Amato
15000 Pennfield Circle, Unit 301
Silver Spring, MD 20906

as Vice Chairperson of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-197

To confirm the appointment of Ms. Stacie Scott Turner to the Real Property Tax Appeals Commission.

Real Property Tax Appeals Commission Stacie Scott Turner Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Real Property Tax Appeals Commission Stacie Scott Turner Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Stacie Scott Turner
7317 Alaska Avenue, N.W.
Washington, D.C. 20012
(Ward 4)

as a full-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, succeeding Hillary R. Lovick, whose term expired April 30, 2015, for a term to end April 30, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-198

To confirm the appointment of Mr. Eric Jenkins to the Real Property Tax Appeals Commission.

Real Property Tax Appeals Commission Eric Jenkins Confirmation Resolution 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Real Property Tax Appeals Commission Eric Jenkins Confirmation Resolution 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Eric Jenkins
3205 Woodbine Street
Chevy Chase, MD 20815

as a part-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-199

To confirm the reappointment of Mr. Trent T. Williams to the Real Property Tax Appeals Commission.

Real Property Tax Appeals Commission Trent T. Williams Confirmation Resolution 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Real Property Tax Appeals Commission Trent T. Williams Confirmation Resolution 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Trent T. Williams
1701 16th Street, N.W., Apartment 514
Washington, D.C. 20009
(Ward 2)

as a part-time member of the Real Property Tax Appeals Commission, established by D.C. Official Code § 47-825.01a, for a term to end April 30, 2019.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-166

To confirm the appointment of Mr. Keith Anderson as the Director of the Department of Parks and Recreation.

Director of the Department of Parks and Recreation Keith Anderson Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Parks and Recreation Keith Anderson Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Keith Anderson
614 Randolph Street, N.W.
Washington, D.C. 20011
(Ward 4)

as the Director of the Department of Parks and Recreation, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-188, effective July 14, 2015

A RESOLUTION

Proposed Resolution 21-175

To declare that the District-owned real property located at 908 Wahler Place, S.E., in Washington, D.C., most commonly known as the Draper School, and known for tax and assessment purposes as Lot 0801 in Square 5926, is no longer required for public purposes.

Draper School Surplus Property Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Draper School Surplus Property Declaration Resolution of 2015".

Sec. 2. Findings.

(a) The District is the owner of the real property located at 908 Wahler Place, S.E., known for tax and assessment purposes as Lot 0801 in Square 5926 (the "Property"). The Property consists of a building containing approximately 54,800 square feet situated on approximately 206,222 square feet of land.

(b) The District has not used the Property as a District of Columbia traditional public school since before 2008. The most viable option for the site is for its continued use as an educational facility for students in the District. Declaring that the Property is no longer required for public purposes and disposing of it under a long-term ground lease or other method is the most expedient and cost-effective solution to maintain the Property, allow the District to retain long-term fee simple ownership of the Property, and provide the citizens of the District with outstanding educational services.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)(4)) (the "Act"), by holding a public hearing on April 30, 2015.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-168

To confirm the appointment of Ms. Alexis P. Taylor as the Director of the Office of Disability Rights.

Director of the Office of Disability Rights Alexis P. Taylor Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office of Disability Rights Alexis P. Taylor Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Alexis P. Taylor
3944 7th Street, N.E. Apt #4
Washington, D.C. 20017
(Ward 5)

as the Director of the Office of Disability Rights, established by section 4 of the Disability Rights Protection Act of 2006, effective March 8, 2007 (D.C. Law 16-239; D.C. Official Code § 2-1431.03), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-167

To confirm the appointment of Mr. Raymond Davidson as the Director of the Child and Family Services Agency.

Director of the Child and Family Services Agency Raymond Davidson Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Child and Family Services Agency Raymond Davidson Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Raymond Davidson
16805 Hoffman Manor Drive
Silver Spring, MD 20905

as the Director of the Child and Family Services Agency, established by section 301a of the Prevention of Child Abuse and Neglect Act of 1977, effective April 4, 2001 (D.C. Law 13-277; D.C. Official Code § 4-1303.01a), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-294

***See* Emergency D.C. Act 21-150 21 DCStat 1863**

To declare the existence of an emergency with respect to the need to order the closing of Potomac Avenue, S.W., between 2nd Street, S.W., and R Street, S.W.; R Street, S.W., between Potomac Avenue, S.W., and Half Street, S.W.; 1st Street, S.W., between T Street, S.W., and Potomac Avenue, S.W.; and S Street, S.W., between 2nd Street, S.W., and approximately 230 feet west of Half Street, S.W.; all adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in Reservations 243 and 244, in Ward 6.

Closing of Public Streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of Public Streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Emergency Declaration Resolution of 2015".

Sec. 2. (a) On December 17, 2014, the Council unanimously approved the District of Columbia Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq.*) (the "Act"), as well as accompanying emergency legislation, that enabled the District to acquire land and pay costs necessary for the development of a soccer stadium for D.C. United at Buzzard Point.

(b) On June 30, 2015, consistent with the Act, as amended by the Soccer Stadium Development Technical Clarification Emergency Amendment Act of 2015, effective May 8, 2015 (D.C. Act 21-59; 62 DCR 5962), the Council approved purchase agreements to acquire 3 parcels at Buzzard Point, a sales agreement for a related land swap with Pepco, a revised land development agreement for development of the site, and a ground lease for the stadium to operate. The land development agreement requires that the District obtain site control by September 30, 2015.

(c) On June 30, 2015, the Council also approved on first reading Bill 20-200, the Closing of Public Streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015, which would order the closing of several streets that currently run between the parcels, the closure of which is necessary to assemble the parcels into a single site.

(d) Because of the upcoming congressional recess, and the Council's recess, Bill 20-200, approved on second reading on July 14, 2015, may not be transmitted for the standard 30-day congressional review period until September 2015.

(e) The proposed legislation is necessary to order the closures and allow for easements for utility relocations during the summer before the September 30, 2015 site-control deadline.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of Public Streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-279

***See* Emergency D.C. Act 21-149 21 DCStat 1862**

To declare the existence of an emergency with respect to the need to approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-02 with Square 50 Affordable Housing, LLC, for Local Rent Supplement Program units located at 1211 23rd Street, N.W., and to authorize payment for housing services received and to be received under the contract.

Local Rent Supplement Program Contract No. 2014-LRSP-02 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-02 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsored-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

Sec. 3. In April 2014, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development ("DHCD"). Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making 0 – 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout the District. Upon approval of the contract by the Council, DCHA will enter into an agreement to enter into a long-term contract ("ALTSC") with the selected housing providers under the LRSP for housing services provided under the contract.

Sec. 4. (a) There exists an immediate need to approve the ALTSC with Square 50 Affordable Housing, LLC, under the District of Columbia Housing Authority's Local Rent Supplement Program in order to provide long-term affordable housing units for extremely low-income households in the District for units at The West End, located at 1211 23rd Street, N.W.

(b) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and Square 50 Affordable Housing, LLC, with respect to the payment of a rental subsidy, and allow the owner to lease the rehabilitated units at The West End and house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 5. The Council of the District of Columbia determines that the circumstances enumerated in section 4 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2014-LRSP-02 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 6. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-299

See Emergency D.C. Act 21-136 21 DCStat 1857

To declare the existence of an emergency with respect to the need to approve the disposition by lease of District-owned real property located at 1351 Nicholson Street, N.W., commonly known as the Old Brightwood School and designated for tax and assessment purposes as Lot 0846 in Square 2794.

1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Emergency Declaration Resolution of 2015".

Sec. 2. (a) On March 1, 2001, the Community Academy Public Charter School, Inc. ("CAPCS") entered into a lease agreement with the District to lease the property located at 1351 Nicholson Street, N.W. (Lot 0846, Square 2794), which is improved by the Old Brightwood School, for a period of twenty years.

(b) On February 19, 2015, the District of Columbia Public Charter School Board ("PCSB") voted to revoke the charter of CAPCS at the end of the 2014-2015 school year, with the revocation to occur as of July 1, 2015. In order to ensure that the students currently enrolled at CAPCS schools are not displaced, PCSB and the Deputy Mayor for Education worked to identify other entities that would be willing and able to assume control over the various CAPCS campuses. Friendship Public Charter School, Inc. ("Friendship PCS") agreed to take over the CAPCS campus located at 1351 Nicholson Street, N.W. (the "Nicholson Street Property") and is stepping in as an assignee of the lease CAPCS had with the District.

(c) Friendship PCS currently operates nine charter campuses in the District and will expand to eleven with the inclusion of the campus at Nicholson Street and CAPCS's Armstrong campus. Of the campuses currently operated by Friendship PCS and tiered on the Public Charter School Board's Performance Management Framework, three are Tier 1 schools and three are Tier 2 schools. Friendship PCS plans to achieve this same level of excellence at the Nicholson Street and Armstrong campuses.

(d) In assuming the lease for the Nicholson Street Property from CAPCS, Friendship PCS has agreed to shoulder responsibility for a $22 million bond that CAPCS originally had for the online campus located at the Nicholson Street campus. This bond was set to default on June 30, 2015 due to CAPCS's charter being revoked and its inability to pay for the bond. In accepting responsibility for this $22 million bond, Friendship PCS seeks to combine the $22 million bond with its current bond assets and is looking to close on these consolidated bonds by the end of August 2015.

(e) A condition of Friendship PCS's ability to close is the approval by the Council of Friendship PCS's assumption of the Nicholson Street Property lease from CAPCS. Thus,

emergency circumstances exist that necessitate the immediate approval of the District's lease with Friendship PCS as an assignee of the original lease between the District and CAPCS for the Nicholson Street Property. If Friendship PCS is delayed in closing on the bond consolidation, it runs the risk of incurring a higher interest rate in the fall, thereby potentially costing the public charter school hundreds of thousands of dollars in additional annual payments.

(f) On May 18, 2015, Bill 21-201, the "1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Act of 2015" was introduced by Chairman Mendelson at the request of the Mayor. The Committee of the Whole held a hearing on July 6, 2015 on Bill 21-201. This bill will be marked up on July 14, 2015 by the Committee of the Whole, with first reading also occurring on July 14, 2015, but it will not come before the Council for a second reading until late September 2015, after the Council returns from summer recess. Because Friendship PCS needs this legislation to be approved fully before it can close, an immediate need exists to approve this emergency in addition to the permanent version of this legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the 1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-298

See Emergency D.C. Act 21-152 21 DCStat 1870

To declare the existence of an emergency with respect to the need to approve the disposition by lease of District-owned real property located at 4095 Minnesota Avenue, N.E., commonly known as the Woodson School and designated for tax and assessment purposes as Lot 0813 in Square 5078.

4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Emergency Declaration Resolution of 2015".

Sec. 2. (a) On May 26, 2000, Friendship Public Charter School, Inc. ("Friendship PCS") entered a lease agreement with the District to lease the property located at 4095 Minnesota Avenue, N.E. (Lot 0813, Square 5078) for a period of twenty years. In 2009, the lease was amended to extend it for an additional ten years, giving the lease a total duration of thirty years. Friendship PCS seeks to amend the lease again to extend it for another ten years, for a total of forty years. The amended lease would also include an option for a twenty-five year renewal.

(b) On April 14, 2015, the Council of the District of Columbia approved Resolution 21-77, the Friendship Public Charter School, Inc. Revenue Bonds Project Approval Resolution of 2015. Resolution 21-77 authorized and provided for the issuance, sale, and delivery of District revenue bonds to Friendship PCS in an amount not to exceed $70 million. Having received this bond financing, Friendship PCS now requests an extension of its 4095 Minnesota Avenue, N.E. lease.

(c) Additionally, on February 19, 2015, the District of Columbia Public Charter School Board ("PCSB") voted to revoke the charter of Community Academy Public Charter School, Inc. ("CAPCS") at the end of the 2014-2015 school year, with the revocation to occur as of July 1, 2015. In order to ensure that the students currently enrolled at CAPCS schools are not displaced, PCSB and the Deputy Mayor for Education worked to identify other entities that would be willing and able to assume control over the various CAPCS campuses. Friendship PCS agreed to take over the CAPCS campus located at 1351 Nicholson Street, N.W. (the "Nicholson Street Property"), as well as CAPCS's Armstrong property, and is stepping in as an assignee of the lease CAPCS had with the District for the Nicholson Street Property.

(d) Friendship PCS currently operates nine charter campuses in the District and will expand to eleven with the inclusion of the campus at Nicholson Street and CAPCS's Armstrong campus. Of the campuses currently operated by Friendship PCS and tiered on the Public Charter School Board's Performance Management Framework, three are Tier 1 schools and three are Tier 2 schools. Friendship PCS plans to achieve this same level of excellence at the Nicholson Street and Armstrong campuses.

(e) In assuming the lease for the Nicholson Street Property from CAPCS, Friendship

PCS has agreed to shoulder responsibility for a $22 million bond that CAPCS originally had for the online campus located at the Nicholson Street Property. This bond was set to default on June 30, 2015 due to CAPCS's charter being revoked and its inability to pay for the bond. In accepting responsibility for this $22 million bond, Friendship PCS seeks to combine the $22 million bond with its current bond assets, most of which Friendship PCS acquired through Resolution 21-77, and is looking to close on these consolidated bonds by the end of August 2015.

(f) A condition of its ability to close is the approval by the Council of the District of Columbia of the extension of Friendship PCS's lease for the property at 4095 Minnesota Ave. N.E. Thus, emergency circumstances exist that necessitate the immediate approval of the extension of the District's lease with Friendship PCS for the 4095 Minnesota Avenue, N.E. property. If Friendship PCS is delayed in closing on the bond consolidation, it runs the risk of incurring a higher interest rate in the fall, thereby potentially costing the public charter school hundreds of thousands of dollars in additional annual payments.

(g) On May 18, 2015, Bill 21-204, the "4095 Minnesota Avenue, N.E. Woodson School Lease Amendment Act of 2015" was introduced by Chairman Mendelson at the request of the Mayor. The Committee of the Whole held a hearing on July 6, 2015 on Bill 21-204. This bill will be marked up on July 14, 2015 by the Committee of the Whole, with first reading also occurring on July 14, 2015, but it will not come before the Council for a second reading until late September 2015, after the Council returns from summer recess. Because Friendship PCS needs this legislation to be approved fully before it can close, an immediate need exists to approve this emergency in addition to the permanent version of this legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the 4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-195, effective July 14, 2015

A RESOLUTION

Proposed Resolution 21-300

***See* Emergency D.C. Act 21-139 21 DCStat 1861**

To declare the existence of an emergency with respect to the need to designate the tennis courts at Rose Park, located at 2600 O Street, N.W., in Ward 2, as the Margaret Peters and Roumania Peters Walker Tennis Courts.

Margaret Peters and Roumania Peters Walker Tennis Courts Designation Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Margaret Peters and Roumania Peters Walker Tennis Courts Designation Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Margaret Peters and Roumania Peters Walker Tennis Courts Designation Act of 2015, passed on 1st reading on June 30, 2015 (Engrossed version of Bill 21-174), will have its final reading on July 14, 2015.

(b) Bill 21-174 designates the tennis courts at Rose Park, located at 2600 O Street, N.W., in Ward 2, as the Margaret Peters and Roumania Peters Walker Tennis Courts.

(c) The Advisory Neighborhood Commission ("ANC") 2E, the ANC within which the Rose Park tennis courts are located, supports the designation.

(d) Council approval of emergency legislation will allow for the unveiling of the plaque memorializing the courts new name this summer or early fall.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Margaret Peters and Roumania Peters Walker Tennis Courts Designation Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-196, effective July 14, 2015

A RESOLUTION

Proposed Resolution 21-292

***See* Emergency D.C. Act 21-134 21 DCStat 1855**

Reprogramming $2,400,000 in Local Funds within the Department of General Services Approval Emergency Declaration Resolution of 2015

To declare the existence of an emergency with respect to the need to approve the reprogramming request of $2,400,000 in local funds within the Department of General Services for Facilities Operations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Reprogramming $2,400,000 in Local Funds within the Department of General Services Approval Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Mayor submitted a reprogramming request to the Council on July 9, 2015, to transfer $2,400,000 in local funds within the Department of General Services ("DGS") from its rent program to Facilities Operations. These funds will be used for various maintenance repairs at school facilities, such as the repairing of leaks; repair or replacement of flooring, lighting, HVAC, bathroom fixtures, and lockers; and painting and removal of graffiti in preparation for the upcoming school year.

(b) This emergency is necessary for DGS to have funds available to make essential maintenance repairs that schools need to meet the minimum standard of conditions for schools and prevent a potentially unsafe learning environment for District of Columbia Public Schools students on the first day of school next fall.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Reprogramming $2,400,000 in Local Funds within the Department of General Services Approval Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-197, effective July 14, 2015

A RESOLUTION

Proposed Resolution 21-214

See Emergency D.C. Res. 21-198 21 DCStat 1965

To declare the existence of an emergency with respect to the need to approve the Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association and the accompanying faculty pay scale changes.

Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association and Faculty Pay Scale Changes Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association and Faculty Pay Scale Changes Emergency Declaration Resolution of 2015".

Sec. 2. There exists an immediate need to approve the Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association and the accompanying faculty pay scale changes. There has been no contract in place between the University of the District of Columbia and the University of the District of Columbia Faculty Association since the expiration of the Sixth Master Agreement on September 30, 2008. In the interim, the parties have operated under the terms of the Sixth Master Agreement while working on a successor agreement. The Seventh Master Agreement represents the first agreement between the parties since the expiration of the Sixth Master Agreement. It includes terms negotiated between the parties and incorporates a July 7, 2014 binding interest arbitration award. Approval will authorize the university to begin implementation of the compensation article of the Seventh Master Agreement.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association and Faculty Pay Scale Changes Emergency Approval Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-198, effective July 14, 2015

A RESOLUTION

Proposed Resolution 21-215

Emergency Declaration Res. 21-197 21 DCStat 1964

Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association and Faculty Pay Scale Changes Emergency Approval Resolution of 2015

To approve, on an emergency basis, the Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association and the accompanying faculty pay scale changes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association and Faculty Pay Scale Changes Emergency Approval Resolution of 2015".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §1-617.17(j)), the Council approves the Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association, which was transmitted to the Council by the Mayor on June 16, 2015 and includes an interest arbitration award that provides: $1,881,870 in one-time lump sum payment for Fiscal Years 2008 through 2013; $274,110 in a Merit Pool for Academic Year 2011-2012 and 2012-2013; a $138,000 Merit Pool payable in Fiscal Year 2015 for Academic Year 2013-2014; and $491,417 for a 3% COLA Increase for Fiscal Year 2014. The interest arbitration award incorporated into the Seventh Master Agreement also includes revisions to the article relating to evaluation of faculty performance and related processes effective Academic Year 2014-2015.

Sec. 3. Pursuant to section 1111(i) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.11(i)), the Council approves the changes to the faculty pay scales that are recommended by the University of the District of Columbia and consistent with the terms of the Seventh Master Agreement. Those changes are reflected in the pay schedule transmitted to the Council by the Mayor on June 16, 2015, and the resolution adopted by the Board of Trustees of the University of the District of Columbia at its November 18, 2014 meeting, and shall take effect pursuant to the terms of the Seventh Master Agreement.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the President of the University of the District of Columbia, the Board of Trustees of the University of the District of Columbia, and the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-295

***See* Emergency D.C. Res. 21-200 21 DCStat 1968**

To declare the existence of an emergency with respect to the need to confirm the appointment of Rev. Dr. Kendrick E. Curry to the District of Columbia Water and Sewer Authority Board of Directors.

District of Columbia Water and Sewer Authority Board of Directors Kendrick E. Curry Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Kendrick E. Curry Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District of Columbia Water and Sewer Authority ("DC Water") has a service area of approximately 725 square miles. Within that area, DC Water provides critical municipal water services, including providing drinking water and sewer/wastewater treatment to more than 640,000 residents and 17.8 million annual visitors. The infrastructure required to operate this impressive system includes more than 1,350 miles of water pipes, 4 pumping stations, 5 reservoirs, more than 9,000 public hydrants, and nearly 2,000 miles of sanitary and combined sewers.

(b) DC Water is governed by the District of Columbia Water and Sewer Authority Board of Directors (the "Board"), which consists of 11 principal and 11 alternate members. Of those members, 6 are from the District, 4 are from Maryland – 2 from Montgomery County and 2 from Prince George's County – and one member represents Fairfax County, Virginia. The District's members are appointed by the Mayor and confirmed by the Council.

(c) Reverend Doctor Curry will be replacing Howard Gibbs as an alternate member of the Board, for the remainder of a term to end September 12, 2018.

(d) There is an immediate need to confirm Reverend Doctor Curry so that the District is fully represented on the Board regarding a number of critical health, safety, and environmental issues.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Water and Sewer Authority Board of Directors Kendrick E. Curry Emergency Confirmation Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-200, effective July 14, 2015

A RESOLUTION

Proposed Resolution 21-296

Emergency Declaration Res. 21-199 21 DCStat 1967

District of Columbia Water and Sewer Authority Board of Directors Kendrick E. Curry Emergency Confirmation Resolution of 2015

To confirm, on an emergency basis, the appointment of Rev. Dr. Kendrick E. Curry to the District of Columbia Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Kendrick E. Curry Emergency Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Rev. Dr. Kendrick E. Curry
3045 Q Street, S.E.
Washington, D.C. 20020
(Ward 7)

as an alternate member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing Howard Gibbs, for a term to end September 12, 2018.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-289

See Emergency D.C. Act 21-132 21 DCStat 1853

To declare the existence of an emergency with respect to the need to approve proposed multiyear Contract No. DCAM-13-NC-0147 between the District government and South Chestnut LLC, to provide wind power for the District government for the next 20 years.

South Chestnut Wind Power Purchase Agreement Contract No. DCAM-13-NC-0147 Approval Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "South Chestnut Wind Power Purchase Agreement Contract No. DCAM-13-NC-0147 Approval Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCAM-13-NC-0147 between the District government and South Chestnut LLC, to provide wind power for District government buildings for the next 20 years.

(b) Contract No. DCAM-13-NC-0147 is a multiyear contract that requires Council approval pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)).

(c) Approval of Contract No. DCAM-13-NC-0147 is necessary for the District to enter into a long-term agreement with South Chestnut LLC, to provide approximately 35% (approximately 120,000 to 150,000 megawatt hours of electricity on an annual basis) of the overall electricity consumption of the District government directly from a wind farm and thereby reduce government-wide greenhouse gas emissions by 21%, without which the District will not be able to meet its greenhouse gas emissions reduction commitments or Sustainable DC targets.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the South Chestnut Wind Power Purchase Agreement Contract No. DCAM-13-NC-0147 Approval Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-240

See Emergency D.C. Res. 21-203 21 DCStat 1973

Revised Friendship Public Charter School, Inc. Revenue Bonds Project Emergency Declaration Resolution of 2015

To declare the existence of an emergency with respect to the need to approve the Revised Friendship Public Charter School, Inc. Revenue Bonds Project Emergency Approval Resolution of 2015.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Revised Friendship Public Charter School, Inc. Revenue Bonds Project Emergency Declaration Resolution of 2015".

Sec. 2. The Council finds that:

(a) Friendship Public Charter School, Inc. ("Borrower") has requested that the District issue revenue bonds (“Bonds”).

(b) The proposed financing will make available funds critically needed for the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(1) Acquiring and constructing improvements at an existing elementary school facility, including a parking lot and playground, located at 645 Milwaukee Place S.E., Washington, D.C. 20032 (Lot 0815, Square 5982) (“Southeast Elementary”);

(2) Certain capital improvements at the following locations of the Borrower:

(A) Tech Prep Academy Campus, a middle school located at 620 Milwaukee Place, S.E., Washington, D.C. 20032 (Lot 0045, Square 5982) and an adjacent high school located at 2705 Martin Luther King Avenue, S.E., Washington, D.C. 20032 (Lot 0049, Square 5982) (collectively, “Tech Prep”);

(B) Chamberlain Elementary Campus and Middle Campus, an approximately 80,660 square-foot primary and secondary school located at 1345 Potomac Avenue, S.E., Washington, D.C. 20003 (Lot 0847, Square 1046) (“Chamberlain”);

(C) Woodridge Elementary Campus and Junior Academy Campus, an approximately 115,000 square-foot primary school located at 2959 Carlton Avenue, N.E., Washington, D.C. 20018 (Lot 812, Square 4339) (“Woodridge”);

(D) Blow-Pierce Elementary Campus and Junior Academy Campus, an approximately 62,994 square-foot primary school located at 725 19th Street, N.E., Washington, D.C. 20002 (Lots 833, 834, Square 4515) (“Blow-Pierce”);

(E) Carter G. Woodson Collegiate Academy, an approximately 151,558 square-foot high school located at 4095 Minnesota Avenue, N.E., Washington, D.C. 20019 (Lot 0813, Square 5078) (“Collegiate”);

(F) FPCS Armstrong Amos Campus, an approximately 70,000 square-foot elementary school located at 1400 1st Street, N.W., Washington, D.C. 20001 (Lot 844,

Square 553) (which campus is to be assumed by the Borrower in connection with taking over the operations of Community Academy Public Charter School, Inc. ("CAPCS")); and

(G) FPCS Online Academy, a virtual online school located in an approximately 10,000 square-foot facility at 1335 Nicholson Street, N.W., Washington D.C. 20011 (Lot 846, Square 2794) (which campus is to be assumed by the Borrower in connection with taking over the operations of CAPCS);

(3) Currently refunding the District's Revenue Bonds (Friendship Public Charter School, Inc. Issue) Series 2003, in the original principal amount of $44.88 million, the proceeds of which were used to:

(A) Finance or refinance all or a portion of the costs of acquisition or leasing, construction, renovation, furnishing and equipping of the Borrower's Blow-Pierce, Chamberlain, Woodridge and Collegiate campuses;

(B) Fund working capital costs;

(C) Fund a required debt service reserve fund;

(D) Pay costs of issuance; and

(E) Pay the cost of credit enhancement;

(4) Advance refunding the District's Revenue Bonds (Friendship Public Charter School, Inc. Issue) Series 2006, in the original principal amount of $15 million, the proceeds of which were used to:

(A) Finance, refinance, or reimburse the Borrower for costs of construction of a building addition and equipment at the Southeast Elementary campus;

(B) Fund a required debt service reserve fund;

(C) Pay costs of issuance; and

(D) Pay the cost of credit enhancement;

(5) Refinancing the District's Revenue Bonds (Community Academy Public Charter School, Inc. Issue), Series 2007, in the original principal amount of $25 million, assumed by the Borrower in connection with taking over the operations of CAPCS;

(6) Funding a debt service reserve fund with respect to the Bonds, if deemed necessary in connection with the sale of the Bonds;

(7) Funding capitalized interest on the Bonds, if deemed necessary in connection with the sale of the Bonds; and

(8) Paying allowable issuance costs with respect to the Bonds.

(c) Due to current and expected future market conditions and the need of the Borrower to meet certain timing requirements with respect to the proposed financing, it is important to expedite the process for the issuance of the Bonds and avoid any delay that could adversely affect the financing costs of the Borrower.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Revised Friendship Public Charter School, Inc. Revenue Bonds Project Emergency Approval Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-241

Emergency Declaration Res. 21-202 21 DCStat 1970

To authorize and provide, on an emergency basis, for the issuance, sale, and delivery in an aggregate principal amount not to exceed $100 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist Friendship Public Charter School, Inc. in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

Revised Friendship Public Charter School, Inc. Revenue Bonds Project Emergency Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Revised Friendship Public Charter School, Inc. Revenue Bonds Project Emergency Approval Resolution of 2015".

Sec. 2. Definitions.

For the purpose of this resolution, the term:

(1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) “Bonds” means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) “Borrower” means the owner, operator, manager, and user of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be Friendship Public Charter School, Inc., a corporation organized under the laws of the District of Columbia, and exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3).

(5) “Chairman” means the Chairman of the Council of the District of Columbia.

(6) “Closing Documents” means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) “Financing Documents” means the documents other than Closing Documents that relate to the financing or refinancing of transactions to be effected through the issuance, sale,

and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 et seq.).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan contemplated thereby, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) Acquiring and constructing improvements at an existing elementary school facility, including a parking lot and playground, located at 645 Milwaukee Place S.E., Washington, D.C. 20032 (Lot 0815, Square 5982) ("Southeast Elementary");

(B) Certain capital improvements at the following locations of the Borrower:

(i) Tech Prep Academy Campus, a middle school located at 620 Milwaukee Place, S.E., Washington, D.C. 20032 (Lot 0045, Square 5982) and an adjacent high school located at 2705 Martin Luther King Avenue, S.E., Washington, D.C. 20032 (Lot 0049, Square 5982) (collectively, "Tech Prep");

(ii) Chamberlain Elementary Campus and Middle Campus, an approximately 80,660 square foot primary and secondary school located at 1345 Potomac Avenue, S.E., Washington, D.C. 20003 (Lot 0847, Square 1046) ("Chamberlain");

(iii) Woodridge Elementary Campus and Junior Academy Campus, an approximately 115,000 square foot primary school located at 2959 Carlton Avenue, N.E., Washington, D.C. 20018 (Lot 812, Square 4339) ("Woodridge");

(iv) Blow-Pierce Elementary Campus and Junior Academy Campus, an approximately 62,994 square foot primary school located at 725 19th Street, N.E., Washington, D.C. 20002 (Lots 833, 834, Square 4515) ("Blow-Pierce");

(v) Carter G. Woodson Collegiate Academy, an approximately 151,558 square foot high school located at 4095 Minnesota Avenue, N.E., Washington, D.C. 20019 (Lot 0813, Square 5078) ("Collegiate");

(vi) FPCS Armstrong Amos Campus, an approximately 70,000 square foot elementary school located at 1400 1st Street, N.W., Washington, D.C. 20001 (Lot 844, Square 553), which is to be assumed by the Borrower in connection with taking over the operations of Community Academy Public Charter School, Inc. ("CAPCS"); and

(vii) FPCS Online Academy, a virtual online school located in an approximately 10,000 square-foot facility at 1335 Nicholson Street, N.W., Washington D.C. 20011 (Lot 846, Square 2794),which is to be assumed by the Borrower in connection with taking over the operations of CAPCS;

(C) Currently refunding the District's Revenue Bonds (Friendship Public Charter School, Inc. Issue) Series 2003, in the original principal amount of $44.88 million, the proceeds of which were used to:

(i) Finance or refinance all or a portion of the costs of acquisition or leasing, construction, renovation, furnishing and equipping of the Borrower's Blow-Pierce, Chamberlain, Woodridge, and Collegiate campuses;

(ii) Fund working capital costs;

(iii) Fund a required debt service reserve fund;

(iv) Pay costs of issuance; and

(v) Pay the cost of credit enhancement;

(D) Advance refunding the District's Revenue Bonds (Friendship Public Charter School, Inc. Issue) Series 2006, in the original principal amount of $15 million, the proceeds of which were used to:

(i) Finance, refinance, or reimburse the Borrower for costs of construction of a building addition and equipment at the Southeast Elementary campus;

(ii) Fund a required debt service reserve fund;

(iii) Pay costs of issuance; and

(iv) Pay the cost of credit enhancement;

(E) Refinancing the District's Revenue Bonds (Community Academy Public Charter School, Inc. Issue), Series 2007, in the original principal amount of $25 million assumed by the Borrower in connection with taking over the operations of CAPCS;

(F) Funding a debt service reserve fund with respect to the Bonds, if deemed necessary in connection with the sale of the Bonds;

(G) Funding capitalized interest on the Bonds, if deemed necessary in connection with the sale of the Bonds; and

(H) Paying allowable Issuance Costs.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may by resolution authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse and to assist in the financing, refinancing, or reimbursing of undertakings in certain areas designated in

section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in an aggregate principal amount not to exceed $100 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of elementary, secondary and college and university facilities within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $100 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-243

***See* Emergency D.C. Act 21-129 21 DCStat 1850**

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-0074 for design-build services for Hyde-Addison Elementary School Complex between the District of Columbia government and MCN Build, LLC, and to authorize payment to MCN Build, LLC in the aggregate amount of $1,038,564 for the goods and services received and to be received under the contract.

Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2.(a) There exists an immediate need to approve Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-0074 for design-build services for the Hyde-Addison Elementary School Complex in the aggregate amount of $1,038,564 and to authorize payment for the goods and services received and to be received from MCN Build, LLC under the contract.

(b) Last year, the Council approved the underlying contract with MCN Build, LLC (CA20-0388) to provide design-build services for the modernization of Hyde-Addison Elementary School with a Phase A Guaranteed Maximum Price of $7,050,357. Thereafter, the Department of General Services issued Change Order No. 001 ($238,837); Change Order No. 002 ($288,203); Change Order No. 003 ($85,153), and Change Order No. 004 ($350,000) with a total aggregate value of $962,193; thus, Council approval was not required.

(c) Change Order No. 005, in the amount of $76,371, will increase the aggregate value of the change orders to $1,038,564.

(d) Council approval of Change Orders Nos. 001 through 005 in the amount of $1,038,564 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because these change orders will increase the total expenditure under Contract No. DCAM-14-CS-0074 by an amount in excess of $1,000,000 during a 12-month period.

(e) In addition, Council approval is necessary to compensate MCN Build, LLC for work to be completed under Change Order No. 005 to the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-293

***See* Emergency D.C. Act 21-135 21 DCStat 1856**

To declare the existence of an emergency with respect to the need to approve Modification No. 3 and Modification No. 4 to Contract No. NFPHC-039-2 between the Not-for-Profit Hospital Corporation ("NFPHC") and Emcare, Inc. ("Emcare"), to provide anesthesiology services to NFPHC, and to authorize payment for the services received and to be received under the contract modifications.

NFPHC Omnibus Anesthesiology Services Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "NFPHC Omnibus Anesthesiology Services Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification No. 3 and Modification No. 4 to Contract No. NFPHC-039-2 ("Contract") between NFPHC and Emcare, to provide anesthesiology services to NFPHC and to authorize payment for the services received and to be received under these contract modifications.

(b) The base year of this Contract for $988,167 was awarded in August 2014.

(c) Modification No. 1, effective January 2015, added the services of 2 additional certified registered nurse anesthetists through May 2015 and amended the covered services provided by anesthesiologists in the amount of an $18,859.50 reduction.

(d) Modification No. 2, effective June 2015, extended the necessary certified registered nurse anesthetist services through June 30, 2015, in the amount of $29,167.

(e) Proposed Modification No. 3, which extends the necessary certified registered nurse anesthetist services through the end of the base year term (July 31, 2015), will cause the aggregate value of this Contract to exceed $1 million in a 12-month period. Therefore, Council approval is necessary.

(f) Emergency approval of Modification No. 3 for a total value of $1,027,641.50 is necessary so that NFPHC can continue to provide adequate anesthesiology coverage for the hospital.

(g) Proposed Modification No. 4 will exercise option year 1 of the contract.

(h) Emergency approval of Modification No. 4 for a total value of $1,338,171 is necessary so that NFPHC can continue to provide adequate anesthesiology coverage for the hospital for the next option year starting on August 1, 2015. Without this approval, Emcare cannot be paid for these critical services provided and to be provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the NFPHC Omnibus Anesthesiology Services Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-284

See Emergency D.C. Act 21-131 21 DCStat 1852

To declare the existence of an emergency with respect to the need to approve Modification No. 6 and proposed Modification No. 10 to Contract No. CW15111 with Career T.E.A.M., LLC to provide job placement and retention services to the District and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Contract No. CW15111 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW15111 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 6 and proposed Modification No. 10 to Contract No. CW15111 with Career T.E.A.M., LLC to provide job placement and retention services to the District and to authorize payment for the services received and to be received under the contract modifications.

(b) On January 3, 2015, by Modification No. 6, the Office of Contracting and Procurement, on behalf of the Department of Human Services, exercised a partial option of option year 3 of Contract No. CW15111 to provide job placement and retention services for the period from January 27, 2015, to July 27, 2015, in the not-to-exceed amount of $570,910.

(c) Modification No. 10 is now necessary to exercise the remainder of option year 3 in the total not-to-exceed amount of $1,558,201.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Career T.E.A.M., LLC cannot be paid for services provided in excess of $1 million for the contract period from January 27, 2015, through January 26, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW15111 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-287

***See* Emergency D.C. Act 21-138 21 DCStat 1860**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 10 and 12 to Contract No. DCPO-2012-C-0154 to provide management oversight services under the Homeless Services Program Continuum of Care.

Modifications to Contract No. DCPO-2012-C-0154 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. DCPO-2012-C-0154 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification Nos. 10 and 12 to Contract No. DCPO-2012-C-0154 with The Community Partnership for the Prevention of Homelessness to provide management oversight services under the Homeless Services Program Continuum of Care.

(b) Modification Nos. 10 and 12 are necessary to increase the total amount for option year three to $85,359,939.87 for the period from October 1, 2014, through September 30, 2015.

(c) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCPO-2012-C-0154 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-285

***See* Emergency D.C. Act 21-137 21 DCStat 1859**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 9 and 11 to Contract No. DCPO-2012-R-0177 to provide management oversight services under the Homeless Services Program Continuum of Care.

Modifications to Contract No. DCPO-2012-R-0177 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. DCPO-2012-R-0177 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification Nos. 9 and 11 to Contract No. DCPO-2012-R-0177 with The Community Partnership for the Prevention of Homelessness to provide management oversight services under the Homeless Services Program Continuum of Care.

(b) Modification Nos. 9 and 11 are necessary to increase the total amount for option year three to $17,243,102.19 for the period from October 1, 2014, through September 30, 2015.

(c) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCPO-2012-R-0177 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-291

***See* Emergency D.C. Act 21-133 21 DCStat 1854**

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 002 through 004 to Contract No. DCAM-13-CS-0061E for design-build services for Shepherd Elementary School, and to authorize payment to Turner Construction Company in the aggregate amount of $10,574,896.36 for the goods and services received and to be received under these change orders.

Change Order Nos. 002 through 004 to Contract No. DCAM-13-CS-0061E Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 002 through 004 to Contract No. DCAM-13-CS-0061E Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2.(a) There exists an immediate need to approve Change Order Nos. 002 through 004 to Contract No. DCAM-13-CS-0061E, the Contract for Design-Build Services for Shepherd Elementary School, in the aggregate amount of $10,574,896.36 and to authorize payment for the goods and services to be received from Turner Construction Company ("Turner") under these change orders.

(b) In the summer of 2013, the Council approved the underlying contract with Turner (CA20-0132) for Phase A to provide design-build services for the modernization of Shepherd Elementary School. Last year, the Council approved Change Order No. 001 (CA20-0404) to establish a Phase B1 Guaranteed Maximum Price ("GMP"). Thereafter, the Department of General Services issued Change Order No. 002 ($28,675.36) and Change Order No. 003 ($950,000). The aggregate value of these change orders was less than $1 million; thus, Change Order Nos. 002 through 003 did not require Council approval.

(c) Change Order No. 004 will establish a GMP for Phase B2 and will cause the aggregate value of the change orders issued, after Council's last approval of the Phase B1 GMP, to exceed $1 million.

(d) Council approval of Change Order Nos. 002 through 004 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the Change Order will increase the total expenditures under Contract No. DCAM-13-CS-0061E by an amount in excess of $1 million during a 12-month period.

(e) In addition, Council approval is necessary to compensate Turner Construction Company in the aggregate amount of $10,574,896.36 for goods and services received and to be received under the change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Change Order Nos. 002 through 004 to Contract No. DCAM-13-CS-0061E Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-213, effective September 22, 2015

A RESOLUTION

Proposed Resolution 21-124

To declare that the District-owned real property located at 965 Florida Avenue, N.W., and known for tax and assessment purposes as Parcel 1102 in Square 2873, is no longer required for public purposes.

965 Florida Avenue, N.W., Surplus Property Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "965 Florida Avenue, N.W., Surplus Property Declaration Resolution of 2015".

Sec. 2. Findings.

(a) The District is the owner of the real property located at 965 Florida Avenue, N.W., known for tax and assessment purposes as Parcel 1102 in Square 2873 ("Property"). The Property consists of approximately 63,418 square feet of land.

(b) The Property is no longer required for public purposes because the Property's condition cannot viably accommodate a District agency use or other public use without cost-prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)(4)) ("Act"), by holding a public hearing on December 1, 2014, at DCHFA Auditorium, located at 815 Florida Avenue, N.W.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-125

To approve the disposition of District-owned real property located at 965 Florida Avenue, N.W., and known for tax and assessment purposes as Lot 1102 in Square 2873.

965 Florida Avenue, N.W., Disposition Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "965 Florida Avenue, N.W., Disposition Approval Resolution of 2015".

Sec. 2. Definitions

For the purposes of this resolution, the term:

(1) "CBE Agreement" means an agreement governing certain obligations of the Purchaser or the Developer under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.) ("CBE Act"), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

(2) "Certified business enterprise" means a business enterprise or joint venture certified pursuant to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.).

(3) "First Source Agreement" means an agreement with the District governing certain obligations of the Purchaser or any developer of the Property pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(4) "Property" means the property located at 965 Florida Avenue, N.W., and known for tax and assessment purposes as Lot 1102 in Square 2873.

(5) "Purchaser" means the Developer, its successor, or one of its affiliates or assignees approved by the Mayor.

Sec. 3. Findings.

(a) The Developer of the Property shall be Sherman Avenue LLC, with a business address c/o MRP Realty, 3050 K Street, N.W., Suite 125, Washington, D.C. 20007 (the "Developer").

(b) The Property is located at 965 Florida Avenue, N.W., and consists of an

approximately 1.45 acre parcel of land in the Shaw/Cardozo neighborhood of Ward 1 currently serving as an unused parking lot and containing one small abandoned building.

(c) The intended use of the Property (the "Project") is a mixed-use development providing for affordable housing, residential market rate housing, commercial retail, and any ancillary uses allowed under applicable law, and as further described in the term sheet submitted with this resolution.

(d) The Purchaser shall comply with the requirements of section 1(a-3) of An Act Authorizing the sale of certain real estate no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-3)), and the Disposition of District Land for Affordable Housing Amendment Act of 2013, effective March 10, 2015 (D.C. Law 20-193; 62 DCR 3822), dedicating 30% of all multi-family units as affordable-housing units.

(e) The Purchaser shall enter into an agreement that requires the Developer to contract with Certified Business Enterprises for at least 35%t of the contract-dollar volume of the Project, and requires, in accordance with section 2349a of the CBE Act (D.C. Official Code § 2-218.49a), at least 20% of the equity and 20% of the development participation of Certified Business Enterprises.

(f) The Purchaser shall enter into a First Source Agreement with the District that governs certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment as a result of the construction on the Property.

(g) Pursuant to section 1(b)(8)(F) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)(8)(F)), the proposed method of disposition is a public or private sale to the bidder providing the most benefit to the District.

(h) All documents that are submitted with this resolution pursuant to section 1(b-1) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b-1)) ("Act"), shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act (D.C. Official Code § 10-801(b-1)(2)).

Sec. 4. Approval of disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Purchaser.

(b) The Council approves the disposition of the Property.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor.

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-333

***See* Emergency D.C. Res. 21-222 21 DCStat 1997**

To declare the existence of an emergency with respect to the need to confirm the reappointment of Howard Gibbs to the District of Columbia Water and Sewer Authority Board of Directors.

District of Columbia Water and Sewer Authority Board of Directors Howard Gibbs Confirmation Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Howard Gibbs Confirmation Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District of Columbia Water and Sewer Authority ("DC Water") has a service area of approximately 725 square miles. Within that area, DC Water provides critical municipal water services, including providing drinking water and sewer/wastewater treatment to more than 640,000 residents and 17.8 million annual visitors. The infrastructure required to operate this impressive system includes more than 1,350 miles of water pipes, 4 pumping stations, 5 reservoirs, more than 9,000 public hydrants, and nearly 2,000 miles of sanitary and combined sewers.

(b) DC Water is governed by the District of Columbia Water and Sewer Authority Board of Directors (the "Board"), which consists of 11 principal and 11 alternate members. Of those members, 6 are from the District of Columbia, 4 are from Maryland – 2 from Montgomery County and 2 from Prince George's County – and one member represents Fairfax County, Virginia. The District's members are appointed by the Mayor and confirmed by the Council.

(c) Mr. Gibbs has served with distinction as an alternate member representing the District of Columbia on the Board since 2006. Reverend Doctor Kendrick Curry was confirmed to serve on the Board on July 14, 2015, which inadvertently replaced Mr. Gibbs, for the remainder of a term to end September 12, 2018.

(d) In order to ensure that both of these qualified individuals, Reverend Doctor Curry and Mr. Gibbs, can serve on the Board and that the District is fully represented regarding a number of critical health, safety, and environmental issues, it is necessary to confirm the reappointment of Mr. Gibbs, replacing Brenda Richardson, for a term to end September 12, 2019.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Water and Sewer Authority Board of Directors Howard Gibbs Confirmation Emergency Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-334

Emergency Declaration Res. 21-221 21 DCStat 1995

District of Columbia Water and Sewer Authority Board of Directors Howard Gibbs Confirmation Emergency Resolution of 2015

To confirm, on an emergency basis, the reappointment of Mr. Howard Gibbs to the District of Columbia Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Howard Gibbs Confirmation Emergency Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Howard Gibbs
741 Third Street, S.W.
Washington, D.C. 20024
(Ward 6)

as an alternate member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing Brenda Richardson, for a term to end September 12, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read April 14, 2015

To confirm the reappointment of Mr. Patrick Burke as a member of the Police Complaints Board.

RESOLV ED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Police Complaints Board Patrick Burke Confirmation Resolution of 2015".

Police Complaints Board Patrick Burke Confirmation Resolution of 2015

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Patrick Burke
4837 W Street, N.W.
Washington, D.C. 20007
(Ward 3)

as a member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaints Review Establishment Act of 1998, effective March 26,1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), for the remainder of a 3-year term to end January 12, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read April 4, 2015

To confirm the appointment of Ms. Bobbi Strang as a member of the Police Complaints Board.

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Police Complaints Board Bobbi Strang Confirmation Resolution of 2015".

Police Complaints Board Bobbi Strang Confirmation Resolution of 2015

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Bobbi Strang
1606 K Street, N E, Apt. 2
Washington, DC 20002
(Ward 5)

as a member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaints Review Establishment Act of 1998, effective March 26,1999 (D.C. Law 12-208; D.C. Official Code § 5-1 l 04), replacing Karl Fraser, who resigned June 30, 2014, for a term to end 3 years after the date of her appointment.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read May 5, 2015

To approve proposed rules of the District of Columbia Alcoholic Beverage Control Board that reorganize, amend and create new provisions in Chapter 16 of Title 23 of the District of Columbia Municipal Regulations regarding contested hearings, non-contested hearings, protest hearings and procedures.

ABRA Administrative and Procedural Amendment Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "ABRA Administrative and Procedural Amendment Approval Resolution of 2015".

Sec. 2. Pursuant to D.C. Official Code § 25-211(b)(2), the Council of the District of Columbia approves the proposed rulemaking by the District of Columbia Alcoholic Beverage Control Board that would amend Chapter 16 of Title 23 of the District of Columbia Municipal Regulations to reorganize, amend and create new provisions regarding contested hearings, non-contested hearings, and procedures.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to both the Mayor and the Chairperson of the Alcoholic Beverage Control Board.

Sec. 4. This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read June 2, 2015

To approve and authorize the extension of the time limit for the disposition of certain District-owned real property, located at 965 Florida Avenue, N.W., also known as Lot numbered Eleven Hundred Two (1102) in Square numbered Twenty-eight Hundred Seventy-three (2873), as per plat recorded in the Office of the Surveyor for the District of Columbia in Liber 203 at folio 112.

965 Florida Ave., N.W. Disposition Extension Approval Resolution of 2015

RESOLV ED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "965 Florida Ave., N.W. Disposition Extension Approval Resolution of 2015".

Sec. 2. (a) Pursuant to section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 121 1;D.C. Official Code § 10-801(d)), the Mayor transmitted to the Council a request for approval of 2 additional years of time, amounting to 4 years total, for the disposition of certain real property located at 965 Florida Ave, and comprising approximately 63,418 square feet of land, designed for purposes of taxation and assessment as Lot 1102 in Square 2873 (“Square 2873 Property"), pending disposition approved by the Council pursuant to the 965 Florida Ave, N.W. Disposition Approval Resolution of 2015.

The Mayor transmitted a detailed status report on efforts made to dispose of the Property, as well as the reasons for the inability to dispose of the Property within the 2- year time period authorized by the Disposition Approval Resolution.

(b) The Council approves the additional time requested by the Mayor to dispose of the Property and extends the time period to two years after passage date of 965 Florida Ave, N.W., Disposition Approval Resolution of 2015.

Sec. 3. Fiscal impact statement.

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

Sec.4. Transmittal of resolution.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Effective date.

This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read June 2, 2015

To approve an amendment to the District of Columbia State Plan for Medical Assistance to clarify coverage limitations for laboratory and x-ray services.

Other Laboratory and X-Ray Services Medicaid State Plan Approval Resolution of 2015

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Other Laboratory and X-Ray Services Medicaid State Plan Approval Resolution of 2015."

Sec. 2. Pursuant to section 1(a) of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance, which will enable the District Medicaid Program to clarify coverage limitations for laboratory and x-ray services.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes §1-206.02(c)(3).

Sect 5. This resolution shall take effect immediately.

Proposed Resolution 21-177 (Deemed Approved July 15, 2015)

A PROPOSED RESOLUTION

Officially Read June 16, 2015

To approve proposed rules adopted by the Department of Health to implement the Legalization of Marijuana for Medical Treatment Initiative of 1999 to require applicants that have been deemed eligible to receive a medical marijuana dispensary or cultivation center registration to complete the steps required to obtain the registration and open for business.

Marijuana for Medical Treatment Regulation Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Marijuana for Medical Treatment Regulation Approval Resolution of 2015".

Sec. 2. Pursuant to section l4(b) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-671.13(b)), the Council approves the proposed rulemaking adopted by the Department of Health amending Title 22-C, Section 5303 of the District of Columbia Municipal Regulations to require applicants that have been deemed eligible to receive a medical marijuana dispensary or cultivation center registration to complete the steps required to obtain the registration and open for business, or forfeit their registration or eligibility for registration.

Sec. 3. Fiscal impact.

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

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the Department of Health, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read June 16, 2015

To confirm the reappointment of Maria S. Gomez to the Not-For-Profit Hospital Corporation Board of Directors.

Not-For-Profit Hospital Corporation Board of Directors Maria S. Gomez Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Not-For-Profit Hospital Corporation Board of Directors Maria S. Gomez Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia reappoints:

Maria S. Gomez
1628 Hoba11Street, N.W.
Washington, D.C. 20009
(Ward 1)

as a member of the Not-For-Profit Hospital Corporation Board of Directors, established by section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04), to serve for a three year term to end March 15, 2018.

Sec. 3. The Council of the District of Columbia shall transn1it a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

AN ACT

Bill 21-9
Act 21-140
effective
July 31, 2015

To symbolically designate the 1100 block of Florida Avenue, N.E., as Ruby Whitfield Way.

Codification
District of
Columbia
Official Code
2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ruby Whitfield Way Designation Act of 2015".

Ruby
Whitfield
Way
Designation
Act of 2015

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding section 407 of the Act (D.C. Official Code § 9-204.07), the Council symbolically designates the 1100 block of Florida Avenue, N.E., as "Ruby Whitfield Way".

Note,
§ 9-204.01

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 21-31
Act 21-141
effective
July 31, 2015

To require public and public charter high schools beginning in the 2016-2017 school year and middle schools beginning in the 2017-2018 school year to submit an annual assurance of compliance with Title IX, to require the Office of the State Superintendent of Education to publish a list of schools that do not submit an assurance of compliance, to require schools to annually report data on their athletic programming and make the data publicly available, to require the Office of the State Superintendent of Education to develop 5-year athletic equity strategic plans, to require the Office of the State Superintendent of Education to designate a Title IX Coordinator for the District's interscholastic athletics, to require each local education agency to designate a LEA Title IX Athletic Coordinator, to require an applicable school to designate a School Title IX Athletic Liaison, and to provide the District of Columbia State Athletic Association with education responsibilities for Title IX and college athletic eligibility and scholarships.

Codification
District of
Columbia
Official Code
2001 Edition

Title IX
Athletic
Equity Act of
2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Title IX Athletic Equity Act of 2015".

New Chapter
8C, Title 38

New
§ 38-841.01

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Applicable schools" means any public or public charter high school beginning in the 2016-2017 school year and any public or public charter middle school beginning in the 2017-2018 school year.

(2) "Athletic program" means all interscholastic sports offered to students by an applicable school.

(3) "Competition level" means the division or categorization of teams by ability or competitiveness, which may include varsity, junior varsity, and intramural.

(4) "GERC" means a Gender Equity Review Committee established pursuant to section 5(a).

(5) "Interscholastic athletics program" means all athletic activities or sports offered within a school, the purpose of which is to provide opportunities for students to compete with other students on like teams in other schools.

(6) "Local education agency" or "LEA" means the District of Columbia Public Schools system or any individual or group of public charter schools operating under a single charter.

(7) "OSSE" means the Office of the State Superintendent of Education.

(8) "Participant" means a student who is attending an applicable school and a member on the tryout roster or official team roster of an interscholastic or intramural activity or sport who participated in team practices, contests, and competitions, or otherwise engaging in

other activities as part of the team and was eligible for participation.

(9) "Participation rate" means the ratio of the number of participants of that gender in the athletic program to the number of students of that gender in the student body.

(10) "Title IX" means Title IX of the Education Amendments of 1972, approved June 23, 1972 (86 Stat. 373; 20 U.S.C. §§ 1681-1688).

(11) "Title IX regulations" means 34 CFR § 106.1 *et seq*.

Sec. 3. Nondiscrimination. **New § 38-841.02**

Each applicable school in the District shall operate its athletic programs in a manner that does not discriminate against students or staff on the basis of sex, gender, or gender identity.

Sec. 4. Athletic equity reporting. **New § 38-841.03**

(a) Each applicable school shall report to the LEA annually by July 1 a statement of compliance with Title IX and submit the following information:

(1) The total enrollment in the school by gender, race, and ethnicity;

(2) The number of students participating in athletics by team and competition level and by gender, categorized by race or ethnicity, if available;

(3) The coach-to-athlete ratio for each team;

(4) The total number of athletic directors, athletic staff, coaches, trainers, and medical service providers, and for those identified, the following information, to be provided in aggregate by gender:

(A) Total compensation, separated by primary duties and athletic duties, if applicable, and race or ethnicity, if the information is available;

(B) Employment status, such as full-time, part-time, contract, or volunteer;

(C) Qualifications and experience, including relevant certifications and length of time in the current position grouped by number of years: through 5 years; more than 5 years through 10 years; and more than 10 years;

(5) The funding sources for athletic programs and amount by team, if available, including state and federal funding, fundraising, booster clubs, game and concession receipts, donations, grants, and other sources;

(6) The total annual expenditures by athletics team, including:

(A) Expenditures for travel;

(B) Expenditures for equipment, including any equipment replacement schedule;

(C) Expenditures for uniforms, including any uniform replacement schedule;

(D) Expenditures for construction, renovation, expansion, maintenance, repair and rental of athletic facilities, including medical facilities, locker rooms, fields, and gymnasiums;

(E) Publicity and marketing; and

(F) Awards, banquets, insurance, and any other expenses;

(7) The practice and competition schedule, including the days of the week, times, and locations where practices or competitions were scheduled;

(8) The season in which each team competed;

(9) Whether each team participated in post-season competition and the success of the team in any post-season competition;

(10) The nature and extent of training provided to athletic administrators, coaches, and other staff regarding the requirements of Title IX and strategies to promote gender equity in athletics;

(11) The availability of additional academic supports, including tutors, designed exclusively for or available exclusively to athletes;

(12) The conditions and locations of all athletic facilities and a listing of the teams that use each facility;

(13) The graduation rates and college and college athletic scholarship offer and acceptance rates of students by gender, race, and ethnicity; and

(14) For the initial submission under this section, the school year in which each existing team was established and, for each subsequent year, a listing of teams that were newly established, reestablished, eliminated, or demoted from competition during the school year.

(b) If the data reported shows that the allocation of resources, athletic participation opportunities, and benefits and services from interscholastic athletic programs for males and females is not substantially proportional to their respective enrollment numbers, or that the allocation is not substantially proportional within the genders by race and ethnicity, then the statement of compliance that accompanies the data described in subsection (a) of this section shall include an explanation of the disproportion, how it will be remedied, and the timeline for effectuating the remedy.

(c) Each LEA shall submit the assurance of compliance for each school under its control to OSSE by August 1 annually. If an LEA fails to submit the assurance of compliance by the required date, the school shall complete an OSSE-approved Title IX training. If a school fails to complete the OSSE-approved Title IX training by October 1, the school shall be barred from competing in a new season for any District of Columbia State Athletic Association athletic event until the school both submits the required assurance of compliance and completes an OSSE-approved Title IX training.

(d) OSSE shall publish, annually within 90 days of August 1, a list of applicable schools that failed to submit the assurance of compliance. OSSE shall publish the information submitted pursuant to subsections (a) and (b) of this section on its website and submit the information to the Council.

Sec. 5. Additional requirements. **New § 38-841.04**

(a) Each public or public charter high school shall establish a 3-member Gender Equity Review Committee or identify at least 3 senior administrators to establish criteria for ensuring the gender equity in the school's athletic program, evaluate the athletics program, and manage Title IX issues at the LEA. This grievance procedures and criteria shall be posted publicly on the

school's website.

(b) An LEA shall develop grievance procedures that are made available upon request or to any person alleging a violation of Title IX in accordance with Title IX regulations.

(c) An applicable school shall maintain Title IX records for a minimum of 10 years. The Title IX records shall be subject to review by the Mayor and shall include the following:

(1) A Title IX Plan, which shall include a self-evaluation of the school's entire athletic program based on the annual assurance of compliance required by this act and proposed plans and timetables, as appropriate, to ensure gender equity in the athletics program, including items such as practice times, facilities, coaching stipends, and athletic budgets;

(2) A summary of Title IX complaints, including the resolution of each, for the current and previous 9 years;

(3) A copy of the school's grievance procedures; and

(4) For public and public charter high schools, a list of members of the GERC or the 3 senior administrators serving in this capacity and their contact information.

Sec. 6. Designation of Title IX athletic coordinators. **New § 38-841.05**

(a) OSSE shall designate a Title IX Coordinator for the District's interscholastic athletics who shall coordinate the District's efforts to ensure and encourage compliance with the athletics aspects of Title IX and this act. The responsibilities of the Title IX Coordinator shall include those described in 34 C.F.R. § 106.8(a). OSSE shall annually notify all students and the students' guardians of and make publicly available on a website the name, office address, e-mail address, and phone number of the Title IX Coordinator designated pursuant to this section. Each applicable school shall post a notice with this information in the school's athletic facilities.

(b) Each LEA shall designate an LEA Title IX Athletic Coordinator who shall oversee and monitor each applicable school within the LEA to ensure and encourage compliance with the athletic aspects of Title IX and this act; and

(c) Each applicable school shall designate a School Title IX Athletic Liaison, in accordance with 34 C.F.R. § 106.8(a), who coordinates the activities at the school level that are designed to promote gender equity in athletics. The School Title IX Athletic Liaison is not required to, but may, serve as one of the 3 members of the GERC. Additionally, the School Title IX Athletic Liaison shall:

(1) Receive and process complaints and inquiries related to Title IX and athletics;

(2) Make recommendations to the school's GERC on promoting gender equity in athletics;

(3) Maintain the school's Title IX records as described in section 5(c);

(4) Enforce the school's athletic non-discrimination policy, if any; and

(5) Implement corrective measures to comply with Title IX.

(d) If an applicable school is also an LEA, the LEA Title IX Athletic Coordinator shall carry out the responsibilities of both the LEA Title IX Athletic Coordinator and the School Title IX Athletic Liaison.

Sec. 7. District of Columbia State Athletic Association responsibility. **New § 38-841.06**

The District of Columbia State Athletic Association shall coordinate with each applicable school to educate the school, its students, and the students' guardians regarding National Collegiate Athletic Association eligibility requirements and collegiate athletic scholarships, with particular emphasis on outreach to girls.

Sec. 8. Title IX athletic equity strategic plans. **New § 38-841.07**

By August 1, 2016, and every 5 years thereafter, OSSE shall develop a 5-year strategic plan to encourage and ensure gender equity in compliance with Title IX in public and public charter high schools. The plan shall include:

(1) Data submitted to the OSSE under this act for the prior 5 years;

(2) A listing of schools by gender participation gap by greatest to least, to be measured by the difference between the percentage of enrolled students who are girls and the percentage of total athletic opportunities, measured as spots on teams, provided to girls;

(3) A description of athletic funding, by school;

(4) A strategy for ensuring athletic gender equity;

(5) An account of the District's high school student-athlete graduation rates, college attendance rates, and college athletic scholarship acceptance rates by gender, as available; and

(6) A survey of best practices from other national membership organizations, states, municipalities, and local community-based organizations.

Sec. 9. Rules. **New § 38-841.08**

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

Sec. 10. Fiscal impact statement.

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

Sec. 11. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-30, effective October 21, 2015
[Delayed Applicability]

AN ACT

Bill 21-86
Act 21-142
effective
July 31, 2015

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to provide real property tax relief for Lot 800 in Square 789, owned by the Naval Lodge Building, Inc.

Codification
District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Naval Lodge Building, Inc. Real Property Tax Relief Act of 2015".

Naval Lodge Building, Inc. Real Property Tax Relief Act of 2015

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1097. Naval Lodge Building, Inc.; Lot 800, Square 789.".

(b) A new section 47-1097 is added to read as follows:

New
§ 47-1097

"§ 47-1097. Naval Lodge Building, Inc.; Lot 800, Square 789.

"(a) The real property located at 330 Pennsylvania Avenue, S.E., described as Lot 800, Square 789 ("Property") shall be exempt from real property taxation so long as the real property is owned by the Naval Lodge Building, Inc., a District of Columbia nonprofit corporation, the Naval Lodge No. 4, F.A.A.M. ("Lodge"), or a subsidiary of the Lodge, and is used for the purposes and activities of the Lodge, and is not used for any commercial purpose, except as provided in subsection (b) of this section.

"(b) Section 47-1005 shall apply to the Property exempted under this section; provided, that so long as the rent or other income generated is used for the maintenance and preservation of the property, the property or a portion thereof may be rented to another person without loss of the exemption.

"(c) The owner of the Property shall make the reports required by § 47-1007 and shall have the appeal rights provided by § 47-1009. ".

Sec. 3. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the real property located at 330 Pennsylvania Avenue, S.E., described as Lot 800, Square 789 for the period beginning October 1, 2013 (tax year 2014) through the end of the month following the effective date of this act shall be forgiven and that any payments made shall be refunded to the person who made the payments.

Sec. 4. Applicability.

Delayed Applicability

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

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

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

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

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

AN ACT

Bill 21-174
Act 21-143
effective
July 31, 2015

To designate the tennis courts at Rose Park, located at 2600 O Street, N.W., in Ward 2, as the Margaret Peters and Roumania Peters Walker Tennis Courts.

Codification
District of Columbia Official Code 2001 Edition

Margaret Peters and Roumania Peters Walker Tennis Courts Designation Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Margaret Peters and Roumania Peters Walker Tennis Courts Designation Act of 2015".

Note, § 9-204.01

Sec. 2. Pursuant to section 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01) ("Act"), and notwithstanding the requirements of section 407 of the Act (D.C. Official Code 9-204.07), the Council designates the tennis courts at Rose Park, located at 2600 O Street, N.W., in Ward 2, as the "Margaret Peters and Roumania Peters Walker Tennis Courts".

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Director of the Department of Parks and Recreation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

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

AN ACT

Bill 21-200
Act 21-144
effective
July 31, 2015

Not Codified

To order the closing of Potomac Avenue, S.W., between 2nd Street, S.W., and R Street, S.W.; R Street, S.W., between Potomac Avenue, S.W., and Half Street, S.W.; 1st Street, S.W., between T Street, S.W., and Potomac Avenue, S.W.; and S Street,, S.W., between 2nd Street, S.W., and approximately 230 feet west of Half Street, S.W.; all adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in Reservations 243 and 244, in Ward 6.

Closing of Public Streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Public Streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in U.S. Reservations 243 and 244, S.O. 13-14605, Act of 2015".

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and notwithstanding section 209(b)(5)(B) of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.09(b)(5)(B)), the Council of the District of Columbia finds that the public streets adjacent to Squares 603S, 605, 607, 661, 661N, and 665, and in Reservations 243 and 244, as shown by the hatch-marks on the Surveyor's plat in the official file for S.O. 13-14605, are unnecessary for street purposes and orders them closed, with the title to the land to vest in the District of Columbia.

Sec. 3. Notwithstanding section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)) and An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et. seq.*), the Mayor is authorized to enter into easement agreements or covenants with the Potomac Electric Power Company, Verizon, the District of Columbia Water and Sewer Authority, Washington Gas Light Company, and the National Capital Planning Commission necessary to accomplish the street and alley closings set forth in section 2, as well as the utility relocations required by the Amended and Restated Development Agreement between the District and DC Stadium, LLC, approved by the Council of the District of Columbia on June 30, 2015, for the development of a soccer stadium at Buzzard Point.

Sec. 4. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor of the District of Columbia and the Office of the Recorder of Deeds.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

AN ACT

Bill 21-158
Act 21-148
effective
August 11, 2015

Codification
District of Columbia
Official Code
2001 Edition

To enact and amend provisions of law necessary to support the Fiscal Year 2016 budget.

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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Budget Support Act of 2015".

Fiscal Year 2016 Budget Support Act of 2015

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. BONUS AND SPECIAL PAY LIMITATION

Sec. 1001. Short title.

This subtitle may be cited as the "Bonus and Special Pay Limitation Act of 2015".

Sec. 1002. Bonus and special pay limitations.

Note, § 1-611.03

(a) For Fiscal Year 2016, no funds shall be used to support the categories of special awards pay or bonus pay; provided, that funds may be used to pay:

(1) Retirement awards;

(2) Hiring bonuses for difficult-to-fill positions;

(3) Additional income allowances for difficult-to-fill positions;

(4) Agency awards or bonuses funded by private grants or donations;

(5) Employee awards pursuant to section 1901 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-619.01);

(6) Safe-driving awards;

(7) Gainsharing incentives in the Department of Public Works;

(8) Suggestion or invention awards;

(9) Quality steps;

(10) Salary incentives negotiated through collective bargaining; or

(11) Any other award or bonus required by an existing contract or collective bargaining agreement that was entered into before the effective date of this subtitle.

(b) No special awards pay or bonus pay shall be paid to a subordinate agency head or an assistant or deputy agency head unless required by an existing contract that was entered into before the effective date of this subtitle.

(c) Notwithstanding any other provision of law, no restrictions on the use of funds to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply in Fiscal Year 2016 to employees of the District of Columbia Public Schools who are based at a local school or who provide direct services to individual students.

(d) Notwithstanding this subtitle or any other provision of law, the Office of the Attorney General shall pay employees of the Office of the Attorney General all performance allowance payments to which they are entitled or may become entitled under any approved compensation agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the American Federation of Government Employees, Local 1403, AFL-CIO for the period from October 1, 2013, through September 30, 2017. These payments are necessary to satisfy the requirements of section 857 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-608.57), which requires the Attorney General's performance management system to link pay to performance.

(e) Notwithstanding this subtitle, the Office of the Attorney General and the subordinate agencies shall pay their employees all performance allowance payments to which they are entitled.

SUBTITLE B. SUPPLY MANAGEMENT AMENDMENT

Sec. 1011. Short title.

This subtitle may be cited as the "Supply Management Amendment Act of 2015".

Sec. 1012. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as follows: **New § 2-358.02a**

(a) A new section 802a is added to read as follows:

"Sec. 802a. Surplus property disposition agreements.

"(a) The CPO may enter into an agreement with a District agency not otherwise under the authority of the CPO, including an independent agency or a public charter school, to sell its surplus goods.

"(b) OCP may charge an administrative fee of 6% of gross proceeds for the sale of surplus property sold pursuant to an agreement entered into under this section. The administrative fees shall be deposited into the Surplus Property Sales Fund established by section 805.".

(b) Section 803 (D.C. Official Code § 2-358.03) is amended to read as follows: **Amend § 2-358.03**

"Sec. 803. Electronic inventory control system for surplus property.

"The CPO shall establish an electronic inventory control system to monitor all surplus property. The system shall contain the following information:

"(1) The date of the receipt of the surplus property;

"(2) The agency or organization from which the surplus property was received;

"(3) A description of the surplus property, including quantity and condition;

"(4) A photograph of the surplus property; and

"(5) The estimated value of the surplus property.".

(c) A new section 805 is added to read as follows: **New § 2-358.05**

"Sec. 805. Surplus Property Sales Fund.

"(a) There is established as a special fund the Surplus Property Sales Fund ("Fund"), which shall be administered by the CPO in accordance with subsection (c) of this section.

"(b) There shall be deposited into the Fund:

"(1) Administrative fees collected pursuant to an agreement entered into pursuant to section 802a; and

"(2) Proceeds from the sale of surplus property by OCP.

"(c) Money in the Fund shall be used to pay the administrative costs of maintaining and disposing of surplus property, including the costs of online auctions.

"(d) Amounts in excess of the money needed to pay for the cost of online auction contracts for surplus personal property shall be deposited into the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 1013. Section 1062 of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.271), is repealed. **Repeal, § 1-325.271**

SUBTITLE C. OFFICE OF LGBTQ AFFAIRS AMENDMENT

Sec. 1021. Short title.

This subtitle may be cited as the "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs Name Change Amendment Act of 2015".

Sec. 1022. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006 (D.C. Law 16-89; D.C. Official Code § 2-1381 *et seq*.), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-1381) is amended as follows: **Amend § 2-1381**

(1) Paragraph (1) is amended by striking the phrase "Office of Gay, Lesbian, Bisexual, and Transgender Affairs" and inserting the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

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

"(2) "Lesbian, gay, bisexual, transgender, and questioning" or "LGBTQ" means individuals who identify themselves as lesbian, gay, bisexual, or transgender or are questioning or exploring their sexuality or sexual identity, or are concerned about applying a social label to themselves related to their sexuality or sexual identity and who are residents of the District of Columbia.".

(3) Paragraph (3) is amended by striking the phrase "Office of Gay, Lesbian, Bisexual, and Transgender Affairs" and inserting the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

(b) Section 3 (D.C. Official Code § 2-1382) is amended as follows: **Amend § 2-1382**

(1) Strike the phrase "Office of Gay, Lesbian, Bisexual, and Transgender Affairs wherever it appears and insert the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

(2) Strike the phrase "gay, lesbian, bisexual and transgender community" wherever it appears and insert the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

(c) Section 4 (D.C. Official Code § 2-1383) is amended as follows: **Amend § 2-1383**

(1) Subsection (a)(1) is amended by striking the phrase "full-time" and inserting the phrase "full time" in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "gay, lesbian, bisexual and transgender community" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

(B) Paragraph (3) is amended by striking the phrase "Gay, Lesbian, Bisexual and Transgender community" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

(C) Paragraph (8) is amended as follows:

(i) Strike the phrase "Gay, Lesbian, Bisexual and Transgender Program Coordinators" and insert the phrase "lesbian, gay, bisexual, transgender, and questioning services coordinators" in its place.

(ii) Strike the phrase "gay, lesbian, bisexual and transgender community" and insert the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

(D) Paragraph (9) is amended by striking the phrase "Gay, Lesbian, Bisexual and Transgender Program Coordinator" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning services coordinator" in its place

(E) Paragraph (10) is amended as follows:

(i) Strike the phrase "Gay, Lesbian, Bisexual and Transgendered program coordinator" and insert the phrase "lesbian, gay, bisexual, transgender, and questioning services coordinator" in its place.

(ii) Strike the phrase "gay, lesbian, bisexual and transgender health" and insert the phrase "lesbian, gay, bisexual, transgender, and questioning health" in its place.

Amend § 2-1384

(d) Section 4a(a) (D.C. Official Code § 2-1384(a)) is amended by striking the phrase "Office of Gay, Lesbian, Bisexual and Transgender Affairs" and inserting the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

Amend § 4-752.01

Sec. 1023. Section 4(b)(2)(M) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-65; D.C. Official Code § 4-752.01(b)(2)(M)), is amended by striking the phrase "Office of Gay, Lesbian, Bisexual and Transgender Affairs" and inserting the phrase "Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs" in its place.

Amend § 7-2341.22

Sec. 1024. Section 23(d)(1)(F)(iv) of the Emergency Medical Services Act of 2008, effective March 25, 2009 (D.C. Law 17-357; D.C. Official Code § 7-2341.22(d)(1)(F)(iv)), is amended by striking the phrase "Gay, Lesbian, Bisexual and Transgender community" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning community" in its place.

Amend § 7-3009

Sec. 1025. Section 10(c) of the Choice of Drug Treatment Act of 200, effective July 18, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3009(c)), is amended by striking the phrase "gays, lesbians, bisexuals, transgenders" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning persons" in its place.

Amend § 34-1253.02

Sec. 1026. Section 302(d) of the Cable Television Communications Act of 1981, effective August 21, 1982 (D.C. Law 4-142; D.C. Official Code § 34-1253.02(d)), is amended by striking the phrase "gays and lesbians" and inserting the phrase "lesbian, gay, bisexual, transgender, and questioning persons" in its place.

SUBTITLE D. ATTORNEY GENERAL AUTHORITY AND LITIGATION FUND

Sec. 1031. Short title.

This subtitle may be cited as the "Attorney General Authority and Litigation Fund Establishment Amendment Act of 2015".

Sec.1032. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.81 *et seq*.), is amended as follows:

New § 1-301.86b

(a) A new section 106b is added to read as follows:

"Sec. 106b. Litigation Support Fund.

"(a) There is established as a special fund the Litigation Support Fund ("Fund"), which shall be administered by the Office of the Attorney General in accordance with this section.

"(b) Subject to the limitations of subsection (d)(3) of this section, any recoveries from claims or litigation brought by the Office of the Attorney General on behalf of the District shall be deposited into the Fund.

"(c) The Fund shall be used for the purpose of supporting general litigation expenses associated with prosecuting or defending litigation cases on behalf of the District of Columbia.

"(d)(1) Except as provided in paragraph (3) of this subsection, the money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"(3) At no time shall the balance in the Fund, including interest earned, exceed $1.5 million. Any funds in excess of $1.5 million shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

"(e) For the purposes of this section, the term "recovery" shall include funds obtained through court determinations or through the settlement of claims in which the Office of the Attorney General represents the District, but shall not include funds obtained through an administrative proceeding or funds obligated to another source by District or federal law.".

(b) New sections 108a and 108b are added to read as follows: **New § 1-301.88a**

"Sec. 108a. Authority over personnel.

"The Attorney General shall be the personnel authority for the Office of the Attorney General. The Attorney General's personnel authority shall be independent of the personnel authority of the Mayor established under section 422 of the District of Columbia Home Rule Act, approved December 23, 1973 (87 Stat. 790; D.C. Official Code §1-204.22), and section 406 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C Official Code §1-604.06), except that the personnel provisions applicable to the Mayor under the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C Official Code §1-601.01 *et seq*.), shall apply to the Attorney General's exercise of this authority, unless specifically exempted by District statute.

"Sec. 108b. Authority for procurement of goods and services. **New § 1-301.88b**

"The Attorney General shall carry out procurement of goods and services for the Office of the Attorney General through a procurement office or division. The procurement office or division shall operate independently of, and shall not be governed by, the Office of Contracting and Procurement established pursuant to the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18- 371; D.C. Official Code § 2-351.01 *et seq*.), except as provided in section 201(b) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01(b)).".

(c) A new section 110a is added to read as follows: **New § 1-301.89c**

"Sec. 110a. Authority to issue subpoenas in investigation of consumer protection matters.

"(a) The Attorney General, or his or her designee, shall have the authority to issue subpoenas for the production of documents and materials or for the attendance and testimony of witnesses under oath, or both, related to an investigation into unfair, deceptive, unconscionable, or fraudulent trade practices by or between a merchant or consumer, as defined in D.C. Official Code § 28-3901.

"(b) Subpoenas issued pursuant to subsection (a) of this section or D.C. Official Code § 28-3910 shall contain the following:

"(1) The name of the person from whom testimony is sought or the documents or materials requested;

"(2) The person at the Office of the Attorney General to whom the documents shall be provided;

"(3) A detailed list of the specific documents, books, papers, or objects being requested, if any;

"(4) The date, time, and place that the recipient is to appear to give testimony or produce the materials specified under paragraph (3) of this subsection, or both;

"(5) A short, plain statement of the recipient's rights and the procedure for enforcing and contesting the subpoena; and

"(6) The signature of the Attorney General, Chief Deputy Attorney General, Deputy Attorney General, or Assistant Deputy Attorney General approving the subpoena request.

"(c) Unless otherwise permitted by the Office of the Attorney General, only attorneys for the Office of the Attorney General and their staff, other people involved in the investigation, the witness under examination, his or her attorney, interpreters when needed, and, for the purpose of taking the evidence, a stenographer or operator of a recording device may be present during the taking of testimony.

"(d) In the case of refusal to obey a subpoena issued under this section, the Attorney General may petition the Superior Court of the District of Columbia for an order requiring compliance. Any failure to obey the order of the court may be treated by the court as contempt.

"(e) Any person to whom a subpoena has been issued under this section or pursuant to D.C. Official Code § 28-3910 may exercise the privileges enjoyed by all witnesses. A person to whom a subpoena has been issued may move to quash or modify the subpoena in the Superior Court of the District of Columbia on grounds including:

"(1) The Attorney General failed to follow or satisfy the procedures set forth in this section for the issuance of a subpoena; or

"(2) Any grounds that exist under statute or common law for quashing or modifying a subpoena.".

Sec. 1033. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 202(1) (D.C. Official Code § 1-602.02(1)) is amended as follows:

Amend § 1-602.02

(1) Strike the phrase "The Mayor and each member of the Council of the District of Columbia" wherever it appears and insert the phrase "The Mayor, each member of the Council of the District of Columbia, and the Attorney General" in its place.

(2) Strike the phrase "in accordance with the provisions of sections 421(d) and 403(a) of the District of Columbia Home Rule Act, approved December 24, 1973, (87 Stat. 787; D.C Official Code §§ 1-204.21(d) and 1-204.03(a))" and insert the phrase "in accordance with the provisions of sections 421(d) and 403(a) of the District of Columbia Home Rule Act, approved December 24, 1973, (87 Stat. 787; D.C Official Code §§ 1-204.21(d) and 1-204.03(a)), and section 105 of the Attorney General of the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.85)." in its place.

(b) Section 301 (D.C. Official Code § 1-603.01) is amended as follows: **Amend § 1-603.01**

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

"(a-1) The term "Attorney General" means the Attorney General for the District of Columbia.".

(2) Subsection (m) is amended by striking the phrase "For the purposes of this act, the Council of the District of Columbia shall be considered an independent agency of the District of Columbia." and inserting the phrase "For the purposes of this act, the Council of the District of Columbia and the Office of the Attorney General for the District of Columbia shall be considered independent agencies of the District of Columbia." in its place.

(3) Subsection (q)(4) is repealed.

(c) Section 406(b) (D.C. Official Code § 1-604.06(b)) is amended as follows: **Amend § 1-604.06**

(1) Paragraph (21) is amended by striking the phrase "Administration; and" and inserting the phrase "Administration;" in its place.

(2) Paragraph (22) is amended by striking the phrase "Education." and inserting the phrase "Education; and" in its place.

(3) A new paragraph (23) is added to read as follows:

"(23) For employees of the Office of the Attorney General, the personnel authority is the Attorney General.".

(d) Section 903(a) (D.C. Official Code § 1-609.03(a)) is amended by adding a new paragraph (2A) to read as follows: **Amend § 1-609.03**

"(2A) The Attorney General may appoint no more than 30 persons;".

(e) Section 1109 (D.C. Official Code § 1-611.09) is amended by adding a new subsection (b-1) to read as follows: **Amend § 1-611.09**

"(b-1) In accordance with section 105 of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.85), the Attorney General shall receive compensation in an amount equal to the Chairman of the Council.".

(f) Section 1715(a) (D.C. Official Code § 1-617.15(a)) is amended by striking the phrase ", or in the case of employees of the District of Columbia Board of Education or the Board of Trustees of the University of the District of Columbia, by the respective Boards" and inserting **Amend § 1-617.15**

the phrase "; provided, that an agreement with a labor organization of employees of the Office of the Attorney General is subject to the approval of the Attorney General, and an agreement with a labor organization of employees of the District of Columbia Board of Education or the Board of Trustees of the University of the District of Columbia is subject to the approval of the respective Boards" in its place.

Amend § 1-617.16

(g) Section 1716(a) (D.C. Official Code § 1-617.16(a)) is amended by striking the phrase "The Mayor," and inserting the phrase "The Mayor, the Attorney General for employees of the Office of the Attorney General," in its place.

Amend § 2-352.01

Sec. 1034. Section 201(b) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01(b)), is amended by adding a new paragraph (1B) to read as follows:

"(1B) The Office of the Attorney General;".

Amend § 2-537

Sec. 1035. Section 207 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-537), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "subsection (a-1)" and inserting the phrase "subsections (a-1) and (a-2)" in its place.

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

"(a-2) Any person denied the right to inspect a public record in the possession of the Attorney General may institute proceedings in the Superior Court of the District of Columbia for injunctive or declaratory relief, or for an order to enjoin the public body from withholding the record and to compel the production of the requested record.".

(c) Subsection (b) is amended by striking the phrase "subsection (a) or (a-1)" and inserting the phrase "subsection (a), (a-1), or (a-2)" in its place.

Amend § 28-3910

Sec. 1036. Section 28-3910 of the District of Columbia Official Code is amended as follows:

(a) The existing text is designated as subsection (a).

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

"(b) A subpoena issued pursuant to subsection (a) of this section shall be issued in accordance with section 110a of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, passed on 2nd reading on June 30, 2015 (Enrolled version of 21-158).".

SUBTITLE E. OFFICE ON AGING REPORTING REQUIREMENTS

Sec. 1041. Short title.

This subtitle may be cited as the "Office on Aging Reporting Requirements Act of 2015".

Sec. 1042. Office on Aging reporting requirements.

Note, § 7-503.01

In Fiscal Year 2016, the Mayor shall submit quarterly reports to the Council, within 30 days after the end of each quarter, beginning October 1, 2015, on programs and operations within the Office on Aging. Each report shall include the following information:

(1) The number of persons served through the Aging and Disability Resource Center, including the ages of those persons served and the types of services received;

(2) The number of new applications for sub-grants;

(3) A listing of current contracts and sub-grants by category;

(4) A comprehensive listing of senior wellness centers (by center), including the number of seniors who utilize each location per quarter;

(5) A complete listing of transportation services and the number of seniors who utilize transportation services, including the number of transports that originate from each ward;

(6) The number of seniors in each ward who utilize home meal delivery services;

(7) The locations of congregate meal services and the number of persons who utilize such services by ward; and

(8) The total funds expended for each program area of operations included in the report.

SUBTITLE F. GRANTS ADMINISTRATION

Sec. 1051. Short title.

This subtitle may be cited as the "Grant Administration Amendment Act of 2015".

Sec. 1052. Section 1014 of the Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-328.01), is repealed.

Repeal § 1-328.01

Sec. 1053. The Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), is amended as follows:

(a) Section 1092 (D.C. Official Code § 1-328.11) is amended to read as follows:

Amend § 1-328.11

"Sec. 1092. Definitions.

"For the purposes of this subtitle, the term:

"(1) "Candidate" shall have the same meaning as provided in section 101(6) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(6).

"(2) "Contribution" shall have the same meaning as provided in section 101(10) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10)).

"(3) "Covered recipient" means:

"(A) An elected District official who is or could be involved in influencing or approving the award of a grant;

"(B) A candidate for elective District office who is or could be involved in influencing or approving the award of a grant;

"(C) A political committee affiliated with a District candidate or elected District official described in subparagraphs (A) and (B) of this paragraph;

"(D) A constituent-service program or fund, or substantially similar entity, controlled, operated, or managed by:

"(i) An elected District official who is or could be involved in influencing or approving the award of a grant; or

"(ii) A person under the supervision, direction, or control of an elected District official who is or could be involved in influencing or approving the award of a grant;

"(E) A political party; or

"(F) An entity or organization:

"(i) That a candidate or elected District official described in subparagraphs (A) and (B) of this paragraph, or a member of his or her immediate family, controls; or

"(ii) In which a candidate or elected District official described in subparagraphs (A) and (B) of this paragraph has an ownership interest of 10 % or more.

"(4) "Election" shall have the same meaning as provided in section 101(15) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(15)).

"(5) "Grant" means financial assistance to a person to support or stimulate the accomplishment of a public purpose as defined by the law that authorizes the grant; provided, that the organization, not the District, defines the specific services, the service levels, and the program approach for carrying out the grant.

"(6) "Grant program" means the management or administration by a grantor of grant-making or grant-issuing authority as covered by this subtitle.

"(7) "Grantee" means a person that receives funds under a grant program.

"(8) "Grantor" means a District agency, board, commission, instrumentality, or program designated by law as the grant-managing entity for a grant program.

"(9) "Immediate family" shall have the same meaning as provided in section 101(26) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(26)).

"(10) "Person" shall have the same meaning as provided in section 101(42) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics

Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(42)).

"(11) "Political committee" shall have the same meaning as provided in section 101(44) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(44)).

"(12) "Political party" shall have the same meaning as provided in section 101(45) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(45)).".

Amend § 1-328.12

(b) Section 1093 (D.C. Official Code § 1-328.12) is amended by striking the phrase "established under the Fiscal Year 2014 Budget Support Act of 2013, passed on 2nd reading on June 26, 2013 (Enrolled version of Bill 20-199)," and inserting the phrase "established by District law" in its place.

Amend § 1-328.13

(c) Section 1094(a) (D.C. Official Code § 1-328.13(a)) is amended by striking the phrase "grant-issuing authority." and inserting the phrase "grant-issuing authority, unless a non-District entity that provides funds to the District to award as grants has rules or requirements that prohibit or otherwise limit competition." in its place.

Amend § 1-328.14

(d) Section 1095(1) (D.C. Official Code § 1-328.14(1)) is amended by striking the phrase "30 days" and inserting the phrase "45 days" in its place.

Amend § 1-328.15

(e) Section 1096 (D.C. Official Code § 1-328.15) is amended as follows:

(1) Designate the existing text as subsection (a).

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

"(b) Before a person may receive a grant under this subtitle, that person shall provide the District with a sworn statement, under penalty of perjury, that to the best of the person's knowledge, after due diligence, the person is in compliance with subsections (c) and (d) of this section and is therefore eligible to receive a grant.

"(c)(1) A person that makes a contribution or solicitation for contribution to a covered recipient shall be ineligible to receive a grant from the District valued at $100,000 or more during the time period set forth in subsection (d) of this section.

"(2) The District shall not award a grant valued at $100,000 or more to a person that is ineligible to receive a grant under paragraph (1) of this subsection during the time period set forth in subsection (d) of this section.

"(d)(1) For contributions made to persons described under section 1092(3)(A), (B), or (C), a person is ineligible to receive a grant under this subtitle beginning on the date the contribution or solicitation for contribution was made and continuing for one year after the general election for which the contribution or solicitation for contribution was made, whether or not the contribution was made before the primary election.

"(2) For contributions made to persons described under section 1092(3)(D), (E), or (F), a person is ineligible to receive a grant under this subtitle beginning on the date the

contribution or solicitation for contribution was made and continuing for 18 months after that date.".

(f) A new section 1098 is added to read as follows: **New § 1-328.17**

"Sec. 1098. Grant transparency.

"To ensure a transparent process for issuing and managing grants, the Office of Partnerships and Grants Development shall establish uniform guidelines for the application for and reporting on grants received from District government entities. The guidelines shall include a description of the project scope, budget, program activities, timelines, performance, and any appropriate financial information.".

SUBTITLE G. INDEPENDENT INVESTIGATION DEBARMENT AUTHORITY

Sec. 1061. Short title.

This subtitle may be cited as the "Independent Investigation Debarment Authority Amendment Act of 2015".

Sec. 1062. Section 907(d) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-359.07(d)), is amended to read as follows: **Amend § 2-359.07**

"(d)(1) After reasonable notice to a person and reasonable opportunity to be heard, the CPO may debar the person from consideration for award of any contract or subcontract if the CPO receives written notification from:

"(A) The Chairman of the Council or the chairperson of a Council committee that the person has willfully failed to cooperate in a Council or Council committee investigation conducted pursuant to section 413 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 789; D.C. Official Code § 1‑204.13);

"(B) The District of Columbia Auditor that the person has willfully failed to cooperate in an audit conducted pursuant to section 455 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.55), or to produce books or records pursuant to section 418; or

"(C) The Inspector General that the person has willfully failed to cooperate in an audit, inspection, or investigation conducted pursuant to section 208(a)(3) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1‑301.115a(a)(3)), or to produce books and records pursuant to section 418.

"(2) The CPO shall issue a decision on a debarment recommended through a notification received under paragraph (1) of this subsection within 30 days of receipt of the notification.

"(3) The debarment shall be for a period of 5 years, unless the CPO receives written notification during the 5-year period from the Chairman of the Council or the chairperson of a Council committee, the District of Columbia Auditor, or the Inspector General that the

debarred person has cooperated in the audit, inspection, or investigation referred to in paragraph (1) of this subsection.

"(4) For the purposes of this subsection, the term "willfully failed to cooperate" means:

"(A) Intentionally failed to attend and give testimony at a public hearing convened in accordance with the Rules of Organization and Procedure for the Council; or

"(B) Intentionally failed to provide documents, books, papers, or other information upon request of the Council or a Council committee, the District of Columbia Auditor, or the Inspector General.".

SUBTITLE H. DISTRICT CULTURAL PLAN

Sec. 1071. Short title.

This subtitle may be cited as the "Cultural Plan for the District Act of 2015".

New Chapter 2A, Title 39 New § 39-231

Sec. 1072. Creation of a cultural plan.

(a)(1) On or before December 15, 2016, the Director of the Office of Planning ("Office") shall submit to the Mayor and the Council and post on the Office's website a comprehensive cultural plan ("Plan"). Before that date, the Office shall oversee the solicitation, through a request for proposals, of a private cultural-planning firm to develop the Plan.

(2) The request for proposals to develop the Plan shall propose compensation for the firm developing the Plan that does not exceed $200,000. The Office may accept contributions from private foundations to defray additional costs, if any, of compensating the firm that develops the Plan.

(3) At a minimum, the Plan shall include:

(A) Recommended means by which the District may increase participation in cultural activities throughout the District and address the desires of residents of each of the 8 wards with respect to art and culture policy in their neighborhoods;

(B) An outline of the city's cultural policies and the means of implementing those policies and a study of the economic benefits and the impacts on quality of life, community development, and cultural literacy of those policies;

(C) A proposed process for community decision-making regarding cultural activities that focuses on neighborhoods, engages and encourages community input, and supports access to the arts and cultural programming in neighborhoods;

(D) An analysis of whether some neighborhoods are better served than others with respect to cultural activities and proposals to remedy the disparities;

(E) An analysis of the needs of artists and other members of the creative economy and recommendations regarding steps that may be taken to retain and otherwise support such individuals in the District's current real-estate environment, including recommendations with regard to the creation of both long-term and temporary affordable studio and rehearsal space, including space that otherwise would remain vacant, as well as affordable housing for artists and other members of the creative economy;

(F) An analysis of the current state of arts education in District of Columbia Public Schools and District public charter schools and recommendations regarding the improvement of arts education in the District;

(G) An analysis of the means by which District agencies can incorporate the arts to enhance their missions while better serving the cultural needs of the District. On or before November 1, 2015, each District agency shall submit its own analysis of those means that shall be incorporated in the Plan;

(H) An examination of means by which the arts can be incorporated into community and economic development planning processes and policies;

(I) Recommendations as to means by which the District can create a more arts-friendly regulatory structure, specifically with regard to facilitating performances and exhibitions that seek to engage the public in a public setting; and

(J) Any existing data sets regarding the distribution of cultural resources throughout the city, as well as any other existing data sets relevant to the Plan.

(4) All recommendations, initiatives, and priorities included in the Plan shall be indicated as being proposed to occur in a short-, medium-, or long-term timeframe and categorized by the following budget ranges: under $50,000; $50,000 to $250,000; $250,000 to $1 million; and over $1 million;

(5) The development of the Plan shall occur in a transparent and accessible fashion. Whenever feasible, the Office shall utilize appropriate technology to enhance outreach and communication with the public during the development of the Plan.

(6) The Office shall consult with the Commission on the Arts and Humanities in the development of the Plan.

(7) To the extent feasible, any agency implicated by the conclusions and recommendations of the Plan shall incorporate those conclusions and recommendations into its budget and programming.

(b)(1) A Cultural Planning Steering Committee ("Committee") shall be formed to assist in the implementation of the Plan. The Committee shall consist of at least 3 members of the arts and creative economy community with relevant arts and creative economy expertise and each of the following individuals, or his or her appointee:

(A) Deputy Mayor for Planning and Economic Development;

(B) The Director of the Office of Planning;

(C) The Executive Director of the Commission on the Arts and Humanities;

(D) The Chairperson of the Commission on the Arts and Humanities;

(E) The Chairman of the Council's designee;

(F) The Chairman of the Council's Committee on Finance and Revenue's designee; and

(G) The DC BID Council Executive Director.

(2) The Committee shall meet with the Office and representatives of other affected agencies on a quarterly basis to track the progress of the recommendations in the Plan, beginning with the first quarter after submission of the Plan to the Mayor and the Council.

SUBTITLE I. BEGA BOARD SIZE

Sec. 1081. Short title.

This subtitle may be cited as the "Board of Ethics and Government Accountability Board Size Amendment Act of 2015".

Amend § 1-1162.03

Sec. 1082. Section 203(a) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.03(a)), is amended as follows:

(a) Strike the phrase "3 members" and insert the phrase "5 members" in its place.

(b) Strike the phrase "2 of whom" and insert the phrase "3 of whom" in its place.

(c) Strike the phrase "one member shall be appointed to serve for a 2-year term, one member shall be appointed to serve for a 4-year term, and one member shall be appointed to serve for a 6-year term" and insert the phrase "one member shall be appointed to serve for a 2-year term, 2 members shall be appointed to serve for a 4-year term, and 2 members shall be appointed to serve for a 6-year term" in its place.

(d) A new sentence is added at the end to read as follows:

"The terms of the 5 initial members shall begin on July 1, 2012.".

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. DSLBD MICRO LOAN AMENDMENT

Sec. 2001. Short title.

This subtitle may be cited as the "Department of Small and Local Business Development Micro Loan Fund Amendment Act of 2015".

Amend § 2-218.75

Sec. 2002. Section 2375 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 18, 2007 (D.C. Law 17-20; D.C. Code § 2-218.75), is amended as follows:

(a) The section heading is amended to read as follows:

"Sec. 2375. Small Business Capital Access Fund.".

(b) Subsection (a) is amended to read as follows:

"(a) For the purposes of this section, the term:

"(1) "Eligible recipient" means a business certified, or eligible to be certified, as a small business enterprise pursuant to section 2332 or a disadvantaged business enterprise pursuant to section 2333.

"(2) "Fund" means the Small Business Capital Access Fund.".

(c) Subsection (b) is amended by striking the phrase "Micro Loan" and inserting the phrase "Capital Access" in its place.

(d) Subsection (d)(1) is amended to read as follows:

"(1) Eligible recipients that are certified as a small business enterprise pursuant to section 2332, a disadvantaged business enterprise pursuant to section 2333, or a resident-owned business enterprises pursuant to section 2335; or".

SUBTITLE B. APPRENTICESHIP MODERNIZATION AMENDMENT

Sec. 2011. Short title.

This subtitle may be cited as the "Apprenticeship Modernization Amendment Act of 2015".

Sec. 2012. An Act To provide for voluntary apprenticeship in the District of Columbia, approved May 21, 1946 (60 Stat. 204; D.C. Official Code § 32-1401 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 32-1401) is repealed. **Repeal § 32-1401**

(b) Section 2 (D.C. Official Code § 32-1402) is amended as follows: **Amend § 32-1402**

(1) Strike the phrase "Superintendent of Schools" and insert the word "Chancellor" in its place.

(2) Strike the phrase "remainder of said term." and insert the phrase "remainder of the term. At the end of a term, a member shall continue to serve until a successor is appointed and sworn into office." in its place.

(3) Strike the last sentence.

(c) Section 3 (D.C. Official Code § 32-1403) is amended to read as follows: **Amend § 32-1403**

"Sec. 3. Associate Director of Apprenticeship.

"(a) The Director of the Department of Employment Services shall appoint an Associate Director of Apprenticeship whose office shall have responsibility and accountability for the apprenticeship system in the District of Columbia.

"(b)(1) The Office of Apprenticeship, Information and Training, which shall also be known as the Registration Agency, shall have the authority to approve apprenticeship registration for federal purposes.

"(2) The Office of Apprenticeship, Information and Training is authorized to supply the Associate Director of Apprenticeship and the Apprenticeship Council with the clerical, technical, and professional assistance considered essential to effectuate the purposes of this act.".

(d) Section 4 (D.C. Official Code § 32-1404) is amended as follows: **Amend § 32-1404**

(1) Strike the word "Director" and insert the phrase "Associate Director of Apprenticeship" in its place.

(2) Strike the phrase "Secretary of Labor" and insert the phrase "Director of the Department of Employment Services" in its place.

(3) Strike the sentence "Not less than once every 2 years the Apprenticeship Council shall make a report through the Mayor of its activities and findings to Congress and to the public." and insert the sentence "Once every year the Registration Agency shall make a

report through the Mayor of its findings and activities to the Council of the District of Columbia and to the public." in its place.

Amend § 32-1405

(e) Section 5 (D.C. Official Code § 32-1405) is amended to read as follows:

"Sec. 5. Duties of Associate Director of Apprenticeship.

"The Associate Director of Apprenticeship, under the supervision of the Director of the Department of Employment Services and with the advice and guidance of the Apprenticeship Council, shall:

"(1) Administer the provisions of this act in cooperation with the Apprenticeship Council, local joint apprenticeship committees, and non-joint apprenticeship committees to develop criteria and training standards for apprentices, which shall in no case be lower than those required by this act;

"(2) Act as secretary of the Apprenticeship Council;

"(3) Approve, if approval is in the best interest of the apprentice, any apprentice agreement that meets the standards established by or in accordance with this act;

"(4) Terminate or cancel any apprenticeship agreement in accordance with the provisions of the apprenticeship agreement;

"(5) Engage with the State Board of Education and area community colleges on the administration and supervision of related and supplemental instruction for apprentices to ensure coordination of the instruction with job experiences; and

"(6) Perform such other duties as necessary to carry out the intent of this act.".

Amend § 32-1406

(f) Section 6 (D.C. Official Code § 32-1406) is amended to read as follows:

"Sec. 6. Apprenticeship committees.

"(a) Local joint apprenticeship committees and non-joint apprenticeship committees in any trade or group of trades may be submitted to the Registration Agency for approval. Such apprenticeship committees shall be composed of an equal number of employer and employee representatives appointed by the groups or organizations they represent, or the committee may consist of the employer and not fewer than 2 representatives from the recognized bargaining agency.

"(b) In a trade or group of trades in which there is no bona fide employee organization, the Registration Agency, with the advice and guidance of the Apprenticeship Council, may approve a joint trade apprenticeship committee and a non-joint apprenticeship committee (also referred to as a unilateral or group non-joint committee).

"(c) Subject to the approval of the Registration Agency, and in accordance with standards established by or under authority of this act, joint trade apprenticeship committees and non-joint apprenticeship committees may develop standards to govern the training of apprentices and give such aid as may be necessary to effectuate the standards.".

Amend § 32-1407

(g) Section 7 (D.C. Official Code § 32-1407) is amended to read as follows:

"Sec. 7. Definition of apprentice.

"For the purposes of this act, the term "apprentice" means a worker at least 16 years of age, except when a higher minimum age standard is otherwise fixed by law, who is employed to learn an apprenticeable occupation meeting the criteria approved by the Registration Agency and

who has entered into a written apprenticeship agreement, which contains the terms and conditions of the employment and training of the apprentice, with either the apprentice's program sponsor or an apprenticeship committee acting as agent for the program sponsor.".

Amend § 32-1408

(h) Section 8 (D.C. Official Code § 32-1408) is amended to read as follows:

"Sec. 8. Apprenticeship agreements – contents.

"Every apprenticeship agreement entered into pursuant to this act shall contain:

"(1) The names and signatures of the contracting parties, including the apprentice's parent or guardian, if the apprentice is a minor, and the contact information of the program sponsor and the Registration Agency:

"(2) The date of birth of the apprentice and the apprentice's social security number, given on a voluntary basis;

"(3) A statement of the craft or occupation that the apprentice is to be taught and the time period at which the apprenticeship will begin and end;

"(4) A statement showing:

"(A) The number of hours to be spent by the apprentice in on-the-job learning in a time-based program;

"(B)(i) A description of the skill sets to be attained by completion of a competency-based program, including the on-the-job learning component; or

"(ii) The minimum number of hours to be spent by the apprentice and a description of the skill sets to be attained by completion of a hybrid program; and

"(C) Provisions for related and supplemental instruction;

"(5) A statement setting forth a schedule of the processes in the occupation or industry division in which the apprentice is to be trained and the approximate time to be spent in each process;

"(6) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated;

"(7) A statement providing for a period of probation without adverse impact on the sponsor during which time the apprenticeship agreement shall be terminated by the Associate Director of Apprenticeship at the request, in writing, of the apprentice or suspended or cancelled by the sponsor for good cause with due notice to the apprentice and a reasonable opportunity for corrective action with due notice to the Associate Director of Apprenticeship, and providing that after a probationary period, the apprenticeship may be cancelled by the Associate Director of Apprenticeship by mutual agreement of all parties or canceled by the Associate Director of Apprenticeship for good and sufficient reasons;

"(8) Contact information (name, address, phone, and e-mail, if appropriate) of the person in the Registration Agency designated under the program to receive, process, and make disposition of a controversy of difference arising out of the apprenticeship agreement when the controversy or difference cannot be adjusted locally or resolved in accordance with the established procedure or applicable collective bargaining provisions;

"(9) A provision that a sponsor who is unable to fulfill the obligations under the apprenticeship agreement may, with the approval of the Associate Director of Apprenticeship or

under the direction of the joint trade apprenticeship committee or non-joint apprenticeship committee or individual sponsor, transfer the apprenticeship agreement to another sponsor; provided, that:

"(A) The apprentice consents and that the other sponsor agrees to assume the obligations of the apprenticeship agreement;

"(B) The transferring apprentice is provided a transcript of related instruction and on-the-job learning by the program sponsor;

"(C) The transfer is to the same occupation; and

"(D) A new apprenticeship agreement is executed when the transfer between program sponsors occurs; and

"(10) Such additional terms and conditions as may be prescribed or approved by the Registration Agency with the advice and guidance of the Apprenticeship Council, if not inconsistent with the provisions of this act.".

(i) Section 9 (D.C. Official Code § 32-1409) is amended by striking the word "Director" both times it appears and inserting the phrase "Associate Director of Apprenticeship" in its place. **Amend § 32-1409**

(j) Section 10 (D.C. Official Code § 32-1410) is amended as follows: **Amend § 32-1410**

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

(A) Strike the word "Director' and insert the phrase "Associate Director of Apprenticeship" in its place.

(B) Strike the phrase "under this act, and he may hold" and insert the phrase "under this act and may hold" in its place.

(C) Strike the phrase "Secretary of Labor" and insert the phrase "Registration Agency" in its place.

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

"(b)(1) The determination of the Associate Director of Apprenticeship shall be filed with the Apprenticeship Council. If no appeal is filed with the Apprenticeship Council within 10 days after the date of filing of the determination of the Associate Director of Apprenticeship, the determination shall become the order of the Apprenticeship Council.

"(2) Any person aggrieved by a determination or action of the Associate Director of Apprenticeship may appeal to the Apprenticeship Council, which shall hold a hearing after due notice to the interested parties.

"(3) Any person aggrieved by the action of the Apprenticeship Council may appeal as provided in Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204: D.C. Official Code § 2-501 *et seq.*).".

(k) Section 12 (D.C. Official Code § 32-1412) is repealed. **Repeal § 32-1412**

Sec. 2013. Section 5(c)(2) of the Amendments to An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1431(c)(2)), is amended by striking the phrase "Contracting Officer" wherever it appears and inserting the phrase "Department of Employment Services" in its place. **Amend § 32-1431**

SUBTITLE C. RETAIL PRIORITY AREA AMENDMENT

Sec. 2021. Short title.

This subtitle may be cited as the "Retail Priority Area Amendment Act of 2015".

Sec. 2022. The H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 *et seq.*), is amended as follows:

Amend § 1-325.171

(a) Section 2(5) (D.C. Official Code § 1-325.171(5)) is amended to read as follows:

"(5) "H Street, N.E., Retail Priority Area" means the H Street, N.E., Retail Priority Area as defined in section 2(2) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194).".

Amend § 1-325.172

(b) Section 3(c) (D.C. Official Code § 1-325.172(c)) is amended as follows:

(1) Paragraph (1)(B) is amended by striking the word "and".

(2) Paragraph (2) is amended by striking the period at the end and inserting a semicolon in its place.

(3) A new paragraph (3) is added to read as follows:

"(3) Beginning October 1, 2015, and ending September 30, 2016, make grants to support revitalization programs pursuant to section 4b of the Retail Incentive Act of 2004, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 2-1217.73b). Grants may be awarded for revitalization programs within any of the Retail Priority Areas established by or pursuant to section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73). The total amount of funds that may be granted pursuant to this paragraph shall not exceed $4 million; and".

Amend § 2-1217.73

Sec. 2023. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

(a) Subsection (f) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(b) Subsection (g) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(c) Subsection (h) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(d) Subsection (i) is amended to read as follows:

"(i) There is established the Connecticut Avenue Retail Priority Area, which shall consist of the parcels, squares, and lots abutting Connecticut Avenue, N.W., beginning at the intersection of Connecticut Avenue , N.W., and Macomb Street, N.W., thence north on Connecticut Avenue, N.W., to its intersection with Western Avenue, N.W.".

(e) Subsection (j) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(f) Subsection (k) is amended by striking the phrase "within the following area" and inserting the phrase "within or abutting the boundary of the following area" in its place.

(g) Subsection (l) is amended to read as follows:

"(l) There is established the Good Hope Road, S.E. Retail Priority Area, which shall consist of the parcels, squares, and lots abutting Good Hope Road , S.E., beginning at the intersection of Good Hope Road, S.E., and Anacostia Drive, S.E., thence southeast on Good Hope Road, S.E., to its intersection with Naylor Road, S.E.".

(h) Subsection (m) is amended to read as follows:

"(m) There is established the U Street/l4th Street Retail Priority Area, which shall consist of the parcels, squares, and lots within or abutting the boundary of the following area: Beginning at the intersection of T Street, N.W., and 11th Street, N.W.; thence west on T Street, N.W., to 19th Street, N.W.; thence north on 19th Street, N.W., to Columbia Road, N.W.; thence northeast on Columbia Road, N.W., to 18th Street, N.W.; thence northwest on Adams Mill Road, N.W., to Lanier Place, N.W.; thence northeast on Lanier Place, N.W. to Ontario Road, N.W.; thence northeast on Columbia Road, N.W., to Mount Pleasant Street, N.W.; thence northwest on Mount Pleasant Street, N.W., to Park Road, N.W.; thence southeast on Park Road, N.W., to 14th Street, N.W.; thence north on l4th Street, N.W., to Spring Road, N.W.; thence southeast on Spring Road, N.W., to l3th Street, N.W.; thence south on 13th Street, N.W., to Monroe Street, N.W.; thence South on 11th Street, N.W., to Kenyon Street, N.W.; thence west on Kenyon Street, N.W. to 13th. Street, N.W.; thence south on 13th Street, N.W. to V Street, N.W.; thence east on V Street, N.W., to 11th Street, N.W.; thence south on 11th Street, N.W., to the point of beginning.".

(i) A new subsection (n) is added to read as follows:

"(n) There is established the Tenleytown Retail Priority Area, which shall consist of the parcels, squares, and lots abutting Wisconsin Avenue, N.W., beginning at the intersection of Wisconsin Avenue, N.W., and Tenley Circle, N.W., thence north on Wisconsin Avenue, N.W., to its intersection with Western Avenue, N.W.".

Sec. 2024. Section 2 of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended as follows:

Not Codified in the D.C. Official Code

(a) The lead-in text of paragraph (1) is amended by striking the phrase "within the following areas" and inserting the phrase "within or abutting the boundaries of the following areas" in its place.

(b) Paragraph (2) is amended to read as follows:

"(2) H Street, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within or abutting the area bounded by a line beginning at the intersection of the center lines of Massachusetts Avenue, N.E., Columbus Circle, N.E., and 1st Street, N.E.; continuing northeast along the center line of 1st Street, N.E., to the center line of K Street, N.E.; continuing east along the center line of K Street, N.E., to the center line of Florida Avenue, N.E.; continuing southeast along the center line of Florida Avenue, N.E., to the center line of Staples Street, N.E.; continuing northeast along the center line of Staples Street, N.E., to the center line of Oates Street, N.E.; continuing southeast along the center line of Oates Street, N.E., until the point where Oates Street, N.E., becomes K Street, N.E.; continuing east along the center line of K Street, N.E., to the center line of 17th Street, N.E.; continuing south along the center line of

17th Street, N.E., to the center line of Gales Street, N.E.; continuing northwest along the center line of Gales Street, N.E., to the center line of 15th Street, N.E.; continuing south along the center line of 15th Street, N.E., to the center line of F Street, N.E.; continuing west along F Street, N.E., to the center line of Columbus Circle, N.E.; and continuing south and circumferentially along the center line of Columbus Circle, N.E., to the beginning point, and, after October 1, 2014, the Bladensburg Road, N.E., Retail Priority Area, as defined in D.C. Official Code § 2-1217.73(g).".

(c) Paragraph (3) is amended by striking the phrase "within the area bounded by a line" and inserting the phrase "within or abutting the area bounded by a line" in its place.

(d) Paragraph (4) is amended to read as follows:

"(4) Ward 4 Georgia Avenue Retail Priority Area, which shall consist of the parcels, squares, and lots within or abutting the area bounded by a line beginning at the intersection of Kenyon Street, N.W. and Sherman Avenue, N.W.; continuing north along Sherman Avenue, N.W. to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W. to Spring Road, N.W.; then continuing northwest along Spring Road, N.W. to 14th Street, N.W., then continuing north along 14th Street, N.W. to Longfellow Street, N.W., then continuing east along Longfellow Street, N.W. to Georgia Avenue, N.W., then continuing north along Georgia Avenue, N.W. to Eastern Avenue, N.W., then continuing southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E. to Blair Road, N.W., then continuing south along Blair Road, N.W., to North Capitol Street, N.E., then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W., then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W., then continuing southwest along Kansas Avenue, N.W. to Varnum Street, N.W.; then continuing east along Varnum Street, N.W. to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then continuing further south along Warder Street, N.W., to Kenyon Avenue, N.W.; and then continuing west along Kenyon Avenue, N.W. to the beginning point.".

(e) Paragraph (5) is amended by striking the phrase "within the area bounded by a line" and inserting the phrase "within or abutting the area bounded by a line" in its place.

(f) Paragraph (6) is amended by striking the phrase "within the following areas" and inserting the phrase "within or abutting the boundaries of the following areas" in its place.

SUBTITLE D. YOUTH EMPLOYMENT AND WORK READINESS TRAINING

Sec. 2031. Short title.

This subtitle may be cited as the "Youth Employment and Work Readiness Training Amendment Act of 2015".

Amend § 32-241

Sec. 2032. Section 2 of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241), is amended as follows:

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

(1) Subparagraphs (A) and (A-i) are amended to read as follows:

"(A)(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth 14 to 21 years of age on the date of enrollment in the program.

"(ii) Youth ages 14 to 15 years at the date of enrollment shall receive an hourly work readiness training rate of not less than $5.25.

"(iii) Youth ages 16 to 21years at the date of enrollment shall be compensated at an hourly rate of $8.25.

"(A-i) Registration for the summer youth jobs program shall occur on or before the last day of January and shall conclude by the last day of April of each year.".

(2) Subparagraph (B) is amended by striking the phrase "but shall not be less than 20 nor more than 25 hours" and inserting the phrase "but shall not be fewer than 20 hours or more than 40 hours" in its place.

(3) Subparagraph (C) is amended to read as follows:

"(C) Employment may include an appropriate number of supervisory positions at an hourly wage of $9.25 to $13. Supervisory positions shall not be subject to the requirements under this paragraph regarding the number of hours and weeks of employment.".

(4) Subparagraph (E) is repealed.

(b) Subsections (a)(2), (3), (4), and (5) are amended to read as follows:

"(2) *In school employment and work readiness training*. – An in-school employment and work readiness training program to provide for the employment or training during the school year of students aged 14 through 21 years on a part-time basis at no less than the federal minimum wage~~,~~ or work readiness training rate at no less than $5.25 per hour. Priority shall be given to students who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*) ("Workforce Innovation and Opportunity Act"), as identified in regulations issued to implement this act. The Mayor may provide financial incentives to increase performance outcomes.

"(3) *Out-of–school, year-round employment and work readiness training.*—An out-of-school, year-round employment and work readiness training program to provide youth 16 through 24 years of age with employment at the prevailing entry-level wage for the job being performed and no less than the federal minimum wage~~,~~ or work readiness training at a training rate no less than $5.25 per hour. The Mayor may provide financial incentives to promote work readiness training activities and to increase performance outcomes. Priority shall be given to youth who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, as identified in regulations issued to implement this act. The program shall include safeguards to assure that the prospect of employment resulting from this program does not induce students to drop out of school.

"(4) *On-the-job training program for adults.*—An on-the-job training program for unemployed individuals at least 18 years of age. Priority shall be given to participants who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, as identified in regulations issued to implement this act. The District government shall reimburse

participating employers no more than 75% of the prevailing wage paid for an occupation, as determined by the Mayor, for a period not to exceed 12 months. The employer shall pay all wages in excess of the allowable reimbursement and all fringe benefits. The Mayor shall require that participating private-sector employers agree to hire persons who successfully complete the program. On-the-job training participants shall not displace existing employees or be used as substitutes for regular workers.

"(5) *Training and retraining for employment.*—Programs for pre-employment training and retraining for persons 16 years of age and above. Priority shall be given to participants who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, as identified in regulations issued to implement this act. Training programs established pursuant to this paragraph may be coupled with those conducted pursuant to paragraphs (3) and (4) of this subsection.".

(c) Subsection (b) is amended by adding the following sentence at the end:

"The Mayor may enter into performance-based contracts to implement programs described in subsection (a) of this section.".

(d) Subsection (d) is amended to read as follows:

"(d) For the purposes of this section, to give priority to participants who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act means to engage in a good-faith effort to fill at least 30% of a program's available positions with persons who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act.".

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

"(g)(1) The Department of Employment Services shall collect, and publish on its website, aggregated information on the participants of the summer youth jobs program, including statistics on:

"(A) The demographics of participants;

"(B) Participants' activities in the program; and

"(C) Participants' employment following the end of the program.

"(2) The information required by paragraph (1) of this subsection shall be published by February 1, 2016 and annually thereafter.

"(3) It is the sense of the Council that the Department of Employment Services shall consult with the Council on revising the existing evaluation requirement for the summer youth jobs program to focus on program outcomes and program effectiveness.

"(4) With regard to the summer 2015 program only, the Mayor shall conduct an assessment and evaluation of employment outcomes for summer employment participants 22 through 24 years of age.".

SUBTITLE E. LOCAL RENT SUPPLEMENT AMENDMENT

Sec. 2041. Short title.

This subtitle may be cited as the "Local Rent Supplement Amendment Act of 2015".

Amend § 6-228

Sec. 2042. Section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended as follows:

(a) Subsection (b) is amended by striking the phrase "selected from" and inserting the phrase "selected from the households referred to the Authority pursuant to subsection (c) of this section or" in its place.

(b) New subsections (c), (d), and (e) are added to read as follows:

"(c) Eligible families may be referred to the Authority by the Department of Human Services or by another District agency designated by the Mayor.

"(d) Families and individuals housed in the Rapid Rehousing Program administered by the Department of Human Services or by another District agency designated by the Mayor may be referred to the Authority for the Local Rent Supplement Program for eligibility determination.

"(e) Households that no longer require supportive services under the Permanent Supportive Housing Program but still require long term housing assistance may be referred by the Department of Human Services, or another District agency designated by the Mayor, to the Authority for the Local Rent Supplement Program for eligibility determination.".

SUBTITLE F. AFFORDABLE HOMEOWNERSHIP

Sec. 2051. Short title.

This subtitle may be cited as the "Affordable Homeownership Preservation and Equity Accumulation Amendment Act of 2015".

Amend § 42-2801

Sec. 2052. Section 2(8A) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801(8A)), is amended by striking the phrase "the greater of".

Amend § 47-3502

Sec. 2053. Section 47-3502(c) of the District of Columbia Official Code is amended by striking the phrase "is filed" and inserting the phrase "is filed, unless the unit or residential property is a for-sale unit constructed pursuant to the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801 *et seq*.), that remains affordable for 180 months or a longer period selected by the developer, in accordance with section 2218 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2218), then this chapter shall apply" in its place.

SUBTITLE G. SIDEWALK CAFE AND SUMMER GARDEN ENDORSEMENT

Sec. 2061. Short title.

This subtitle may be cited "Sidewalk Cafe and Summer Garden Endorsement Amendment Act of 2015".

Amend § 25-113a

Sec. 2062. Section 25-113a(c) of the District of Columbia Official Code is amended as follows:

(a) Strike the phrase “under an” and insert the phrase “under a manufacturer’s license class A or B holding an on-site sales and consumption permit or an” in its place.

(b) Strike the phrase “private space.” and insert the phrase “private space. The licensee under a manufacturer’s license class A or B holding an on-site sales and consumption permit may be authorized to conduct business operations on a sidewalk cafe or summer garden only between the hours of 1:00 p.m. and 9:00 p.m., 7 days a week.” in its place.

DCMR

Sec. 2063. Title 24 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 301 is amended as follows:

(1) Subsection 301.3 is amended as follows:

(A) Strike the phrase “is zoned for restaurant or grocery store use” and insert the phrase “is zoned for restaurant, grocery store, brewery, winery, or distillery use” in its place.

(B) Strike the phrase “variance to operate a restaurant or grocery store” and insert the phrase “variance to operate a restaurant, grocery store, brewery, winery, or distillery” in its place.

(2) A new subsection 301.6 is added to read as follows:

“301.6 The holder of a Sidewalk Cafe Permit adjacent to a brewery, winery, or distillery may conduct business operations on a sidewalk cafe between the hours of 1:00 p.m. and 9:00 p.m., 7 days a week.”.

(b) Section 303.13(h) is amended by striking the phrase “abutting restaurant” and inserting the phrase “abutting restaurant, distillery, brewery, winery, grocery store, fast food establishment, or prepared food shop” in its place.

(c) Section 399.1 is amended as follows:

(1) The definition of “Enclosed sidewalk cafe" is amended as follows:

(A) Strike the phrase “adjacent to a restaurant” and insert the phrase “adjacent to a restaurant, distillery, brewery, winery, grocery store, fast food establishment, or prepared food shop” in its place.

(B) Strike the phrase “abutting the restaurant” and insert the phrase “abutting the restaurant, distillery, brewery, winery, grocery store, fast food establishment, or prepared food shop” in its place.

(2) Add a new definition after the definition of “Enclosed sidewalk cafe" to read as follows:

“Fast food establishment – a place of business, other than a “prepared food shop,” where food is prepared on the premises and sold to customers for consumption and at least one of the following conditions apply:

“(a) The premises include a drive-through;

“(b) Customers pay for the food before it is consumed. One characteristic that would satisfy this element would be building permit plans that depict a service counter without seating

unless the applicant certifies that the intended principal use is for a restaurant or grocery and that the counter is part of a carry out service that is clearly subordinate to that principal use; or

"(c) Food is served on/in anything other than non-disposable tableware. Characteristics that would satisfy this element include, but are not limited to: the building permit plans do not depict a dishwasher or do depict trash receptacles in public areas.

"A proposed or existing establishment meeting this definition shall not be deemed to constitute any other use permitted under the authority of these regulations, except that a restaurant, grocery store, movie theater, or other use providing carryout service that is clearly subordinate to its principal use shall not be deemed a fast food establishment.".

(3) Add 2 new definitions after the definition of "Owner" to read as follows:

"Prepared food - food that is assembled, but not heated by means other than microwave or toaster, on the premises of a prepared food shop.

"Prepared food shop - a place of business that offers seating or carry out service, or both, and which is principally devoted to the sale of prepared food, non-alcoholic beverages, or cold refreshments. This term includes an establishment known as a sandwich shop, coffee shop, or an ice cream parlor.".

(4) Add a new definition after the definition of "Public Space Committee" to read as follows:

"Restaurant - a place of business that does not meet the definition of a "fast food establishment" or "prepared food shop," where food, drinks, or refreshments are prepared and sold to customers primarily for consumption on the premises. Any facilities for carryout shall be clearly subordinate to the principal use providing prepared foods for consumption on the premises.".

(5) The definition of "Unenclosed sidewalk cafe" is amended by striking the phrase "adjacent to a restaurant" and inserting the phrase "adjacent to a restaurant, distillery, brewery, winery, grocery store, fast food establishment, or prepared food shop" in its place.

SUBTITLE H. ENTERTAINMENT AND MEDIA PRODUCTION AND DEVELOPMENT AMENDMENT

Sec. 2071. Short title.

This subtitle may be cited as the "Entertainment and Media Production and Development Amendment Act of 2015".

Sec. 2072. The Cable Television Reform Act of 2002, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.01 *et seq.*), is amended as follows:

Amend § 34-1251.01

(a) Section 101 (D.C. Official Code § 34-1251.01) is amended to read as follows:

"Sec. 101. Short title.

"This act may be cited as the "Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2015".".

Repeal § 34-1251.02

(b) Section 102 (D.C. Official Code § 34-1251.02) is repealed.

Amend § 34-1251.03

(c) Section 103 (D.C. Official Code § 34-1251.03) is amended as follows:

(1) Paragraph (10) is repealed.

(2) A new paragraph (10A) is added to read as follows:

"(10A) "Director" means the Director of the Office of Cable Television, Film, Music, and Entertainment.".

(3) A new paragraph (12A) is added to read as follows:

"(12A) "Entertainment industry" means film, television, music, video, photography, gaming, digital media, and entertainment production.

(4) Paragraph (13) is repealed.

(5) Paragraph (23) is amended to read as follows:

"(23) "Office" means the Office of Cable Television, Film, Music, and Entertainment established by section 201.".

(6) Paragraph (26) is amended to read as follows:

"(26) "PEG" means public access, educational, and governmental channels with channel capacity designated for public access channels, educational channels, and government channels, and the facilities and equipment for the use of the channels.".

Amend § 34-1252.01

(d) Section 201 (D.C. Official Code § 34-1252.01.) is amended as follows:

(1) The heading is amended to read as follows:

"Sec. 201. Establishment of the Office of Cable Television, Film, Music, and Entertainment; Director; General Counsel.".

(2) Subsection (a) is amended to read as follows

"(a) There is established within the executive branch, as a subordinate agency, the Office of Cable Television, Film, Music, and Entertainment. The Office shall be responsible for:

"(1) Oversight of cable television services, including:

"(A) Regulating cable service, cable service providers, and the cable television industry;

"(B) Protecting and promoting the public interest in cable service; and

"(C) Executing the policies and provisions of the cable television laws and regulations of the District;

"(2) Producing content for the government and educational channels and managing those channels and producing video content for District government agencies and residents; and

"(3) Fostering the development of an entertainment industry in the District, including:

"(A) Marketing and promoting the District to the entertainment industry as a prime location for productions and events;

"(B) Stimulating employment and business opportunities related to the entertainment industry;

"(C) Creating a workforce-development program for the training of District residents on entertainment industry skillsets;

"(D) Serving as a clearinghouse for information regarding government requirements affecting the entertainment industry within the District;

"(E) Assisting producers and companies in securing permits and other appropriate services connected with the entertainment industry, including television shows and films; and

"(F) Facilitating cooperation from the District government, the federal government, and private sector groups in the location and production of entertainment industry projects, including television shows and films.".

(3) Subsections (b) and (c) are amended by striking the term "Executive Director" wherever it appears and inserting the term "Director" in its place.

(4) Subsection (d) is amended as follows:

(A) Strike the phrase "Executive Director" wherever it appears and insert the phrase "Director" in its place.

(B) Strike the phrase "Corporation Counsel" both times it appears and insert the phrase "Director of the Mayor's Office of Legal Counsel" in its place.

(C) A new sentence is added at the end to read as follows: "The General Counsel shall have significant experience with cable regulation matters.".

(5) New subsections (d-1) and (d-2) are added to read as follows:

"(d-1) There shall be established within the Office a:

"(1) Cable Television Division that shall oversee matters related to the regulation of the cable television industry; and

"(2) Film, Music, and Entertainment Development Division to support the development of an entertainment industry in the District.

"(d-2) The Director may establish other offices and divisions as the Director determines are in the interest of the Office and the purposes of this act.".

(6) Subsection (e) is amended by striking the phrase "Executive Director" and inserting the phrase "Director" in its place.

(e) The heading for section 202 (D.C. Official Code § 34-1252.02) is amended to read as follows: **Amend § 34-1252.02**

"Sec. 202. Powers and responsibilities of the Office of Film, Cable Television, Film, Music, and Entertainment.".

(f) Section 203(c) (D.C. Official Code § 34-1252.03(c)) is amended by striking the phrase "Executive Director" and inserting the word "Director in its place. **Amend § 34-1252.03**

(g) Section 602(b) (D.C. Official Code § 34-1256.02(b)) is amended by striking the phrase "to the Corporation Counsel" and inserting the phrase "to the Director of the Mayor's Office of Legal Counsel" in its place. **Amend § 34-1256.02**

(h) Section 604(c) (D.C. Official Code § 34-1256.04(c)) is amended by striking the phrase "to the Corporation Counsel" and inserting the phrase "to the Director of the Mayor's Office of Legal Counsel" in its place. **Amend § 34-1256.04**

(i) A new section 1406 is added to read as follows: **New § 34-1264.06**

"Sec. 1406. Additional transition provisions.

"(a) All appointments, rules, regulations, orders, administrative issuances, obligations, determinations, and agreements made, established, issued, promulgated, or entered into by the

Office of Cable Television or the Office of Motion Picture and Television Development shall remain in effect until amended, modified, superseded, or repealed by the Office of Cable Television, Film, Music, and Entertainment.

"(b) All unexpended balances of appropriations, allocations, income, and other funds available to the Office of Cable Television or the Office of Motion Picture and Television Development shall be transferred to the appropriate accounts of the Office of Cable Television, Film, Music, and Entertainment.

"(c) All lawful existing contractual rights and obligations of the Office of Cable Television or the Office of Motion Picture and Television Development shall transfer to the Office of Cable Television, Film, Music, and Entertainment, which shall assume all rights, duties, liabilities, and obligations as a successor in interest.".

Repeal §§ 2-1204.01, 2-1204.02

Sec. 2073. The Office of Motion Picture and Television Development Establishment Act of 2014, effective May 2, 2015 (D.C. Law 20-268; 62 DCR 1549), is repealed.

SUBTITLE I. LOCAL BUSINESS ENTERPRISE

Sec. 2081. Short title.

This subtitle may be cited as the "Local Business Enterprise Certification Amendment Act of 2015".

Amend § 2-218.31

Sec. 2082. Section 2331(2A) of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31(2A)), is amended as follows:

(a) Subparagraph (B) is amended by striking the word "or" at the end.

(b) Subparagraph (C) is amended to read as follows:

"(C) More than 50% of the assets of the business enterprise, excluding bank accounts, are located in the District; or".

(c) A new subparagraph (D) is added to read as follows:

"(D) More than 50% of the business enterprise's gross receipts are District gross receipts; and".

Sec. 2083. Applicability.

This subtitle shall apply as of June 10, 2014.

SUBTITLE J. SOLAR PERMITTING FEES TECHNICAL AMENDMENT

Sec. 2091. Short title.

This subtitle may be cited as the "Solar Permitting Fees Technical Clarification Amendment Act of 2015".

Sec. 2092. Section 2022 of the Solar Permitting Fees Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is amended by striking the phrase "12-K," both times it appears and inserting the phrase "12-M" in its place. **DCMR**

SUBTITLE K. ELECTRIC COMPANY INFRASTRUCTURE IMPROVEMENT

Sec. 2101. Short title.

This subtitle may be cited as the "Electric Company Infrastructure Improvement Financing Amendment Act of 2015".

Sec. 2102. Section 101 of the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01), is amended by adding a new paragraph (8A) to read as follows: **Amend § 34-1311.01**

"(8A)(A) "Distribution service customer class cost allocations" means the allocation of the electric company's revenue requirement to each customer rate class on the basis of the total rate class distribution service revenue minus the customer charge revenue.".

Sec. 2103. Applicability.

This subtitle shall apply as of May 3, 2014.

SUBTITLE L. ADULT CAREER PATHWAYS TASK FORCE AMENDMENT

Sec. 2111. Short title.

This subtitle may be cited as the "Adult Career Pathways Task Force Amendment Act of 2015".

Sec. 2112. Section 2122 of the Adult Literacy Task Force Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 32-1661), is amended as follows: **Amend § 32-1661**

(a) Subsection (c) is amended as follows:

(1) The lead-in language is amended by striking the number "13" and inserting the number "14" in its place.

(2) A new paragraph (8A) is added to read as follows:

"(8A) The Director of the Department on Disability Services, or his or her designee.".

(b) Subsection (d) is amended as follows:

(1) The lead-in language is amended to read as follows:

"(d) No later than September 30, 2015, the Task Force shall submit to the Council and the Mayor the city-wide strategic plan required under this section. The plan shall be developed in concert with the District's state integrated workforce development plan required under the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*). In developing the strategic plan, the Task Force shall:".

(2) Paragraph (8) is amended by striking the phrase "GED or secondary school diploma attainment" and inserting the phrase "secondary school diploma or equivalent credential attainment" in its place.

SUBTITLE M. ADULT CAREER PATHWAYS IMPLEMENTATION

Sec. 2121. Short title.

This subtitle may be cited as the "Career Pathways Implementation Amendment Act of 2015".

Sec. 2122. The Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1601 *et seq*.), is amended by adding a new section 6a to read as follows:

New § 32-1605.01

"Sec. 6a. Career Pathways Innovation.

"(a) Beginning in Fiscal Year 2017, and pursuant to section 4(c), the Council shall issue Career Pathways Innovation grants to design, pilot, and scale best practices in the implementation of adult career pathways and improve district performance as mandated by the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq*.), using a career pathways approach, consistent with the city-wide strategic plan developed by the Adult Career Pathways Task Force pursuant to section 2122 of the Adult Literacy Task Force Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 32-1661).

"(b) In Fiscal Year 2016, the Council shall solicit technical assistance to prepare for the issuance of the grants authorized by subsection (a) of this section.".

Amend § 51-114

Sec. 2123. Section 14(d)(2) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-114(d)(2)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase "Administrative Assessment Account" wherever it appears and inserting the phrase "Unemployment and Workforce Development Administrative Fund" in its place.

(b) Subparagraph (B) is amended by striking the phrase "Administrative Assessment Account" and inserting the phrase "Unemployment and Workforce Development Administrative Fund" in its place.

(c) Subparagraph (C)(vi) is amended to read as follows:

"(vi) Other activities that may increase the likelihood of employment or reemployment, including the activities of the Workforce Investment Council, established by section 4 of the Workforce Investment Implementation Act of 2000, effective July

18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603) ("Workforce Investment Implementation Act")."

(d) A new subparagraph (D) is added to read as follows:

"(D) The following amounts in the Unemployment and Workforce Development Administrative Fund may be used by the Workforce Investment Council, for the purposes set forth in section 6a of the Workforce Investment Implementation Act:

"(i) In Fiscal Year 2016, $500,000; and

"(ii) In Fiscal Year 2017 and each fiscal year thereafter, $1.5 million.".

SUBTITLE N. CLEAN TEAM EXTENSION

Sec. 2131. Short title.

This subtitle may be cited as the "Clean Team Extension Amendment Act of 2015".

Sec. 2132. Section 6087(a)(2) of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is amended by striking the phrase "Wisconsin Avenue, N.W., from Lowell Street, N.W., to Davenport Street, N.W." and inserting the phrase "Wisconsin Avenue, N.W., from Lowell Street, N.W., to Western Avenue, N.W.; and Connecticut Avenue, N.W., between Calvert Street, N.W., and Cathedral Avenue, N.W., between Macomb Street, N.W., and Porter Street, N.W., between Tilden Street, N.W., and Albemarle Street, N.W., between Fessenden Street, N.W., and Nebraska Avenue, N.W., and between Livingston Street, N.W., and Western Avenue, N.W." in its place.

Not Codified in the D.C. Official Code

SUBTITLE O. DC BEAUTIFUL PILOT PROGRAM

Sec. 2141. Short title.

This subtitle may be cited as the "DC Beautiful Pilot Program Act of 2015".

Sec. 2142. DC Beautiful Pilot Program.

Note, § 6-1001

(a) The Office of Planning shall create a one-year pilot program during Fiscal Year 2016 to beautify 2 or more street segments in Ward 7 or Ward 8 that are not located in a Business Improvement District, as that term is defined in section 3(7) of the Business Improvements Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)).

(b) For the pilot program, the Office of Planning shall allocate 2 employees who shall design, plan, and coordinate efforts of private actors and government agencies to beautify the selected street segments by, at a minimum:

(1) Engaging community members and local businesses to determine priorities for beautification;

(2) Soliciting private organizations for resources and assistance; and

(3) Identifying and coordinating beautification services from various District agencies to:

(A) Increase the number of tree boxes and planters;

(B) Abate graffiti;

(C) Survey the designated area to ensure an adequate number of trash and recycle bins;

(D) Maintain bus shelters and triangle parks;

(E) Landscape tree boxes, planters, and triangle parks; and

(F) Clean up litter.

SUBTITLE P. GREATER ECONOMIC OPPORTUNITY STRATEGIC PLANNING

Sec. 2151. Short title.

This subtitle may be cited as the "Greater Economic Opportunity Strategic Planning Act of 2015".

Sec. 2152. Strategic Plans for Economic Opportunity for Ward 7 and Ward 8. **Note, § 6-1001**

(a) In Fiscal Year 2016, the Deputy Mayor for Greater Economic Opportunity is authorized to prepare, publish, and submit to the Council a comprehensive Strategic Plan for Economic Development for Ward 7 and a comprehensive Strategic Plan for Economic Development for Ward 8, no later than September 30, 2016.

(b) The plans required by this section shall:

(1) Include analysis of data related to education, housing, employment, transit, and economic development in each ward;

(2) Include a needs assessment for each ward that takes into account existing data;

(3) Include analysis of strategies that have been successful in spurring economic development in similar communities within the District and across the country;

(4) Include specific recommendations for improvements in the areas of education, housing, employment, transit, and economic development; and

(5) Include assessments of and recommendations to achieve viability of existing commercial corridors in each ward.

(c) The plans required by this section shall identify any new legislation necessary to implement its recommendations and provide recommendations concerning how to fund the provisions of the plan.

SUBTITLE Q. UNIFORM COMMERCIAL CODE BULK SALES CONFORMING CLARIFICATION

Sec. 2161. Short title.

This subtitle may be cited as the "Uniform Commercial Code Bulk Sales Conforming Clarification Act of 2015".

Sec. 2162. Section 25-303 of the District of Columbia Official Code is amended by adding a new subsection (e) to read as follows: **Amend § 25-303**

"(e) Nothing in this section shall prohibit a wholesaler or other licensee under this title from obtaining, perfecting, or enforcing a security interest under Article 9 of Subtitle I of Title 28 in any personal property or fixtures of a retailer or other licensee, including inventory and accounts and other rights to payment.".

SUBTITLE R. CREATIVE AND OPEN SPACE MODERNIZATION

Sec. 2171. Short title.

This subtitle may be cited as the "Creative and Open Space Modernization Amendment Act of 2015".

Sec. 2172. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-811.03(a)(4) is amended to read as follows:

"(4) "Eligible building" means a non-residential or mixed-use building.".

(b) Chapter 46 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

"47-4664. Qualified High Technology Company interior renovation tax rebate.".

(2) A new section 47-4664 is added to read as follows:

"§ 47-4664. Qualified High Technology Company interior renovation tax rebate. **New § 47-4665**

"(a) For the purposes of this section, the term:

"(1) "Directly related entity" means a Qualified High Technology Company that is closely associated with a tenant, including:

"(A) A subsidiary or parent company of a tenant;

"(B) A special purpose vehicle of a tenant;

"(C) A holding company of a tenant;

"(D) An operating company of a tenant;

"(E) A flow-through entity of a tenant; or

"(F) A company otherwise substantially sharing, directly or indirectly, common directors, officers, employees, facilities, or profits with a tenant.

"(2) "Eligible building" means a non-residential or mixed-use building.

"(3) "Eligible premises" means a nonresidential, interior portion of an eligible building that is used as an office (including ancillary uses) or retail space by a Qualified High Technology Company under a lease.

"(4) "Lease commencement" means the date on which a tenant, or a directly related entity, takes possession of eligible premises or the occupancy date for eligible premises agreed to in a lease or sublease by a tenant, whichever occurs first.

"(5) "Mixed-use building" means a building used for both residential and non-residential purposes.

"(6) "Public benefit" means an undertaking by a tenant or a directly related entity that the Mayor, in his or her sole discretion, determines will have a material, positive impact on the District of Columbia. The term "public benefit" may include:

"(A) Providing employment or contracting opportunities for District of Columbia residents and Certified Business Enterprises;

"(B) Providing low-income or underserved individuals or communities in the District of Columbia with reduced-price or free products, services, or commercial or community space;

"(C) Providing economic opportunities, training, or jobs for individuals or communities beyond those offered through the normal course of business; or

"(D) Providing innovation-and-technology-related educational, training, or internship opportunities for students in the District of Columbia.

"(7) "Qualified High Technology Company" shall have the same meaning as provided in § 47-1817.01(5).

"(8) "Qualified tenant improvement" means an improvement to eligible premises made pursuant to a lease or a sublease by a tenant or a directly related entity that is substantially completed no later than one year after lease commencement.

"(9) "Tenant" means a Qualified High Technology Company that executes a lease or a sublease for at least 50,000 square feet of net rentable area of eligible premises within the District for a minimum term of 12 years, under which the tenant, or a directly related entity, occupies and uses the eligible premises, or will occupy and use the eligible premises, on or after the lease commencement date.

"(10) "Total value of qualified tenant improvements" means the amount expended by a tenant or a directly related entity to make qualified tenant improvements.

"(b) A tenant that leases or subleases eligible premises taxable under Chapter 8 of this title shall receive, to the extent provided in this section, a rebate of the real property tax paid with respect to the eligible premises for the portion of the tax year that the eligible premises are occupied by the tenant or a directly related entity if:

"(1) The tenant is liable under the lease or sublease for its proportionate share of the real property tax for the tax lot on which the eligible building is located;

"(2) The tenant has been certified as eligible for a rebate by the Mayor under subsection (e) of this section;

"(3) The real property tax has been paid for the year during which the rebate is sought;

"(4) The tenant complies with the requirements of subsection (d) of this section during the tax year for which the rebate is sought; and

"(5) No abatement of the real property tax on the eligible building pursuant to § 47-811.03 has been claimed for the tax year for which the rebate is sought.

"(c)(1) The amount of a rebate provided pursuant to this section to a single tenant or any directly related entity in a single year shall be equal to the least of the following:

"(A) 10% of the total value of any qualified tenant improvements substantially completed during the preceding 5 years, as certified by the Mayor pursuant to subsection (e)(3) of this section;

"(B) The portion of the real property tax paid during the year for which the rebate is sought, either directly or indirectly, by the tenant or by a directly related entity under the tenant's or directly related entity's lease or sublease; or

"(C) $1 million.

"(2) The amount of the rebate calculated pursuant to paragraph (1) of this subsection shall be reduced by the amount of any grant received by the tenant or by a directly related entity pursuant to section 3(c)(4) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.172(c)(4)), as certified by the Mayor to the Office of Tax and Revenue.

"(3) Payment of the rebate of real property tax shall be made no later than December 31 of the year following the tax year for which the taxes to be rebated were paid; provided, that the tenant is eligible to receive the rebate payment.

"(d) No later than September 15 of the tax year in which the tax was paid as provided under § 47-811, a tenant seeking a rebate pursuant to this section shall submit to the Chief Financial Officer:

"(1) A copy of the tenant's lease or sublease including any provisions requiring the tenant to pay a portion of the property tax for the tax lot on which the eligible building is located;

"(2) Documentation that the tenant has paid its proportional share of the real property tax to date, as required under the lease or sublease for the eligible premises, to be supplemented by the tenant once it has made its final payment for the calendar year;

"(3) An itemization of the rentable square footage of the eligible premises actually occupied by the tenant or a directly related entity and the period of such occupancy during the tax year; and

"(4) If obtained by the tenant before the date of the submission to the Chief Financial Officer, certifications by the Mayor of the tenant's eligibility for a rebate pursuant to subsection (e)(2) of this section and of the total value of qualified tenant improvements pursuant to subsection (e)(3) of this section, and, if known to the tenant before the date of the submission to the Chief Financial Officer, the maximum amount of the rebate allowable under subsection (c) of this section. If these items are not available at the time of submission, the tenant shall supplement the application with these items when they become available.

"(e)(1) A tenant who seeks to be considered eligible for a rebate provided under this section, shall file with the Mayor on or after June 1, 2016, in a manner and form as the Mayor may prescribe, an eligibility certification application, which shall include:

"(A) The identity of the tenant, including the tenant's taxpayer identification number, and the identity of any directly related entity that may be occupying all or part of the eligible premises, including the directly related entity's taxpayer identification number;

"(B) A description of the eligible building, by square and lot, parcel, or reservation number, and of the eligible premises, including floors, location, and square footage;

"(C) The estimated cost of making any qualified tenant improvements to the eligible premises;

"(D) The date of lease commencement and anticipated duration of the lease or sublease.

"(E) A description of the public benefit that the tenant proposes to furnish; and

"(F) Any other information that the Mayor considers necessary.

"(2) The Mayor shall review the tenant's eligibility certification application. If the Mayor determines that the tenant has proposed to furnish a public benefit and that the tenant is otherwise eligible, the Mayor shall certify to the Office of Tax and Revenue the tenant's eligibility to receive a rebate pursuant to this section. The certification shall be made before the tenant's lease commencement or within 45 days after the eligibility certification application is received, whichever is later in time.

"(3) Within 60 days following substantial completion of qualified tenant improvements, the tenant shall submit to the Mayor an itemization of the total value of qualified tenant improvements, together with supporting documentation. Within 60 days following the receipt of this submission, the Mayor shall review and certify the total value of qualified tenant improvements to the Office of Tax and Revenue.

"(4) No later than 31 days before the end of each calendar year following lease commencement, the Mayor shall certify to the Office of Tax and Revenue whether the tenant has furnished or has made substantial progress toward furnishing a public benefit. If the Mayor certifies that a tenant has not furnished or made substantial progress toward furnishing a public benefit, the Office of Tax and Revenue shall not pay a rebate to the tenant for that calendar year.

"(5) If at any time the Mayor determines that a tenant has become ineligible for a rebate under this section, either for failure to make substantial progress toward furnishing a public benefit or for some other reason, the Mayor immediately shall notify the Office of Tax and Revenue and thereafter the Office of Tax and Revenue shall not pay to the tenant any rebate pursuant to this section.

"(f) Notwithstanding any other provision of this section, the total combined rebate payments per fiscal year for all tenants under this section, beginning in Fiscal Year 2017, shall not exceed $3 million.".

Amend § 2-1225.21

Sec. 2173. Section 301 of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-1) to read as follows:

"(d-1) In Fiscal Year 2017 and each fiscal year thereafter, up to $3 million in monies credited to the Account may be used to fund real property tax rebates to one or more Qualified High Technology Companies ("QHTCs"), as defined by D.C. Official Code § 47-1817.01(5), pursuant to D.C. Official Code § 47-4664.".

Sec. 2174. Section 3(c) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.172(c)), is amended by adding a new paragraph (4) to read as follows: **Amend § 1-325.172**

"(4)(A) In Fiscal Year 2016, the Deputy Mayor for Planning and Economic Development may use monies credited to the Fund to award up to $2 million in grants to one or more Qualified High Technology Companies ("QHTCs"), as defined by D.C. Official Code § 47-1817.01(5), for the purpose of assisting the recipients in making improvements to building space that is rented, or to be rented, and occupied exclusively, or to be occupied exclusively, by those QHTCs.

"(B) The total amount of grants to a single recipient shall not exceed $1 million.".

SUBTITLE S. SOCCER STADIUM DEVELOPMENT TECHNICAL CLARIFICATION

Sec. 2181. Short title.

This subtitle may be cited as the "Soccer Stadium Development Technical Clarification Amendment Act of 2015".

Sec. 2182. The Soccer Stadium Development Act of 2014, effective March 11, 2015 (D.C. Law 20-233; to be codified at D.C. Official Code § 10-1651.01 *et seq*.), is amended as follows:

(a) Section 101 (to be codified at D.C. Official Code § 10-1651.01) is amended to read as follows: **Amend § 10-1603.01**

"Sec. 101. Definitions.

"For the purposes of this title, the term:

"(1) "Northwest portion of Lot 24 in Square 665" means the northwest portion of Lot 24 in Square 665 as described in the letter of intent between the District and Potomac Electric Power Company dated December 27, 2013.

"(2) "Soccer stadium site" means the real property described as Squares 603S, 605, 607, 661, and 661N, and the northwest portion of Lot 24 in Square 665, and all public alleys and streets to be closed within these squares.".

(b) Section 102 (to be codified at D.C. Official Code § 10-1651.02) is amended as follows: **Amend § 10-1603.02**

(1) A new paragraph (1A) is added to read as follows:

"(1A) The acquisition of land for, construction of, and operation of a new stadium for D.C. United in itself serves a public purpose, in particular because the stadium will promote the recreation, entertainment, and enjoyment of the public.".

(2) Paragraph (2) is amended by striking the phrase "Without the development" and inserting the phrase "In addition, without the development" in its place.

(c) Section 103 (to be codified at D.C. Official Code § 10-1651.03) is amended as follows: **Amend § 10-1603.03**

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

(A) Strike the phrase "shall acquire" and insert the phrase "is authorized to acquire" in its place.

(B) Strike the phrase "as described in the letter of intent between the District and Potomac Electric Power Company ("PEPCO") dated December 27, 2013".

(2) Subsection (d) is amended to read as follows:

"(d) The Mayor shall transmit to the Council any agreement to acquire any portion of Squares 605, 607, or 661, or the northwest portion of Lot 24 in Square 665 that requires the approval of the Council pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), not later than 30 days before the effective date of the agreement. Any such agreement shall be exempt from section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)).".

(3) Subsection (e) is amended by striking the phrase "as described in the letter of intent between the District and PEPCO dated December 27, 2013".

Amend § 10-1603.04

(d) Section 104 (to be codified at D.C. Official Code § 10-1651.04) is amended as follows:

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

"(a) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq*.), the Mayor may enter into a ground lease ("revised ground lease") between the District of Columbia and DC Stadium LLC; provided, that:

"(1) The revised ground lease amends the ground lease between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original ground lease") to:

"(A) Not contain any provision to abate District sales tax;

"(B) Include the labor peace provisions set forth in subsection (c) of this section; and

"(C) Contain modifications to conform the terms of the original ground lease to the provisions of this act;

"(2) The Mayor transmits the revised ground lease to the Council for its review not later than 30 days before the effective date of the revised ground lease;

"(3) The Mayor transmits simultaneously to the Council for its review pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), a revised development agreement ("revised development agreement") that amends the development agreement between the District of Columbia and DC Stadium LLC, dated May 23, 2014 ("original development agreement"), for the development of the soccer stadium site and that:

"(A) Extends the date by which the District shall acquire control of the soccer stadium site to September 30, 2015;

"(B) Extends the dates by which the District shall close streets and alleys, acquire fee title, demolish existing structures, perform infrastructure work (including all District

obligations under article V of the original development agreement), and perform environmental remediation work (including all District obligations under article VI of the original development agreement), as such actions are described in articles III, IV, V, and VI of the original development agreement and may be described or referenced in other provisions of the original development agreement, each by 6 months;

"(C) Sets a date by which DC Stadium LLC shall complete the construction of a soccer stadium at the soccer stadium site;

"(D) Extends other dates as negotiated between the District and DC Stadium, LLC;

"(E) Amends section 5.9 of the original development agreement to read as follows: "Land Contribution. Within 30 days of the District's acquisition of either Lot 7 or Lot 802 in Square 605, the Stadium Developer shall pay to the District, or its designee, Two Million Five Hundred Thousand Dollars ($2,500,000.00) to offset Land acquisition costs, unless the District acquires either Lot 7 or Lot 802 in Square 605 by the use of eminent domain and the aggregate price paid by the District for Lot 7 and Lot 802 is less than $25,148,760.";

"(F) Amends section 9.1(c) of the original development agreement to read as follows: "Designated Entertainment Area. The District shall grant to the Developer 'signage rights' with respect to the Land, such signage rights to be those rights described in the proposed Chapter 8 of Title 13 of the District of Columbia Municipal Regulations published in the DC Register on August 17, 2012.";

"(G) Provides that no fees, proffers, or deposits shall be borne or waived by the District pursuant to section 7.6 of the original development agreement before October 1, 2015."; and

"(H) Includes the labor peace provisions set forth in subsection (c) of this section; and

"(4) The Council does not adopt a resolution of disapproval pertaining to the ground lease within 30 days beginning on the day on which the ground lease is submitted to the Council, excluding days of Council recess.".

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

"(b)(1) The revised ground lease and the revised development agreement each may provide an enhanced "Performance Assurance" without increasing the District's financial obligations.

"(2) The revised development agreement shall be exempt from section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(c)).".

(3) Subsection (c) is amended by striking the phrase "DC Stadium, LLC and the District shall agree" and inserting the phrase "The District is authorized to agree" in its place.

Amend § 10-1603.07

(e) Section 107(b) (to be codified at D.C. Official Code § 10-1651.07(b)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "September 4, 2014;" and inserting the phrase "December 15, 2014;" in its place.

(2) A new paragraph (2A) is added to read as follows:

"(2A) Any payment made by D.C. United to the District government pursuant to the revised ground lease;".

Amend § 10-1603.08

(f) Section 108 (to be codified at D.C. Official Code § 10-1651.08) is amended as follows:

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

"(a) The Mayor shall implement the Convention Center – Southwest Waterfront corridor as described in the "DC Circulator 2014 Transit Development Plan Update" dated September 2014.".

(2) Subsection (c) is amended to read as follows:

"(c) The Mayor shall make capital improvements of at least $250,000 to the Randall Recreation Center in Ward 6.".

(3) Subsection (d) is amended by striking the phrase "provide ongoing operations and programming funding for" and inserting the phrase "operate and provide programmed activities for" in its place.

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

"(e) The Mayor is authorized to negotiate other community-benefit commitments from D.C. United and its affiliated entities, including those that promote youth soccer, education, employment opportunities, and job training programs.".

SUBTITLE T. DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT LIMITED GRANT-MAKING

Sec. 2191. Short title.

This subtitle may be cited as the "Fiscal Year 2016 Deputy Mayor for Planning and Economic Development Limited Grant-making Amendment Act of 2015".

Not Codified in the D.C. Official Code

Sec. 2192. In Fiscal Year 2016, the Deputy Mayor for Planning and Economic Development shall award a grant of $3 million to a qualified partner of the C&O Canal National Historic Park to improve infrastructure or facilities on or along the Georgetown section of the C&O Canal.

SUBTITLE U. DCHA BOARD OF COMMISSIONERS AMENDMENT

Sec. 2201. Short title.

This subtitle may be cited as the "DCHA Board of Commissioners Amendment Act of 2015".

Amend § 1-611.08

Sec. 2202. Section 1108(c-2)(1) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(1)), is amended as follows:

(a) Strike the figure "$3,000" and insert the figure "$4,000" in its place.

(b) Strike the figure "$5,000" and insert the figure "$6,000" in its place.

(c) Strike the phrase "quarterly;" and insert the phrase "quarterly; provided, that all stipends shall be paid from non-District funds;" in its place.

SUBTITLE V. RENT CONTROL HOUSING CLEARINGHOUSE

Sec. 2211. Short title.

This subtitle may be cited as the "Rent Control Housing Clearinghouse Amendment Act of 2015".

Sec. 2212. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) A new section 203a is added to read as follows:

New § 42-3502.03c

"Sec. 203a. Public Accessible Rent Control Housing Clearinghouse.

"(a) The Rental Accommodations Division ("RAD") of the Department of Housing and Community Development ("DHCD"), in close consultation with the Office of the Tenant Advocate and the Office of the Chief Technology Officer, is authorized to establish a user-friendly, internet-accessible, searchable database for the submission, management, and review of all documents and relevant data that title II of this act requires housing providers to submit to the RAD.

"(b) The database shall:

"(1) Include an online portal, not accessible to the general public, for the filing of all documents and data by housing providers as required by title II of this act, and all regulations promulgated pursuant to title II of this act; and

"(2) Include an online portal accessible to the general public that provides information drawn from the documents submitted by housing providers pursuant to paragraph (1) of this subsection, relevant to tenants seeking and living in rent control accommodations.

"(c) The portal accessible to the general public shall include at a minimum, the following real-time, searchable parameters:

"(1) The building address and ward number;

"(2) The base rent for each rental unit in the accommodation;

"(3) Any services or facilities provided as part of the base rent;

"(4) The amount and date of each annual rent increase or decrease;

"(5) The number of bedrooms in each unit;

"(6) The vacancy status of each unit;

"(7) The accessibility information of the building, as it relates to District of Columbia and federal law;

"(8) The name, telephone number, and email address of the housing provider and property manager;

"(9) Dates and numbers of the basic business license of the housing provider;

"(10) Dates and numbers of the certificate of occupancy of the building;

"(11) The name, contact information, and place of business of the registered agent of the building, if applicable;

"(12) The licensing and registration of the property manager of the accommodation, when other than the housing provider;

"(13) The RAD registration exemption number and date of the housing accommodation;

"(14) Any pro-active inspection dates;

"(15) Any outstanding violations of the housing regulations applicable to the accommodation;

"(16) The notice date of any housing code violations;

"(17) The rate of return for the housing accommodation and computation required by section 205(f)(6);

"(18) Any petitions filed by the housing provider including, related services and facilities petition, capital improvement petition, substantial rehabilitation petition, voluntary agreement petition, hardship petition, other valid tenant petitions;

"(19) Any court or administrative actions; and

"(20) Other information the RAD determines is relevant to tenants seeking and living in rent control accommodations.

"(d) The portal accessible to the general public shall exclude any documentation submitted in support of a tenant's application for elderly or disability status pursuant to section 208(h)(2), and any other information the Rent Administrator may deem necessary to exclude to protect the privacy and personal information of a tenant.

"(e) The database should be completed in phases according to the following timeline:

"(1) Phase 1 - Within 6 months of the effective date of the Rent Control Housing Clearinghouse Amendment Act of 2015, passed on 2nd reading on June 30, 2015 (Enrolled version of Bill 21-158)("Clearinghouse Act"), DHCD should award a contract to build the database.

"(2) Phase 2 - Within one year of the effective date of the Clearinghouse Act, DHCD should ensure that the database portals are operational for the entry of data by housing providers, and for the general public to conduct searches of the information in the database.

"(3) Phase 3 - Within 2 years of the effective date of the Clearinghouse Act, DHCD should ensure the integration of existing data contained in documents previously submitted to the RAD, pursuant to title II of this act, into the database.

"(f) Beginning with the completion of Phase 2, all documents required to be filed by title II of this act, should be submitted to the RAD through the online database.

"(g) Beginning 6 months after the effective date of the Clearinghouse Act, and continuing every 6 months thereafter until phase 3 of database is completed, the RAD should report to the Council on the progress of the establishment of the database.".

(b) Section 205(g)(2) (D.C. Official Code § 42-3502.05(g)(2)) is repealed.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. BODY-WORN CAMERA REGULATION AND REPORTING REQUIREMENTS

Sec. 3001. Short title.

This subtitle may be cited as the "Body-Worn Camera Regulation and Reporting Requirements Act of 2015".

Sec. 3002. Body-Worn Camera Program; generally. **New § 5-116.31**

The Body-Worn Camera Program in the Metropolitan Police Department in Fiscal Year 2016 shall not be implemented until certification by the Chief Financial Officer that the cost of public access to body-worn camera recordings, if any, is funded in the Fiscal Year 2016 budget and 4-year financial plan.

Sec. 3003. Body-Worn Camera Program; rulemaking requirement. **New § 5-116.32**

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), and in accordance with this section, shall issue rules regarding the Metropolitan Police Department's Body-Worn Camera Program. The rules, at a minimum, shall provide:

(1) Standards for public access to body-worn camera recordings;

(2) Policies for retaining body-worn camera recordings;

(3) Procedures for auditing the Body-Worn Camera Program;

(4) Policies for protecting the security and integrity of body-worn camera data; and

(5) Mechanisms for cost recovery of Freedom of Information Act requests.

(b) The Mayor shall establish and consult with an advisory group to provide recommendations for the proposed rules required by subsection (c) of this section. The advisory group shall consist of one representative from each of the following agencies and organizations:

(1) The Committee on the Judiciary of the Council of the District of Columbia;

(2) The Office of Police Complaints;

(3) The Office of Open Government of the Board of Ethics and Government Accountability;

(4) The Fraternal Order of Police, D.C. Police Union;

(5) The Electronic Privacy and Information Center;

(6) The D.C. Coalition Against Domestic Violence;

(7) The American Civil Liberties Union of the National Capital Area;

(8) The Reporters Committee for Freedom of the Press;

(9) The D.C. Open Government Coalition;

(10) The Office of the Attorney General;

(11) The United States Attorney's Office for the District of Columbia; and

(12) The Public Defender Service for the District of Columbia.

(c) The Mayor shall submit the proposed rules required by this section to the Council by October 1, 2015, for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within this 45-day period of review, the proposed rules shall be deemed disapproved.

Sec. 3004. Body-Worn Camera Program; reporting requirements. **New § 5-116.33**

(a) By October 1, 2015, and every 6 months thereafter, the Mayor shall collect, and make available in a publicly accessible format, data on the Metropolitan Police Department's Body-Worn Camera Program, including:

(1) How many hours of body-worn camera recordings were collected;

(2) How many times body-worn cameras failed while officers were on shift and the reasons for the failures;

(3) How many times internal investigations were opened for a failure to turn on body-worn cameras during interactions;

(4) How many times body-worn camera recordings were used by the Metropolitan Police Department in internal affairs investigations;

(5) How many times body-worn camera recordings were used by the Metropolitan Police Department to investigate complaints made by an individual or group;

(6) How many body-worn cameras are assigned to each police district and police unit for the reporting period; and

(7) How many Freedom of Information Act requests the Metropolitan Police Department received for body-worn camera recordings during the reporting period, and the outcome of each request, including any reasons for denial.

(b) The Metropolitan Police Department shall provide the Office of Police Complaints with direct access to body-worn camera recordings.

Sec. 3005. Section 8 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1107), is amended by adding a new subsection (k) to read as follows: **Amend § 5-1107**

"(k) By February 1 of each year, the Office of Police Complaints shall provide a report to the Council on the effectiveness of the Metropolitan Police Department's Body-Worn Camera Program, including an analysis of use of force incidents.".

SUBTITLE B. CHILD FATALITY REVIEW COMMITTEE AMENDMENT

Sec. 3011. Short title.

This subtitle may be cited as the "Child Fatality Review Committee Establishment Amendment of 2015".

Amend § 4-1371.04

Sec. 3012. Section 4604(a) of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.04(a)), is amended as follows:

(a) Paragraph (8) is amended by striking the phrase "Department of Housing and Community Development; and" and inserting the phrase "District of Columbia Housing Authority;" in its place.

(b) Paragraph (9) is amended by striking the phrase "Office of the Corporation Counsel." and inserting the phase "Office of the Attorney General;" in its place.

(c) New paragraphs (10), (11), (12), and (13) are added to read as follows:

"(10) Department of Behavioral Health;

"(11) Department of Health Care Finance;

"(12) Department of Youth Rehabilitation Services; and

"(13) Office of the State Superintendent of Education.".

SUBTITLE C. OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE

Sec. 3021. Short title.

This subtitle may be cited as the "Office of the Deputy Mayor for Public Safety and Justice Amendment Act of 2015".

Amend § 1-301.191

Sec. 3022. Section 3022(c)(5)(A) of the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191(c)(5)(A)), is amended by striking the phrase "Oversee and provide administrative support for the" and inserting the phrase "Be responsible for providing guidance and support to, and coordination of, the" in its place.

SUBTITLE D. SENTENCING AND CRIMINAL CODE REVISION COMMISSION STAFFING

Sec. 3031. Short title.

This subtitle may be cited as the "Sentencing and Criminal Code Revision Commission Staffing Amendment Act of 2015".

Amend § 1-609.03

Sec. 3032. Section 903(a)(9) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.03(a)(9)), is amended by striking the phrase "10 persons" and inserting the phrase "11 persons" in its place.

SUBTITLE E. DOC INMATE AND RETURNING CITIZEN ASSISTANCE

Sec. 3041. Short title.

This subtitle may be cited as the "DOC Inmate and Returning Citizen Assistance Act of 2015".

Sec. 3042. DOC inmate and returning citizen assistance grant.

Not Codified in the D.C. Official Code

From the Fiscal Year 2016 funds available to the Office of Justice Grants Administration, no less than $100,000 shall be awarded to help fund an organization that assists inmates at the DC Jail or Correctional Treatment Facility and recently released inmates.

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT

Sec. 4001. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Amendment Act of 2015".

Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following tabular array in its place:

Amend § 38-2904

"Grade Level	Weighting	Per Pupil Allocation in FY 2016
"Pre-Kindergarten 3	1.34	$12,719
"Pre-Kindergarten 4	1.30	$12,340
"Kindergarten	1.30	$12,340
"Grades 1-5	1.00	$9,492
"Grades 6-8	1.08	$10,251
"Grades 9-12	1.22	$11,580
"Alternative program	1.44	$13,668
"Special education school	1.17	$11,106
"Adult	0.89	$8,448

".

(b) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

Amend § 38-2905

"(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

"Special Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	$9,207
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	$11,390
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	$18,699
"Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	$33,127
"Special education enhancement	Weighting provided in addition to special education level add-on weightings on a per-student basis	0.069	$655
"Attorney's Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney's fees	0.089	$845

"Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	$15,852

"General Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
"ELL	Additional funding for English Language Learners	0.49	$4,651
"At-risk	Additional funding for students who are at-risk as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A))	0.219	$2,079

"Residential Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016

"Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	$3,493
"Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	$12,691
"Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	$27,438
"Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non-English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.874	$27,280

"LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	$6,341

"Special Education Add-ons for Students with Extended School Year ("ESY") Indicated in Their Individualized Education Programs ("IEPs"):

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
"Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	$598
"Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	$2,155
"Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	$4,661

"Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.489	$4,642	".

(c) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase "fiscal year 2016" and inserting the phrase "Fiscal Year 2017" in its place. **Amend § 38-2913**

SUBTITLE B. SCHOOL TECHNOLOGY FUND

Sec. 4011. Short title.

This subtitle may be cited as the "School Technology Fund Amendment Act of 2015".

Sec. 4012. Section 10005 of the Revised Revenue Estimate Adjustment Allocation Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.251), is amended by adding a new subsection (d) to read as follows: **Amend § 1-325.251**

"(d) By November 15 of each year, each LEA receiving money from the Fund shall submit to the Office of the State Superintendent of Education a report of all expenditures from the Fund for the preceding fiscal year. The report shall include the following information:

"(1) A detailed description of the equipment or software that was purchased by the LEA with money from the Fund, including the cost associated with each piece of equipment or software; and

"(2) A detailed description of the technological improvements that were made to the LEA's school facilities using money from the Fund.".

SUBTITLE C. STUDENT RESIDENCY VERIFICATION FUND

Sec. 4021. Short title.

This subtitle may be cited as the "Student Residency Verification Fund Amendment Act of 2015".

Sec. 4022. Section 2(c) of An Act To require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(c)), is amended to read as follows: **Amend § 38-302**

"(c) All non-resident tuition and fees collected under this section shall be deposited in the Student Residency Verification Fund, established by section 15b of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.02).".

Amend § 38-312.02

Sec. 4023. Section 15b(d) of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.02(d)), is amended to read as follows:

"(d) The Fund shall consist of the revenue from the following sources:

"(1) All payments collected pursuant to this act; and

"(2) All non-resident tuition and fees collected pursuant to section 2(c) of An Act To require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(c)).".

SUBTITLE D. AT-RISK SUPPLEMENTAL ALLOCATION PRESERVATION FUND

Sec. 4031. Short title.

New Part D-i, Subchapter XI, Chapter 3, Title 1 New § 1-325.35

This subtitle may be cited as the "At-Risk Supplemental Allocation Preservation Fund Establishment Act of 2015".

Sec. 4032. At-Risk Supplemental Allocation Preservation Fund.

(a) There is established as a special fund the At-Risk Supplemental Allocation Preservation Fund ("Fund"), which shall be administered by the Chancellor of the District of Columbia Public Schools in accordance with subsection (c) of this section.

(b)(1) Subject to the limitations set forth in paragraph (2) of this subsection, at the end of each fiscal year, all unspent local funds in the District of Columbia Public Schools budget that are based on the at-risk add-on established by section 106(c) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2905(c)), shall be deposited in the Fund.

(2) Each year's deposit pursuant to paragraph (1) of this subsection shall not exceed 5% of the lower of the District of Columbia Public Schools budget associated with the at-risk add-on for:

(A) The fiscal year in which the funds would be deposited; or

(B) The fiscal year after the year in which the funds would be deposited.

(c) The Fund shall be used solely to fund services and materials designed to assist at-risk students, as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)).

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE E. CHANCELLOR OF DCPS SALARY ADJUSTMENT AMENDMENT

Sec. 4041. Short title.

This subtitle may be cited as the "Chancellor of the District of Columbia Public Schools Salary Adjustment Amendment Act of 2015".

Sec. 4042. Section 1052(b)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)(2)), is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($275,000)," and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($284,000)," in its place.

Amend § 1-610.52

SUBTITLE F. DCPS SPONSORSHIP OPPORTUNITIES AMENDMENT

Sec. 4051. Short title.

This subtitle may be cited as the "District of Columbia Public Schools Sponsorship Opportunities Amendment Act of 2015".

Sec. 4052. The District of Columbia Public Schools Agency Establishment Act of 2007, effective April 23, 2007 (D.C. Law 17-09; D.C. Official Code § 38-171 *et seq*.), is amended by adding a new section 105a to read as follows:

"Sec. 105a. Event sponsorships.

New § 38-174.01

"(a) The Chancellor may contract for advertisements and sponsorships for athletics, community engagement events, educational programs, or facilities improvements designed to generate resources for the District of Columbia Public Schools.

"(b)(1) There is established as a special fund the District of Columbia Public Schools Advertisements and Sponsorships Fund ("Fund"), which shall be administered by the Chancellor in accordance with paragraph (3) of this subsection.

"(2) The Fund shall consist of all revenue from contracts for advertisements and sponsorships for athletics, community engagement events, educational programs, or facilities improvements pursuant to subsection (a) of this section.

"(3) The Fund shall be used for the support of the operations of the District of Columbia Public Schools.

"(4)(A) The money deposited into the Fund, and interest earned, shall not revert to the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE G. EDUCATOR EVALUATION DATA PROTECTION

Sec. 4061. Short title.

This subtitle may be cited as the "Educator Evaluation Data Protection Amendment Act of 2015".

Sec. 4062. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), is amended by adding a new section 7g to read as follows:

"Sec. 7g. Educator evaluations. **New § 38-2615**

"(a) Individual educator evaluations and effectiveness ratings, observation, and value-added data collected or maintained by OSSE are not public records and shall not be subject to disclosure pursuant to section 202 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).

"(b) Nothing in this section shall prohibit OSSE from:

"(1) Using educator evaluations or effectiveness ratings to fulfill existing requirements of a state educational agency under applicable federal or local law; or

"(2) Publicly disclosing aggregate reports and analyses regarding the results of educator evaluation data.

"(c) For the purposes of this section, the term "educator" means a principal, assistant principal, school teacher, assistant teacher, or a paraprofessional.".

Sec. 4063. Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as follows:

(a) Paragraph (14) is amended by striking the word "and" at the end.

(b) Paragraph (15) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (16) is added to read as follows:

"(16) Information exempt from disclosure pursuant to section 7g of the State Education Office Establishment Act of 2000, passed on 2nd reading on June 30, 2015 (Enrolled version of Bill 21-158).".

SUBTITLE H. BOOKS FROM BIRTH

Sec. 4071 . Short title.

This subtitle may be cited as the "Books from Birth Establishment Amendment Act of 2015".

Sec. 4072. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-101 *et seq.*), is amended by adding new sections 15 and 16 to read as follows: **New § 39-115**

"Sec. 15. Books from Birth.

"(a) There is established the Books from Birth program as a program of the District of Columbia Public Library ("DCPL"), to be administered by the Executive Director of DCPL.

"(b) The Books from Birth program shall provide books to all children registered with the program, delivered to the residence of the child at the rate of one per month, from the month following the child's birth or enrollment in the program to the child's 5th birthday.

"(c)(1) The Executive Director shall make reasonable efforts to register every child under the age of 5 residing in the District who wishes to participate in the Books from Birth program.

"(2) The Executive Director may enter into such memoranda of agreement or understanding as necessary to ensure each family receives registration information upon the child's birth.

"(d)(1) Except as provided in paragraph (2) of this subsection, the registration list shall be used solely for activities related to the Books from Birth program and shall not be sold or used for any other purpose.

"(2) The Executive Director may use the registration list to conduct outreach and provide information about library programs and services, including those related to children, adult, or family literacy, or other educational or literacy material as DCPL considers useful to registered families.

"(e) Book titles for each age group shall be selected to reflect age-appropriate concepts and diversity of characters, culture, and authors.

"(f) The Executive Director may enter into contractual and promotional agreements necessary to effectively implement the Books from Birth program.

"Sec. 16. Books from Birth Fund. **New § 39-116**

"(a) There is established as a special fund the Books from Birth Fund ("Fund"), which shall be administered by the Board in accordance with subsection (c) of this section.

"(b) Revenue from the following sources shall be deposited in the Fund:

"(1) Funds appropriated by the District;

"(2) Donations from the public;

"(3) Donations from private entities; and

"(4) Funds provided through a sponsorship agreement.

"(c) Money in the Fund shall be used to implement and promote the Books from Birth program, including:

"(1) Purchasing books for the Books from Birth program;

"(2) Handling and delivery costs;

"(3) Promotional costs; and

"(4) Appropriate overhead or administrative expenses related to the Books from Birth program and the Fund.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE I. EDUCATION REPORTING REQUIREMENTS

Not Codified in the D.C. Official Code

Sec. 4081. Short title.

This subtitle may be cited as the "Education Reporting Requirements Act of 2015".

Sec. 4082. Office of the State Superintendent of Education reporting requirements.

By October 1, 2015, the Office of the State Superintendent of Education ("OSSE") shall submit to the Council a report on the following:

(1) The status and implementation of its new automated teacher licensure system; and

(2) An update on OSSE's work to revise the Health Education Standards, including the timeline for when the new standards will be released.

Sec. 4083. Public Charter School Board reporting requirements.

By October 1, 2015, the Public Charter School Board shall submit to the Council the following:

(1) A report on the distribution of at-risk funds to each local education agency ("LEA") it oversees for students in pre-k through grade 12 for school year 2015-2016, which shall include, at a minimum, the allocation to each LEA and a specific breakdown of how that money was or is planned to be spent, including a description of the programs, initiatives, and enrichment activities it supported or is planned to support; and

(2) A report on the status of the public charter schools that have not submitted a bullying prevention policy, or have not submitted a compliant bullying prevention policy to the Bullying Prevention Task Force in accordance with section 4 of the Youth Bullying Prevention Act of 2012, effective September 14, 2012 (D.C. Law 19-167; D.C. Official Code § 2-1535.03).

Sec. 4084. Deputy Mayor for Education reporting requirements.

By October 1, 2015, the Deputy Mayor for Education shall submit to the Council a report on the Cross Sector Collaboration Task Force's strategic plan and timeline for the process for formalizing the disposition of former District of Columbia Public Schools buildings to charter schools.

SUBTITLE J. AT-RISK FUNDING AMENDMENT

Sec. 4091. Short title.

This subtitle may be cited as the "At-Risk Funding Amendment Act of 2015".

Amend § 38-2907.01

Sec. 4092. Section 108a(b) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective February 22, 2014 (D.C. Law 20-87; D.C. Official Code § 38-2907.01(b)), is amended as follows:

(a) Paragraph (1) is amended to read as follows:

"(1) Funds provided to schools pursuant to subsection (a)(3) of this section shall be available for school utilization at the direction of the Chancellor in consultation with the principal and local school advisory team, for the purpose of improving student achievement among at-risk students. By October 1 of each year, the Chancellor shall make publicly available an annual report that explains the allocation of funds sorted by individual schools.".

(b) Paragraph (2) is repealed.

SUBTITLE K. ENVIRONMENTAL LITERACY SPECIALIST PILOT PROGRAM

Sec. 4101. Short title.

This subtitle may be cited as the "Environmental Literacy Specialist Pilot Program Amendment Act of 2015".

Amend § 38-825.02

Sec. 4102. Section 502 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-825.02), is amended by adding a new subsection (d) to read as follows:

"(d)(1) The Office of the State Superintendent of Education ("OSSE") shall establish a one-year pilot program to provide funds to employ environmental literacy specialists at selected District of Columbia Public Schools elementary schools and public charter elementary schools.

"(2) For the pilot program, OSSE shall make funds available for 4 environmental literacy specialists. Each environmental literacy specialist shall serve at 2 of the selected schools.

"(3) Only schools that have an existing school garden or plan to create a school garden with the assistance of an environmental literacy specialist may submit an application to participate in the pilot program. OSSE shall select 8 schools from among the applicants to participate in the pilot program.

"(4) Each environmental literacy specialist shall:

"(A) Create, if applicable, and maintain the school garden;

"(B) Implement composting and recycling programs;

"(C) Implement the 2012 environmental literacy plan developed pursuant to this section; and

"(D) Assist teachers with incorporating earth science into lesson plans.".

SUBTITLE L. DISTRICT OF COLUMBIA PUBLIC LIBRARY REVENUE-GENERATING ACTIVITIES

Sec. 4111. Short title.

This subtitle may be cited as the "District of Columbia Public Library Revenue-Generating Activities Amendment Act of 2015".

Sec. 4112. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D. C. Official Code § 39-101 *et seq.*), is amended as follows:

(a) Section 5(a) (D.C. Official Code § 39-105(a)) is amended by adding new paragraphs (14) and (15) to read as follows: **Amend § 39-105**

"(14) Allow, subject to rules issued pursuant to paragraph (15) of this subsection, revenue-generating activities on District of Columbia Public Library property; provided, that:

"(A)(i) Revenue-generating activity conducted by the District of Columbia Public Library shall benefit the public but need not be related to library services as described in this act; and

"(ii) Revenue generated pursuant to this subparagraph shall be deposited in the DCPL Revenue Generating Services Fund, established pursuant to section 15;

"(B) Revenue-generating activity may be conducted by private users only with a permit granted by and at the discretion of the Board and after payment of a fee reasonably determined to cover the costs that will be incurred by the District of Columbia Public Library as a result of the activity; and

"(C) Private users conducting revenue-generating activity may solicit donations subject to the District of Columbia Charitable Solicitation Act, approved July 10, 1957 (71 Stat. 278; D.C. Official Code § 44-1701 *et seq*.).

"(15) Within 90 days of the effective date of the District of Columbia Public Library Revenue Generating Services Emergency Amendment Act of 2015, passed on emergency basis on June 30, 2015 (Enrolled version of Bill 21-283), issue rules to implement the provisions of paragraph (14) of this subsection.".

(b) A new section 15 is added to read as follows: **New § 39-117**

"Sec. 15. DCPL Revenue-Generating Activities Fund.

"(a) There is established as a special fund the DCPL Revenue-Generating Activities Fund ("Fund"), which shall be administered by the Board in accordance with subsection (c) of this section.

"(b) The Fund shall consist of the revenue from revenue-generating activities and services described in section 5(a)(14).

"(c) The Fund shall be used for the following purposes:

"(1) Payment of any expenses associated with activities and services described in section 5(a)(14), including expenses for space rental and special events associated with the activities and services authorized in section 5(a)(14); and

"(2) Payment of any non-personnel costs related to the library services mission of the District of Columbia Public Library.".

Sec. 4113. Applicability.

This subtitle shall apply as of March 25, 2015.

SUBTITLE M. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING

Sec. 4121. Short title.

This subtitle may be cited as the "My School DC EdFest Sponsorship and Advertising Act of 2015".

Note, § 38-191

Sec. 4122. (a) Notwithstanding any other provision of law, the Deputy Mayor for Education may enter into one or more written agreements for advertisements and sponsorships to fund My School DC EdFest, an annual citywide public school fair.

(b) No agreement pursuant to this section may require the District to expend funds.

(c) Only advertisements shall be agreed to in exchange for corporate goods, services, or funds.

(d) There shall be no limit to the value of goods, services, or funds that may be received from an organization, registered or not, or from an individual, regardless of whether the organization is located, or the individual resides, within the District of Columbia.

(e) Any sponsorship or advertisement pursuant to this section shall be memorialized by written agreement of the parties.

(f) The Deputy Mayor for Education shall keep an accounting of all goods, services, and funds received pursuant to this section and shall submit to the Mayor and to the Council of the District of Columbia a report accounting for all goods, services, and funds received pursuant to this section by December 31st of each year.

SUBTITLE N. YOUTH BULLYING PREVENTION

Sec. 4131. Short title.

This subtitle may be cited as the "Youth Bullying Prevention Amendment Act of 2015".

Amend § 2-1535.02

Sec. 4132. Section 3 of the Youth Bullying Prevention Act of 2012, effective September 14, 2012 (D.C. Law 19-167; D.C. Official Code § 2-1535.02), is amended as follows:

(a) Subsection (c) is amended as follows:

(1) Paragraph (5) is amended by striking the word "and".

(2) New paragraphs (5A), (5B), and (5C) are added to read as follows:

"(5A) Appropriately engage parents and legal guardians of youth served by each agency in bullying prevention efforts;

"(5B) Provide to each agency and parents or legal guardians a referral list of community-based programs or similar resources that mitigate bullying and address identified behavioral health needs as necessary;

"(5C) Provide consultation and review evidence-based school climate data to ensure full implementation of the law; and".

(b) Subsection (d) is amended by striking the phrase "2 years after its initial meeting" and inserting the phrase "by August 2018" in its place.

SUBTITLE O. EARLY LITERACY GRANT PROGRAM

Sec. 4141. Short title.

This subtitle may be cited as the "Early Literacy Grant Program Amendment Act of 2015".

Amend § 38-2602

Sec. 4142. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

(a) Paragraph (22) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (23) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (24) is added to read as follows:

"(24) Provide supplemental funding for early literacy programs targeting 3rd-grade reading success through a competitive grant program for eligible grantees who are early literacy providers that, at a minimum:

"(A) Provide a full continuum of school-based, early literacy intervention services for all grades pre-K through 3rd consisting of developmentally appropriate components for each grade;

"(B) Deliver the literacy program by professionally coached interventionists;

"(C) Provide direct services each day that school is in session;

"(D) Collect data on student progress monthly;

"(E) Use an intervention model that is comprehensive and has been proven to be effective in one or more empirical studies; and

"(F) Are not local education agencies.".

SUBTITLE P. DEPUTY MAYOR FOR EDUCATION LIMITED GRANT-MAKING AUTHORITY

Sec. 4151. Short title.

This subtitle may be cited as the "Deputy Mayor for Education Limited Grant-Making Authority Amendment Act of 2015".

Note, § 38-191

Sec. 4152. Deputy Mayor for Education limited grant-making authority.

(a) For Fiscal Year 2016, the Deputy Mayor for Education shall have grant-making authority solely to provide:

(1) Grants not to exceed $270,000 to organizations to provide advocacy, individual counseling, academic support, enrichment, life-skills training, and employment-readiness services for high school students in the District who are at risk of dropping out.

(2) Grants not to exceed $150,000 to organizations to provide a music instruction program serving elementary school students in the District that have limited means to afford or access to instrumental music instruction.

(3) A grant in an amount not to exceed $150,000, for a study, in consultation with the Board of Trustees of the University of the District of Columbia, to evaluate the cost, benefits, and feasibility of relocating the University of the District of Columbia Community College to a location east of the Anacostia River. The Deputy Mayor for Education, in consultation with the Board of Trustees of the University of the District of Columbia, may conduct the study in lieu of issuing a grant.

(b) Grants issued under this section shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

SUBTITLE Q. PUBLIC CHARTER SCHOOL PAYMENT REPROGRAMMING

Sec. 4161. Short title.

This subtitle may be cited as the "Public Charter School Payment Reprogramming Amendment Act of 2015".

Amend § 381804.03

Sec. 4162. Section 2403(a)(2) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(a)(2)), is amended by adding a new subparagraph (E) to read as follows:

"(E) *Reprogramming limitation* -- Funds appropriated for public charter school payments that remain in the escrow account for public charter schools due to projected public charter school enrollment exceeding audited enrollment may only be reprogrammed to agencies in the public education system cluster of the District's budget.".

SUBTITLE R. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING MATCH

Sec. 4171. Short title.

This subtitle may be cited as the "University of the District of Columbia Fundraising Match Act of 2015".

Not Codified in the D.C. Official Code

Sec. 4172. In Fiscal Year 2016 and each fiscal year thereafter, of the funds allocated to the Non-Departmental agency, an amount up to $1 million shall be transferred to the University of the District of Columbia ("UDC") to match dollar-for-dollar the amount UDC raises in private donations by January 1 of that fiscal year for the purpose of meeting accreditation standards and implementation of the university's strategic plan.

SUBTITLE S. PUBLIC CHARTER SCHOOL BOARD ADMINISTRATIVE FUND

Sec. 4181. Short title.

This subtitle may be cited as the "Public Charter School Board Administrative Fund Amendment Act of 2015".

Amend § 38-1802.14

Sec. 4182. Section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), is amended by adding a new subsection (g-1) to read as follows:

"(g-1) *Fund.*

"(1) *Establishment* - There is established as a special fund the District of Columbia Public Charter School Board Fund ("Fund"), which shall be administered by the Board in accordance with paragraph (3) of this subsection.

"(2) *Deposits* - There shall be deposited into the Fund:

"(A) All fees authorized by section 2211;

"(B) Appropriations as authorized by subsection (g) of this section; and

"(C) Any other revenues, including grants or gifts, dedicated to the Fund.

"(3) *Authorized uses* - The Fund shall be used to pay for goods, services, property, capital improvements, or any other permitted use as authorized by this section or section 2211.

"(4) *Nonlapsing, no-year appropriation* –

"(A) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE T. RAISING EXPECTATIONS FOR EDUCATION AMENDMENT

Sec. 4191. Short title.

This subtitle may be cited as the "Raising Expectations for Education Amendment Act of 2015".

Amend § 38-754.03

Sec. 4192. Section 403 of the Raising the Expectations for Education Outcomes Omnibus Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-754.03), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraphs (1) and (2) are amended to read as follows:

"(1) A focus on mental health prevention and treatment services;

"(2) A student population where more than 60% of the students are at- risk as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and

Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)); and".

(2) A new paragraph (3) is added to read as follows:

"(3) A focus on improving academic outcomes for students.".

(b) Subsection (d) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) Paragraph 5(C) is amended by striking the period and inserting the phrase "; and" in its place.

(3)A new paragraph (6) is added to read as follows:

"(6) Meet at least annually to review and evaluate the annual progress of the Incentive Initiative and to make recommendations, if any, to the Mayor and the Council for improvement of the Incentive Initiative.".

(c) Subsection (e) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) An assessment of the local school community, the neighborhood's needs and assets, and an analysis of the academic, health, and social service needs of the target population of students;".

(2) Paragraph (4) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(3) Paragraph (5) is amended by striking the period and inserting a semicolon in its place.

(4) New paragraphs (6) and (7) are added to read as follows:

"(6) A narrative description of the program approach, including an implementation action plan and explanation of how the chosen approach is evidence-based either through research or other proven community schools models; and

"(7) A plan for quarterly qualitative and quantitative program evaluation, including measurable indicators of success in areas such as student academic achievement; graduation and attendance rate; and improvement in student health and socio-emotional well-being.".

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AMENDMENT

Sec. 5001. Short title.

This subtitle may be cited as the "Temporary Assistance for Needy Families Amendment Act of 2015".

Amend § 4-205.52

Sec. 5002. Section 552 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52), is amended as follows:

(a) Subsection (c-3) is amended as follows:

(1) Paragraph (2) is amended by striking the word "and" at the end.

(2) Paragraph (3) is amended to read as follows:

"(3) For Fiscal Year 2016, the level of assistance payment shall be equal to the Fiscal Year 2015 amount, plus an amount equal to the Fiscal Year 2015 amount multiplied by the Consumer Price Index percentage increase in the Consumer Price Index for Urban Consumers ("CPI-U") for all items from the preceding calendar year, as determined by the United States Department of Labor Bureau of Labor Statistics; and".

(3) A new paragraph (4) is added to read as follows:

"(4) For Fiscal Year 2017 and thereafter, no benefits shall be provided.".

(b) Subsection (d-1) is amended to read as follows:

"(d-1)(1) Effective October 1, 2014, the assistance levels set forth in subsection (c) of this section shall be adjusted annually for the rate of inflation, except for the following:

"(A) For Fiscal Year 2017, the assistance level shall be increased by 15.3%;

"(B) For Fiscal Year 2018, the assistance level shall be increased by 13.3%; and

"(C) For Fiscal Year 2019, the assistance level shall be increased by 11.8%.

"(2) In annually adjusting the assistance levels for the rate of inflation, the prior year's assistance level shall be increased by an amount equal to the prior year's assistance level multiplied by the CPI-U for all items from the preceding calendar year, as determined by the United States Department of Labor Bureau of Labor Statistics.".

SUBTITLE B. MEDICAL ASSISTANCE PROGRAM AMENDMENTS

Sec. 5011. Short title.

This subtitle may be cited as the "Medical Assistance Program Amendment Act of 2015".

Amend § 1-307.02

Sec. 5012. Section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), is amended by adding a new paragraph (9) to read as follows:

"(9) Review and approval by the Council of the Fiscal Year 2016 Budget and Financial Plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any amendment, modification, or waiver of the state plan required to:

"(A) Update the reimbursement methodology model for intermediate care facilities for persons with developmental disabilities to ensure compliance with federal law;

"(B) Update the payment methodology for hospital services;

"(C) Update the payment methodology for Federally-Qualified Health Centers;

"(D) Update the payment methodology and program standards for Home Health Agencies;

"(E) Create health homes for chronically ill District residents;

"(F) Establish a provider fee on District Medicaid hospitals for in-patient services; and

"(G) Establish a supplemental payment to District Medicaid hospitals for outpatient services.".

SUBTITLE C. POWER EXPANSION AMENDMENT

Sec. 5021. Short title.

This subtitle may be cited as the "POWER Expansion Amendment Act of 2015".

Amend § 4-205.72a

Sec. 5022. Section 572a(a) of the District of Columbia Public Assistance Act of 1982, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 4-205.72a(a)), is amended as follows:

(a) The lead-in language is amended by striking the phrase "beginning October 1, 2013,".

(b) Paragraph (1)(A) is amended by striking the phrase "Is the parent" and inserting the phrase "Beginning October 1, 2013, is the parent" in its place.

(c) Paragraph (1A) is amended to read as follows:

"(1A) Beginning October 1, 2016, is a single custodial parent or caretaker with a child under 6 months of age; provided, that no parent or caretaker may remain eligible for assistance under this paragraph for more than 12 months;".

(d) Paragraph (2)(A) is amended by striking the phrase "Is the parent" and inserting the phrase "Beginning October 1, 2013, is the parent" in its place.

(e) Paragraph (3) is amended by striking the phrase "Is a pregnant" and inserting the phrase "Beginning October 1, 2013, is a pregnant" in its place.

(f) Paragraph (5) is amended by striking the phrase "Is a parent" and inserting the phrase "Beginning October 1, 2013, is a parent" in its place.

(g) Paragraph (6) is amended by striking the phrase "Is the head" and inserting the phrase "Beginning October 1, 2013, is the head" in its place.

SUBTITLE D. PHARMACEUTICAL DETAILING LICENSURE EXEMPTION

Sec. 5031. Short title.

This subtitle may be cited as the "Pharmaceutical Detailing Licensure Exemption Amendment Act of 2015".

Sec. 5032. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq*.), is amended as follows:

Amend § 3-1205.02

(a) Section 502(a) (D.C. Official Code § 3-1205.02(a)) is amended by adding a new paragraph (2A) to read as follows:

"(2A) To an individual engaged in the practice of pharmaceutical detailing for less than 30 consecutive days per calendar year;".

Amend § 3-1207.41

(b) Section 741(a) (D.C. Official Code § 3-1207.41(a)) is amended by striking the phrase "An individual" and inserting the phrase "Except as provided in section 502(a)(2A), an individual" in its place.

Amend § 3-1207.45

(c) Section 745 (D.C. Official Code § 3-1207.45) is amended by striking the phrase "without a license" and inserting the phrase "without a license, except as provided in section 502(a)(2A)," in its place.

SUBTITLE E. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION

Sec. 5041. Short title.

This subtitle may be cited as the "Department of Health Functions Clarification Amendment Act of 2015".

Amend § 7-736.01

Sec. 5042. Section 4907a of the Department of Health Functions Clarification Act of 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended by adding a new subsection (h) to read as follows:

"(h)(1) For Fiscal Year 2016, the Director of the Department of Health shall have the authority to issue grants to qualified community organizations for the purpose of providing the following services:

"(A) Programs designed to promote healthy development in girls attending public and chartered schools in grades 8-12 located in areas of the city possessing the highest rates of teen pregnancy and highest enrollment in state-funded health programs in the District, not to exceed $569,000;

"(B) Clinical nutritional home delivery services for individuals living with cancer and other life-threatening diseases, not to exceed $150,000; and

"(C) Programs designed to support teen peer educators who work to provide sexual health information and condoms to youth, not to exceed $157,000.

"(2) All grants issued pursuant to paragraph (1) of this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

"(3) The Department of Health shall submit a quarterly report to the Secretary to the Council on all grants issued pursuant to the authority granted in paragraph (1) of this subsection.".

SUBTITLE F. TEEN PREGNANCY PREVENTION FUND

Sec. 5051. Short title.

This subtitle may be cited as the "Teen Pregnancy Prevention Fund Establishment Amendment Act of 2015".

Sec. 5052. Section 5146 of the Teen Pregnancy Prevention Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.325), is amended by striking the phrase "For Fiscal Year 2015" and inserting the phrase "For Fiscal Year 2016" in its place.

Amend § 1-325.325

SUBTITLE G. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL PAYMENT

Sec. 5061. Short title.

This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment Act of 2015".

New Chapter 6C, Title 44

New § 44-661.01

Sec. 5062. Definitions.

For the purposes of this subtitle, the term:

(1) "Department" means the Department of Health Care Finance.

(2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(l)), but excludes any hospital operated by the federal government.

(3) "Hospital system" means any group of hospitals licensed separately, but operated, owned, or maintained by a common entity.

(4) "Medicaid" means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq*.), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

(5) "Outpatient gross patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported as the sum of Lines 18 and 19; Column 2; Worksheet G-2 of the Hospital and Hospital Health Care Complex Cost Report (Form CMS 2552-10), filed for the period ending between October 1, 2012, and June 30, 2013.

Sec. 5063. Hospital Provider Fee Fund.

New § 44-661..02

(a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which shall be administered by the Department in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Fees collected under this subtitle; and

(2) Interest and penalties collected under this subtitle.

(c) Money in the Fund may only be used for the following purposes:

(1) Making Medicaid outpatient hospital access payments to hospitals as required under section 5066;

(2) Payment of administrative expenses incurred by the Department or its agent in performing the activities authorized by this subtitle in an amount not to exceed $150,000 annually; and

(3) Providing refunds to hospitals pursuant to section 5065.

(d) Money in the Fund may not be used to replace money appropriated to the Medicaid program.

(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 5064. Hospital provider fee. **New § 44-661.03**

(a) Beginning October 1, 2015, and subject to section 5065, the District may charge each hospital a fee based on its outpatient gross patient revenue. The fee shall be charged at a uniform rate necessary to generate the following:

(1) An amount equal to the non-federal share of the total available spending room under the Medicaid upper payment limit for private hospitals applicable to District Fiscal Year ("DFY") 2016 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus

(2) An amount equal to the lesser of the non-federal share of the total available spending room under the Medicaid upper payment limit for District operated hospitals applicable to DFY 2016 consistent with the federal approval of the authorizing Medicaid State Plan amendment or United Medical Center's Medicaid disproportionate share hospital limit as adjusted by the District in accordance with the federally approved Medicaid State Plan; plus

(3) An amount equal to the Department's administrative expenses as described in section 5063(c)(2).

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

New § 44-661.04

Sec. 5065. Applicability of fees.

(a) The fee imposed by section 5064 shall not be due and payable until such time that the federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in section 5066.

(b) The fee imposed by section 5064 shall cease to be imposed, and any moneys remaining in the Fund shall be refunded to hospitals in proportion to the amounts paid by them, if:

(1) The Department makes changes in its rules that reduce the hospital inpatient or outpatient Medicaid payment rates, including adjustment to payment rates that are in effect on October 1, 2014; or

(2) The payments to hospitals required under section 5066 are modified in any way other than to secure federal approval of such payments as described in section 5066 or are not eligible for federal matching funds under section 1903(w) of the Social Security Act, approved July 30, 1965 (70 Stat. 349; 42 U.S.C. §1396b(w)) ("Social Security Act").

(c) The fee imposed by section 5064 shall not take effect or shall cease to be imposed if the fee is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social Security Act by the Centers for Medicare and Medicaid Services.

(d) Should the fee imposed by section 5064 not take effect or cease to be imposed, moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section 5066 to the extent federal matching is available. If federal matching is not available due to a determination by the Centers for Medicare and Medicaid Services that the fee is impermissible, any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

New § 44-661.05

Sec. 5066. Medicaid outpatient hospital access payments.

(a)(1) For visits and services beginning October 1, 2015, quarterly Medicaid outpatient hospital access payments shall be made to each private hospital.

(2) Each payment will be equal to the hospital's DFY 2013 outpatient Medicaid payments divided by the total in District private hospital DFY 2013 outpatient Medicaid payments multiplied by 1/4 of the total outpatient private hospital access payment pool.

(3) The total outpatient private hospital access payment pool is equal to the total available spending room under the private hospital outpatient Medicaid upper payment limit for DFY 2016.

(b)(1) A private hospital that is also a Disproportionate Share Hospital ("DSH") will receive no more in Medicaid outpatient hospital access payments than the available room under its District-adjusted, hospital-specific DSH limit.

(2) Any Medicaid outpatient hospital access payments that would otherwise exceed a private DSH's adjusted DSH limit shall be distributed to the remaining private hospitals consistent with each private hospital's relative share of DFY 2013 outpatient Medicaid payments.

(c)(1) For visits and services beginning October 1, 2015, outpatient hospital access payments shall be made to the United Medical Center.

(2) Each payment will be equal to one quarter of the total outpatient public hospital access payment pool.

(3) The total outpatient public hospital access payment pool is equal to the lesser of the total available spending room under the District-operated hospital outpatient Medicaid upper payment limit for DFY 2016, and the United Medical Center District-adjusted Medicaid DSH limit.

(d) The quarterly Medicaid outpatient hospital access payments shall be made within 15 business days after the end of each DFY quarter for the Medicaid visits and services rendered during that quarter.

(e) No payments shall be made under this section until such time that the federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in this subtitle.

(f) The Medicaid payment methodologies authorized under this subtitle shall not be altered in any way unless such alteration is necessary to gain federal approval from the Centers for Medicare and Medicaid Services.

Sec. 5067. Quarterly notice and collection. **New § 44-661.06**

(a) The fee imposed under section 5064, which shall be calculated, due, and payable on a quarterly basis, shall be due and payable by the 15th of the last month of each DFY quarter; provided, that the fee shall not be due and payable until:

(1) The District issues written notice that the payment methodologies for payments to hospitals required under section 5066 have been approved by the federal Centers for Medicare and Medicaid Services; and

(2) The District issues written notice to the hospital informing the hospital of its fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period commencing on October 1, 2015, to ensure all applicable fee obligations have been identified.

(b)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(c) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

Sec. 5068. Multi-hospital systems, closure, merger, and new hospitals. **New § 44-661.07**

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person ceases to conduct, operate, or maintain a hospital that is subject to a fee under section 5064, as

evidenced by the transfer or surrender of the hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5064 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducted, operated, or maintained the hospital, and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision in this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee computed under section 5064 and subsection (a) of this section in installments on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due dates of the initial notice.

Sec. 5069. Rules. **New § 44-661.08**

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

Sec. 5070. Sunset. **New § 44-661.09**

This subtitle shall expire on September 30, 2016.

SUBTITLE H. MEDICAID HOSPITAL INPATIENT FEE

Sec. 5071. Short title.

This subtitle may be cited as the "Medicaid Hospital Inpatient Rate Supplement Act of 2015". **New Chapter 6D, Title 44**

New § 44-662.01

Sec. 5072. Definitions.

For the purposes of this subtitle, the term:

(1) “Department” means the Department of Health Care Finance.

(2) “Hospital” shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-50l(a)(l)), but excludes any hospital operated by the federal government and any specialty hospital, as defined by the District of Columbia’s Medicaid State Plan (“State Plan”), or a hospital that is reimbursed under a specialty hospital reimbursement methodology under the State Plan.

(3) “Hospital system” means any group of hospitals licensed separately but operated, owned, or maintained by a common entity.

(4) “Inpatient net patient revenue” means the amount calculated in accordance with generally accepted accounting principles for hospitals as derived from each hospital’s filed

Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-10), filed for the period ending between October 1, 2012, and June 30, 2013, using the references below:

(A) The sum of: Worksheet G-2; Column 1; Lines 1, 2, 3, 4, 16 and 18.

(B) Minus: The ratio of the sum of Worksheet G-2; Column 1; Lines 5, 6, and 7 divided by Worksheet G-2; Column 1; Line 17 multiplied by Worksheet G-2; Column 1; Line 18.

(C) Divided by: Worksheet G-2; Column 3; Line 28

(D) Multiplied by: Worksheet G-2; Column 1; Line 3

(5) "Medicaid" means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq*.) ("Social Security Act"), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

Sec. 5073. Hospital Fund. **New § 44-662.02**

(a) There is established as a special fund the Hospital Fund ("Fund"), which shall be administered by the Department in accordance with subsection (c) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Fees collected under this subtitle;

(2) Interest and penalties collected under this subtitle; and

(3) Other amounts collected under this subtitle.

(c) Money in the Fund shall be used solely as set forth in section 5074 (a)(2) of this subtitle.

(d)(1) The money deposited in the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation; provided, that any remaining money in the Fund at the end of each fiscal year shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5074. Hospital provider fee. **New § 44-662.03**

(a)(1) Beginning October 1, 2015, and except as provided in subsection (b) of this section and section 5077, the District, through the Office of Tax and Revenue, may charge each hospital a fee based on its inpatient net patient revenue.

(2) The fee shall be charged at a uniform rate necessary to generate no more than $10.4 million. Of this amount, $1.4 million may be used to support the Medicaid Managed Care Organization rates for inpatient hospitalization. The remaining amount shall be used to support the maintenance of inpatient Medicaid Fee-for-Service rates at the District Fiscal Year ("DFY") 2015 level of 98% of cost to non-specialty hospitals.

(3) The fee collected pursuant to this section shall be deposited in the Hospital Fund, established by section 5073.

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

(c) By August 1, 2015, the Department shall submit a provider tax waiver application to the Center for Medicare and Medicaid Services to ensure the provisions of this subtitle qualify as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act.

Sec. 5075. Quarterly notice and collection. **New § 44-662.04**

(a) The fee imposed under section 5074 shall be due and payable by the 15th of the last month of each DFY quarter.

(b) The fee imposed under section 5074 shall be calculated, due, and payable on a quarterly basis, but shall not be due and payable until the District issues written notice to each hospital informing the hospital of its fee rate, inpatient net patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period October 1, 2015, to ensure all applicable fee obligations have been identified.

(c)(1) If a hospital fails to pay the full amount of its fee by the date required, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(d) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

Sec. 5076. Multi-hospital systems, closure, merger, and new hospitals. **New § 44-662.05**

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding section 5074, if a hospital system or person that is subject to a fee under section 5074 ceases to conduct, operate, or maintain a hospital, as evidenced by the transfer or surrender of a hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5074 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducts, operates, or maintains the hospital and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision of this subtitle, a hospital system or person who

conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee required under 5074 in accordance with subsection (a) of this section on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due date of the initial notice.

Sec. 5077. Federal determinations; suspension and termination of assessment. **New § 44-662.06**

(a) If the Centers for Medicare and Medicaid Services determines that an assessment imposed on a hospital pursuant to this subtitle does not satisfy the requirements for federal financial participation set forth in section 1903(w) of the Social Security Act that determination shall not affect the validity, amount, applicable rate, or any other terms of an assessment on other hospitals imposed by this subtitle.

(b) If the Centers for Medicare and Medicaid Services determines that an exclusion for specialty hospitals under this subtitle would prevent an assessment imposed by this subtitle from qualifying as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act, the exclusion of specialty hospitals shall not be made.

Sec. 5078. Rules. **New § 44-662.07**

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

Sec. 5079. Sunset. **New § 44-662.08**

This subtitle shall expire on September 30, 2016.

SUBTITLE I. UNDERSERVED YOUTH COMMUNITY PROGRAMMING

Sec. 5081. Short title.

This subtitle may be cited as the "Underserved Youth Community Programming Amendment Act of 2015".

Sec. 5082. Section 2403(a-1) of the Children and Youth Initiative Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1553(a-1)), is amended by adding a new paragraph (4) to read as follows: **Amend § 2-1553**

"(4) For Fiscal Year 2016, $660,448 of available funds for sub-grants shall be awarded to the following types of programs to serve children and youth in areas of the city possessing the highest rates of poverty:

"(A) Out-of-school time programs for underserved children and youth that include free after school and summer day camps provided at public schools, community centers, and community rooms in public housing;

"(B) Programs through which students, faculty, and staff engage in the District through activism, advocacy, service, volunteer projects, and community-based learning and research opportunities;

"(C) Programs to educate youth on how to plan and prepare healthy meals;

"(D) Afterschool and summer academic programs for 5th through 8th graders in at-risk communities that are designed to combine demanding academic work with mentoring, skill-building, and individual student achievement plans;

"(E) Programs to enrich the quality of life, foster intellectual stimulation, and promote cross-cultural understanding and appreciation of local history in all neighborhoods of the District;

"(F) Programs that use artistic expression to develop character and leadership, and help to prepare at-risk African American boys and young men to have a positive impact on their communities;

"(G) Programs that provide an extended day program for kindergartners through 5th graders and provide afterschool academic enrichment that supports the daytime instruction through alternative learning methods and activities and homework assistance;

"(H) Programs that provide low-income children individualized reading instruction in order to improve their literacy;

"(I) Rehabilitation programs that serve female youth ages 9 through 17 years involved in the juvenile justice system and provide individual and group counseling, therapeutic recreation, job training, mentoring, and community service opportunities;

"(J) Programs that offer anger management, conflict resolution, teamwork, good sportsmanship, and other life skills while helping youth stay occupied in productive activities, such as basketball or other sports;

"(K) Programs that develop and foster the creative talents of youth through performing and visual arts while teaching them discipline, commitment, and team motivation; and

"(L) Programs that offer music instruction and performance, tutoring, life skills, summer arts, and culture to youth from ages of 9 through 18 years of age.".

SUBTITLE J. REPRODUCTIVE HEALTH NON-DISCRIMINATION CLARIFICATION

Sec. 5091. Short title.

This subtitle may be cited as the "Reproductive Health Non-Discrimination Clarification Amendment Act of 2015".

Amend § 2-1401.05

Sec. 5092. Section 105(a) of the Human Rights Act of 1977, effective July 17, 1985 (D.C. Law 6-8; D.C. Official Code § 2-1401.05(a)), is amended by adding a new sentence at the end to read as follows:

"This section shall not be construed to require an employer to provide insurance coverage related to a reproductive health decision.".

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT
SUBTITLE A. PARKING AMENDMENT

Sec. 6001. Short title.

This subtitle may be cited as the "Parking Amendment Act of 2015".

Sec. 6002. The Performance Parking Pilot Zone Act of 2008, effective November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*), is amended as follows:

Amend § 50-2531

(a) Section 2(e)(2) (D.C. Official Code § 50-2531(e)(2)) is amended by striking the phrase "once per month" and inserting the phrase "once per month; provided, that the Mayor may increase fees in performance parking zones by a maximum of $1.50 in a 3-month period, in any increment or time period, up to a maximum hourly rate of $8.00 per hour" in its place.

New § 50-2532.02

(b) A new section 3b is added to read as follows:

"Sec. 3b. Penn Quarter/Chinatown Performance Parking Pilot Zone.

"(a) The Penn Quarter/Chinatown Performance Parking Pilot Zone is designated as the area bounded by H Street, N.W., on the north, 11th Street, N.W., on the west, 3rd Street, N.W., on the east, and E Street, N.W., on the south, including both sides of these boundary streets.

"(b) In addition to maintaining a sufficient number of parking control officers and traffic control officers in the existing performance parking pilot zones, the Mayor shall assign parking control and traffic control officers for implementation of the pilot program in the Penn Quarter/Chinatown Performance Parking Pilot Zone and for enhanced enforcement during peak-parking-demand hours.

"(c) The Mayor shall set the initial performance parking pilot zone fee equal to the existing parking meter fee in that zone.

"(d) Pursuant to section 2(d)(1), the Mayor shall adjust curbside parking fees to achieve 10% to 20% availability of curbside parking spaces.

"(e) Within the first 30 days of the implementation of the Penn Quarter/Chinatown Performance Parking Pilot Zone, the Mayor may issue warning citations for curbside parking violations related to the pilot program in the zone.".

DCMR

Sec. 6003. Section 2601.1 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2601.1) is amended as follows:

(a) Under the header "Meter Infractions", strike the rows:

Illegally parked at [§ 2404.8, § 2424.12]	$25.00	$25.00	$50.00
Failure to deposit payment [§ 2404.6, § 2424.12]	$25.00	$25.00	$50.00
Overtime at [§ 2404.3, § 2424.12]	$25.00	$25.00	$50.00

and insert the following rows in their place:

Illegally parked at [§ 2404.8, § 2424.12]	$30.00	$30.00	$50.00
Failure to deposit payment [§ 2404.6, § 2424.12]	$30.00	$30.00	$50.00

Overtime at [§ 2404.3, § 2424.12]	$30.00	$30.00	$50.00

(b) Under the header "Residential Parking Permit", strike the row:

Residential permit parking area, beyond consecutive two hour period without valid permit [§ 2411.1, § 2424.12]	In the calendar year: First offense $30, Second offense $30, Third and any subsequent offense $60.	In each calendar year: First offense $30, Second offense $30, Third and any subsequent offense $60.	In each calendar year: First offense $60, Second offense $60, Third and any subsequent offense $60.

and insert the following row in its place:

Residential permit parking area, beyond consecutive two hour period without valid permit [§ 2411.1, § 2424.12]	In the calendar year: First offense $35, Second offense $35, Third and any subsequent offense $65	In the calendar year: First offense $35, Second offense $35, Third and any subsequent offense $65	In the calendar year: First offense $60, Second offense $60, Third and any subsequent offense $60

New § 50-2636

Sec. 6004. As of October 1, 2015, the District Department of Transportation shall provide for enforcement of parking meters in Premium Demand Parking Meter Rate Zones from 7:00 a.m. until midnight.

SUBTITLE B. UNLAWFULLY PARKED VEHICLES

Sec. 6011. Short title.

This subtitle may be cited as the "Unlawfully Parked Vehicles Act of 2015".

New § 50-2637

Sec. 6012. It shall be a violation of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*), for a person to park, leave unattended, or store a vehicle in violation of posted parking restrictions at a parking facility, as that term is defined in section 2(4) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2602(4)), owned by the Washington Metropolitan Area Transit Authority.

SUBTITLE C. DDOT DC STREETCAR FARE VIOLATION ENFORCEMENT

Sec. 6021. Short title.

This subtitle may be cited as the "DDOT DC Streetcar Fare Violation Enforcement Amendment Act of 2015".

Sec. 6022. Section 11n of the Department of Transportation Establishment Act of 2002, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-921.72), is amended as follows: **Amend § 50-921.72**

(a) Paragraph (1) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (3) is added to read as follows:

"(3) Concurrent with any other agency's authority to do so, enforce violations of this title and regulations promulgated thereunder, with respect to fare payment.".

SUBTITLE D. VISION ZERO PEDESTRIAN AND BICYCLE SAFETY FUND ESTABLISHMENT

Sec. 6031. Short title.

This subtitle may be cited as the "Vision Zero Pedestrian and Bicycle Safety Fund Establishment Amendment Act of 2015".

Sec. 6032. Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), is repealed.

Sec. 6033. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

(a) A new section 9l is added to read as follows:

"Sec. 9l. Vision Zero Pedestrian and Bicycle Safety Fund. **New § 50-921.20**

"(a) There is established as a special fund the Vision Zero Pedestrian and Bicycle Safety Fund ("Fund"), which shall be administered by the Director of DDOT in accordance with subsection (c) of this section.

"(b) There shall be deposited in the Fund $500,000 per fiscal year from the fines generated from the automated traffic enforcement system, authorized by section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01).

"(c) The Fund shall be used solely to enhance the safety and quality of pedestrian and bicycle transportation, including education, engineering, and enforcement efforts designed to calm traffic and provide safe routes.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and fiscal plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

Amend § 50-921.53

(b) Section 11j(a) (D.C. Official Code § 50-921.53(a)) is amended by striking the phrase "the Pedestrian and Bicycle Safety Enhancement Fund, established by section 6021 of the Pedestrian and Bicycle Safety and Enhancement Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131)" and inserting the phrase "the Vision Zero Pedestrian and Bicycle Safety Fund, established by section 9l" in its place.

SUBTITLE E. SUSTAINABLE ENERGY TRUST FUND AMENDMENT

Sec. 6041. Short title.

This subtitle may be cited as the "Sustainable Energy Trust Fund Amendment Act of 2015".

Amend § 8-1774.10

Sec. 6042. Section 210(c) of the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)), is amended as follows:

(a) Paragraph (8) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (9) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (10) is added to read as follows:

"(10) The Low Income Home Energy Assistance Program, in the amount of no more than $1.5 million in Fiscal Year 2016.".

SUBTITLE F. ANACOSTIA RIVER CLEAN UP AND PROTECTION FUND CLARIFICATION

Sec. 6051. Short title.

This subtitle may be cited as the "Anacostia River Clean Up and Protection Fund Clarification Amendment Act of 2015".

Amend § 8-102.05

Sec. 6052. Section 6(b) of the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05(b)), is amended by striking the phrase "Funds shall be used for the following projects in the following order of priority:" and inserting the phrase "Funds shall be used for the following projects:" in its place.

SUBTITLE G. BENCHMARKING ENFORCEMENT FUND ESTABLISHMENT

Sec. 6061. Short title.

This subtitle may be cited as the "Benchmarking Enforcement Fund Establishment Amendment Act of 2015".

Sec. 6062. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 *et seq.*), is amended by adding a new section 8a to read as follows:

New § 6-1451.07a

"Sec. 8a. Benchmarking Enforcement Fund.

"(a) There is established as a special fund the Benchmarking Enforcement Fund ("Fund"), which shall be administered by the Mayor in accordance with subsection (c) of this section.

"(b) Penalties collected pursuant to section 4(c)(2)(D) shall be deposited in the Fund.

"(c) Money in the Fund shall be used to support and improve the administration and practices of the benchmarking program established by this act.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and fiscal plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

SUBTITLE H. BICYCLE AND PEDESTRIAN ADVISORY COUNCIL TERM CLARIFICATION

Sec. 6071. Short title.

This subtitle may be cited as the "Bicycle and Pedestrian Advisory Council Term Clarification Amendment Act of 2015".

Sec. 6072. Section 5(c) of the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1604(c)), is amended as follows:

Amend § 50-1604

(a) Designate the existing text as paragraph (1).

(b) A new paragraph (2) is added to read as follows:

"(2) Vacancies shall be filled in the same manner as the original appointment to the position that became vacant. Community members who are appointed to fill vacancies that occur before the expiration of a community member's full term shall serve only the unexpired portion of the community member's term.".

Amend § 50-1931

Sec. 6073. Section 6061(d) of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 50-1931(d)), is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) A new paragraph (2) is added to read as follows:

"(2) Vacancies shall be filled in the same manner as the original appointment to the position that became vacant. Community members who are appointed to fill vacancies that occur before the expiration of a community member's full term shall serve only the unexpired portion of the community member's term.".

SUBTITLE I. BID PARKING ABATEMENT FUND ESTABLISHMENT

Sec. 6081. Short title.

This subtitle may be cited as the "BID Parking Abatement Fund Establishment Act of 2015".

New § 1-325.341

Sec. 6082. BID Parking Abatement Fund.

(a) There is established as a special fund the BID Parking Abatement Fund ("Fund"), which shall be administered by the Mayor in accordance with subsection (c) of this section.

(b) An allocation in the amount of $120,000 from the Fiscal Year 2016 approved budget and financial plan shall be deposited in the Fund.

(c) Money in the Fund shall be used to abate parking fees for a Business Improvement District ("BID"), as that term is defined in section 3(7) of the Business Improvements Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)), that applies and is approved to reserve a public parking space within the BID for use by pedestrians; provided, that no more than 70% of the money available in a fiscal year shall be distributed to a single BID.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and fiscal plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE J. CLEAN AND AFFORDABLE ENERGY ACT AMENDMENT

Sec. 6091. Short title.

This subtitle may be cited as the "Clean and Affordable Energy Amendment Act of 2015".

Sec. 6092. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.01 *et seq.*), is amended as follows:

(a) Section 201(d) (D.C. Official Code § 8-1774.01(d)) is amended to read as follows: **Amend § 8-1774.01**

"(d) The SEU contract shall:

"(1) Provide minimum performance benchmarks consistent with the purposes of this act, including:

"(A) Reducing energy consumption in the District;

"(B) Increasing renewable energy generating capacity in the District;

"(C) Increasing the energy efficiency and renewable energy generating capacity of low-income housing, shelters, clinics, or other buildings serving low-income residents in the District; and

"(D) Increasing the number of green-collar jobs in the District; and

"(2) Require the SEU to track and report to DDOE, at least semiannually, on the reduction of the growth in peak electricity demand and the reduction in the growth of energy demand of the District's largest energy users due to SEU programs.".

(b) Section 202 (D.C. Official Code § 8-1774.02) is amended as follows: **Amend § 8-1774.02**

(1) Subsection (d) is amended by striking the phrase "on an annual and contract-term basis." and inserting the phrase "on a contract-term basis." in its place.

(2) Subsection (h) is amended by striking the phrase "75%, and no greater than 125%, of the amount" and inserting the phrase "75% of the amount" in its place.

(3) Subsection (i) is amended by striking the phrase "75%, and no greater than 125%, of the amount" and inserting the phrase "75% of the amount" in its place.

(c) Section 204 (D.C. Official Code § 8-1774.04) is amended as follows: **Amend § 8-1774.04**

(1) Subsection (c) is amended to read as follows:

"(c) At least biennially, the Board shall recommend changes to the performance benchmarks of the SEU contract to DDOE.".

(2) Subsection (d) is repealed.

(d) Section 205 (D.C. Official Code § 8-1774.05) is amended as follows: **Amend § 8-1774.05**

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

"(b) At least 90 days before issuing a new RFP for the SEU contract, DDOE shall solicit recommendations from the Board and the public for performance benchmarks for the contract. In preparing the RFP, DDOE shall hold an industry day to solicit the advice and input of private entities that may bid on the contract.

(2) Subsection (c) is repealed.

(3) Subsection (j) is amended by striking the number "30" and inserting the number "90" in its place.

Amend § 8-1774.10

(e) Section 210(c)(2) (D.C. Official Code § 8-1774.10(c)(2)) is amended by striking the phrase "administration of the SEU contract by DDOE" and inserting the phrase "administration of the SEU contract and the development of a comprehensive energy plan by DDOE" in its place.

SUBTITLE K. COMPETITIVE GRANTS

Sec. 6101. Short title.

This subtitle may be cited as the "Competitive Grants Act of 2015".

Not Codified in the D.C. Official Code

Sec. 6102. In Fiscal Year 2016, the Office of the People's Counsel ("OPC") shall award a grant, on a competitive basis, in an amount not to exceed $125,000, for a study to address emerging alternatives for energy choice for residential customers in the District of Columbia, and the integration of those alternatives into Pepco's evolving smart grid. OPC shall also award a grant, on a competitive basis, in an amount not to exceed $125,000, to provide targeted outreach and education of low-income and elderly residents regarding the benefits and options for energy-efficiency programs and practices.

Sec. 6103. In Fiscal Year 2016, the Office on Aging shall award a grant, on a competitive basis, in an amount not to exceed $100,000, to one or more nonprofit organizations to conduct a feasibility study and outline a plan for developing virtual senior wellness centers in wards that do not have senior wellness centers, using existing and future capital investments in schools, recreation centers, libraries, and other facilities in those wards.

Sec. 6104. In Fiscal Year 2016, the District Department of Transportation shall award a grant, on a competitive basis, in an amount not to exceed $35,000, to conduct a feasibility study for an aerial transportation option connecting Georgetown in the District to Rosslyn in Virginia.

Sec. 6105. In Fiscal Year 2016, the District of Columbia Taxicab Commission shall award a grant, on a competitive basis, in an amount not to exceed $100,000, to conduct a study to determine the demand for wheelchair-accessible service within the vehicle-for-hire industry in the District and recommend the number or percentage of accessible vehicles within the vehicle-for-hire industry that would adequately meet the demand for wheelchair accessible service.

SUBTITLE L. CONGESTION MANAGEMENT STUDY

Sec. 6111. Short title.

This subtitle may be cited as the "Congestion Management Study Amendment Act of 2015".

Sec. 6112. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a new section 9m to read as follows:

"Sec. 9m. Congestion management study. **New § 50.921.21**

"No later than September 30, 2016, the Department shall make publicly available a congestion management study that includes at a minimum:

"(1) An assessment of the current state of congestion in the District;

"(2) A collection of data, using objective criteria, that demonstrates the average commute times for District residents based on each of the following modes of transportation:

"(A) Walking;

"(B) Bicycling;

"(C) By bus; and

"(D) By driving a personal car;

"(3) Recommendations for remedying existing congestion problems in the District; and

"(4) One-year, 3-year, and 5-year plans for implementing the recommendations required by paragraph (3) of this section.".

SUBTITLE M. ELECTRONIC DELIVERY OF NOTICE TO THE COUNCIL AND ADVISORY NEIGHBORHOOD COMMISSIONS

Sec. 6121. Short title.

This subtitle may be cited as the "Electronic Delivery to the Council and Advisory Neighborhood Commissions Amendment Act of 2015".

Sec. 6122. Section 301(5)(B)(iv) of the District of Columbia Administrative Procedure Act, effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code § 2-551(5)(B)(iv)), is amended as follows: **Amend § 2-551**

(a) Strike the phrase "30-days written notice" and insert the phrase "30-days notice via electronic delivery" in its place.

(b) Strike the period and insert the phrase "; provided, that the Council and the affected ANC may elect to receive written notice by means other than electronic delivery by notifying the Mayor of that preference." in its place.

SUBTITLE N. GREEN INFRASTRUCTURE SPECIAL PURPOSE FUNDS

Sec. 6131. Short title.

This subtitle may be cited as the "Green Infrastructure Special Purpose Revenue Funds Establishment Amendment Act of 2015".

Sec. 6132. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14–137; D.C. Official Code § 50–921.01 *et seq.*), is amended by adding a new section 9n to read as follows:

"Sec. 9n. DDOT Stormwater Retention Credit Fund. **New § 50-921.22**

"(a) There is established as a special fund the DDOT Stormwater Retention Credit Fund ("Fund"), which shall be administered by the Director in accordance with subsection (c) of this

section.

"(b) Revenue from the following sources shall be deposited in the Fund:

"(1) Revenue received directly from the sale of a Stormwater Retention Credit ("SRC") by the Director;

"(2) Revenue received through lease of District property or public space by the Department for the purpose of generating or selling a SRC;

"(3) Revenue received through the lease of a stormwater best management practice on District property or public space by the Department for the purpose of generating or selling a SRC;

"(4) Revenue received from a third-party intermediary in exchange for giving the third-party intermediary the authority to sell, or broker the sale of, a SRC generated on District property or public space under the control of the Department; and

"(5) Revenue received by the Department pursuant to a contract for the installation and maintenance of a stormwater best management practice on property or public space under the control of the Department.

"(c)(1) Money in the Fund shall be used for the following purposes:

"(A) To fulfill or exceed the District's obligations pursuant to the MS4 Permit; and

"(B) To install, operate, and maintain stormwater retention projects regulated by the District's MS4 Permit.

"(2) The Director may sell a SRC generated on District property or public space under the control of the Department, upon the certification of the SRC by the District Department of the Environment.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"(e) The Director shall publish on the Department's website, at least annually, a report describing how money in the Fund has been spent, including the following information:

"(1) The total amount of SRC payments deposited in the Fund to date;

"(2) The total amount of money spent from the Fund to date;

"(3) For each sub-drainage area or watershed, the aggregate values of SRC purchased per year; and

"(4) For each of the stormwater best management practices installed using money from the Fund, the type of stormwater best management practice used by the facility, the number of gallons of stormwater retained by the facility, the sub-drainage or watershed location of the facility, and a summary of the capital and maintenance costs of the project.

"(f) For the purposes of this section, the term:

"(1) "MS4 Permit" shall have the same meaning as provided in section 101(15) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(15)).

"(2) "Stormwater best management practice" shall have the same meaning as provided in section 101(14) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(14)).

"(3) "Stormwater Retention Credit" shall have the same meaning as provided in 21 DCMR § 599.".

Sec. 6133. The Department of General Services Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19–21; D.C. Official Code § 10–551.01 *et seq.*), is amended by adding a new section 1028b to read as follows:

New § 10-551.07b

"Sec. 1028b. Establishment of the Department of General Services Stormwater Retention Credit Fund.

"(a) There is established as a special fund the Department of General Services Stormwater Retention Credit Fund ("Fund"), which shall be administered by the Director in accordance with subsections (c) of this section.

"(b) Revenue from the following sources shall be deposited in the Fund:

"(1) Revenue received directly from the sale of a Stormwater Retention Credit ("SRC") by the Director;

"(2) Revenue received through lease of District property by the Department for the purpose of generating or selling a SRC;

"(3) Revenue received through the lease of a stormwater best management practice on District property by the Department for the purpose of generating or selling a SRC;

"(4) Revenue received from a third party intermediary for the authority to sell, or broker the sale of, a SRC generated on District property under the control of the Department; and

"(5) Revenue received by the Department pursuant to a contract for the installation and maintenance of a stormwater best management practice on property or public space under the control of the Department.

"(c)(1) Money in the Fund shall be used for the following purposes:

"(A) To fulfill or exceed the District's obligations pursuant to the MS4 Permit; and

"(B) To install, operate, and maintain stormwater retention projects regulated by the District's MS4 Permit.

"(2) The Director may sell a SRC generated on District property under the control of the Department, upon the certification of the SRC by the District Department of the Environment.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

"(e) The Director shall publish on the Department's website, at least annually, a report describing how money in the Fund has been spent, including the following information:

"(1) The total amount of SRC payments deposited in the Fund to date;

"(2) The total amount of money spent from the Fund to date;

"(3) For each sub-drainage area or watershed, the aggregate values of SRC purchased per year; and

"(4) For each of the stormwater best management practices installed using money from the Fund, the type of stormwater best management practice used by the facility, the number of gallons of stormwater retained by the facility, the sub-drainage or watershed location of the facility, and a summary of the capital and maintenance costs of the project.

"(f) For the purposes of this section, the term:

"(1) "MS4 Permit" shall have the same meaning as provided in section 101(15) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(15)).

"(2) "Stormwater best management practice" shall have the same meaning as provided in section 101(14) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(14)).

"(3) "Stormwater Retention Credit" shall have the same meaning as provided in 21 DCMR § 599.".

SUBTITLE O. PEPCO COST-SHARING FUND FOR DC PLUG

Sec. 6141. Short title.

This subtitle may be cited as the "Pepco Cost-Sharing Fund for DC PLUG Establishment Act of 2015".

Sec. 6142. Pepco Cost-Sharing Fund for DC PLUG.

Repeat Enactment § 1-325.331

(a) There is established as a special fund the Pepco Cost-Sharing Fund for DC PLUG ("Fund"), which shall be administered by the Director of the District Department of Transportation in accordance with subsection (c) of this section.

(b) The Fund shall consist of transfers from the Potomac Electric Power Company to facilitate cost-sharing for the District of Columbia Power Line Undergrounding ("DC PLUG") initiative.

(c) The Fund shall be used to pay for any purpose authorized by the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01 et seq.), for the DC PLUG initiative.

(d) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

SUBTITLE P. PUBLIC SPACE RENTAL FEE WAIVER

Sec. 6151. Short title.

This subtitle may be cited as the "Public Space Rental Fee Waiver Amendment Act of 2015".

Sec. 6152. The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), is amended by adding a new section 202a to read as follows:

New § 10-1102.02a

"Sec. 202a. Fee waiver.

"The first $83,000 of annual rent for use of public space, established pursuant to section 202, shall be waived for the use of land between Lot 16, Square 3832 and Lot 47, Square 3831.".

SUBTITLE Q. STREETCAR AUTHORIZATION

Sec. 6161. Short title.

This subtitle may be cited as the "Streetcar Authorization Amendment Act of 2015".

Sec. 6162. Section 5 of the District Department of Transportation DC Streetcar Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-921.71, note), is amended by striking the phrase "September 30, 2015." and inserting the phrase "September 30, 2016." in its place.

Note, § 50-921.71

Sec. 6163. Applicability.

This subtitle shall apply as of September 30, 2015.

SUBTITLE R. SUSTAINABLE FOOD SERVICE WARE CLARIFICATION

Sec. 6171. Short title.

This subtitle may be cited as the "Sustainable Food Service Ware Clarification Amendment Act of 2015".

Sec. 6172. The Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531 *et seq.*), is amended as follows:

(a) Section 401 (D.C. Official Code § 8-1531) is amended as follows:

Amend § 8-1531

(1) Paragraph (1) is amended by striking the phrase "prepared by a food service business" and inserting the phrase "prepared by a food service entity" in its place.

(2) Paragraph (4) is amended as follows:

(A) Strike the phrase ""Food service business" means" and insert the phrase ""Food service entity" means" in its place.

(B) Strike the phrase "business or institutional cafeterias" and insert the word "cafeterias" in its place.

(C) Strike the phrase "and other businesses" and insert the phrase "and other entities" in its place.

(3) A new paragraph (5) is added to read as follows:

"(5) "Recyclable" means made solely of materials that are currently accepted for recycling, as that term is used in section 101(14) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01(14)), by the food service entity's recycling collector.".

Amend § 8-1532

(b) Section 402 (D.C. Official Code § 8-1532) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "no food service business shall" and inserting the phrase "no food service entity shall" in its place.

(2) Subsection (b) is amended by striking the phrase "before a food service business" and inserting the phrase "before a food service entity" in its place.

Amend § 8-1533

(c) Section 403 (D.C. Official Code § 8-1533) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "shall use compostable or recyclable disposable food service ware unless there is no suitable affordable or compostable or recyclable product available as determined by the Mayor in accordance with this subtitle" and inserting the phrase "shall use compostable or recyclable disposable food service ware" in its place.

(2) Subsection (b) is amended by striking the phrase "shall use compostable or recyclable disposable food service ware unless there is no suitable affordable or compostable or recyclable product available as determined by the Mayor in accordance with this subtitle" and inserting the phrase "shall use compostable or recyclable disposable food service ware" in its place.

(3) Subsection (c) is amended as follows:

(A) Strike the phrase "no food service business shall sell" and insert the phrase "no food service entity shall sell" in its place.

(B) Strike the phrase "before a food service business received them" and insert the phrase "before a food service entity received them" in its place.

Amend § 8-1534

(d) Section 404 (D.C. Official Code § 8-1534) is amended by striking the phrase "vendors offering affordable compostable or recyclable disposable food service ware products" and inserting the phrase "vendors offering compostable or recyclable disposable food service ware products" in its place.

Repeal § 8-1535

(e) Section 405 (D.C. Official Code § 8-1535) is repealed.

Amend § 8-1537

(f) Section 407 (D.C. Official Code § 8-1537) is amended by adding a new subsection (d) to read as follows:

"(d)(1) For the purpose of enforcing the provisions of this subtitle, or any rule issued pursuant to subsection (a) of this section, the Mayor may, upon the presentation of appropriate credentials to the owner, operator, or agent in charge, enter upon any public or private land in a reasonable and lawful manner during normal business hours for the purpose of sampling, inspection, and observation.

"(2) If denied access to any place while carrying out the activities described in paragraph (1) of this subsection, the Mayor may apply to a court of competent jurisdiction for a search warrant.".

(g) Section 502(g) (D.C. Official Code § 8-1533, note) is amended to read as follows: **Note, § 8-1533**

"(g) Title IV, Subtitle A, sections 403 and 404 shall apply as of October 1, 2015.".

SUBTITLE S. URBAN FARMING AND FOOD SECURITY

Sec. 6181. Short title.

This subtitle may be cited as the "Urban Farming and Food Security Amendment Act of 2015".

Sec. 6182. The Food Production and Urban Gardens Program Act of 1986, effective February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended by adding a new section 3b to read as follows:

"Sec 3b. Limitation on expenditures. **New § 48-402.02**

"No more than $400,000 in Fiscal Year 2016 and $350,000 in each fiscal year thereafter shall be used by the Mayor to implement the Urban Farming and Gardens Program pursuant to section 3, the Urban Farming Land Leasing Initiative pursuant to section 3a, the real property tax abatement for urban agricultural uses pursuant to D.C. Official Code § 47-868, the maintenance of tax-exempt status pursuant to D.C. Official Code § 47-1005(c), and the tax credits for food donations pursuant to D.C. Official Code §§ 47-1806.14, 47-1807.12, and 47-1808.12.".

Sec. 6183. Section 302 of the Urban Farming and Food Security Amendment Act of 2014, effective April 30, 2015 (D.C. Law 20-248; 62 DCR 1504), is amended to read as follows: **Note, § 48-402.01**

"Sec. 302. Applicability.

"Section 201(a) shall apply to tax years beginning after September 30, 2015.".

SUBTITLE T. KIDS RIDE FREE METRORAIL BENEFIT

Sec. 6191. Short title.

This subtitle may be cited as the "Kids Ride Free Metrorail Benefit Amendment Act of 2015".

Sec. 6192. Section 2 of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended by adding a new subsection (h) to read as follows: **Amend § 35-233**

"(h)(1) Subject to available funds, the Mayor may establish a program for students to receive subsidies for the Metrorail Transit System that would supplement the reduced student fares established by this section.

"(2) To be eligible for the program, a student shall be:

"(A) Under 22 years of age; and

"(B) Enrolled in a District of Columbia public school or public charter school at the 12th grade or lower or enrolled in an alternative, adult, or special education District

of Columbia public school or public charter school.

"(3) The Mayor shall require each student, student's parent or guardian, or student's school counselor to file an application to participate in the program.

"(4) The subsidy benefit shall be distributed by fare card or similar medium acceptable to the Washington Area Metropolitan Transit Authority.

"(5) The transit subsidy established by this subsection shall be capped at $100 per month per student.

"(6) The total appropriation available for the program shall not exceed $7 million.".

Sec. 6193. Sunset. **Note, § 35-233**

This subtitle shall expire on September 30, 2016.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS

Sec. 7001. Short title.

This subtitle may be cited as the "Subject to Appropriations Amendment Act of 2015".

Sec. 7002. Section 1014(c) of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is repealed. **Note, §§ 1-608.62, 1-608.63, 1-608.64, 1-608.51a**

Sec. 7003. Section 3 of the Cottage Food Amendment Act of 2013, effective January 25, 2014 (D.C. Law 20-63; 60 DCR 16530), is amended to read as follows: **Note, §§ 7-749.01, 7-749.02**

"Sec. 3. Applicability.

"This act shall apply as of October 1, 2015.".

Sec. 7004. Section 6 of the McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (D.C. Res. 20-705; 62 DCR 1091), is amended to read as follows: **Not Codified**

"Sec. 6. Applicability.

"This resolution shall apply as of October 1, 2015.".

Sec. 7005. Section 6 of the McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (D.C. Res. 20-706; 62 DCR 1094), is amended to read as follows: **Not Codified**

"Sec. 6. Applicability.

"This resolution shall apply as of October 1, 2015.".

Sec. 7006. Section 6 of the McMillan Commercial Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (D.C. Res. 20-707; 62 DCR 1097), is amended to read as follows: **Not Codified**

"Sec. 6. Applicability.
"This resolution shall apply as of October 1, 2015.".

Amend § 32-1368

Sec. 7007. Section 9 of the Unemployed Anti-Discrimination Act of 2012, effective May 31, 2012 (D.C. Law 19-132; D.C. Official Code § 32-1368), is amended to read as follows:
"Sec. 9. Applicability.
"This act shall apply as of October 1, 2015.".

Amend § 2-275.01

Sec. 7008. Section 302(a) of the Public-Private Partnership Act of 2014, effective March 11, 2015 (D.C. Law 20-228; D.C. Official Code § 2-275.01(a)), is amended to read as follows:
"(a) This act shall apply as of October 1, 2015.".

Amend § 32-1231.15

Sec. 7009. Section 16 of the Protecting Pregnant Workers Fairness Act of 2015, effective March 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.15), is amended to read as follows:
"Sec. 16. Applicability.
"This act shall apply as of October 1, 2015.".

Amend § 1-1164.01

Sec. 7010. Section 601(m) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1164.01(m)), is repealed.

Amend § 2-1217.73

Sec. 7011. The Retail Incentive Amendment Act of 2012, effective April 27, 2013 (D.C. Law 19-288; 60 DCR 2325), is repealed.

Sec. 7012. The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2201.01 *et seq*.), is amended as follows:

Amend § 34-2202.06g

(a) Section 206g(d) (D.C. Official Code § 34-2202.06g(d)) is repealed.

Amend § 34-2202.06h

(b) Section 206h(e) (D.C. Official Code § 34-2202.06h(e)) is repealed.

Repeal § 38-757.01

Sec. 7013. Section 701 of the Raising Expectations for Education Outcomes Omnibus Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-757.01), is repealed.

Amend § 47-863

Sec. 7014. The Senior Citizen Real Property Tax Relief Act of 2013, effective May 28, 2014 (D.C. Law 20-105; 61 DCR 3474), is repealed.

SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS

Sec. 7021. Short title.

This subtitle may be cited as the "Prior Budget Act Amendment Act of 2015".

Repeal § 47-318.01a

Sec. 7022. (a) Sections 1041 through 1043 of the Fiscal Year 2005 Budget Support Act of 2004, effective December 7, 2004 (D.C. Law 15-205; 51 DCR 8441), are repealed.

(b) Section 47-318.01a of the District of Columbia Official Code is repealed.

Sec. 7023. The Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12472), is amended as follows:

Note, § 4-753.01a

(a) Section 7313 is repealed.

Amend §1-325.241

(b) Section 7314(b) is amended by striking the phrase "50% of".

(c) Section 7315 is amended to read as follows:

Note, § 47-3931

"Sec. 7315. Applicability.

"This subtitle shall apply as of the effective date of federal legislation or judicial action that permits the District to impose a sales tax on sales over the Internet.".

Sec. 7024. The Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is amended as follows:

Note, § 1-612.03c

(a) Section 1053 is repealed.

Amend § 1-325.291

(b) Section 7152(b)(1) (D.C. Official Code § 1-325.291(b)(1)) is amended by striking the phrase "$60.9 million".

Amend § 1-23.301

(c) Section 7153(b) (D.C. Official Code § 1-325.301(b)) is amended by striking the phrase "$60.9 million".

Amend § 1-325.311

(d) Section 7154(b) (D.C. Official Code § 1-325.311(b)) is amended by striking the phrase "$55.9 million from the $60.9 million settlement the District obtained" and inserting the phrase "the full amount the District obtained from the settlement, minus the amounts designated for other purposes in sections 7152 and 7153 of this act," in its place.

Note, § 47-1817.01

(e) A new section 7173 is added to read as follows:

"Sec. 7173. Applicability.

"This subtitle shall be applicable for tax years beginning after December 31, 2014.".

Repeal §§ 2-1210.31, 2-1210.32

(f) Section 7182 and 7183 (D.C. Official Code §§ 2-1210.31 and 2-1210.32) are repealed.

Not Codified in the D.C. Official Code

(g) Section 8032(a) is amended by striking the phrase "Regional Transportation Improvement Program" and inserting the phrase "region's Transportation Improvement Program" in its place.

(h) Section 9009 is repealed.

Amend § 1-611.03

Sec. 7025. Section 1103(f)(4)(A) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.03(f)(4)(A)), is amended as follows:

(a) The existing text is designated as sub-subparagraph (i) and amended as follows:

(1) Strike the phrase "2014, and 2015" and insert the phrase "and 2014" in its place.

(2) Strike the figure "$30,000" and insert the figure "$20,000" in its place.

(b) A new sub-subparagraph (ii) is added to read as follows:

"(ii) For Fiscal Year 2015, and except as provided in subparagraph (B) of this paragraph, no officer or member of the Fire and Emergency Medical Services Department who is authorized to receive overtime compensation under this subsection may earn overtime in excess of $30,000 in a fiscal year.".

Amend § 1-612.03c

Sec. 7026. Section 1203c(g)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-612.03c(g)(2), is amended to read as follows:

"(2) "Eligible employee" means a District government employee; provided, that the term "eligible employee" does not include:

"(A) A short-term employee appointed for less than 90 days; or

"(B) An employee with intermittent employment.".

Amend § 2-1215.15

Sec. 7027. Section 15(f) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-34; D.C. Official Code § 2-1215.15(f)), is amended by striking the phrase "plus interest on the unpaid amount at the rate of 1%" and inserting the phrase "plus simple interest on the unpaid amount at the rate of 1.5%" in its place.

Sec. 7028. The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq*.), is amended as follows:

Amend § 10-1102.02

(1) Section 202(b) (D.C. Official Code § 10-1102.02(b)) is amended to read as follows:

"(b) Notwithstanding the requirements of subsection (a) of this section, the District shall not charge a fee to an organization for occupying public space to operate a farmers market; provided, that it participates in the Supplemental Nutritional Assistance Program and the Women, Infants and Children Farmers Market Nutrition Program.".

Amend § 10-1103.02

(2) Section 303 (D.C. Official Code § 10-1103.02) is amended as follows:

(A) Subsection (b) is amended as follows:

(i) Paragraph (3) is amended by adding a new sentence at the end to read as follows:

"Only the land values of comparable multi-family residential properties shall be used in determining land values for vault rent purposes of residential condominiums.".

(ii) Paragraph (5) is amended by striking the phrase "Provided that the land values of comparable multi-family residential properties shall only be used in determining land values for vault rent purposes in residential condominiums, the" and inserting the word "The" in its place.

Sec. 7029. Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking the phrase "§ 28-3905" and inserting the phrase "Chapter 18 of Title 2" in its place. **Amend § 28-3903**

Sec. 7030. The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-281 *et seq.*), is amended as follows:

(a) A new section 4073a is added to read as follows: **New § 38-282.01**

"Sec. 4073a. Child development facility requirements.

"(a) If 50 % or more children in a licensed child development facility are eligible to participate in the CACF Program, the facility shall participate in the program unless OSSE grants it an exemption pursuant to subsection (b) of this section.

"(b) To be eligible for an exemption, a child development facility must provide OSSE with a written statement describing why participation in the CACF Program constitutes a hardship. OSSE will determine whether good cause exists and provide notice to the child development facility that it is excused from participating in the CACF Program for one year from the date of the notice. To the extent possible, OSSE shall work with excused child development facilities to address barriers to participating in the CACF Program.

"(c) Subsection (b) of this section shall expire on September 30, 2016.".

(b) Section 4074(a) (D.C. Official Code § 38-283(a)) is amended as follows: **Amend § 38-283**

(1) Paragraph (2) is amended by striking the word "and" at the end.

(2) Paragraph (3) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (4) is added to read as follows:

"(4) Provide to the Mayor, the Council, and the Healthy Schools and Youth Commission, no later than June 30 of each year, a report listing the names and locations of licensed child development facilities with 50 % or more eligible children enrolled, whether or not the facility participates in the CACF Program, and whether and why the facility was excused from participation.".

(c) A new section 4077 is added to read as follows: **New § 38-285**

"Sec. 4077. Applicability.

"This subtitle shall apply as of October 1, 2015.".

Sec. 7031. Section 303(a-4) of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 12; D.C. Official Code § 42-1103(a-4)), is amended by striking the word "transferred" and inserting the phrase "transferred by deed of title" in its place. **Amend § 42-1103**

Sec. 7032. Section 7(c) of the Government Employer-Assisted Housing Amendment Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2506(c)), is amended to read as follows: **Amend § 42-2506**

"(c) This section shall not apply to a home purchase with a closing date of after March 30, 2015.".

Amend § 47-181

Sec. 7033. Section 47-181 of the District of Columbia Official Code is amended as follows:

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

"(a) If local Fiscal Year 2016 recurring annual revenues included in the quarterly revenue estimate issued in September 2015 exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2016, the additional revenue shall be used to implement the provisions set forth in the Tax Revision Commission Implementation Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990) ("TRC Act"), according to the priority set forth in subsection (c) of this section, for taxable years beginning or deaths occurring, as applicable, after December 31, 2015; provided, that the Chief Financial Officer shall recalculate the cost of the provisions of the TRC Act with the September 2015 estimate.".

(b) Subsection (b) is amended by striking the phrase "has been approved, any recurring revenues in a quarterly revenue estimate" and inserting the phrase "has been approved by the District, any recurring revenues in a February revenue estimate" in its place.

(c) Subsection (c) is amended as follows:

(1) Paragraph (7) is amended by striking the figure "$6,650" and inserting the figure "$6,500" in its place.

(2) Paragraph (13) is amended by striking the phrase "Raise estate" and inserting the phrase "Raise the estate" in its place.

(d) Subsection (d) is amended by striking the phrase "Except for those provisions of the TRC Act that are funded in the approved budget and financial plan for Fiscal Year 2015, the currently unfunded provisions of the TRC Act" and inserting the phrase "Unfunded provisions of the TRC Act" in its place.

Amend § 47-361

Sec. 7034. Section 47-361(14) of the District of Columbia Official Code is amended by striking the phrase "another budget category." and inserting the phrase "another budget category; provided, that with respect to a capital reprogramming, the term "reprogramming" means a cumulative adjustment to a project's capital budget during a fiscal year of $500,000 or more.".

Amend § 47-362

Sec. 7035. Section 47-362(f)(2) of the District of Columbia Official Code is amended as follows:

(a) Designate the existing text as subparagraph (A).

(b) The newly designated subparagraph (A) is amended by striking the phrase "to the Capital Fund as Paygo." and inserting the phrase "equally among the Local Streets Ward-Based Capital Projects." in its place.

(c) A new subparagraph (B) is added to read as follows:

"(B) For the purposes of this paragraph, the term "Local Streets Ward Based Capital Projects" means the District Department of Transportation's 8 local streets ward-based capital projects (Project No. SR301-SR308), which endeavor to preserve, maintain, repair, or replace the District's sidewalks, curbs, and local roads.".

Sec. 7036. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

Amend § 47-845

(a) Section 47-845(c) is amended by striking the phrase "interest at the rate of 8% per annum" and inserting the phrase "simple interest at the rate of 1/2% per month or portion of a month until paid" in its place.

Amend § 47-845.02

(b) Section 47-845.02 is amended as follows:

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

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year ending immediately before the beginning of the real property tax year during which application is made under subsection (e) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.".

(2) Subsection (c) is amended by striking the phrase "interest at the rate of 8% per annum" and inserting the phrase "simple interest at the rate of 1/2% per month or portion of a month until paid" in its place.

(3) Subsection (d) is amended by striking the phrase "and § 47-845," and inserting the phrase ", § 47-845, and § 47-845.03" in its place.

(4) Subsection (h) is amended by adding a new paragraph (5) to read as follows:

"(5)(A) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(1)(B) of this section.

"(B) This paragraph shall not apply if the senior's household no longer qualifies for the deferral for any other reason.".

Amend § 47-845.03

(c) Section 47-845.03 is amended as follows:

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

"(2) "Household adjusted gross income" means the adjusted gross income of all persons residing in a household, as determined by each person's federal income tax year ending immediately before the beginning of the real property tax year during which application is made under subsection (f) of this section, excluding the adjusted gross income of any person who is a tenant by virtue of a written lease for fair market value.".

(2) Subsection (c) is amended by striking the phrase "at least 25 years" and inserting the phrase "at least the immediately preceding 25 years" in its place.

(3) Subsection (d) is amended by striking the phrase "and § 47-845," and inserting the phrase ", §47-845, and § 47-845.02" in its place.

(4) Subsection (i) is amended by adding a new paragraph (5) to read as follows:

"(5)(A) If a filed application is properly completed and not disapproved, taxes deferred shall remain deferred and the taxes from prospective tax years shall continue to be deferred notwithstanding household adjusted gross income applicable to prospective tax years that exceeds the threshold in subsection (a)(4)(D) of this section.

"(B) This paragraph shall not apply where the senior's household no longer qualifies for the deferral for any other reason.".

Sec. 7037. Chapter 13A of Title 47 of the District of Columbia Official Code is amended as follows:

Not Codified

(a) The table of contents is amended by striking the section designation "47-1390. Office of Real Property Tax Sale Review.".

Amend § 47-1334

(b) Section 47-1334(b) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place.

Amend § 47-1341

(c) Section 47-1341 is amended as follows:

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

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form **and may include a payment coupon or enclosed bill**:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by May 31, 20__)

"The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com or at any District branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is not made before May 31, 20__, the amount listed on this notice may no longer be accurate. In that case, you must contact the Office of Tax and Revenue at …….. to obtain an updated payoff amount.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

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

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form, and may include a payment coupon or enclosed bill:

"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

"TO AVOID TAX SALE YOU MUST PAY $[Amount Subject to Sale] by [Last Business Day before tax sale begins]

"The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that

have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com, at any District branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is made less than 10 calendar days before [the last business day before tax sale], you must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure that your property is removed from the tax sale.

- "You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the Customer Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.
- "Do not mail your paid receipt.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

Amend § 47-1346

(d) Section 47-1346(a)(5) is amended as follows:

(1) Subparagraph (A) is amended by striking the word "taxes" and inserting the phrase "in rem taxes" in its place.

(2) Subparagraph (B) is amended by striking the word "taxes" and inserting the phrase "in rem taxes" in its place.

Amend § 47-1348

(e) Section 47-1348 is amended as follows:

(1) Subsection (a)(10) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place.

(2) Subsection (c) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place.

Amend § 47-1353

(f) Section 47-1353(d) is amended by striking the phrase "1% per month" and inserting the phrase "1.5% per month" in its place.

Amend § 47-1353.01

(g) Section 47-1353.01(b) is amended to read as follows:

"(b) The notice required pursuant to subsection (a) of this section shall be in substantively the following form:

"[Date]

"ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address]

"Tax Sale Date: [July __, 20__]

"If you do not pay all amounts due, the purchaser will have the right to file a lawsuit to foreclose on the property and you may lose title.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Please follow the below instructions to redeem your property from tax sale and prevent a foreclosure lawsuit.

- "To redeem your property from the tax sale, you must pay all taxes owed, as well as any legal fees and expenses that may become due.
- "A tax bill is mailed to you during the month of August. You should pay the bill in full and on time.

- "If you are receiving this notice after October 31, 20__, or if you have not already paid your tax bill in full, you should contact the Office of Tax and Revenue ("OTR") at …….. for a current tax bill and up-to-date payoff amount.
- "After you have paid your taxes, you should call OTR to confirm that you have redeemed your property. Keep a copy of your proof of payment in case there is a later dispute about the payment.
- "If you have not paid all taxes within four months after the Tax Sale Date stated above, an additional $381.50 may be added to reimburse the purchaser for some costs.
- "If you do not redeem the property within six months of the Tax Sale Date stated above, the tax sale purchaser may file a lawsuit against you to obtain title to the property.
- "If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees and expenses that may total thousands of dollars. You may also lose title to the property.
- "For further information on how to redeem, please read our Real Property Owner's Guide to the Tax Sale Redemption Process, available on our Web site at www.taxpayerservicecenter.com by clicking on "Real Property." You may also request a copy by visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

"YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE. SEE THE NEXT PAGE FOR MORE INFORMATION.

"Should you have additional questions, please call OTR's Customer Service Center at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS IN THE DISTRICT OF COLUMBIA

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at ……

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at …….. for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.…….

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at.……. for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

(h) Section 47-1354(b) is amended by striking the phrase "the other purchaser" and inserting the phrase "such other purchaser" in its place.

(i) Section 47-1361(d)(1) is amended by striking the phrase "subsection (b-1)" and inserting the phrase "subsection (b-2)" in its place.

(j) Section 47-1377(a)(1)(A)(i) is amended by striking the word "amount" and inserting the word "cost" in its place.

Amend § 47-1801.04

Sec. 7038. Section 47-1801.04(44) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (A) is amended as follows:

(1) Sub-subparagraph (i) is amended by striking the semicolon and inserting the phrase "for a single individual and one-half of the amount that may be taken by a single individual for a married individual filing a separate return;" in its place

(2) Sub-subparagraph (ii) is amended by striking the phrase "January 1, 2015" and inserting the phrase "December 31, 2014" in its place.

(b) Subparagraph (B)(ii) is amended as follows:

(1) The lead-in language is amended by striking the phrase "January 1, 2015" and inserting the phrase "December 31, 2014" in its place.

(2) Sub-sub-subparagraph (I) is amended by striking the phrase "$6,650" and inserting the phrase "$6,500" in its place.

(c) Subparagraph (C)(ii) is amended as follows:

(1) The lead-in language is amended by striking the phrase "January 1, 2015" and inserting the phrase "December 31, 2014" in its place.

(2) Sub-sub-subparagraph (I) is amended by striking the phrase "$6,650" and inserting the phrase "$8,350" in its place.

(3) Sub-sub-subparagraph (II) is amended by striking the phrase "$7,800" and inserting the phrase "$10,275" in its place.

Amend § 47-1803.02

Sec. 7039. Section 47-1803.02(a)(2)(N) of the District of Columbia Official Code is amended to read as follows:

"(N)(i) Pension, military retired pay, or annuity income received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year, except that the exclusion shall not exceed the lesser of $3,000 or the actual amount of the pension, military retired pay, or annuity received during the taxable years; provided,

that the pension, military retired pay, or annuity is otherwise subject to taxation under this chapter; provided further, that this sub-subparagraph shall apply for taxable years beginning before January 1, 2015.

"(ii) Survivor benefits received from the District of Columbia or the federal government by persons who are 62 years of age or older by the end of the taxable year.".

Amend § 47-1806.02

Sec. 7040. Section 47-1806.02 of the District of Columbia Official Code is amended as follows:

(a) Subsection (c) is amended to read as follows:

"(c) There shall be allowed an additional exemption for a taxpayer who qualifies as a head of household; provided, that this subsection shall not apply for a tax year in which the deduction amount for personal exemptions under subsection (i) of this section is $2,200 or more.".

(b) Subsection (h-1) is amended by striking the phrase "The amount" and inserting the phrase "For tax years beginning after December 31, 2014, the amount" in its place.

(c) Subsection (i)(2) is amended by striking the phrase "and subject to § 47-1806.04(e)".

Amend § 47-1806.04

Sec. 7041. Section 47-1806.04(f)(1)(B) of the District of Columbia Official Code is amended by striking the phrase "40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986" and inserting the phrase "40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986; provided, that the credit shall not be allowed to a resident who has elected to claim the low income tax credit provided for in subsection (e) of this section" in its place.

Amend § 47-1806.06

Sec. 7042 Section 47-1806.06 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a)(2A) is amended by striking the year "2014" and inserting the year "2013" in its place.

(b) Subsection (e)(1) is amended by striking the phrase "§ 47-845" and inserting the phrase ""§§ 47-845, 47-845.02 and 47-845.03" in its place.

Amend § 47-2002

Sec. 7043. Section 47-2002(a) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (5) is repealed.

(b) Paragraph (6) is repealed.

Amend § 47-3701

Sec. 7044. Section 47-3701(14) is amended to read as follows:

"(14) "Zero bracket amount" means $1 million or subject to available funding and in accordance with § 47-181:

"(A) $2 million; or

"(B) $5 million increased by an amount equal to $5 million multiplied by the cost- of-living adjustment for the calendar year.".

Amend § 47-3702

Sec. 7045. Section 47-3702 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase "before January 1, 2015" and inserting the phrase "before January 1, 2016" in its place.

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

"(1) The rate of tax shall be 16%; except, that the portion of the taxable estate that does not exceed the current zero bracket amount shall be taxed at 0%, and if the taxable estate exceeds the zero bracket amount, the following tax rates shall be applied to the incremental values of the taxable estate above the zero bracket amount:

"(A) The rate of tax on the taxable estate over $1 million but not over $1.5 million shall be 6.4%;

"(B) The rate of tax on the taxable estate over $1.5 million but not over $2 million shall be 7.2%;

"(C) The rate of tax on the taxable estate over $2 million but not over $2.5 million shall be 8%;

"(D) The rate of tax on the taxable estate over $2.5 million but not over $3 million shall be 8.8%;

"(E) The rate of tax on the taxable estate over $3 million but not over $3.5 million shall be 9.6%;

"(F) The rate of tax on the taxable estate over $3.5 million but not over $4 million shall be 10.4%;

"(G) The rate of tax on the taxable estate over $4 million but not over $5 million shall be 11.2%;

"(H) The rate of tax on the taxable estate over $5 million but not over $6 million shall be 12%;

"(I) The rate of tax on the taxable estate over $6million but not over $7 million shall be 12.8%;

"(J) The rate of tax on the taxable estate over $7 million but not over $8 million shall be 13.6%;

"(K) The rate of tax on the taxable estate over $8 million but not over $9 million shall be 14.4%; and

"(L) The rate of tax on the taxable estate over $9 million but not over $10 million shall be 15.2%.".

(c) Subsection (b) is amended by striking the phrase "before January 1, 2015" and inserting the phrase "before January 1, 2016" in its place.

Amend § 47-4304.01

Sec. 7046 Section 47-4304.01(3) of the District of Columbia Official Code is amended by striking the phrase "3-year period" and inserting the phrase "4-year period" in its place.

Sec. 7047. Section 47-4802(a)(2) of the District of Columbia Official Code is amended by striking the phrase "tax year 2015" and inserting the phrase "tax year 2016" in its place. **Amend § 47-4802**

Sec. 7048. Applicability.
(a) Section 7028 shall apply as of July 1, 2015.
(b) Sections 7027, 7031, 7036, and 7037 shall apply as of October 1, 2014.

SUBTITLE C. PARKING TAX CONTINGENCY

Sec. 7051. Short title.
This subtitle may be cited as the "Parking Tax Contingency Amendment Act of 2015".

Sec. 7052. Section 47-2002(a)(1) of the District of Columbia Official Code is amended by striking the phrase "or station;" and inserting the phrase "or station; provided, that after October 1, 2017, the rate of tax shall be 22%;" in its place. **Amend § 47-2002**

Sec. 7053. Section 7052 shall not apply if Fiscal Year 2015 revenues in the June 2015 quarterly revenue estimate issued by the Chief Financial Officer are sufficient to implement fully section 7092(c). **Note, § 47-2002**

SUBTITLE D. LOW INCOME CREDIT AMENDMENT

Sec. 7061. Short title.
This subtitle may be cited as the "Low Income Credit Amendment Act of 2015".

Sec. 7062. Section 47-1806.04(e) of the District of Columbia Official Code is amended as follows: **Amend § 47-1806.04**

(a) Paragraph (1) is amended to read as follows:

"(1)(A) If a return is filed for a full calendar year, the amount of the tax payable under this subchapter by a resident of the District with respect to the taxable year shall be reduced by a low income credit designed to make the District's income tax threshold equal to the federal income tax threshold. For the purposes of this subsection, the term "tax threshold" means the point at which a taxpayer begins to owe income tax after allowance of the standard deduction and all personal exemptions to which the taxpayer is entitled, but before application of any itemized deductions or credits. The credit shall be calculated in accordance with a table prescribed by the Chief Financial Officer.

"(B)(i) If a return is filed for a period of less than a full calendar year beginning after December 31, 2014, the income eligibility for the credit allowed under this subsection shall be determined by annualizing the income earned during the portion of the year the taxpayer was a District resident.

"(ii) If a part-year resident meets the annualized income and other requirements of this subsection, the part-year resident shall be entitled to the pro rata share of the

credit allowed by the annualized income. The pro rata share shall be determined by multiplying the credit allowed, from the table prescribed by the Chief Financial Officer, for the annualized income by the fraction consisting of the number of days the taxpayer was a District resident over 365 days (or, in the case of a leap year, 366 days).".

(b) Paragraph (2) is amended to read as follows:

"(2) The credit provided for in paragraph (1) of this subsection shall not be allowed to a resident:

"(A) Who has a federal tax liability determined in accordance with section 55 of the Internal Revenue Code of 1986;

"(B) Who has net federal adjusted gross income in excess of the minimum federal income tax filing requirements. For the purposes of this subparagraph, the term "net federal adjusted gross income" means federal adjusted gross income less:

"(i) Taxable refunds, credits, or offsets of state and local income tax;

"(ii) Tax-exempt municipal bond interest income; and

"(iii) Federal taxable amount of social security or tier 1 railroad retirement income; or

"(C) Who has elected to claim the earned income tax credit provided for in subsection (f) of this section.".

Sec. 7063. Applicability. **Note, § 47-1806.04**

This subtitle shall apply to taxable years beginning after December 31, 2014.

SUBTITLE E. VAPOR PRODUCT AMENDMENT

Sec. 7071. Short title

This subtitle may be cited as the "Vapor Product Amendment Act of 2015".

Sec. 7072. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-2001 is amended as follows: **Amend § 47-2001**

(1) Subsection (e-1) is repealed.

(2) Subsection (h-3) is repealed.

(b) Section 47-2401 is amended as follows: **Amend § 47-2401**

(1) Paragraph (5A) is amended to read as follows:

"(5A) The term "other tobacco product" means any product containing, made from, or derived from tobacco, other than a cigarette or premium cigar, that is intended or expected to be consumed. The term "other tobacco product" includes vapor products, as defined in paragraph (9A) of this section, but does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and that is being marketed and sold solely for such an approved purpose.".

(2) A new paragraph (9A) is added to read as follows:

"(9A) The term "vapor product" means:

"(A) Any non-lighting, noncombustible product that employs a mechanical heating element, battery, or electronic circuit, regardless of shape or size, that can be used to produce aerosol from nicotine in a solution; or

"(B) Any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.".

Sec. 7073. Applicability. **Note, §§ 47-2001, 47-2401**

This subtitle shall apply for taxable periods beginning on or after October 1, 2015.

SUBTITLE F. NOTICE OF PROPOSED AUDIT CHANGES REQUIREMENT

Sec. 7081. Short title.

This subtitle may be cited as the "Notice of Proposed Audit Changes Requirement Amendment Act of 2015".

Sec. 7082. Chapter 43 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-4303 is amended to read as follows: **Amend § 47-4303**

"§ 47-4303. Suspension of running of period of limitation.

"The running of the period of limitation provided in §§ 47-4301 and 47-4302 on the making of assessments or collection shall be suspended:

"(1) Beginning on the day the Chief Financial Officer of the District of Columbia ("CFO") issues a notice of proposed audit changes pursuant to § 47-4312 for 90 days or until the issuance of a proposed assessment, whichever occurs first; and

(2) Beginning on the day the CFO issues a proposed assessment, until the issuance of a final order by the Office of Administrative Hearings and for the period during which the CFO is prohibited from making the assessment or from collecting due to a proceeding in court, plus:

"(i) For assessment, 60 days thereafter; and

"(ii) For collection, 6 months thereafter.".

(b) Section 47-4312 is amended by adding a new subsection (a-1) to read as follows: **Amend § 47-4312**

"(a-1) Unless otherwise provided in this title, the CFO shall send a notice of proposed audit changes to the person at least 30 days before the proposed assessment is sent.".

SUBTITLE G. FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT OVERTIME SETTLEMENT

Sec. 7091. Short title.

This subtitle may be cited as the "Fire and Emergency Medical Services Overtime Settlement Fund Act of 2015".

New Subchapter II-A, Chapter 5, Title 5 New § 5-525.01

Sec. 7092. Fire and Emergency Medical Services Overtime Settlement Fund.

(a) There is established as a special fund the Fire and Emergency Medical Services Overtime Settlement Fund ("Fund"), which shall be administered by the Office of the City Administrator in accordance with subsection (c) of this section.

(b)(1) Subject to paragraph (2) of this subsection, there shall be deposited into the Fund:

(A) Excess Fiscal Year 2015 revenues certified by the Chief Financial Officer in the June 2015 quarterly revenue estimate; and

(B) Immediately upon completion of the fiscal year-end close, the undesignated and unreserved end-of-the-year fund balance of the General Fund of the District of Columbia.

(2) The Chief Financial Officer shall deposit into the Fund only the amount necessary to fully satisfy the District's obligations referenced in subsection (c) of this section. Any excess above that amount shall be deposited into the unrestricted fund balance of the General Fund of the District of Columbia+, subject to any allocation required by D.C. Official Code § 47-392.02.

(c) The Fund shall be used to pay the District's obligations arising from the decision of the District of Columbia Court of Appeals in *District of Columbia Fire and Emergency Medical Services Department v. District of Columbia Public Employee Relations Board, et al.*, 105 A.3d 992 (D.C. 2014).

(d) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

New § 5-525.02

Sec. 7093. Applicability.

If funds deposited under section 7092(b) are sufficient to fully satisfy the District's obligations arising from the decision of the District of Columbia Court of Appeals in *District of Columbia Fire and Emergency Medical Services Department v. District of Columbia Public Employee Relations Board, et al.*, 105 A.3d 992 (D.C. 2014), as certified by the Chief Financial Officer, section 7052 shall not apply.

SUBTITLE H. BUSINESS IMPROVEMENT DISTRICT TECHNICAL CLARIFICATION

Sec. 7101. Short title.

This subtitle may be cited as the "Business Improvement District Technical Amendment Act of 2015".

Sec. 7102. The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

Amend § 2-1215.02

(a) Section 3(24)(C) (D.C. Official Code § 2-1215.02 (24)(C)) is amended by striking the date "September 30, 2014" and inserting the date "September 30, 2003" in its place.

(b) Section 16(g-1) (D.C. Official Code § 2-1215.15(g-1)) is amended as follows: **Amend § 2-1215.15**

(1) Paragraph (2) is amended by striking the phrase "The BID tax resulting" and inserting the phrase "For periods beginning after September 30, 2003, the BID tax resulting" in its place.

(2) Paragraph (3) is repealed.

SUBTITLE I. DISTRICT OF COLUMBIA DEPOSITORY EXPANSION

Sec. 7111. Short title.

This subtitle may be cited as the "District of Columbia Depository Expansion Amendment Act of 2015".

Sec. 7112. Section 47-351.08(b) of the District of Columbia Official Code is amended as follows: **Amend § 47-351.08**

(a) Paragraph (3) is amended by striking the word "or" at the end.

(b) Paragraph (4) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(c) A new paragraph (5) is added to read as follows:

"(5) Letters of credit issued by a Federal Home Loan Bank.".

SUBTITLE J. 4427 HAYES STREET, N.E., REAL PROPERTY TAX ABATEMENT

Sec. 7121. Short title.

This subtitle may be cited as the "4427 Hayes Street, N.E., Real Property Tax Abatement Amendment Act of 2015".

Sec. 7122. Section 47-4649 of the District of Columbia Official Code is amended as follows: **Amend § 47-4649**

(a) Strike the phrase "tax years 2011, 2012, 2013, 2014, and 2015" and insert the phrase "tax years 2011 through 2040" in its place.

(b) Strike the number "$140,000" and insert the phrase "$30,000 a year" in its place.

SUBTITLE K. MARKET-BASED SOURCING CLARIFICATION

Sec. 7131. Short title.

This subtitle may be cited as the "Market-based Sourcing Clarification Amendment Act of 2015".

Sec. 7132. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1334 is amended to read as follows: **Amend § 47-1334**

"§ 47-1334. Interest rate.

"(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid,

excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

"(b) The purchaser shall receive simple interest of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following when the real property was sold or the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no interest for expenses or the reasonable value of improvements.".

Amend § 47-1348

(b) Section 47-1348 is amended as follows:

(1) Subsection (a)(10) is amended to read as follows:

"(10) A statement that the rate of simple interest, upon redemption, shall be 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.".

(2) Subsection (c) is amended by striking the phrase "On redemption, the purchaser will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 18% per annum from the date the real property was sold to the date of redemption; provided, that the purchaser shall not receive interest on any surplus." and inserting the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus." in its place.

Amend § 47-1353

(c) Section 47-1353(d) is amended to read as follows:

"(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the day of the tax sale to the purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.".

Amend § 47-1810.02

(d) Section 47-1810.02(g)(3) is amended to read as follows:

"(3)(A) For the tax years beginning after December 31, 2014, sales, other than sales of tangible personal property, are in the District if the taxpayer's market for the sales is in the District. The taxpayer's market for sales is in the District:

"(i) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in the District;

"(ii) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in the District;

"(iii) In the case of the sale of a service, if and to the extent the service is delivered to a location in the District; and

"(iv) In the case of intangible property:

"(I) That is rented, leased, or licensed, if and to the extent the property is used in the District; provided, that intangible property utilized in marketing a good or service to a consumer is used in the District if that good or service is purchased by a consumer who is in the District; and

"(II) That is sold, if and to the extent the property is used in the District; provided, that:

"(aa) A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is used in the District if the geographic area includes all or part of the District;

"(bb) Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under sub-sub-subparagraph (I) of this sub-subparagraph; and

"(cc) All other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the sales factor.

"(B) If the state or states of assignment under subparagraph (A) of this paragraph cannot be determined, the state or states of assignment shall be reasonably approximated.

"(C) If the taxpayer is not taxable in a state in which a sale is assigned under subparagraph (A) or (B) of this paragraph, or if a state of assignment cannot be determined under subparagraph (A) of this paragraph or reasonably approximated under subparagraph (B) of this paragraph, the sale shall be excluded from the denominator of the sales factor.

"(D) The Chief Financial Officer may issue rules to implement the provisions of this subsection.".

(e)(1) Subsections (a),(b), and (c) of this section shall apply as of October 1, 2014.

(2)Subsection (d) of this section shall apply to tax years beginning after December 31, 2014.

SUBTITLE L. REAL PROPERTY ASSESSMENT APPOINTMENT CLARIFICATION

Sec. 7141. Short title.

This subtitle may be cited as the "Real Property Assessment Appointment Clarification Amendment Act of 2015".

Sec. 7142. Section 47-825.02 of the District of Columbia Official Code is repealed. **Repeal § 47-47-825.02**

SUBTITLE M. SOUTHWEST BUSINESS IMPROVEMENT DISTRICT CLARIFICATION

Sec. 7151. Short title.

This subtitle may be cited as the "Southwest Business Improvement District Clarification Amendment Act of 2015".

Sec. 7152. Section 210(c) of the Business Improvement Districts Act of 1996, effective September 9, 2014 (D.C. Law 20-136; D.C. Official Code § 2-1215.60(c)), is amended as follows: **Amend § 2-1215.60**

(a) Paragraph (1)(A)(iii) is amended by striking the phrase "other law;" and inserting the phrase "other law, but shall not include any property covered by paragraph (4) of this subsection;" in its place.

(b) A new paragraph (4) is added to read as follows:

"(4) Notwithstanding paragraph (1)(A)(iii) of this subsection, the total BID tax payable with respect to any property that is an integral part of a development larger than 5 acres and the owner of which is required to contribute to the maintenance and improvement of roadways and sidewalks adjacent to the property or otherwise associated with the development in lieu of the District having that responsibility shall be reduced by 30% from that which would otherwise be payable with respect to such property, to reflect the reduced services provided by the Southwest BID with respect to the property.".

SUBTITLE N. STANDARD DEDUCTION WITHHOLDING CLARIFICATION

Sec.7161. Short title.

This subtitle may be cited as the "Standard Deduction Withholding Clarification Amendment Act of 2015".

Sec. 7162. Section 47-1812.08(b) of the District of Columbia Official Code is amended by adding a new paragraph (1A) to read as follows: **Amend § 47-1812.08**

"(1A) Notwithstanding which method of determination for withholding set forth in paragraph (1) of this subsection is used, no allowance for the standard deduction shall be permitted.".

SUBTITLE O. UNIFIED ECONOMIC DEVELOPMENT REPORT CLARIFICATION

Sec. 7171. Short title.

This subtitle may be cited as the "Unified Economic Development Clarification Amendment Act of 2015".

Amend § 2-1208.02

Sec. 7172 Section 2253 of the Unified Economic Development Budget Transparency and Accountability Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 2-1208.02), is amended as follows:

(a) Subsection (a)(1) is amended by striking the phrase "Not more than 3 months after the end of each fiscal year" and inserting the phrase "On or before March 1" in its place.

(b) Section (b) is amended by striking phrase "The Chief Financial Officer" and inserting the phrase "The Mayor" in its place.

SUBTITLE P. COMBINED REPORTING CLARIFICATION

Sec. 7181. Short title.

This subtitle may be cited as the "Combined Reporting Clarification Amendment Act of 2015".

Sec. 7182. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1810.09. Tax haven updates.".

New § 47-1810.09

(b) A new section 47-1810.09 is added to read as follows:

"§ 47-1810.09. Tax haven updates.

"(a) The Council shall review the list of tax havens set forth in § 47-1801.04(49)(B-i) biennially or as needed.

"(b) The Chief Financial Officer of the District of Columbia ("CFO") may submit amendments, as the CFO considers necessary, to the Council for revision by act of the list of tax havens.".

Amend § 47-1801.04

(c) Section 47-1801.04(49) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "means a jurisdiction that" and inserting the phrase "means the jurisdictions listed in subparagraph (B-i) of this paragraph and any jurisdiction that" in its place.

(2) A new subparagraph (B-i) is added to read as follows:

"(B-i) Each of the following jurisdictions is a tax haven:

"(i) Andorra;

"(ii) Anguilla;

"(iii) Antigua and Barbuda;

"(iv) Aruba;

"(v) The Bahamas;
"(vi) Bahrain;
"(vii) Barbados;
"(viii) Belize;
"(ix) Bermuda;
"(x) The British Virgin Islands;
"(xi) The Cayman Islands;
"(xii) The Cook Islands;
"(xiii) Cyprus;
"(xiv) Dominica;
"(xv) Gibraltar;
"(xvi) Grenada;
"(xvii) Guernsey-Sark-Alderney;
"(xviii) The Isle of Man;
"(xix) Jersey;
"(xx) Liberia;
"(xxi) Liechtenstein;
"(xxii) Luxembourg;
"(xxiii) Malta;
"(xxiv) The Marshall Islands;
"(xxv) Mauritius;
"(xxvi) Monaco;
"(xxvii) Montserrat;
"(xxviii) Nauru;
"(xxix) The islands formerly constituting the Netherlands Antilles;
"(xxx) Niue;
"(xxxi) Samoa;
"(xxxii) San Marino;
"(xxxiii) Seychelles;
"(xxxiv) St. Kitts and Nevis;
"(xxxv) St. Lucia;
"(xxxvi) St. Vincent and the Grenadines;
"(xxxvii) The Turks and Caicos Islands;
"(xxxviii) The U.S. Virgin Islands; and
"(xxxix") Vanuatu.".

SUBTITLE Q. UNION MARKET DISTRICT TIF

Sec. 7191. Short title.

This subtitle may be cited as the "Union Market District TIF Inducement Act of 2015".

New Subpart 6. Part B, Subchapter IV, Chapter 12, Title 2

New § 2-1217.36a

Sec. 7192. Definitions.

For the purposes of this subtitle, the term:

(1) "Development costs" shall have the same meaning as provided in section 2(13) of the TIF Act.

(2) "Development Sponsor" means Edens, or an affiliate thereof approved by the Mayor.

(3) "Eligible project" shall have the same meaning as provided in section 2(18) of the TIF Act.

(4) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq*.).

(5) "Project" means the financing, refinancing, or reimbursing of certain tax increment qualified costs incurred for the development of projects, including retail, residential, and office space on parcels, lots, and squares, within and abutting the boundary of the Florida Avenue Market as set forth in the Florida Avenue Market Small Area Plan, dated 2009, approved by the Florida Avenue Market Small Area Plan Approval Resolution of 2009, effective October 6, 2009 (Res. 18-257; 56 DCR 8401).

(6) "Tax increment" shall have the same meaning as provided in section 490(n)(6) of the Home Rule Act.

(7) "TIF Act" means the Tax Increment Financing Authorization Act of 1998, effective September 11, 1998 (D.C. Law 12-143; D.C. Official Code § 2-1217.01 *et seq*.).

(8) "TIF Bonds" means bonds, notes, or other obligations issued pursuant to the TIF Act.

New § 2-1217.36b

Sec. 7193. Findings.

The Council finds that:

(1) Pursuant to section 490 of the Home Rule Act, the TIF Act provides for the issuance of TIF Bonds to finance certain public infrastructure costs of eligible projects to the extent the debt service on the TIF Bonds can be paid from tax revenues generated by those eligible projects and does not violate District law with regard to the limitations on the issue of debt.

(2) The Development Sponsor has requested that the District consider the issuance of TIF Bonds, in one or more taxable or tax-exempt issues, for the purpose of financing or reimbursing the Development Sponsor for development costs of the Project in the net amount of $90 million.

(3) The Project is desirable and in the public interest.

Sec. 7194. Declaration of intent. **New § 2-1217.36c**

(a) The Council supports the Project and, to the extent feasible, legal, and prudent under the District's debt limitations, and in compliance with law, supports efforts to issue TIF Bonds to finance eligible development costs of the Project.

(b) The maximum principal amount of the TIF Bonds to be issued to finance the Project shall be determined by agreement of the Development Sponsor, the Chief Financial Officer, and the Mayor.

(c) The issuance of the TIF Bonds shall be dependent on the execution of a mutually agreed upon development agreement and other agreements between the District and the Development Sponsor and certification of the Project by the Chief Financial Officer pursuant to the TIF Act.

Sec. 7195. Future legal requirements. **New § 2-1217.36d**

The issuance of TIF Bonds to finance the Project and the terms of the resolution approving the issuance of the TIF Bonds are subject to approval by the Council as set forth in the TIF Act. Enactment of this subtitle in no way guarantees that the District will authorize the issue of TIF Bonds in any amount, that the TIF Bonds will be approved by the District, or that the TIF Bonds will actually be issued.

SUBTITLE R. REAL PROPERTY TAX TRANSFER DEFERRAL

Sec. 7201. Short title.

This subtitle may be cited as the "Real Property Tax Transfer Deferral Amendment Act of 2015".

Sec. 7202. Section 47-845.03 of the District of Columbia Official Code is amended as follows: **Amend § 47-845.03**

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

"(1A) "Heir" means an individual named in an enforceable will or transfer on death deed, or an individual named as a beneficiary of an enforceable trust, or in the absence of the foregoing, an individual who shall inherit pursuant to Chapter 3 of Title 19 of the District of Columbia Official Code.".

(b) Subsection (e) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

"(2) Deferred real property tax, interest thereon, and any penalties, shall be payable within 30 days from the transfer of the real property. Upon such transfer, real property tax that is not timely paid, with interest thereon, shall thereafter be deemed delinquent real property tax.".

(2) New paragraphs (3), (4), and (5) are added to read as follows:

"(3) Where the real property that is the subject of the deferral is not or is no longer part of the estate of the eligible applicant and in an active probate proceeding thereof, real property tax, interest thereon, and any penalties shall be due as follows:

"(A) Within 90 days from the date of death of the eligible applicant, or 30 days from the date of transfer or cessation of probate legal proceedings related to the real property, whichever is sooner, if the real property is not transferred to heirs; or

"(B) Within one year from the date of death of the eligible applicant if the real property is or shall be transferred to heirs pursuant to trust, transfer on death deed, or other such instrument.

"(4) Where the real property that is the subject of the deferral is part of the estate of the eligible applicant and in an active probate proceeding thereof, real property tax, interest thereon, and any penalties shall be due within one year from the date of transfer by the personal representative of such real property.

"(5) Real property tax, interest thereon, and any penalties on a real property due and not timely paid shall be deemed delinquent real property tax.".

(c) Subsection (i)(1) is amended as follows:

(1) Strike the phrase "If the senior's" and insert the phrase "Unless otherwise provided in this section, if the senior's" in its place.

(2) Strike the phrase "paid within 30 days of the change in eligibility" and insert the phrase "paid within 90 days of the change in eligibility" in its place.

(3) Strike the phrase "fails to notify the Mayor timely" and insert the phrase "fails to pay timely to the Mayor" in its place..

SUBTITLE S. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING MATCH

Sec. 7211. Short title.

This subtitle may be cited as the "National Cherry Blossom Festival Fundraising Match Act of 2015".

Not Codified in the D.C. Official Code

Sec. 7212. (a) In Fiscal Year 2016, of the funds allocated to the Non-Departmental agency, $250,000 shall be transferred to the Washington Convention and Sports Authority to administer a matching grants program to support the National Cherry Blossom Festival. A matching grant of up to $250,000 shall be awarded to a nonprofit organization that organizes and produces an event or events as part of the official, month-long National Cherry Blossom Festival dollar-for-dollar for corporate donations above $750,000 raised by the nonprofit for this purpose by March 31, 2016. Any matching grant awarded under this section shall be in addition to any other grants awarded by the Washington Convention and Sports Authority in support of the National Cherry Blossom Festival.

(b) Grants issued pursuant to this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

SUBTITLE T. TREGARON CONSERVANCY TAX EXEMPTION AND RELIEF

Sec. 7221. Short title.

This subtitle may be cited as the "Tregaron Conservancy Tax Exemption and Relief Amendment Act of 2015".

Amend § 47-1077

Sec. 7222. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for section designation 47-1077 is amended to read as follows:

"47-1077. Tregaron Conservancy, Lots 848, 857, 859, and 860, Square 2084.".

(b) Section 47-1077 is amended as follows:

(1) The heading is amended by striking the phrase "Lots 857, 859, and 860" and inserting the phrase "Lots 848, 857, 859, and 860" in its place.

(2) The lead-in language is amended by striking the phrase "Lots 857, 859, and 860" and inserting the phrase "Lots 848, 857, 859, and 860" in its place.

Note, § 47-1077

Sec. 7223. Transfer exempt from transfer and recordation taxes.

The conveyance of the real property described as Lot 848, Square 2084 to the Tregaron Conservancy shall be exempt from the tax imposed by section 303 of the District of Columbia Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1103), and D.C. Official Code § 47-903.

Note, § 47-1077

Sec. 7224. Applicability.

This subtitle shall apply as of March 1, 2015.

SUBTITLE U. RETAIL SERVICE STATION TRANSFER TAX

Sec. 7231. Short title.

This subtitle may be cited as the "Retail Service Station Transfer Tax Amendment Act of 2015".

Amend § 47-903

Sec. 7232. Section 47-903(a-5) of the District of Columbia Official Code is repealed.

SUBTITLE V. IPW FUND, DESTINATION DC MARKETING FUND, AND WMATA MOMENTUM FUND AMENDMENT

Sec. 7241. Short title.

This subtitle may be cited as the "IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Fund Amendment Act of 2015".

Sec. 7242. The IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Fund Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is amended as follows:

Amend § 1-325.291

(a) Section 7152(b) (D.C. Official Code § 1-325.291(b)) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Strike the figure "$3.5 million" and insert the figure "$2 million" in its place.

(B) Strike the phrase "obtained; and" and insert the phrase "obtained;" in its place.

(2) A new paragraph (1A) is added to read as follows:

"(1A) The amount of $1.5 million from any recoveries from litigation brought on behalf of the District; provided, that the Litigation Support Fund established in section 106b of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, passed on 2nd reading on June 30, 2015 (Enrolled version of Bill 21-158), has reached its initial balance cap; and".

Amend § 1-325.311

(b) Section 7154 (D.C. Official Code § 1-325.311) is amended by adding a new subsection (b-1) to read as follows:

"(b-1) Upon settlement of litigation in *United States ex rel. Mills v. Compass Group North America et al.*, 2013 CAB SLD 004624, any and all recoveries by the District from the settlement not otherwise encumbered pursuant to the settlement agreement shall be deposited into the Fund.".

SUBTITLE W. PUBLIC SPACE REVENUE CLARIFICATION

Sec. 7251. Short title.

This subtitle may be cited as the "Public Space Revenue Clarification Amendment Act of 2015".

Amend § 47-305.01

Sec. 7252. Section 47-305.01 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase "public space authorized by the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101 et seq.)" and inserting the phrase "public rights-of-way authorized by Title VI of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01 *et seq*.)" in its place.

(b) Subsection (b) is amended by striking the phrase "public space authorized by the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101 et seq.)" and inserting the phrase "public rights-of-way authorized by Title VI of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01 *et seq*.) " in its place.

Amend § 10-1141.01

Sec. 7253. Section 601(3) of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01(3)), is amended by striking the phrase "or boulevard" and inserting the phrase "or boulevard used pursuant to District law for public services, including rail lines and electric, natural gas, water, sewer, and communication utilities" in its place.

TITLE VIII. CAPITAL BUDGET

SUBTITLE A. FY 2016 CAPITAL PROJECT FINANCING REALLOCATION

Not Codified

Sec. 8001. Short title.

This subtitle may be cited as the "Fiscal Year 2016 Capital Project Reallocation Approval Act of 2015".

Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate $164,988,727 in general obligation bond proceeds from District capital projects listed in Table A to the District capital projects, in the amounts specified, listed in Table B.

(b) The current allocations were made pursuant to the Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011, effective December 6, 2011 (Res. 19-315; 58 DCR 10556), the Fiscal Year 2013 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2012, effective October 16, 2012 (Res. 19-635; 59 DCR 12818), the Fiscal Year 2014 Income Tax Secured Revenue Bond and General Obligation Approval Resolution of 2013, effective November 5, 2013 (Res. 20-321; 60 DCR 15794), and the Fiscal Year 2015 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective November 18, 2014 (Res. 20-687; 61 DCR 12738).

TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Commission On Arts and Humanities	AH7	CAH	Arts & Humanities Grants & Projects	2013A G.O.	2,166,753
Commission On Arts and Humanities	AH7	CAH	Arts & Humanities Grants & Projects	2014C G.O.	2,451,957
Commission On Arts and Humanities	DA1	CAH	Arts & Humanities Grants & Projects	2012 C - IT	157,088
D.C. Public Library	LB2	DCPL	Library Improvements	2012 C - IT	5,924
D.C. Public Library	LB2	DCPL	Library Improvements	2013A G.O.	6,536
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2012 C - IT	1,759,993
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2013A G.O.	1,000,000
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2014C G.O.	3,000,000

Department of Corrections	CR1	DOC	HVAC Replacement	2013A G.O.	210,299
Department of General Services	PR1	DGS	One Judiciary Square Roof	2014C G.O.	566,687
Department of Parks and Recreation	COM	DGS	Congress Heights Modernization	2012 FG IT	26,761
Department of Parks and Recreation	QS5	DGS	Barry Farm Recreation Center	2012 FG IT	177,483
Department of Public Works	FS1	DPW	Upgrade to DPW Fueling Sites	2013A G.O.	76,427
Deputy Mayor for Education	CES	DMED	Language Immersion MS/HS Facility Grant	2014C G.O.	3,000,000
Deputy Mayor for Planning and Economic Development	AWR	DMPED	St Elizabeths Infrastructure	2012 C - IT	41,196,793
Deputy Mayor for Planning and Economic Development	EB0	DMPED	New Communities	Pending	8,000,000
Deputy Mayor for Planning and Economic Development	EDP	DMPED	Economic Development Pool	2014C G.O.	347,460
District Department of Transportation	CE3	DDOT	Alley Maintenance	2012 C - IT	227,938
District Department of Transportation	CE3	DDOT	Alley Maintenance	2013A G.O.	328,043
District Department of Transportation	ED0	DDOT	11th Street Bridge Park	Pending	2,003,643
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2012 C - IT	1,430,163
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2013A G.O.	3,500,000
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2014C G.O.	2,500,000
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	Pending	4,481,447
District Department of Transportation	PM3	DDOT	Advanced Design and Planning	2012 C - IT	532,146
District Department of Transportation	PM3	DDOT	Advanced Design and Planning	2013A G.O.	1,000,000
District Department of Transportation	SA3	DDOT	H Street/Benning/K Street Streetcar Line	Pending	36,011,922
District of Columbia Public Schools	CHA	DGS	Challenger Center For Space Education	2012 C - IT	1,000,000
District of Columbia Public Schools	CHA	DGS	Challenger Center For Space Education	2014C G.O.	500,000
District of Columbia Public Schools	MH1	DGS	Dunbar SHS Modernization	2012 FG IT	4,243,657
District of Columbia Public Schools	NX3	DGS	Cardozo HS Modernization	2012 FG IT	12,304,374
District of Columbia Public Schools	PE3	DCPS	Drew ES Modernization/Renovation	2012 C - IT	511,155
Fire and Emergency Management Services	F34	FEMS	Emergency Communication Systems	2013A G.O.	16,841
Fire and Emergency Management Services	LC5	FEMS	Engine Company 23 Renovation	2014C G.O.	2,886,745
Metropolitan Police Department	CTV	MPD	Tactical Village Training Facility	2014C G.O.	738,768
Office of Municipal Planning	PLN	OP	District Public Plans and Studies	2012 C - IT	3,542,714
Office of Municipal Planning	PLN	OP	District Public Plans and Studies	2014C G.O.	6,525,205
Office of the Chief Financial Officer	BF3	OCFO	SOAR Modernization	Pending	10,000,000
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2012 C - IT	1,001,550
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2013A GO	648,627
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2014C G.O.	63,000
Special Education Transportation	BU2	SET	Special Education Transportation Center	2012 C - IT	4,840,628
TOTAL					**$164,988,727**

TABLE B

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Department of Corrections	CR0	DGS	Inmate Processing Center	N/A	4,500,000
D.C. Public Library	NEL	DCPL	Northeast Library	N/A	547,780
District of Columbia Public Schools	NA6	DGS	Ballou Senior High School	N/A	27,986,000

District of Columbia Public Schools	NR9	DGS	Roosevelt Senior High School	N/A	20,223,161
District of Columbia Public Schools	YY1	DGS	Modernizations & Renovations	N/A	50,864,967
District of Columbia Public Schools	BRK	DGS	Brookland MS Modernization	N/A	8,500,000
Office on Aging	EA3	DGS	Washington Center for Aging Services Renovation	N/A	409,442
WMATA	SA3	WMATA	WMATA Fund - PRIIA	N/A	10,406,472
WMATA	SA5	WMATA	WMATA CIP Contribution	N/A	21,550,905
University of the District of Columbia	UG7	UDC	Renovation of University Facilities	N/A	20,000,000
TOTAL					**$164,988,727**

SUBTITLE B. SALE OF PUBLIC LANDS PROCEEDS AMENDMENT

Sec. 8011. Short title.

This subtitle may be cited as the "McMillan Redevelopment Proceeds Amendment Act of 2015".

Amend § 10-801

Sec. 8012. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), is amended by adding a new subsection (n) to read as follows:

"(n) The net proceeds from the disposition of the McMillan Sand Filtration Site approved by the McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-705; 62 DCR 1091), the McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-706; 62 DCR 1094), and the McMillan Commercial Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-707; 62 DCR 1097), shall not be deposited into the unrestricted fund balance of the General Fund of the District of Columbia but instead shall be deposited into the capital fund account associated with the McMillan Site Redevelopment, EB0-AMS11C.".

SUBTITLE C. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY AMENDMENT

Sec. 8021. Short title.

This subtitle may be cited as the "Department of Transportation Capital Budget Allocation Authority Amendment Act of 2015".

Amend § 50-921.02

Sec. 8022. Section 3(e)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)(2)), is amended by striking the phrase "for the Related Projects of each capital project" and inserting the phrase "for the Related Projects, as submitted annually by DDOT through the approved Transportation Improvement Program as part of the budget request for each capital project" in its place.

SUBTITLE D. PAY-AS-YOU-GO CAPITAL ACCOUNT AMENDMENT

Sec. 8031. Short title.

This subtitle may be cited as the "Pay-as-you-go Capital Account Amendment Act of 2015".

Sec. 8032. Section 47-392.02(f)(2) of the District of Columbia Official Code is amended by striking the phrase "Fiscal Year 2017" and inserting the phrase "Fiscal Year 2019" in its place.

Amend § 47-392.02

SUBTITLE E. CAPITAL PROJECT REVIEW AND RECONCILIATION

Sec. 8041. Short title.

This subtitle may be cited as the "Capital Project Review and Reconciliation Amendment Act of 2015".

Sec. 8042. The Capital Project Support Fund Establishment Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-325.151 *et seq*.), is amended as follows:

(a) Section 1261 (D.C. Official Code § 1-325.151) is amended to read as follows:

Amend § 1-325.151

"Sec. 1261. Definitions.

"For the purposes of this act, the term:

"(1) "Alley Rehabilitation Project" means the capital project designated as District Department of Transportation capital project CEL21C in the District's capital improvement program.

"(2) "Buyer agency" means a District department, office, or agency that places an order for goods or services using funds appropriated for a capital project pursuant to a memorandum of understanding.

"(3) "Capital project" shall have the same meaning as provided in section 103(8) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.03(8)).

"(4) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

"(5) "Fund" means the Capital Project Support Fund established by section 1262.

"(6) "Memorandum of understanding" means an agreement between District departments, offices, or agencies authorized pursuant to section 1(k)(1) of An Act To Grant Additional Powers to the Commissioners of the District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C. Official Code § 1-301.01(k)(1)), to provide goods or services for the benefit of a capital project with payment to be made with funds appropriated for that capital project.

"(7) "OCFO" means the Office of the Chief Financial Officer of the District of Columbia established by section 424(1) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(a)).

"(8) "Seller agency" means a District department, office, or agency that receives a transfer of funds appropriated for a capital project to provide goods or services related to that project pursuant to a memorandum of understanding.

"(9) "Surplus capital funds" means unexpended funds appropriated for a capital project that have been identified by the OCFO as available for transfer pursuant to section 1263a or section 1263b.

(b) Section 1262 (D.C. Official Code § 1-325.152) is amended to read as follows: **Amend § 1-325.152**

"Sec. 1262. Capital Project Support Fund.

"(a) There is established as a special fund the Capital Project Support Fund, which shall be administered by the Chief Financial Officer in accordance with this act.

"(b) All surplus capital funds identified by the Chief Financial Officer pursuant to sections 1263a and 1263b shall be deposited into the Fund.".

(c) Section 1263(b) (D.C. Official Code § 1-325.153(b)) is amended by striking the second sentence. **Amend § 1-325.153**

(d) New sections 1263a and 1263b are added to read as follows:. **New § 1-325.153a**

"Sec. 1263a. Closure of capital budget memoranda of understanding; transfer of surplus capital funds.

"(a) After the termination date of a memorandum of understanding, the buyer agency shall have 60 days to reconcile the accounting and budget data and close the funding line for the memorandum of understanding associated with the capital project in the system of accounting and reporting.

"(b)(1) After the closing date of the memorandum of understanding, the Office of Budget and Planning within the OCFO shall notify the buyer agency and the seller agency of any issues that must be resolved to close the funding line for the memorandum of understanding in the project management system, including:

"(A) Any outstanding issues related to removal of any encumbrances and pre-encumbrances:

"(B) The need for reconciliation of the capital project budget and expenditures between the buyer agency and the seller agency related to the memorandum of understanding; or

"(C) Needed accounting entries necessary to zero out the budget balance for the memorandum of understanding.

"(3) After the 60-day reconciliation period required by subsection (a) of this section, the OCFO, through its Director of Capital Improvements, shall adjust entries to ensure the close of the funding line for a memorandum of understanding associated with a capital project, with no outstanding balances remaining.

"(c) Any surplus capital funds that the Director of Capital Improvements identifies following the 60-day reconciliation period shall be deposited in the Capital Project Support Fund.

"Sec. 1263b. Transfer of other surplus capital funds. **Amend § 1-325.153b**

"(a) If a department, office, or agency has a capital project with an unexpended balance of more than $250,000 for which no funds have been expended or encumbered for 3 consecutive years, the OCFO shall provide 30 days written notice to the department, office, or agency of the CFO's intent to transfer the surplus capital funds to the Capital Project Support Fund. The CFO shall make this transfer unless the department, office, or agency to which the funds have been budgeted or allotted:

"(1) Certifies to the Mayor, Council, and CFO, within the 30-day notice period that it intends to use the funds to implement the capital project within 18 months of the certification; and

"(2) Submits a satisfactory activity report to the OCFO describing the status of the implementation within 180 days from the date of certification.

"(b) The OCFO shall have sole and complete discretion to determine whether the activity report required by subsection (a) of this section is satisfactory. If the OCFO determines that an activity report is unsatisfactory, the OCFO shall transfer the surplus capital funds to the Capital Project Support Fund after providing 10 days written notice to the agency.

"(c) The OCFO shall transfer to the Capital Project Support Fund surplus capital funds from a capital project with an unexpended balance of $250,000 or less for which no funds have been expended or encumbered for 3 consecutive years upon the OCFO's identification of such funds.".

(e) Section 1264 (D.C. Official Code § 1-325.154) is amended to read as follows: **Amend § 1-325.154**

"Sec. 1264 Reporting requirements.

"The Chief Financial Officer shall submit a written report to the Mayor and the Council on a quarterly basis on the status of the Fund, including the current balance of the Fund and a list of the projects supported by the Fund.".

(f) Section 1265(a) (D.C. Official Code § 1-325.155(a)) is amended by striking the phrase "Notwithstanding any other provision of this act," and inserting the phrase "Except as provided in section 1266 and notwithstanding any other provision of this act," in its place. **Amend § 1-325.155**

(g) A new section 1266 is added to read as follows: **New § 1-325.156**

"Sec. 1266. Alley Rehabilitation Project.

"(a) Notwithstanding any other provision of this act, the Chief Financial Officer shall transfer to and retain in the Alley Rehabilitation Project the first $6 million of surplus capital funds identified pursuant to section 1263a or section 1263b, to be made available for purposes of the Alley Rehabilitation Project through a reprograming pursuant to Chapter 3 of Title 47 of the District of Columbia Official Code.

"(b) This section shall expire on September 30, 2016.".

SUBTITLE F. CAPITAL RESCISSIONS

Sec. 8051. Short title.

This subtitle may be cited as the "Fiscal Year 2016 Capital Rescission Act of 2015".

Sec. 8052. The Chief Financial Officer shall rescind or adjust existing capital project allotment as set forth in the following tabular array:

Not Codified

Owner Agency	Project No	Project Title	Fund Detail	Existing Allotment Adjustments
AM0 - DEPARTMENT OF GENERAL SERVICES	A0502CC	WARD 6 SENIOR WELLNESS CENTER	0300	(200.00)
BA0 - OFFICE OF THE SECRETARY	AB102C	ARCHIVES	0300	(1,000,000.00)
BD0 - OFFICE OF PLANNING	PLN37C	DISTRICT PUBLIC PLANS & STUDIES	0300	(280,946.04)
CE0 - DC PUBLIC LIBRARY	LB2CEC	LIBRARY IMPROVEMENTS	0300	(5,952.61)
CR0 - DEPT. OF CONSUMER AND REGULATORY AFFAIRS	EB301C	VACANT PROPERTY INSPECTION AND ABATEMENT	0300	(25,015.96)
EB0 - DEPUTY MAYOR FOR PLANNING AND ECON DEV	AWR01C	SAINT ELIZABETHS E CAMPUS INFRASTRUCTURE	0300	(2,500,000.00)
	EB008C	NEW COMMUNITIES	0300	(10,000,000.00)
	EB409C	WASA NEW FACILITY	0300	6,000,000.00
ELC - EQUIPMENT LEASE - CAPITAL	ITI05C	MASTER EQUIPMENT LEASE - FA POLICE	0300	(7,887.12)
	MLP01C	MASTER EQUIPMENT LEASE - DC LIBRARY	0300	(2,804.93)
	MLP02C	MASTER EQUIPMENT LEASE - DC LIBRARY	0300	(62.00)
	MLP03C	MASTER EQUIPMENT LEASE - DC LIBRARY	0300	(621.15)
FA0 - METROPOLITAN POLICE DEPARTMENT	IT101C	INFORMATION TECHNOLOGY INITIATIVE	0300	(3,936.00)
FB0 - FIRE AND EMERGENCY MEDICAL SERVICES	LB637C	E-15 COMPLETE MODERNIZATION/RENOVATION	0300	(71.16)

FL0 - DEPARTMENT OF CORRECTIONS	CEV01C	DOC ELEVATOR REFURBISHMENT	0300	(800,000.00)
GA0 - DISTRICT OF COLUMBIA PUBLIC SCHOOLS	GI010C	SPECIAL EDUCATION CLASSROOMS	0300	(500,000.00)
	MJ138C	JANNEY ES MODERNIZATION/RENOVATION	0300	(906.84)
	NJ837C	MCKINLEY HS-MODERNIZATION/RENOVATION	0300	(20,000.00)
	NX437C	ANACOSTIA HS MODERNIZATION/RENOV	0300	(32,800.00)
	PK337C	MARTIN LUTHER KING ES MODERNIZATION	0300	(1,000,000.00)
	SK120C	ATHLETIC FAC IMPROVEMENT	0300	(1,000,000.00)
	SK1ASC	ANNE GODING/SHERWOOD RC (PLAYGROUND)	0300	(55,000.00)
	T2241C	STUDENT INFORMATION SYSTEM-PCS	0301	(500,000.00)
	YY142C	BRUCE MONROE @ PARKVIEW ES MODERNIZATION	0300	5,762,564.83
	YY105C	PROSPECT ES MODERNIZATION/RENOVATION	0300	(2,963,250.00)
	YY141C	BROOKLAND ES MODERNIZATION/RENOVATION	0300	(10,268.26)
	YY146C	LASALLE ES MODERNIZATION/RENOVATION	0300	(75,142.98)
	YY150C	NALLE ES MODERNIZATION/RENOVATION	0300	(28,328.87)
	YY168C	LUDLOW-TAYLOR ES MODERNIZATION/RENOVATION	0300	(100,000.00)
	YY1MRC	MARIE REED ES MODERNIZATION/RENOVATION	0300	3,500,000.00
GF0 - UNIVERSITY OF THE DISTRICT OF COLUMBIA	UG706C	RENOVATION OF UNIVERSITY FACILITIES	0300	7,500,000.00
HA0 - DEPARTMENT OF PARKS AND RECREATION	IVYCTC	IVY CITY COMMUNITY CENTER	0300	(1,925,000.00)
	QA501C	STODDERT RECREATION CENTER	0300	(16,482.17)

	RG001C	GENERAL IMPROVEMENTS - DPR	0300	(622,278.96)
HT0 - DEPARTMENT OF HEALTH CARE FINANCE	HI101C	DISTRICT OPERATED HEALTH INFORMATION	0300	(1,456,147.34)
	MPM02C	DISTRICT MMIS UPGRADE	0300	(7,363.83)
KA0 - DEPARTMENT OF TRANSPORTATION	AD310C	SHERMAN STREET	0300	(521.66)
	BR005C	H STREET BRIDGE	0300	20,000,000.00
	BR101C	PEDESTRIAN BRIDGE	0300	(4,000,000.00)
	SA306C	H ST/BENNING/K ST. LINE	0300	(31,000,197.00)
	SR097C	IVY CITY STREETSCAPES	0300	350,000.00
	EDL18C	NEW YORK AVENUE STREETSCAPES	0300	2,725,000.00
	ED202C	BANNEKER OVERLOOK STEPS	0301	500,000.00
TO0 - OFFICE OF THE CHIEF TECHNOLOGY OFFICER	ZA143C	DC GIS CAPITAL INVESTMENT	0300	(67,626.95)
Rescission of Existing Allotment				**(13,671,247.00)**

SUBTITLE G. 11TH STREET BRIDGE PARK FUNDING LIMITATIONS

Sec. 8061. Short title.

This subtitle may be cited as the "11th Street Bridge Park Funding Limitations Act of 2015".

Not Codified

Sec. 8062. (a) No funds allocated for the purpose of the 11th Street Bridge Park project may be awarded or disbursed to any entity for purposes of construction until at least 50% of the total projected construction costs of the project have been raised from private donors.

(b) No District funds may be awarded or expended for the purpose of operations or maintenance of the 11th Street Bridge Park.

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS

SUBTITLE A. SPECIAL FUND AMENDMENT

Sec. 9001. Short title.

This subtitle may be cited as the "Special Fund Amendment Act of 2015".

Sec. 9002. Section 1082(b) of the Fiscal Year 2012 Budget Support Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-325.201(b)), is amended as follows:

Note, § 1-325.201

(a) Strike the phrase "solely for the purposes of maintaining and upgrading" and insert the phrase "for capital expenses, or for operating expenses related to furniture, fixtures, equipment, or maintaining or upgrading" in its place.

(b) Strike the phrase "Council's Chief Technology Officer" and insert the phrase "Secretary to the Council" in its place.

SUBTITLE B. DESIGNATED FUND TRANSFERS

Not Codified

Sec. 9011. Short title.

This subtitle may be cited as the "Designated Fund Transfer Act of 2015".

Sec. 9012. Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer from certified fund balances or revenues to the General Fund of the District of Columbia, and recognize as Fiscal Year 2016 local funds resources, the Fiscal Year 2015 amounts from the following funds:

Designated Fund Balance/Revenue - Overview		
Agency	**Fund Name**	**FY 15 Amount**
Budget Reserves:		
BD0	Historic Landmark District Protection Fund	1,250,000
	Subtotal	**1,250,000**
Dedicated Taxes:		
HT0	Nursing Homes Quality of Care Fund	4,078,020
HT0	Healthy DC Fund	22,991,412
HT0	Stevie Sellows	2,522,743
	Subtotal	**29,592,175**
Purpose Restrictions:		
AT0	OFT Central Collection Unit	13,000,000

CR0	OPLA - Special Account	500,000
CR0	Board of Engineers Fund	500,000
CR0	Corporate Recordation Fund	500,000
CT0	Cable Franchise Fees	5,500,000
FL0	Correction Trustee Reimbursement	4,170,231
FL0	Correction Reimbursement-Juveniles	922,547
HC0	State Health Planning and Development Fund	1,764,017
HC0	Pharmaceutical Protection Fund	2,841,368
HT0	Medicaid Collections-3rd Party Liability	3,905,187
KG0	Sustainable Energy Trust Fund	3,500,000
KG0	Energy Assistance Trust Fund	500,000
KG0	Soil Erosion and Sediment Control	1,233,451
KG0	Wetland and Stream Mitigation	1,000
KG0	Municipal Aggregation Program	329,665
KT0	Supercan Program	175,004
KT0	Solid Waste Disposal Cost Recovery	202,511
KV0	Motor Vehicle Inspection Station	3,478,223
SR0	Securities and Banking Regulatory Trust Fund	9,509,627
TC0	Public Vehicles-for-Hire Consumer Service Fund	1,938,003
PA0	Right-of-Way Revenues	3,296,805
	Subtotal	**57,767,639**
Total General Fund		**88,609,814**
Enterprise and Other Funds:		
TX0	Tax Increment Financing	2,750,000
Total Enterprise and Other Funds		**2,750,000**
TOTAL		**91,359,814**

Sec. 9013. The Chief Financial Officer shall allocate the amount in section 9012 pursuant to the approved Fiscal Year 2016 Budget and Financial Plan.

Sec. 9014. Applicability.

This subtitle shall apply as of September 30, 2015.

TITLE X. APPLICABILITY, FISCAL IMPACT, AND EFFECTIVE DATE

Sec. 10001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2015.

Sec. 10002. Fiscal impact statement.

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

Sec. 10003. Effective date.

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

AN ACT

Bill 21-7
Act 21-165 effective October 16, 2015

To amend the District of Columbia Mental Health Information Act of 1978 to permit the sharing of mental health information with other health care providers to facilitate the coordination of services and care.

Codification District of Columbia Official Code 2001 Edition

Behavioral Health Coordination of Care Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Behavioral Health Coordination of Care Amendment Act of 2015".

Amend § 7-1203.01

Sec. 2. Section 301 of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1203.01), is amended as follows:

(a) Subsection (b) is amended to read as follows:

"(b) Subject to subsection (c) of this section, a health care provider may disclose mental health information to another health care provider in connection with the diagnosis, evaluation, treatment, case management, or rehabilitation of a health or mental disorder or disease when and to the extent necessary to facilitate the delivery of health or professional services to the client. The authority to disclose mental health information under this subsection does not include the authority to disclose progress notes.".

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

"(c)(1) A health care provider shall notify its clients, in plain language in writing, upon registration:

"(A) Whether the health care provider's privacy practices permit the disclosure of mental health information pursuant to subsection (b) of this section; and

"(B) That a client may request that his or her mental health information not be disclosed pursuant to subsection (b) of this section.

"(2) If a client requests that his or her mental health information not be disclosed, the health care provider shall not disclose the client's mental health information pursuant to subsection (b) of this section; provided, that nothing contained in this subsection shall prohibit a health care provider from disclosing mental health information pursuant to another provision of this act or pursuant to the Data-Sharing and Information Coordination Amendment Act of 2010, effective December 4, 2010 (D.C. Law 18-273; D.C. Official Code § 7-241 *et seq.*).

"(d) For the purposes of this section, the term:

"(1) "Health care provider" means:

"(A) A person who is licensed, certified, or otherwise authorized under the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C.

Law 6-99; D.C. Official Code § 3-1201.01 *et seq.)*, to provide health care in the ordinary course of business or practice of a health occupation or in an approved education or training program;

"(B) A person licensed or permitted to practice a health occupation under the laws of another state; or

"(C) A facility where health or mental health services are provided to patients or recipients, including a hospital, clinic, office, nursing home, infirmary, health maintenance organization, medical laboratory, provider, as defined by section 102(27) of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.02(27)), or similar entity licensed, certified, or otherwise authorized by the District of Columbia.

"(2) "Progress notes" means notes recorded, in any medium, by a health care provider who is a mental health professional documenting or analyzing the contents of conversation during a private counseling session or a group, joint, or family counseling session and that are separated from the rest of the individual's medical record. The term "progress notes" excludes medication prescription and monitoring, counseling session start and stop times, the modalities and frequencies of treatment furnished, results of clinical tests, and any summary of the following items: diagnosis, functional status, the treatment plan, symptoms, prognosis, and progress to date.".

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-38, effective December 15, 2015
[Delayed Applicability]

AN ACT

Bill 21-17
Act 21-166 effective October 16, 2015

To require the Department of Employment Services to submit to the Mayor and the Council a report on profiles of the District's unemployed and under-employed residents to aid the District in improving job training for future jobs.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Unemployment Profile Act of 2015".

Unemployment Profile Act of 2015

Sec. 2. Unemployment profile report.

New Chapter 13D, Title 32, New § 32-1371

(a) Within one year of this act's applicability date, and by June 1 every year thereafter, the Department of Employment Services ("DOES") shall submit to the Mayor and the Council a report that profiles all the unemployed and under-employed residents, employers, and occupational needs in the District.

(b) DOES shall confer with other entities, such as the:

(1) Office of the Deputy Mayor for Planning and Economic Development;

(2) Department of Small and Local Business Development;

(3) Workforce Investment Council;

(4) Department of Human Services;

(5) Career Pathways Task Force; and

(6) Federal Bureau of Labor Statistics.

(c) The report shall include, at a minimum:

(1) The profiles of unemployed and under-employed residents 16 years of age and over, including information on the resident's:

(A) Age group;

(B) Ward of residence;

(C) Completed educational levels, including vocational and technical training;

(D) Work experience, work-place readiness, and training potential; and

(E) Any other information DOES considers necessary to meet the objectives of this act;

(2) Existing and future public and private workforce needs for jobs being created in the District; and

(3) Recommendations on how to improve job-training programs and employment outcomes in the District, taking into account the District-wide strategic plan and recommendations of the Career Pathways Task Force.

New § 32-1372

Delayed Applicability

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-39, effective December 15, 2015
[Delayed Applicability]

AN ACT

Bill 21-30
Act 21-167 effective October 16, 2015

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to require that participants in the Public Workers' Compensation Program receive an increase in compensation whenever District workers receive an across-the-board increase in compensation.

Codification District of Columbia Official Code 2001 Edition

Injured Worker Fair Pay Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Injured Worker Fair Pay Amendment Act of 2015".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by striking the phrase "Sec. 2341. Cost-of-living Adjustment of Compensation" and inserting the phrase "Sec. 2341. Adjustments in compensation for disability or death" in its place.

Amend § 1-623.41

(b) Section 2341 (D.C. Official Code § 1-623.41) is amended to read as follows:

"Sec. 2341. Adjustments in compensation for disability or death.

"(a) The Mayor shall award an across-the-board increase in compensation for disability or death whenever an across-the-board increase is awarded pursuant to sections 1105 and 1106. The percentage amount and effective date of those increases shall be the same as for any increase granted under these sections.

"(b) For the purposes of this section, the term "across-the-board increase" means a general pay and salary increase of general applicability that applies to a claimant's service or specific pay schedule.

"(c) This section shall not apply to any collective bargaining agreements that are to the contrary.".

Delayed Applicability

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l-206.02(c)(l)), and publication in the District of Columbia Register.

AN ACT

Bill 21-75
Act 21-168 effective October 16, 2015

To amend the Grandparent Caregivers Pilot Program Establishment Act of 2005 to allow the Grandparent Caregivers Program subsidy to be transferred to a relative caregiver when a grandparent is no longer able to care for the child.

Codification District of Columbia Official Code 2001 Edition

Grandparent Caregivers Program Subsidy Transfer Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grandparent Caregivers Program Subsidy Transfer Amendment Act of 2015".

Sec. 2. The Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq*.), is amended as follows:

Amend § 4-251.01

(a) Section 101 (D.C. Official Code § 4-251.01) is amended as follows:

(1) A new paragraph (1A) is added to read as follows:

"(1A) "Godparent" means an individual identified in a sworn affidavit by a relative of the child by blood, marriage, domestic partnership, or adoption to have close personal or emotional ties with the child or the child's family that pre-dated the child's placement with the individual.".

(2) A new paragraph (3A) is added to read as follows:

"(3A) "Relative caregiver" means an individual who is the primary caretaker of the child and is related to the child by blood, marriage, domestic partnership, or adoption or is a godparent of the child.".

New § 4-251.03a

(b) A new section 103a is added to read as follows:

"Sec. 103a. Transfer of subsidy.

"(a) The Mayor may transfer subsidy payments to a relative caregiver upon the death or mental or physical incapacity of a grandparent if:

"(1) The relative caregiver files an application for a subsidy within 30 days of becoming the child's primary caregiver;

"(2) The relative caregiver has a strong commitment to caring for the child;

"(3) The child's parent does not reside in the relative caregiver's home; provided, that a parent may reside in the home without disqualifying the relative caregiver from receiving a subsidy if:

"(A) The parent has designated the relative caregiver to be the child's standby guardian pursuant to Chapter 48 of Title 16;

"(B) The parent is a minor enrolled in school; or

"(C) The parent is a minor with a medically verifiable disability under criteria prescribed by the Mayor pursuant to section 106;

"(4) The relative caregiver and all adults residing in the relative caregiver's home have submitted to criminal background checks;

"(5) The relative caregiver is a resident of the District as defined by section 503 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.03);

"(6) The relative caregiver has applied for Temporary Assistance for Needy Families benefits for the child;

"(7) The relative caregiver has entered into a subsidy agreement that includes a provision that no payments received under the agreement shall inure to the benefit of the child's parent but shall be solely for the benefit of the child;

"(8) The relative caregiver is not currently receiving a guardianship or adoption subsidy for the child;

"(9) The relative caregiver has provided a signed statement, sworn under penalty of perjury, that the information provided to establish eligibility pursuant to this section or rules issued pursuant to section 106 is true and accurate to the best belief of the relative caregiver; and

"(10) The relative caregiver has met any additional requirements of rules issued pursuant to section 106.

"(b)(1) The Mayor shall recertify the eligibility of each relative caregiver receiving a subsidy on at least an annual basis.

"(2) For the purposes of the recertification, a relative caregiver may be required to provide a signed statement, sworn under penalty of perjury, that the information provided to establish continued eligibility pursuant to this section or any rules issued pursuant to section 106 remains true and accurate to the best belief of the relative caregiver.

"(c)(1) The Mayor shall terminate subsidy payments to a relative caregiver at any time if:

"(A) The Mayor determines the relative caregiver no longer meets the eligibility requirements established by this section or by rules issued pursuant to section 106; or

"(B) There is a substantiated finding of child abuse or neglect against the relative caregiver resulting in the removal of the child from the relative caregiver's home.

"(2) A relative caregiver whose subsidy payments are terminated as a result of the removal of the child from the relative caregiver's home may reapply if the child has been returned to the relative caregiver's home.

"(d) Eligibility for subsidy payments under this section may continue until the child reaches 18 years of age.

"(e) The determination of whether to transfer a subsidy is solely within the discretion of the Mayor.

"(f) A relative caregiver whose application for a subsidy transfer has been denied shall not be entitled to a hearing under Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.).

"(g) A relative caregiver whose subsidy has been terminated shall be entitled to a fair hearing under the applicable provisions of Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*); provided, that a relative caregiver shall not be entitled to a hearing if the termination of a subsidy is based upon the unavailability of appropriated funds.

"(h) Any statement under this section made with knowledge that the information set forth in the statement is false shall be subject to prosecution as a false statement under section 404(a) of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2405(a)).".

Amend § 4-251.04

(c) Section 104 (D.C. Official Code § 4-251.04) is amended as follows:

(1) Subsection (b) is amended by striking the word "grandparent" and inserting the phrase "grandparent or relative caregiver" in its place.

(2) Subsection (c) is amended by striking the word "grandparent" wherever it appears and inserting the phrase "grandparent or relative caregiver" in its place.

Amend § 4-251.05

(d) Section 105 (D.C. Official Code § 4-251.05) is amended by adding a new paragraph (5A) to read as follows:

"(5A) The number of subsidies transferred to a relative caregiver pursuant to section 103a;".

Amend § 4-251.07

(e) Section 107(a) (D.C. Official Code § 4-251.07(a)) is amended by striking the word "grandparent" and inserting the phrase "grandparent or relative caregiver" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-201
Act 21-169
effective October 16, 2015

Not Codified

To authorize the disposition by lease of District-owned real property located at 1351 Nicholson Street, N.W., commonly known as the Old Brightwood School and designated for tax and assessment purposes as Lot 0846 in Square 2794.

1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Act of 2015".

Sec. 2. Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code §10-801 *et seq.*), and the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), the Council authorizes the Mayor:

(1) To amend the existing lease agreement between the District of Columbia and Community Academy Public Charter School, Inc. (the "Lease"), dated March 1, 2001, for the real property located at 1351 Nicholson Street, N.W., commonly known as the Old Brightwood School and designated for tax and assessment purposes as Lot 0846 in Square 2794 (the "Property"), to:

(A) Adopt Friendship Public Charter School, Inc. as assignee of the lease;

(B) Extend the term of the Lease for a period of greater than 20 years; and

(C) Provide such other terms related to the extension of the Lease and transfer of the Property as are consistent with the letter of intent approved by both parties to the Lease; and

(2) To execute any associated transactional documents.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-204
Act 21-170 effective October 16, 2015

Not Codified

To authorize the disposition by lease of District-owned real property located at 4095 Minnesota Avenue, N.E., commonly known as the Woodson School and designated for tax and assessment purposes as Lot 0813 in Square 5078.

4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Act of 2015".

Sec. 2. Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code §10-801 *et seq.*), and the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), the Council authorizes the Mayor:

(1) To amend the existing lease agreement between the District of Columbia and Friendship Public Charter School, Inc. (the "Lease"), dated May 1, 2008, for the real property located at 4095 Minnesota Avenue, N.E., commonly known as the Woodson School and designated for tax and assessment purposes as Lot 0813 in Square 5078 (the "Property"), to:

(A) Extend the term of the Lease for a period of greater than 20 years; and

(B) Provide such other terms related to the extension of the Lease and transfer of the Property as are consistent with the letter of intent approved by both parties to the Lease; and

(2) To execute any associated transactional documents.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-33, effective October 21, 2015 (Expiration date June 2, 2016)
(Related Emergency Legislation is Act 21-104, 21 DCSTAT 1681)

AN ACT

Bill 21-256
Act 21-145
effective
July 31, 2015

To amend, on a temporary basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow any applicant that received notification on July 25, 2014, that its medical marijuana cultivation center was eligible for registration to modify its application, to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants, not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1000.

Codification District of Columbia Official Code 2001 Edition

Medical Marijuana Cultivation Center Expansion Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Cultivation Center Expansion Temporary Amendment Act of 2015".

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-1671.01) is amended by adding a new paragraph (1A) to read as follows:

Note, § 7-1671.01

"(1A) "Adjacent" means located within the same physical structure as, and is abutting, adjoining, bordering, touching, contiguous to, or otherwise physically meeting.".

(b) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

Note, § 7-1671.06

(1) Subsection (d) is amended as follows:

(A) Paragraph (3) is amended by adding a new subparagraph (C) to read as follows:

"(C)(i) Notwithstanding 22 DCMR §§ C5003.2 and C5003.3, any applicant that received notification from the Department on July 25, 2014, that its cultivation center was eligible for registration shall be permitted to modify the location and premises identified on the application within 90 days after the effective date of the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2015, passed on emergency basis on June 30, 2015 (Enrolled version of Bill 21-255), without negatively affecting the current status of the application or registration.

"(ii) Any application that is modified pursuant to sub-subparagraph (i) of this subparagraph shall be exempt from 22 DCMR § C5303.6, adopted on an emergency basis by the Department on May 19, 2015 (62 DCR 8351).".

(B) New paragraphs (4) and (5) are added to read as follows:

"(4) The Mayor may approve the holder of a cultivation center registration that also owns, or has a valid lease for, real property adjacent to its existing cultivation center to physically expand the registered cultivation center into that adjacent real property for the purpose of increasing production of marijuana plants, not to exceed the limit permitted under this act.

"(5) For the purposes of this subsection, the non-transferability of ownership provisions set forth in 22 DCMR §§ C5003 and C5501 shall not be construed as prohibiting the restructuring of ownership or changes between officers, directors, or other persons owning or controlling a percentage of the registered cultivation center or the entity named in the cultivation center registration application that was pending as of March 2, 2015, to operate a cultivation center at the same adjacent real property if the application received a score of at least 150 points from the Program's review panel.".

(2) Subsection (e)(2) is amended by striking the number "500" and inserting the number "1000" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-34, effective October 21, 2015 (Expiration date June 2, 2016)
(Related Emergency Legislation is Act 21-100, 21 DCSTAT 1674)

AN ACT

Bill 21-260
Act 21-146
effective
July 31, 2015

To amend, on a temporary basis, section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

Codification
District of Columbia Official Code 2001 Edition

Sale of Synthetic Drugs Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sale of Synthetic Drugs Temporary Amendment Act of 2015."

Note, § 47-2844

Sec. 2. Section 47-2844(a-2) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (1) is amended as follows:

(1) The lead-in language is amending by striking the phrase "subsection (a-1) of this section" and inserting the phrase "subsection (a-1) of this section and paragraph (1A) of this subsection" in its place.

(2) Subparagraph (A) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(3) Subparagraph (B) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(4) Subparagraph (C) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(b) A new paragraph (1A) is added to read as follows:

"(1A) In addition to the provisions of subsection (a-1) of this section and paragraph (1) of this subsection, the Mayor or the Chief of Police, notwithstanding § 2-1801.04(a)(1)), may take the following actions against, or impose the following requirements upon, any licensee, or agent or employee of a licensee, that knowingly engages or attempts to engage in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug, including the possession of multiple units of a synthetic drug:

"(A) For the first violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $10,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or a portion of the premises, for up to 96 hours without a prior hearing;

"(iii) The Mayor may issue a notice to revoke all licenses issued to the licensee pursuant to this chapter.

"(iv)(I) Within 14 days after having a licensee's premises sealed for a violation of this paragraph, the Mayor shall require the licensee to submit a remediation plan to the Director of the Department of Consumer and Regulatory Affairs, that contains the licensee's plan to prevent any future recurrence of purchasing, selling, exchanging, or otherwise transacting any synthetic drug and acknowledgement that a subsequent occurrence of engaging in prohibited activities may result in the revocation of all licenses issued to the licensee pursuant to this chapter.

"(II) If the licensee fails to submit a remediation plan in accordance with this sub-subparagraph, or if the Mayor, in consultation with the Chief of Police, rejects the licensee's remediation plan, the Mayor shall provide written notice to the licensee of the defects in any rejected remediation plan and the Mayor's intent to revoke all licenses issued to the licensee pursuant to this chapter.

"(III) If the licensee cures the defects in a rejected remediation plan, the Mayor may suspend any action to revoke any license of the licensee issued pursuant to this chapter.

"(B) For any subsequent violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $20,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or portion of the premises, for up to 30 days without a prior hearing.

"(C) If a licensee's premises, or a portion of the premises, is sealed under subparagraph (A) or (B) of this paragraph, a licensee shall have the right to request a hearing with the Office of Administrative Hearings within 2 business days after service of notice of the sealing of the premises pursuant to subparagraph (D) of this paragraph.

"(D) At the time of the sealing of the premises, or a portion of the premises, under subparagraph (A) or (B) of this paragraph, the Director of the Department of Consumer and Regulatory Affairs shall post at the premises and serve on the licensee a written notice and order stating:

"(i) The specific action or actions being taken;

"(ii) The factual and legal bases for the action or actions;

"(iii) The right, within 2 business days after service of notice of the sealing of the premises, to request a hearing with the Office of Administrative Hearings;

"(iv) The right, within 2 business days of a timely request being received by the Office of Administrative Hearings, to a hearing before an administrative law judge; and

"(v) That it shall be unlawful for any person to enter the sealed premises for any purpose without written permission by the Director of the Department of Consumer and Regulatory Affairs.

"(E) A licensee shall pay a fine issued pursuant to subparagraph (A) or (B) of this paragraph within 20 days after adjudication. If the licensee fails to pay the fine within the specified time period, the Mayor may seal the premises until the fine is paid.

"(F) For the purposes of this paragraph, the term:

"(i) "Business days" means days in which the Office of Administrative Hearings is open for business.

"(ii) "Synthetic drug" means any product possessed, provided, distributed, sold, or marketed with the intent that it be used as a recreational drug, such that its consumption or ingestion is intended to produce effects on the central nervous system or brain function to change perception, mood, consciousness, cognition or behavior in ways that are similar to the effects of marijuana, cocaine, amphetamines or Schedule I narcotics under § 48-902.04. The term "synthetic drug" also includes any chemically synthesized product (including products that contain both a chemically synthesized ingredient and herbal or plant material) possessed, provided, distributed, sold or marketed with the intent that the product produce effects substantially similar to the effects created by compounds banned by District or federal synthetic drug laws or by the U.S. Drug Enforcement Administration pursuant to its authority under the Controlled Substances Act, approved October 27, 1970 (84 Stat. 1247; 21 U.S.C. § 812). The following factors shall be treated as indicia that a product is being marketed with the intent that it be used as a recreational drug:

"(I) The product is not suitable for its marketed use (such as a crystalline or powder product being marketed as "glass cleaner");

"(II) The individual or business providing, distributing, displaying or selling the product does not typically provide, distribute, or sell products that are used for that product's marketed use (such as liquor stores, smoke shops, or gas or convenience stores selling "plant food");

"(III) The product contains a warning label that is not typically present on products that are used for that product's marketed use including, "Not for human consumption", "Not for purchase by minors", "Must be 18 years or older to purchase", "100% legal blend", or similar statements;

"(IV) The product is significantly more expensive than products that are used for that product's marketed use;

"(V) The product resembles an illicit street drug (such as cocaine, methamphetamine, or Schedule I narcotic) or marijuana; or

"(VI) The licensee or any employee of the licensee has been warned by a District government agency or has received a criminal incident report, arrest report, or equivalent from any law enforcement agency that the product or a similarly labeled product contains a synthetic drug.".

Note, § 2-1801.06

Sec. 3. Section 106 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective March 8, 1991 (D.C. Law 8-237; D.C. Official Code § 2-1801.06), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Strike the phrase "premises are primarily used" and insert the phrase "premises are used" in its place.

(2) Add a new sentence at the end to read as follows:

"Purchasing, selling, exchanging, or otherwise transacting any synthetic drug, as defined in D.C. Official Code § 47-2844(a-2)(1A)(F)(ii), shall be a per se imminent danger to the health or safety of the residents of the District.".

(b) Subsection (c) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the phrase "A licensee" and inserting the phrase "Except as provided in paragraph (2) of this subsection, a licensee" in its place.

(3) A new paragraph (2) is added to read as follows:

"(2) A licensee engaged in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug in violation of D.C. Official Code § 47-2844(a-2)(1A) shall have the right to request a hearing within 2 business days after service of notice of the sealing of the premises. The Office of Administrative Hearings shall hold a hearing within 2 business days of receipt of a timely request, and shall issue a decision within 2 business days after the hearing.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-35, effective October 21, 2015 (Expiration date June 2, 2016)
(Related Emergency Legislation is Act 21-121, 21 DCSTAT 1700)

AN ACT

Bill 21-282
Act 21-147
Effective
August 4, 2015

To establish, on a temporary basis, a moratorium on the construction or operation of any additional facilities that provide automobile painting services in Ward 5.

Codification District of Columbia Official Code 2001 Edition

Ward 5 Paint Spray Booth Moratorium Temporary Act of 2015

Note, § 8-233.01

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ward 5 Paint Spray Booth Moratorium Temporary Act of 2015".

Sec. 2. Paint spray booth moratorium.

(a) The Mayor shall not issue a permit for the construction or operation of an automobile paint spray booth in Ward 5.

(b) The Mayor shall not issue a renewal permit for the operation of an automobile paint spray booth in Ward 5.

(c) For the purposes of this act, the term "automobile paint spray booth" means a facility related to an auto body paint shop for which the applicant must obtain a minor source air pollutant permit through the District Department of the Environment.

Sec. 3. Applicability.

Section 2 shall apply to an application for a permit for the construction or operation of an automobile paint spray booth or for a renewal permit for the operation of an automobile paint spray booth submitted on or after June 30, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

AN ACT

Bill 21-343

Emergency Declaration Res. 21-224 21 DCStat 2342

Not Codified

To adjust, on an emergency basis, certain allocations requested in the Fiscal Year 2015 Budget Request Act of 2014 pursuant to the Omnibus Appropriations Act, 2009; to authorize that available Fiscal Year 2015 funds be retained as fund balance and carried over into Fiscal Year 2016; and to adjust certain allocations requested in the Fiscal Year 2016 Budget Request Act of 2015 pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2015 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II – DISTRICT OF COLUMBIA FUNDS – SUMMARY OF EXPENSES

$57,612,000 is added from local funds; to be allocated as follows:

Financing and Other

The appropriation for Financing and Other is increased by $57,612,000 in local funds; to be allocated as follows:

(1) Emergency and Contingency Reserve Funds. - $57,612,000 is added to be available in local funds.

Sec. 3. In accordance with Title II – Summary of Expenses of the Fiscal Year 2015 Budget Request Act of 2014 allowing General Funds to be increased by proceeds from one-time transactions, the Council authorizes budget authority to expend $17,700,000 of unallocated, one-time funds received by the Office of Tax and Revenue related to the settlement payment in the *District of Columbia v. Expedia, Inc., et al*. (Nos. 14-CV-308, 14-CV-309) case. These funds shall be spent in accordance with section 5.

Sec. 4. Remaining Fiscal Year 2015 unexpended revenue of $28,287,881 shall be carried over into Fiscal Year 2016 as fund balance. This revenue shall be spent in accordance with section 5.

Sec. 5. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2016 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II – DISTRICT OF COLUMBIA FUNDS – SUMMARY OF EXPENSES

$28,288,000 is added from local funds; and $5,000,000 is increased in enterprise and other funds; to be allocated as follows:

Economic Development and Regulation

The appropriation for Economic Development and Regulation is increased by $4,492,000 in local funds; to be allocated as follows:

(1) Department of Employment Services. - $4,492,000 is added to be available from local funds.

Public Safety and Justice

The appropriation for Public Safety and Justice is increased by $14,214,000 in local funds; to be allocated as follows:

(1) Metropolitan Police Department. - $5,864,000 is added to be available from local funds;

(2) Department of Forensic Sciences. - $8,024,000 is added to be available from local funds; and

(3) Office of the Chief Medical Examiner. - $326,000 is added to be available from local funds.

Human Support Services

The appropriation for Human Support Services is increased by $3,776,000 in local funds; to be allocated as follows:

(1) Department of Parks and Recreation. - $2,526,000 is added to be available from local funds; and

(2) Children and Youth Investment Trust Corporation. - $1,250,000 is added to be available from local funds.

Public Works

The appropriation for Public Works is increased by $806,000 in local funds; to be allocated as follows:

(1) Department of Public Works. - $806,000 is added to be available from local funds.

Financing and Other

The appropriation for Financing and Other is increased by $5,000,000 in local funds; to be allocated as follows:

(1) Convention Center Transfer – Dedicated Taxes. - $5,000,000 is added to be available from local funds.

Enterprise and Other Funds

The appropriation for Enterprise and Other Funds is increased by $5,000,000 in local funds; to be allocated as follows:

(1) Washington Convention and Sports Authority. - $5,000,000 is added to be available from local funds.

Sec. 6. Metropolitan Police Department body-worn cameras funded by any funds made available in Fiscal Year 2016 shall not be worn until rules are approved by the Council pursuant to section 3003 of the Fiscal Year 2016 Budget Support Act of 2015, enacted on August 11, 2015 (D.C. Act 21-148; 62 DCR 10905), or by an act of the Council.

Sec. 7. Funds to incentivize a neighborhood camera initiative to encourage businesses, property owners, and churches to install security cameras made available in Fiscal Year 2016 shall not be issued until parameters governing the initiative are approved by an act of the Council.

Sec. 8. Program evaluation.

The Office of Performance Management within the Office of the City Administrator shall conduct, in consultation with the Department of Employment Services, a rigorous, high-quality evaluation of both the Career Connection Program and the LEAP Academy. The Office of Performance Management shall issue a report to the Council detailing the study design for this evaluation by October 9, 2015. The report shall include plans for continuous monitoring and oversight of program activities, a list of outcome metrics to be collected, how the data will be collected, how existing administrative data from across the government will be incorporated, and how the evaluation will be built into the startup of the program.

Sec. 9. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 10. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-154, effective October 16, 2015 (Expiration date January 14, 2016)

AN ACT

Bill 21-425

Emergency Declaration Res. 21-246 21 DCStat 2367

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, to authorize the Fire and Emergency Medical Services Department to contract with third parties to provide supplemental pre-hospital medical care and transportation for Basic Life Support calls for service, to require that third-party contracts preclude the District from liability and contain an indemnification provision, to set forth reporting requirements for third-party contractors, the Fire and Emergency Medical Services Department, and the Office of Unified Communications, and to extend the public duty doctrine to claims against the District for actions of a third-party contractor.

Emergency Medical Services Contract Authority Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emergency Medical Services Contract Authority Emergency Amendment Act of 2015".

Note, § 5-401

Sec. 2. Section 1 of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Designate the existing text as paragraph (1).

(2) New paragraphs (2) and (3) are added to read as follows:

"(2) Notwithstanding paragraph (1) of this subsection, the Department may contract with third parties to provide supplemental pre-hospital medical care and transportation to persons requiring Basic Life Support.

"(3) A contract entered into pursuant to paragraph (2) of this subsection shall include a provision that precludes the District from liability for any claims arising out of the actions of the third-party contractor and also provides full indemnification to ensure that the District shall not be responsible for any amounts owed to others as a result of the third-party contractor's action or inaction under the contract.".

(b) New subsections (d), (e), (f), (g), (h), and (i) are added to read as follows:

"(d) Each third-party contractor that enters into a contract pursuant to subsection (b)(2) of this section shall provide a quarterly report to the Department and to the Council that includes the following information:

"(1) The number of transports performed;

"(2) The location where the third-party contractor meets each patient and the name and location of the health care facility to which the patient is transported;

"(3) The average time between the dispatch of the third-party contractor by the Department and the third-party contractor's arrival to the patient;

"(4) The average time that the third-party contractor remains out of service while waiting to transfer the care of a patient to a healthcare facility;

"(5) The number of third-party contractor ambulances available on a daily basis for Department use;

"(6) The length of the third-party contractor's personnel shifts; and

"(7) The number of employees hired by the third-party contractor, including the number of District residents.

"(e) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Department shall submit a report to the Council that includes the following information:

"(1) Activity by the Department to educate the public on the proper use of emergency requests for service;

"(2) The number of employees hired after the contract award and their residency;

"(3) Evaluation of pre-hospital medical care and transportation fees considering the reasonableness of the fees, the public interest, and the persons required to pay the fee;

"(4) The number of ambulances added to the Department's frontline and reserve fleet after the date of the contract award, including whether added ambulances replace or supplement the current fleet;

"(5) The number of emergency medical services personnel training hours provided; and

"(6) The number of patients who used the Department's transport services twice or more within the reporting period, including the number of times the patient used transport services during the previous 12 months.

"(f) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Office of Unified Communications shall submit a report to the Council that includes the following information:

"(1) The number of calls dispatched and the average dispatch time; and

"(2) The protocol to reroute non-emergency calls.

"(g) Within one year after the date of a contract award pursuant to subsection (b)(2) of this section, the Department shall submit a report to the Council that evaluates performance under the contract and includes the following information:

"(1) The impact on the Department's unit availability;

"(2) The impact on the Department's fleet, including the ability to conduct preventative maintenance and the number of operational and reserve units available;

"(3) The impact on the Department's training schedule;

"(4) The impact on the Department's response times and quality of patient care;

"(5) An assessment of the number of units, the number of personnel, the amount of training, and associated costs required to provide pre-hospital medical care and transportation without the use of third parties; and

"(6) Recommendations for implementing any additional units, personnel, and training identified in paragraph (5) of this subsection.

"(h) The Council ratifies the interpretation and application of the public duty doctrine by the District of Columbia Court of Appeals up through the decision of September 25, 2014, in *Allen v. District of Columbia*, No. 10-CV-1425, and extends the public duty doctrine to claims against the District for the actions of contractors and their employees providing services under this section to the same extent as it applies to the District and its employees.

"(i) For the purposes of this section, the term "Basic Life Support" means a level of medical care provided by pre-hospital emergency medical services at the basic emergency response technician level and in accordance with the national scope of practice for a basic level provider.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-155, effective October 16, 2015 (Expiration date January 14, 2016)

AN ACT

Bill 21-246

Emergency Declaration Res. 21-223 21 DCStat 2340

Not Codified

To approve, on an emergency basis, Contract No. CW22673 with Pearson VUE to provide professional-licensing services, and to authorize payment for the goods and services received and to be received under the contract.

Contract No. CW22673 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW22673 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW22673 with Pearson VUE to provide professional-licensing services, and authorizes payment in the amount of $5,619,052 for goods and services received and to be received under that contract for the period from July 2, 2013, through September 30, 2015.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-156, effective October 16, 2015 (Expiration date January 14, 2016)

AN ACT

Bill 21-346

Emergency Declaration Res. 21-210 21 DCStat 2325

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow any applicant that received notification on July 25, 2014, that its medical marijuana cultivation center was eligible for registration to modify its application, to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants, not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1000.

Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Amendment Act of 2015”.

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code§ 7-1671.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-1671.01) is amended by adding a new paragraph (lA) to read as follows:

Note, § 7-1671.01

"(1A) "Adjacent" means located within the same physical structure as, and is abutting, adjoining, bordering, touching, contiguous to, or otherwise physically meeting.".

Note, § 7-1671.06

(b) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

(1) Subsection (d) is amended as follows:

(A) Paragraph (3) is amended by adding a new subparagraph (C) to read as follows:

"(C)(i) Notwithstanding 22 DCMR §§ C5003.2 and C5003.3, any applicant that received notification from the Department on July 25, 2014, that its cultivation center was eligible for registration shall be permitted to modify the location and premises identified on the application within 90 days after the effective date of the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2015, effective July 20, 2015 (D.C. Act 21-104; 62 DCR 9965), without negatively affecting the current status of the application or registration.

"(ii) Any application that is modified pursuant to sub-subparagraph (i) of this subparagraph shall be exempt from 22 DCMR § C5303.6, adopted on an emergency basis by the Department on May 19, 2015 (62 DCR 8351).".

(B) New paragraphs (4) and (5) are added to read as follows:

"(4) The Mayor may approve the holder of a cultivation center registration that also owns, or has a valid lease for, real property adjacent to its existing cultivation center to physically expand the registered cultivation center into that adjacent real property for the purpose of increasing production of marijuana plants, not to exceed the limit permitted under this act.

"(5) For the purposes of this subsection, the non-transferability of ownership provisions set forth in 22 DCMR §§ C5003 and C5501 shall not be construed as prohibiting the restructuring of ownership or changes between officers, directors, or other persons owning or controlling a percentage of the registered cultivation center or the entity named in the cultivation center registration application that was pending as of March 2, 2015, to operate a cultivation center at the same adjacent real property if the application received a score of at least 150 points from the Program's review panel.".

(2) Subsection (e)(2) is amended by striking the number "500" and inserting the number "1000" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973, (87 Stat. 813; D.C. Official Code§ 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code§ 1-204.12(a)).

D.C. Act 21-157, effective October 16, 2015 (Expiration date January 14, 2016)

AN ACT

Bill 21-347

Emergency Declaration Res. 21-212 21 DCStat 2327

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

Sale of Synthetic Drugs Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sale of Synthetic Drugs Congressional Review Emergency Amendment Act of 2015".

Note, § 47-2844

Sec. 2. Section 47-2844(a-2) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (1) is amended as follows:

(1) The lead-in language is amending by striking the phrase "subsection (a-1) of this section" and inserting the phrase "subsection (a-1) of this section and paragraph (1A) of this subsection" in its place.

(2) Subparagraph (A) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(3) Subparagraph (B) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(4) Subparagraph (C) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(b) A new paragraph (1A) is added to read as follows:

"(1A) In addition to the provisions of subsection (a-1) of this section and paragraph (1) of this subsection, the Mayor or the Chief of Police, notwithstanding § 2-1801.04(a)(1)), may take the following actions against, or impose the following requirements upon, any licensee, or agent or employee of a licensee, that knowingly engages or attempts to engage in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug, including the possession of multiple units of a synthetic drug:

"(A) For the first violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $10,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or a portion of the premises, for up to 96 hours without a prior hearing;

"(iii) The Mayor may issue a notice to revoke all licenses issued to the licensee pursuant to this chapter.

"(iv)(I) Within 14 days after having a licensee's premises sealed for a violation of this paragraph, the Mayor shall require the licensee to submit a remediation plan to the Director of the Department of Consumer and Regulatory Affairs, that contains the licensee's plan to prevent any future recurrence of purchasing, selling, exchanging, or otherwise transacting any synthetic drug and acknowledgement that a subsequent occurrence of engaging in prohibited activities may result in the revocation of all licenses issued to the licensee pursuant to this chapter.

"(II) If the licensee fails to submit a remediation plan in accordance with this sub-subparagraph, or if the Mayor, in consultation with the Chief of Police, rejects the licensee's remediation plan, the Mayor shall provide written notice to the licensee of the defects in any rejected remediation plan and the Mayor's intent to revoke all licenses issued to the licensee pursuant to this chapter.

"(III) If the licensee cures the defects in a rejected remediation plan, the Mayor may suspend any action to revoke any license of the licensee issued pursuant to this chapter.

"(B) For any subsequent violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $20,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or portion of the premises, for up to 30 days without a prior hearing.

"(C) If a licensee's premises, or a portion of the premises, is sealed under subparagraph (A) or (B) of this paragraph, a licensee shall have the right to request a hearing with the Office of Administrative Hearings within 2 business days after service of notice of the sealing of the premises pursuant to subparagraph (D) of this paragraph.

"(D) At the time of the sealing of the premises, or a portion of the premises, under subparagraph (A) or (B) of this paragraph, the Director of the Department of Consumer and Regulatory Affairs shall post at the premises and serve on the licensee a written notice and order stating:

"(i) The specific action or actions being taken;

"(ii) The factual and legal bases for the action or actions;

"(iii) The right, within 2 business days after service of notice of the sealing of the premises, to request a hearing with the Office of Administrative Hearings;

"(iv) The right, within 2 business days of a timely request being received by the Office of Administrative Hearings, to a hearing before an administrative law judge; and

"(v) That it shall be unlawful for any person to enter the sealed premises for any purpose without written permission by the Director of the Department of Consumer and Regulatory Affairs.

"(E) A licensee shall pay a fine issued pursuant to subparagraph (A) or (B) of this paragraph within 20 days after adjudication. If the licensee fails to pay the fine within the specified time period, the Mayor may seal the premises until the fine is paid.

"(F) For the purposes of this paragraph, the term:

"(i) "Business days" means days in which the Office of Administrative Hearings is open for business.

"(ii) "Synthetic drug" means any product possessed, provided, distributed, sold, or marketed with the intent that it be used as a recreational drug, such that its consumption or ingestion is intended to produce effects on the central nervous system or brain function to change perception, mood, consciousness, cognition or behavior in ways that are similar to the effects of marijuana, cocaine, amphetamines or Schedule I narcotics under § 48-902.04. The term "synthetic drug" also includes any chemically synthesized product (including products that contain both a chemically synthesized ingredient and herbal or plant material) possessed, provided, distributed, sold or marketed with the intent that the product produce effects substantially similar to the effects created by compounds banned by District or federal synthetic drug laws or by the U.S. Drug Enforcement Administration pursuant to its authority under the Controlled Substances Act, approved October 27, 1970 (84 Stat. 1247; 21 U.S.C. § 812). The following factors shall be treated as indicia that a product is being marketed with the intent that it be used as a recreational drug:

"(I) The product is not suitable for its marketed use (such as a crystalline or powder product being marketed as "glass cleaner");

"(II) The individual or business providing, distributing, displaying or selling the product does not typically provide, distribute, or sell products that are used for that product's marketed use (such as liquor stores, smoke shops, or gas or convenience stores selling "plant food");

"(III) The product contains a warning label that is not typically present on products that are used for that product's marketed use including, "Not for human consumption", "Not for purchase by minors", "Must be 18 years or older to purchase", "100% legal blend", or similar statements;

"(IV) The product is significantly more expensive than products that are used for that product's marketed use;

"(V) The product resembles an illicit street drug (such as cocaine, methamphetamine, or Schedule I narcotic) or marijuana; or

"(VI) The licensee or any employee of the licensee has been warned by a District government agency or has received a criminal incident report, arrest report, or equivalent from any law enforcement agency that the product or a similarly labeled product contains a synthetic drug.".

Note, § 2-1801.06

Sec. 3. Section 106 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective March 8, 1991 (D.C. Law 8-237; D.C. Official Code § 2-1801.06), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Strike the phrase "premises are primarily used" and insert the phrase "premises are used" in its place.

(2) Add a new sentence at the end to read as follows:

"Purchasing, selling, exchanging, or otherwise transacting any synthetic drug, as defined in D.C. Official Code § 47-2844(a-2)(1A)(F)(ii), shall be a per se imminent danger to the health or safety of the residents of the District.".

(b) Subsection (c) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the phrase "A licensee" and inserting the phrase "Except as provided in paragraph (2) of this subsection, a licensee" in its place.

(3) A new paragraph (2) is added to read as follows:

"(2) A licensee engaged in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug in violation of D.C. Official Code § 47-2844(a-2)(1A) shall have the right to request a hearing within 2 business days after service of notice of the sealing of the premises. The Office of Administrative Hearings shall hold a hearing within 2 business days of receipt of a timely request, and shall issue a decision within 2 business days after the hearing.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-158, effective October 16, 2015 (Expiration date January 14, 2016)

AN ACT

Bill 21-348

Emergency Declaration Res. 21-216 21 DCStat 2331

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Education Licensure Commission Act of 1976 to change the name of the Education Licensure Commission to the Higher Education Licensure Commission, to extend authority to the commission to require institutions physically located outside the District of Columbia offering postsecondary degree-granting or non-degree-granting online programs or courses to District of Columbia residents physically in the District to be licensed in the District, to permit members of the commission to serve in a hold-over capacity for no more than 180 days after expiration of their second full consecutive term, to provide the commission with the authority to enter into reciprocity agreements with regards to online courses, and to authorize the commission to impose alternative sanctions for violations of provision of the act or regulations promulgated under the authority of the act; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the compensation of members of the Higher Education Licensure Commission from $4,000 to $8,000; to amend the State Education Office Establishment Act of 2000 to designate the Office of the State Superintendent of Education the state portal agency for state authorization reciprocity; and to amend the Office of Administrative Hearings Establishment Act of 2001 to make a conforming amendment.

Higher Education Licensure Commission Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Higher Education Licensure Commission Emergency Amendment Act of 2015”.

Sec. 2. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 et seq.), is amended as follows:

(a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

Note, § 38-1302

(1) Paragraph (7) is amended by striking the phrase "by personal attendance or correspondence" and inserting the phrase "by personal attendance, online instruction, or by other means" in its place.

(2) Paragraph (10) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase “Higher Education Licensure Commission” in its place.

(3) New paragraphs (15) and (16) are added to read as follows:

“(15)(A) "Online instruction" means education, whether known as virtual class, correspondence course, distance learning, or other like term, where the learner and instructor are not physically in the same place at the same time, that is delivered through an electronic medium such as the Internet, Web-based form, or real time or recorded video or digital form, and that is offered or provided by an educational institution to District residents who are physically present in the District.

“(B) The education provided pursuant to subparagraph (A) of this

paragraph shall be deemed delivered through an online presence in the District.

"(16) "Online presence" means the delivery of online instruction by an educational institution.".

(b) Section 3 (D.C. Official Code § 38-1303) is amended by striking the phrase "Education Licensure Commission" wherever it appears and inserting the phrase "Higher Education Licensure Commission" in its place. **Note, § 38-1303**

(c) Section 4 (D.C. Official Code § 38-1304) is amended as follows: **Note, § 38-1304**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Subsection (b) is amended by striking the phrase "2 consecutive terms" and inserting the phrase "2 consecutive terms; provided, that a member may serve in a hold-over capacity for no more than 180 days after the expiration of the member's second full consecutive term" in its place.

(d) The section heading for section 5 (D.C. Official Code § 38-1305) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place. **Note, § 38-1305**

(e) Section 6 (D.C. Official Code § 38-1306) is amended as follows: **Note, § 38-1306**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) A new subsection (b-1) is added to read as follows:

"(b-1) An educational institution licensed by the Commission shall be subject to the laws and regulations that govern degree-granting and non-degree-granting institutions in the District, including those governing the complaint process.".

(3) Subsection (e)(2) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(f) Section 7 (D.C. Official Code § 38-1307) is amended as follows: **Note, § 38-1307**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Paragraph (3)(C) is amended by striking the word "and".

(3) Paragraph (4) is amended by striking the period and inserting a semicolon in its place.

(4) New paragraphs (5) and (6) are added to read as follows:

"(5) Have the authority to enter into agreements with other jurisdictions as it relates to the licensing of postsecondary educational institutions that provide degree-granting or non-degree-granting instruction to residents of the District; and

"(6) Have the authority to enter into agreements with degree-granting educational institutions operating in the District of Columbia that are otherwise conditionally exempt pursuant to section 10 for the purpose of ensuring consistent consumer protection in interstate distance education delivery of higher education.".

(g) Section 9 (D.C. Official Code § 38-1309) is amended as follows: **Note, § 38-1309**

(1) Subsection (a)(2) is amended by striking the phrase "§ 29-101.99, or § 29-

301.64," and inserting the phrase "§ 29-101.01 et seq.," in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1) An educational institution that is providing degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District and shall be licensed by the Commission.".

(3) Subsection (c-1)(1) is amended by striking the phrase "Education Licensure Commission ("Commission")" and inserting the phrase "Commission" in its place.

(4) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "; and" and inserting a period in its place.

(B) Paragraph (2) is repealed.

(5) Subsection (e) is amended by striking the phrase "done by correspondence." and inserting the phrase "done solely through online instruction." in its place.

(h) Section 12 (D.C. Official Code § 38-1312) is amended as follows: **Note, § 38-1312**

(1) A new subsection (a-1) is added to read as follows:

"(a-1) The Commission may impose civil fines and penalties as alternative sanctions for violations of the provisions of this act or of rules promulgated under the authority of this act, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 et seq.) ("Civil Infractions Act"). Enforcement and adjudication of a violation shall be pursuant to the Civil Infractions Act.".

(2) Subsection (c) is amended by striking the phrase "Corporation Counsel of" and inserting the phrase "Office of the Attorney General for" in its place.

(i) Section 12a (D.C. Official Code § 38-1313) is amended as follows: **Note, § 38-1313**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission." in its place.

(2)Subsection (a) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(3) Subsection (b) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

Sec. 3. Section 1108(c-2)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(2)), is amended as follows: **Note, § 1-611.08**

(a) Strike the phrase "Education Licensure Commission" and insert the phrase "Higher Education Licensure Commission" in its place.

(b) Strike the phrase "$4,000" and insert the phrase "$8,000" in its place.

Sec. 4. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 et seq.), is amended as follows:

(a) Section 3(b)(6) (D.C. Official Code § 38-2602(b)(6)) is amended to read to read as **Note, § 38-2602**

follows:

"(6) Oversee the functions and activities of the Higher Education Licensure Commission, established by section 3, including acting as the state portal agency for the purposes of state authorization reciprocity;".

(b) Section 7a (D.C. Official Code § 38-2607) is amended as follows: **Note, § 38-2607**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Subsection (a) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(3) Subsection (b) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission ("Commission")" in its place.

(4) Subsection (c) is amended by striking the phrase "Education Licensure".

Sec. 5. Section 6 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by adding a new subsection (b-9) to read as follows: **Note, § 2-1831.03**

"(b-9) In addition to those cases described in subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-6), (b-7), and (b-8), this act shall apply to adjudicated cases involving a civil fine or penalty imposed by the Higher Education Licensure Commission under section 12(a-1) of the Education Licensure Commission Act of 1976, effective March 16, 1989 (D.C. Law 7-217; D.C. Official Code § 38-1312).".

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-159, effective October 16, 2015 (Expiration date December 29, 2015)

AN ACT

Bill 21-354

Emergency Declaration Res. 21-219 21 DCStat 2337

Codification District of Columbia Official Code 2001 Edition

Sexual Assault Victim Rights Task Force Report Extension Emergency Amendment Act of 2015

Note, § 4-561.15

To amend, on an emergency basis, the Sexual Assault Victims' Rights Act of 2014 to extend the date by which the Sexual Assault Victim Rights Task Force shall submit its report to the Council and the Sexual Assault Response Team.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sexual Assault Victim Rights Task Force Report Extension Emergency Amendment Act of 2015".

Sec. 2. Section 215(c)(1) of the Sexual Assault Victims' Rights Act of 2014, effective November 20, 2014 (D.C. Law 20-139; D.C. Official Code § 4-561.15(c)(1)), is amended by striking the phrase "September 30, 2015" and inserting the phrase "January 31, 2016" in its place.

Sec. 3. Applicability.

This act shall apply as of September 30, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-160, effective October 16, 2015 (Expiration date January 7, 2016)

AN ACT

Bill 21-389

Emergency Declaration Res. 21-215 21 DCStat 2329

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Rental Housing Act of 1985 to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, and to require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.

Rent Control Hardship Petition Limitation Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rent Control Hardship Petition Limitation Emergency Amendment Act of 2015".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3500 *et seq.*), is amended as follows:

Note, § 42-3502.06

(a) Section 206(c) (D.C. Official Code § 42-3502.06(c)) is amended to read as follows:

"(c)(1) At the housing provider's election, instead of any adjustment authorized by subsection (b) of this section, the rent charged for an accommodation may be adjusted through a hardship petition under section 212. The petition shall be clearly identified as an election instead of the general adjustments authorized by subsection (b) of this section. The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this subsection as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent

Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

Note, § 42-3502.12

(b) Section 212(c) (D.C. Official Code § 42-3502.12(c)) is amended to read as follows:

"(c)(1) At the housing provider's election, instead of any adjustment authorized by section 206(b), the rent charged for an accommodation may be adjusted through a hardship petition under this section. The petition shall be clearly identified as an election instead of the general adjustments authorized by section 206(b). The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this section as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

Sec. 3. Applicability.

This act shall apply as of October 9, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-161, effective October 19, 2015 (Expiration date January 17, 2016)

AN ACT

Bill 21-391

Emergency Declaration Res. 21-220 21 DCStat 2339

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, Chapter 48 of Title 47 of the District of Columbia Official Code to establish a qualified ABLE Program, to be known as the ABLE Program Trust, pursuant to the requirements of the federal Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014 to exempt from income taxation the earnings on deposits made to an ABLE Program Trust by an eligible individual to assist the individual with certain expenses related to the individual's blindness or disability.

ABLE Program Trust Establishment Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "ABLE Program Trust Establishment Emergency Act of 2015".

Sec. 2. Chapter 48 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section 47-4811.01 to read as follows:

"47-4811.01. ABLE Program Trust.".

Note, § 47-4801

(b) Section 47-4801 is amended as follows:

(1) Paragraph (1) is redesignated as paragraph (1C).

(2) New paragraphs (1), (1A), and (1B) are added to read as follows:

"(1) "ABLE account" means an account established by an eligible individual, owned by the eligible individual, and maintained under a qualified ABLE program, as defined in the Federal ABLE Act.

"(1A) "ABLE Account Savings Agreement" means the terms, conditions, and provisions considered necessary or appropriate by the Chief Financial Officer, as set forth in regulations issued pursuant to this section, governing the deposits to and withdrawals from an ABLE account.

"(1B) "ABLE Program Trust" or "Trust" means the trust established in § 47-4811.01.".

(3) A new paragraph (1D) is added to read as follows:

"(1D) "Chief Financial Officer" or "CFO" means the Chief Financial Officer of the District of Columbia, established by § 1-204.24a(a)).".

(4) A new paragraph (2A) is added to read as follows:

"(2A) "Designated beneficiary" means an eligible individual who has established an ABLE account and is the owner of the account, as defined in the Federal ABLE Act.".

(5) New paragraphs (5A) and (5B) are added to read as follows:

"(5A) "Eligible individual" means an individual who during the taxable year is entitled to benefits based on blindness or disability under Title II of the Social Security Act, approved August 14, 1935 (49 Stat 620; 42 U.S.C. § 401 *et seq.*), or Title XVI of the Social Security Act, approved October 30, 1972 (86 Stat. 1465; 42 U.S.C. § 1381 *et seq.*), and such blindness or disability occurred before the date on which the individual attained 26 years of age, or a disability certification with respect to such individual is filed with the CFO for such taxable year, as defined in subsection (e)(1) of the Federal ABLE Act.

"(5B) " Federal ABLE Act" means the Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A).".

(6) A new paragraph (7A) is added to read as follows:

"(7A) "Qualified disability expense" means expenses related to the eligible individual's blindness or disability that are made for the benefit of an eligible individual who is the designated beneficiary, including expenses for:

"(A) Education;

"(B) Housing;

"(C) Transportation;

"(D) Employment training and support;

"(E) Assistive technology and personal support services;

"(F) Health, prevention and wellness;

"(G) Financial management and administrative services;

"(H) Legal fees;

"(I) Expenses for oversight and monitoring;

"(J) Funeral and burial expenses; and

"(K) Other expenses that are consistent with the purposes of § 47-4811.01 and the Federal ABLE Act and approved by the CFO.".

Note, § 47-4811.01

(c) A new section 47-4811.01 is added to read as follows:

"§ 47-4811.01. ABLE Program Trust.

"(a)(1) In accordance with the Federal ABLE Act, there is established a qualified ABLE program, to be known as the ABLE Program Trust, that shall be established as a trust, which shall authorize an eligible individual to create an ABLE account to enable the eligible individual to benefit from the tax incentives provided under the Federal ABLE Act.

"(2)(A) The Chief Financial Officer, or the CFO's designee, shall serve as the trustee of the Trust.

"(B) The Trust shall receive and hold all payments and contributions received from any public or private source, and the earnings on those payments and contributions, including:

"(i) Gifts;

"(ii) Bequests;

"(iii) Endowments;

"(iv) Federal and local grants; and

"(v) Any other funds intended for the Trust.

"(C) All deposits, and earnings on those deposits, held in the Trust shall constitute assets of the Trust and shall not be commingled with or revert to the General Fund of the District of Columbia or any special, emergency, or temporary fund of the District of Columbia at the end of any fiscal year or at any other time.

"(D) The Trust shall continue in existence as long as it holds any payments, contributions, or other funds or has any obligations and until its existence is terminated by law.

"(b) An eligible individual who seeks to save money for the payment of qualified disability expenses of a designated beneficiary may establish an ABLE account and shall enter into an ABLE Account Savings Agreement with the Trust.

"(c) The Chief Financial Officer shall take the action necessary to implement the ABLE Program Trust, promulgate regulations, and enter into ABLE Account Savings Agreements.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-162, effective October 16, 2015 (Expiration date January 13, 2016)

AN ACT

Bill 21-393

Emergency Declaration Res. 21-211 21 DCStat 2326

Not Codified

To adjust, on an emergency basis, due to congressional review, certain allocations requested in the Fiscal Year 2015 Budget Request Act pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2015 Second Revised Budget Request Congressional Review Emergency Adjustment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Second Revised Budget Request Congressional Review Emergency Adjustment Act of 2015".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2015 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II—DISTRICT OF COLUMBIA FUNDS—SUMMARY OF EXPENSES

$99,652,000 is removed from local funds (including an increase of $106,000 in dedicated taxes); $215,000 is increased in other funds; and $260,000 is increased in enterprise and other funds; to be allocated as follows:

Government Direction and Support

The appropriation for Governmental Direction and Support is decreased by $7,073,000 in local funds and increased by $162,000 in other funds; to be allocated as follows:

(1) Department of General Services. – ($5,500,000) is removed from local funds;

(2) Office of the Secretary. – ($100,000) is removed from local funds;

(3) Office of Contracting and Procurement. – ($500,000) is removed from local funds;

(4) Office of Risk Management. – ($200,000) is removed from local funds;

(5) Department of Human Resources. – ($84,000) is removed from local funds and $162,000 is added to be available in other funds;

(6) Office of Campaign Finance. – ($233,000) is removed from local funds;

(7) Office of the District of Columbia Auditor. – ($122,000) is removed from local funds;

(8) Office of the Attorney General – ($300,000) is removed from local funds;

(9) Contract Appeals Board – ($24,000) is removed from local funds; and

(10) Public Employee Relations Board – ($11,000) is removed from local funds.

Economic Development and Regulation

The appropriation for Economic Development and Regulation is decreased by $3,015,000 in local funds; to be allocated as follows:

(1) Department of Employment Services. – ($372,000) is removed from local funds;

(2) Office of the Deputy Mayor for Planning and Economic Development. – ($136,737) is removed from local funds;

(3) Office of Motion Picture and Television Development. – ($1,507,000) is removed from local funds; and

(4) Commission on the Arts and Humanities. – ($1,000,000) is removed from local funds.

Public Safety and Justice

The appropriation for Public Safety and Justice is decreased by $1,792,000 in local funds; to be allocated as follows:

(1) Office of Unified Communications. – ($1,401,000) is removed from local funds;

(2) Department of Forensic Sciences. – ($196,000) is removed from local funds; and

(3) Office of Administrative Hearings. – ($194,000) is removed from local funds.

Public Education

The appropriation for Public Education is decreased by $15,542,000 in local funds; to be allocated as follows:

(1) Office of the State Superintendent of Education. – ($6,182,000) is removed from local funds;

(2) Office of the Deputy Mayor for Education. – ($4,000,000) is removed from local funds;

(3) District of Columbia Public Charter Schools. – ($2,500,000) is removed from local funds;

(4) State Board of Education – ($10,000) is removed from local funds; and

(5) Special Education Transportation. – ($2,850,000) is removed from local funds.

Human Support Services

The appropriation for Human Support Services is decreased by $28,119,000 in local funds (including an increase of $106,000 in dedicated taxes) and increased by $53,000 in other funds; to be allocated as follows:

(1) Department of Human Services. – ($600,000) is removed from local funds;

(2) Department of Parks and Recreation. – ($1,750,000) is removed from local

funds;

(3) Department of Health Care Finance. – ($25,085,000) is removed from local funds (including an increase of $106,000 in dedicated taxes) and $53,000 is added to be available in other funds;

(4) Department of Youth Rehabilitation Services. – ($463,000) is removed from local funds;

(5) Office on Latino Affairs. – ($10,000) is removed from local funds;

(6) Office on Asian and Pacific Islander Affairs. – ($6,000) is removed from local funds;

(7) Office of Veterans Affairs. – ($5,000) is removed from local funds; and

(8) Office on Aging. – ($200,000) is removed from local funds.

Public Works

The appropriation for Public Works is decreased by $175,000 in local funds; to be allocated as follows:

(1) District Department of Transportation. – $250,000 is added to be available in local funds; and

(2) Department of Motor Vehicles. – ($425,000) is removed from local funds.

Financing and Other

The appropriation for Financing and Other is decreased by $43,936,000 in local funds; to be allocated as follows:

(1) Repayments of Loans and Interest. – ($20,328,000) is removed from local funds;

(2) Certificates of Participation. – ($22,670,000) is removed from local funds;

(3) Non-departmental. – ($6,300,000) is removed from local funds;

(4) Workforce Investments. – ($8,000,000) is removed from local funds;

(5) TIF and PILOT Transfer. – $9,907,000 is added to be available in local funds; and

(6) Emergency and Contingency Reserve Funds. – $3,455,000 is added to be available in local funds.

Enterprise and Other Funds

The appropriation for Enterprise and Other Funds is increased by $260,000 in enterprise and other funds; to be allocated as follows:

(1) University of the District of Columbia. – $260,000 is added to be available in enterprise and other funds.

Sec. 3. Of the Fiscal Year 2015 local funds within the budget of the Office of the Deputy Mayor for Public Safety and Justice, $700,000 shall be reallocated from the Justice Grants Administration program to the Community-Based Violence Reduction Fund.

Sec. 4. Applicability.

This act shall apply as of September 15, 2015.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-163, effective October 16, 2015 (Expiration date January 14, 2016)

AN ACT

Bill 21-394

Emergency Declaration Res. 21-218 21 DCStat 2335

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, An Act To amend the Act entitled "An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes", approved June 20, 1906, and for other purposes, to permit members of the Fire and Emergency Medical Services Department that worked overtime hours during the 2013 Presidential Inauguration to be paid for work performed.

Fire and Emergency Medical Services Department Presidential Inauguration Pay Rectification Emergency Amendment Act of 2015

Note, § 5-405

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fire and Emergency Medical Services Department Presidential Inauguration Pay Rectification Emergency Amendment Act of 2015".

Sec. 2. Section 2(h) of An Act To amend the Act entitled "An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes", approved June 20, 1906, and for other purposes, approved June 19, 1948 (62 Stat. 498; D.C. Official Code § 5-405(h)), is amended by striking the phrase "calendar year 2013" and inserting the phrase "calendar year 2013; provided, that any member of the Fire and Emergency Medical Services Department that worked during pay period 4 of calendar year 2013 shall be paid for work performed during that period notwithstanding the restrictions in this section" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-164, effective October 16, 2015 (Expiration date December 30, 2015)

AN ACT

Bill 21-395

Emergency Declaration Res. 21-217 21 DCStat 2333

To amend, on an emergency basis, the Fiscal Year 2016 Budget Support Act of 2015, the Fiscal Year 2016 Budget Support Emergency Act of 2015, and various other acts to clarify provisions supporting the Fiscal Year 2016 budget.

Codification District of Columbia Official Code 2001 Edition

Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2015".

Sec. 2. The Fiscal Year 2016 Budget Support Act of 2015, enacted on August 11, 2015 (D.C. Act 21-148; 62 DCR 10905), is amended as follows:

(a) Section 2032(e) is amended to read as follows:

Note, § 32-241

"(e) A new subsection (g) is added to read as follows:

""(g)(1) The Department of Employment Services shall collect, and publish on its website, aggregated information on the participants of the summer youth jobs program, including statistics on:

""(A) The demographics of participants;

""(B) Participants' activities in the program; and

""(C) Participants' employment following the end of the program.

""(2) The information required by paragraph (1) of this subsection shall be published by February 1, 2016 and annually thereafter.

""(3) It is the sense of the Council that the Department of Employment Services shall consult with the Council on revising the existing evaluation requirement for the summer youth jobs program to focus on program outcomes and program effectiveness.

""(4) With regard to the summer 2015 program only, the Mayor shall conduct an assessment and evaluation of employment outcomes as of December 31, 2015, for summer employment participants 22 through 24 years of age.

""(5) In Fiscal Year 2016, the District of Columbia Auditor shall conduct an evaluation of multiple years of the summer youth jobs program to assess whether the program has met and is meeting program objectives.".".

(b) Section 6192 is amended by striking the phrase "Under 22 years of age" and inserting the phrase "A resident of the District of Columbia under 22 years of age" in its place.

Note, § 35-233

(c) Section 7024(d) is repealed.

Note, § 1-325.11

(d) Section 7182 is amended by adding a new subsection (d) to read as follows:

"(d) This subtitle shall apply for tax years beginning after December 31, 2015.". **Note, §§ 47-1810.09, 47-1801.04**

(e) Section 7242(b) is amended to read as follows:

"(b) Section 7154 (D.C. Official Code § 1-325.311) is amended to read as follows: **Note, § 1-325.311**

""Sec. 7154. WMATA Operations Support Fund.

""(a) There is established as a special fund the WMATA Operations Support Fund ("Fund") which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

""(b) Upon approval of the settlement by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc., et al*., Nos. 14-CV-308, 14-CV-309, the full amount the District obtains from the settlement, minus the amounts designated for other purposes in sections 7152 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015, passed on emergency basis on September 22, 2015 (Enrolled version of Bill 21-343), and the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, passed on 1st reading on September 22, 2015 (Engrossed version of Bill 21-344), shall be deposited in the Fund.

""(c) The monies in the Fund shall be available to fund extraordinary or unanticipated operating or capital needs of the Washington Metropolitan Area Transit Authority ("WMATA") that arise outside of WMATA's regular inter-jurisdictional subsidy allocation formulae.

""(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

""(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".".

Sec. 3. The Fiscal Year 2016 Budget Support Emergency Act of 2015, effective July 27, 2015 (D.C. Act 21-127; 62 DCR 10201), is amended as follows:

(a) Section 7016(z)(4) is repealed. **Note, § 1-325.311**

(b) Section 7152 is amended by adding a new subsection (d) to read as follows: **Note, §§ 47-1810.09, 47-1801.04**

"(d) This subtitle shall apply for tax years beginning after December 31, 2015.".

Sec. 4. Section 2(g) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(g)), is amended as follows: **Note, § 32-241**

(a) Paragraph (4) is amended by striking the word "outcomes" and inserting the phrase "outcomes as of December 31, 2015," in its place.

(b) A new paragraph (5) is added to read as follows:

"(5) In Fiscal Year 2016, the District of Columbia Auditor shall conduct an evaluation of multiple years of the summer youth jobs program to assess whether the program has met and is meeting program objectives.".

Sec. 5. Section 2(h) of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(h)), is amended by striking the phrase "Under 22 **Note, § 35-233**

years of age" and inserting the phrase "A resident of the District of Columbia under 22 years of age" in its place.

Sec. 6. Section 7154 of the IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.311), is amended to read as follows: **Note, § 1-325.311**

"Sec. 7154. WMATA Operations Support Fund.

"(a) There is established as a special fund the WMATA Operations Support Fund ("Fund"), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

"(b) Upon approval of the settlement by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc., et al*., Nos. 14-CV-308, 14-CV-309, the full amount the District obtains from the settlement, minus the amounts designated for other purposes in sections 7152 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015, passed on emergency basis on September 22, 2015 (Enrolled version of Bill 21-343), and the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, passed on 1st reading on September 22, 2015 (Engrossed version of Bill 21-344), shall be deposited in the Fund.

"(c) The monies in the Fund shall be available to fund extraordinary or unanticipated operating or capital needs of the Washington Metropolitan Area Transit Authority ("WMATA") that arise outside of WMATA's regular inter-jurisdictional subsidy allocation formulae.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

Sec. 7. Section 502(d) of the Sustainable DC Omnibus Act of 2014, effective December 17, 2014 (D.C. Law 20-142; 62 DCR 1243), is amended to read as follows: **Note, § 32-152, Implement subsection (b)**

"(d) Title III, Subtitle A, section 302(b) shall apply as of October 1, 2015.".

Sec. 8. Section 6(b) of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C Law 20-191; 62 DCR 3820), is amended to read as follows: **Note, § 48-315, Implement Law 20-191**

"(b) Section 5 shall apply as of October 1, 2015.".

Sec. 9. Section 401 of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; 62 DCR 3600), is repealed. **Note, § 8-1031.03, Implement subsection (c)**

Sec. 10. Chapter 13A of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1341 is amended as follows: **Note, § 47-1341**

(1) Subsection (a)(1) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service,".

(2) Subsection (b-1)(1) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service,".

(b) Section 47-1353.01(a) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service to the last known address of the owner" and inserting the phrase "to the person who last appears as the owner of the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405" in its place.

Note, § 47-1353.01

Sec. 11. Section 308(d)(1) of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1160; D.C. Official Code § 10-1103.07(d)(1)), is amended by striking the phrase "For periods beginning after June 30, 2015, interest on unpaid vault rent" and inserting the phrase "Beginning September 15, 2015, interest on any unpaid vault rent for any vault year" in its place.

Note, § 10-1103.07

Sec. 12. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01), is amended as follows:

Note, § 32-131.01

(a) Paragraph (2) is amended as follows:

(1) Subparagraph (E) is amended by striking the word "or";

(2) Subparagraph (F) is amended by striking the period and inserting the phrase "; or" in its place; and

(3) A new subparagraph (G) is added to read as follows:

"(G) A substitute teacher or a substitute aide who is employed by District of Columbia Public Schools for a period of 30 or fewer consecutive work days.".

(b) New paragraphs (9) and (10) are added to read as follows:

"(9) "Substitute aide" means an individual who is employed by District of Columbia Public Schools to provide instructional assistance (general, specialized, or concentrated) to students on a temporary basis when the regular instructional aide is unavailable. A substitute aide does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.

"(10) "Substitute teacher" means an individual who is employed by District of Columbia Public Schools to work as a classroom teacher on a temporary basis when the regular teacher is unavailable. A substitute teacher does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.".

Sec. 13. Applicability.

This act shall apply as of October 1, 2015.

Sec. 14. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 15. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-204.12(a)).

D.C. Act 21-176, effective October 22, 2015 (Expiration date January 20, 2016)

AN ACT

Bill 21-404

Emergency Declaration Res. 21-243 21 DCStat 2363

Not Codified

To approve, on an emergency basis, multiyear Contract No. CW34843 with Covanta Fairfax, Inc. to provide solid waste disposal services to be performed at a licensed and permitted Waste-to-Energy facility and to authorize payment for services to be received under the contract.

Contract No. CW34843 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW34843 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. CW34843 with Covanta Fairfax, Inc. and authorizes payment in the estimated amount of $35,661,880 for services to be received under that contract for a base period of 5 years.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-177, effective October 22, 2015 (Expiration date January 16, 2016)

AN ACT

Bill 21-409

Emergency Declaration Res. 21-237 21 DCStat 2356

Codification District of Columbia Official Code 2001 Edition

Grocery Store Restrictive Covenant Prohibition Emergency Act of 2015

To establish, on an emergency basis, that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grocery Store Restrictive Covenant Prohibition Emergency Act of 2015".

Note, § 2-1212.21

Sec. 2. (a) It shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction in a contract for the sale, or other transfer, or lease of real property being used as a grocery store that prohibits the subsequent use of the real property as a grocery store.

(b) Any contract, including a private agreement, that includes a restrictive land covenant or use restriction on real property as described in subsection (a) of this section shall be void and unenforceable.

(c) The prohibition imposed by this section shall not apply to an owner or operator of a grocery store or food retail store that terminates operations at a site for purposes of relocating the grocery or food retail store into a comparable or larger store located within the District of Columbia within one-half mile of the site where the prior operation was terminated; provided, that relocation and commencement of the operation of the new grocery store or food retail store at the new site occurs within 2 years of the sale, transfer, or lease of the prior site, and the restrictive covenant imposed on the prior site does not have a term in excess of 3 years. If the new grocery store or food retail store is not relocated within the District within one-half mile of the prior site within 2 years, the restrictive land covenant or use restriction shall not be enforceable.

(d) For the purposes of this act, the term:

(1) "Grocery store" means a retail establishment with a primary business of selling grocery products and includes a selling area that is used for a general line of food and nonfood grocery products.

(2) "Private agreement" means a mutually agreed upon and entered into exchange of promises.

Sec. 3. Applicability.

This act shall apply as of October 18, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-178, effective October 22, 2015 (Expiration date January 20, 2016)

AN ACT

Bill 21-423

Emergency Declaration Res. 21-245 21 DCStat 2365

Not Codified

To approve, on an emergency basis, Modification Nos. M0005 and M0006 to Task Order No. CW30657 against GSA Federal Supply Schedule Contract No. GS-35F-0688R with On Point Technology, Inc. to supply, maintain, support, and modify the District On-Line Compensation System and to authorize payment for the goods and services received and to be received under the task order.

Modification Nos. M0005 and M0006 to Task Order No. CW30657 against GSA Federal Supply Schedule Contract No. GS-35-F-0688R Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the "Modification Nos. M0005 and M0006 to Task Order No. CW30657 against GSA Federal Supply Schedule Contract No. GS-35-F-0688R Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves proposed Modification Nos. M0005 and M0006 to Task Order No. CW330657 against GSA Federal Supply Schedule Contract No. GS-35F-0688R with On Point Technology, Inc. to supply, maintain, support, and modify the District On-Line Compensation System and authorizes payment in the amount of $4,435,278.00 for the goods and services received, and to be received, under the task order.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-179, effective October 22, 2015 (Expiration date January 20, 2016)

AN ACT

Bill 21-427

Emergency Declaration Res. 21-244 21 DCStat 2364

Not Codified

To approve, on an emergency basis, Modification No. 11 and proposed Modification No. 12 to Contract No. DDOE-2010-SEU-0001 with Vermont Energy Investment Corporation to continue to provide sustainable energy utility services and to authorize payment for the services received and to be received under the contract.

Modifications to Contract No. DDOE-2010-SEU-0001 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. DDOE-2010-SEU-0001 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451(b)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)(1)), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 11 and proposed Modification No. 12 to Contract No. DDOE-2010-SEU-0001 with Vermont Energy Investment Corporation to provide sustainable energy utility services, and authorizes payment in the total not-to-exceed amount of $20 million for services received under that contract for the period from October 1, 2015, through September 30, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-180, effective October 22, 2015 (Expiration date January 20, 2016)

AN ACT

Bill 21-431

Emergency Declaration Res. 21-234 21 DCStat 2352

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify that, for purposes of determining whether the referral of a minor student 14 years of age through 17 years of age to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section for the accrual of 15 unexcused absences during School Year 2015-2016 is required, the term unexcused absence may mean an unexcused full school day absence.

Truancy Referral Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Truancy Referral Emergency Amendment Act of 2015".

Note, § 38-208

Sec. 2. Section 7(c)(1)(B) of Article II of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, effective September 19, 2013 (D.C. Law 20-17; D.C. Official Code § 38-208(c)(1)(B)), is amended by striking the period and inserting the phrase ". For purposes of this subparagraph, for School Year 2015-2016, an educational institution may construe the term unexcused absences to mean unexcused full school day absences." in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-181, effective October 27, 2015 (Expiration date January 25, 2016)

AN ACT

Bill 21-224

Emergency Declaration Res. 21-241 21 DCStat 2361

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494, and to make conforming amendments to the Fourth/Sixth and E Streets, S.W., Property Disposition Resolution of 2009.

Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Emergency Amendment Act of 2015."

Note, § 10-801

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-7) to read as follows:

"(d-7) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of District-owned real property located at the northeast corner of Sixth and E Street, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494, for the construction of a mixed-use development, which was approved by the Council pursuant to the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799), as extended by the Fourth/Sixth and E Streets, S.W., Property Disposition Extension Approval Resolution of 2011, effective July 12, 2011 (Res. 19-170; 58 DCR 6589), is extended to November 3, 2017.".

Sec. 3. Section 3(a) of the Fourth/Sixth and E Streets, S.W., Property Disposition Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799), is amended by adding a new paragraph (4) to read as follows:

"(4) The Lessee will comply with the requirements of section 1(a-3) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-3)).".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-182, effective October 27, 2015 (Expiration date January 25, 2016)

AN ACT

Bill 21-301

Emergency Declaration Res. 21-242 21 DCStat 2362

Not Codified

To approve, on an emergency basis, multiyear Contract No. DHCF-2013-C-0137 with Magellan Medicaid Administration to provide pharmacy benefit management services on behalf of the District of Columbia for eligible Medicaid beneficiaries and to authorize payment for the goods and services received and to be received under the contract.

Contract No. DHCF-2013-C-0137 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DHCF-2013-C-0137 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DHCF-2013-C-0137 with Magellan Medicaid Administration and authorizes payment in the amount of $11,576,181.22 for goods and services received and to be received under the contract for a base period of 3 years from the date of award, with 2 additional option years.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-183, effective October 27, 2015 (Expiration date January 25, 2016)

AN ACT

Bill 21-398

Emergency Declaration Res. 21-230 21 DCStat 2347

Not Codified

To approve, on an emergency basis, multiyear Contract No. DCPL-2015-C-0034 with Gilbane Building Company to provide a 685-calendar-day period for the performance of design-build services for the interim and new Cleveland Park library, and to authorize payment for services received and to be received under the contract..

Contract No. DCPL-2015-C-0034 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCPL-2015-C-0034 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. DCPL-2015-C-0034 with Gilbane Building Company for the design-build services for a new Cleveland Park library and test fits for the interim Cleveland Park library for a performance period of 685 calendar days and authorizes payment in an amount not to exceed $2,674,032 for services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-184, effective October 27, 2015 (Expiration date January 22, 2016)

AN ACT

Bill 21-405

Emergency Declaration Res. 21-231 21 DCStat 2348

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Day Care Policy Act of 1979 to establish a pilot, community-based Quality Improvement Network that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family-support engagement services, including educational, health, nutritional, behavioral, and family-support services.

Early Learning Quality Improvement Network Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Early Learning Quality Improvement Network Emergency Amendment Act of 2015".

Note, New § 4-415

Sec. 2. The Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official § 4-401 *et seq.*), is amended by adding a new section 15a to read as follows:

"Sec. 15a. Comprehensive child development programs.

"(a) Notwithstanding sections 3 through 11, the Office of the State Superintendent of Education ("OSSE") shall establish a pilot, community-based Quality Improvement Network ("QIN") composed of:

"(1) Child development hubs, selected through a competitive process, that will provide quality improvement technical assistance and comprehensive services to licensed child development centers and licensed child development homes selected by OSSE to be partners and that agree to meet federal Early Head Start Program Performance Standards for program participation; and

"(2) Child development centers and child development homes, selected through a competitive process, to provide low-income infants and toddlers high-quality, full-day, full-year comprehensive early learning and development services and continuum of care.

"(b) Child development centers and child development homes within the QIN shall receive technical assistance from child development hubs to achieve the following within 18 months of being selected by OSSE to participate in the QIN:

"(1) Child development centers and child development homes within the QIN shall have adult-to-child ratios and group sizes that meet or exceed federal Early Head Start standards for all children from birth to 3 years of age in child development centers, or as otherwise approved by OSSE.

"(2) Child development centers and child development homes within the QIN shall have a comprehensive curriculum or program that is aligned with federal Head Start Program Performance Standards and the District's early learning and development standards for serving infants, toddlers, and their families.

"(3) Staff who have direct supervision of infants and toddlers at child development centers and child development homes within the QIN shall, at a minimum, meet or exceed Early Head Start Standards for staff qualifications or credentials.

"(4) Child development centers and child development homes within the QIN shall partner with child development hubs to develop and implement a quality improvement plan, including aligning program policies and procedures to support on-site coaching, professional development, and teacher planning time.

"(5) Child development centers and child development homes within the QIN shall provide child-, family-, and program-level data to OSSE and the child development hubs as requested.

"(6) Child development centers and child development homes within the QIN shall participate in ongoing, on-site and desktop monitoring activities to ensure compliance with program requirements and Head Start Program Performance Standards required to remain in good standing with OSSE, the child development hubs, and the U.S. Department of Health and Human Services, Office of Head Start, if applicable.

"(7) Child development centers and child development homes within the QIN shall support comprehensive services for children and families by the child development hubs, including implementation of individualized family service plans.

"(8) Child development centers and child development homes within the QIN shall participate in the Child and Adult Care Food Program.

"(9) Child development centers and child development homes within the QIN shall facilitate children's and families' transitions to Pre-K or Head Start programs.

"(c) OSSE shall have authority to set payment rates and to develop policies and procedures for high-quality early learning and development services set under the authority of this section.

"(d) To be eligible for infant and toddler child development services provided by child-care partners in the QIN, a child shall be a resident of the District of Columbia and between birth and 3 years of age; provided, that a child who turns 3 years old during a program year may continue to receive services for the duration of the program year before transitioning into a pre-kindergarten or Head Start preschool program.

"(e) To the extent possible, priority enrollment shall be given to children between birth and 3 years of age whose families are living at or below the federal poverty level, who are homeless or in the foster care system, or who live with a grandparent, godparent, or relative who is receiving a grandparent caregiver subsidy pursuant to Title I of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq.)*.

"(f) OSSE shall monitor the child development hubs and partner participants in the QIN for adherence to policies and procedures set under the authority of this act.

"(g) OSSE may, in whole or in part, terminate the grant provided to a hub or partner participant at any time if OSSE determines that a hub or partner participant has:

"(1) Substantially failed to comply with, or meet the objectives and terms of, the grant award; or

"(2) Failed to comply with applicable federal or District laws or regulations.

"(h) OSSE shall continue on-site monitoring for health and safety licensing compliance of child-care partners participating in the QIN; provided, that OSSE may delegate to the child development hubs on-site monitoring of the compliance of participating child development centers and homes with federal Head Start Program Performance Standards; provided, that relevant data collected by child development hubs is regularly reported to OSSE.".

Sec. 3. Applicability.

This act shall apply as of October 24, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1 206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-185, effective October 27, 2015 (Expiration date January 4, 2016)

AN ACT

Bill 21-407

Emergency Declaration Res. 21-236 21 DCStat 2355

Codification District of Columbia Official Code 2001 Edition

Extension of Time to Dispose of the Strand Theater Emergency Amendment Act of 2015

Note, § 10-801

To amend, on an emergency basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Time to Dispose of the Strand Theater Emergency Amendment Act of 2015".

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-6) to read as follows:

"(d-6) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of the property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater, for which disposition was approved by the Council pursuant to the Strand Theater Disposition Approval Resolution of 2009, effective October 6, 2009 (Res. 18-0263; 56 DCR 8410), and extended by the Strand Theater Disposition Extension Approval Resolution of 2011, effective September 20, 2011 (Res. 19-246; 58 DCR 8477), is extended to October 6, 2016.".

Sec. 3. Applicability.

This act shall apply as of October 6, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-186, effective October 27, 2015 (Expiration date January 25, 2016)

AN ACT

Bill 21-429

Emergency Declaration Res. 21-232 21 DCStat 2350

Not Codified

To order, on an emergency basis, the closing of a portion of the public alley system in Square 369, bounded by M Street, N.W., 9th Street, N.W., L Street, N.W., and 10th Street, N.W., in Ward 2.

Closing of a Public Alley in Square 369, S.O. 13-07989, Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 369, S.O. 13-07989, Emergency Act of 2015".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council finds the portion of the public alley system in Square 369, as shown on the Surveyor's plat filed in S.O. 13-07989, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this alley closing is contingent upon:

(1) The recordation of a covenant establishing new portions of the alley system by easement as shown on the Surveyor's plat in S.O. 13-07989 that includes an agreement by the owner of the property encumbered by the easement to maintain the new portions of the alley system; and

(2) The satisfaction of all conditions in the official file for S.O. 13-07989 before the recordation of the alley closing.

Sec. 3. Transmittal.

The Council shall transmit copies of this act, upon its adoption, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of a Public Alley in Square 369, S.O. 13-07989, Act of 2015, passed on 2nd reading on October 6, 2015 (Enrolled version of Bill 21-217), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-187, effective October 27, 2015 (Expiration date January 25, 2016)

AN ACT

Bill 21-460

Emergency Declaration Res. 21-233 21 DCStat 2351

Codification District of Columbia Official Code 2001 Edition

Closing of a Public Alley in Square 197, S.O. 15-23895, Emergency Act of 2015

To order, on an emergency basis, the closing of a portion of the public alley system in Square 197, bounded by L Street, N.W., 15th Street, N.W., M Street, N.W., and 16th Street, N.W., in Ward 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 197, S.O. 15-23895, Emergency Act of 2015".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq*.), the Council finds the portion of the public alley system in Square 197, as shown on the Surveyor's plat filed in S.O. 15-23895, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this alley closing is contingent upon:

(1) The recordation of a covenant establishing new portions of the alley system by easement as shown on the Surveyor's plat in S.O. 15-23895 that includes an agreement by the owner of the property encumbered by the easement to maintain the new portions of the alley system; and

(2) The satisfaction of all conditions in the official file for S.O. 15-23895 before the recordation of the alley closing.

Sec. 3. Transmittal.

The Council shall transmit copies of this act, upon its adoption, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of a Public Alley in Square 197, S.O. 15-23895, Act of 2015, passed on 2nd reading on October 6, 2015 (Enrolled version of Bill 21-240), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-188, effective October 27, 2015 (Expiration date January 22, 2016)

AN ACT

Bill 21-433

Emergency Declaration Res. 21-235 21 DCStat 2354

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, An Act To provide for the payment and collection of wages in the District of Columbia to clarify who may bring an action on behalf of an employee and when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, to revise criminal penalties for violations of the act, and to authorize the Mayor to issue rules to implement the provisions of the act; to amend the Minimum Wage Act Revision Act of 1992 to clarify the time period for retention of payroll records, when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, and how the Mayor shall make certain information available to employers; and to amend the Wage Theft Prevention Amendment Act of 2014 to repeal a retroactive applicability provision.

Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2015".

Sec. 2. An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is amended as follows:

Note, § 32-1303

(a) Section 3 (D.C. Official Code § 32-1303) is amended as follows:

(1) Paragraph (5) is amended as follows:

(A) Strike the word "alleged" and insert the word "found" in its place.

(B) Strike the phrase "Act." and insert the phrase "Act, except as otherwise provided in a contract between the contractor and subcontractor in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

(2) Paragraph (6) is amended by striking the phrase "District." and inserting the phrase "District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

Note, § 32-1307

(b) Section 7(a) (D.C. Official Code § 32-1307(a)) is amended to read as follows:

"(a)(1) Any employer who negligently fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:

"(A) For the first offense, an amount per affected employee of not more than $2,500;

"(B) For any subsequent offense, an amount per affected employee of not more than $5,000.

"(2) Any employer who willfully fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall:

"(A) For the first offense, be fined not more than $5,000, or imprisoned not more than 30 days, or both; or

"(B) For any subsequent offense, be fined not more than $10,000, or imprisoned not more than 90 days, or both.

"(3) The fines set forth in paragraphs (1) and (2) of this subsection shall not be limited by section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).".

Note, § 32-1308

(c) Section 8(a) (D.C. Official Code § 32-1308(a)) is amended by striking the phrase ", or any entity a member of which is aggrieved by a violation of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act".

Note, New § 32-1312

(d) A new section 10b is added to read as follows:

"Sec. 10b. Rules.

"The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1068 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.".

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

Note, § 32-1008

(a) Section 9(a)(1) (D.C. Official Code § 32-1008(a)(1)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1009

(b) Section 10(c) (D.C. Official Code § 32-1009(c)) is amended to read as follows:

"(c) The Mayor shall make copies or summaries of this act publicly available on the District government's website or by some other appropriate method within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157). An employer shall not be liable for failure to post notice if the Mayor has failed to provide to the employer the notice required by this section.".

Note, § 32-1011

(c) Section 12(d)(1)(C) (D.C. Official Code § 32-1011(d)(1)(C)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1012

(d) Section 13 (D.C. Official Code § 32-1012) is amended as follows:

(1) Subsection (c) is amended by striking the phrase "act." and inserting the phrase "act, except as otherwise provided in a contract between the contract and subcontractor in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

(2) Subsection (f) is amended by striking the phrase "District." and inserting the phrase "District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

Sec. 4. Section 7 of the Wage Theft Prevention Amendment Act of 2014, enacted on September 19, 2014 (D.C. Act 20-426; 61 DCR 10157), is repealed.

Sec. 5. Applicability.

This act shall apply as of October 24, 2015.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788, D.C. Official Code § 1-204.12(a)).

Note, §§ 32-1301 32-1303 32-1304 32-1306 32-1307 32-1307.01 32-1308 32-1308.01 32-1311 32-1002 32-1005 32-1008 32-1008.01 32-1009 32-1010 32-1011 32-1011.01 32-1012 32-1012.01 32-1013 32-0131.06 32-0131.08 32-0131.10a 32-0131.12 47-2862 DCMR

D.C. Act 21-189, effective October 27, 2015 (Expiration date January 25, 2016)

AN ACT

Bill 21-435

Emergency Declaration Res. 21-238 21 DCStat 2358

Codification District of Columbia Official Code 2001 Edition

To establish, on an emergency basis, a moratorium on the issuance of permits for the construction or operation of automobile paint spray booths in Ward 5; provided, that the moratorium shall not apply to permits for automobile paint spray booths that meet certain conditions.

Ward 5 Paint Spray Booth Conditional Moratorium Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ward 5 Paint Spray Booth Conditional Moratorium Emergency Act of 2015".

Note, § 8-233.01

Sec. 2. Paint spray booth moratorium.

(a) The Mayor shall not issue a permit for the construction or operation of an automobile paint spray booth in Ward 5.

(b) The Mayor shall not issue a renewal permit for the operation of an automobile paint spray booth in Ward 5.

(c) For the purposes of this act, the term "automobile paint spray booth" means a facility related to an auto body paint shop for which the applicant must obtain a minor source air pollutant permit from the District Department of the Environment.

Sec. 3. Applicability.

(a) Section 2 shall not apply to a permit for the construction of or the operation of, or a renewal permit for the operation of, an automobile paint spray booth that contains conditions at least as restrictive as the following:

(1) Automobile coating for motor vehicle and mobile equipment non-assembly line refinishing and recoating, as applied, shall not contain volatile organic compounds in excess of the specified limit for each of the following coating types:

(A) Adhesion promoters: 540 grams per liter (4.5 pounds per gallon);

(B) Automotive pretreatment coating: 660 grams per liter (5.5 pounds per gallon);

(C) Automotive primer: 250 grams per liter (2.1 pounds per gallon);

(D) Clear coating: 250 grams per liter (2.1 pounds per gallon);

(E) Color coating, including metallic/iridescent color coating: 420 grams per liter (3.5 pounds per gallon);

(F) Multicolor coating: 680 grams per liter (5.7 pounds per gallon);

(G) Other automotive coating type: 250 grams per liter (2.1 pounds per gallon);

(H) Single-stage coating, including single-stage metallic/iridescent coating: 340 grams per liter (2.8 pounds per gallon);

(I) Temporary protective coating: 60 grams per liter (0.5 pounds per gallon);

(J) Truck bed liner coating: 200 grams per liter (1.7 pounds per gallon); and

(K) Underbody coating: 430 grams per liter (3.6 pounds per gallon); and

(2) Cleaning solvent used shall not exceed a volatile organic compound content of 25 grams per liter (0.21 pounds per gallon) except for:

(A) Cleaning solvent used as a bug and tar remover; provided, that the volatile organic compound content of the cleaning solvent shall not exceed 350 grams per liter (2.9 pounds per gallon), and usage shall be limited as follows:

(i) No more than 20 gallons in any consecutive 12-month period for facilities and operations using 400 gallons or more of coating during the 12-month period concluding at the end of the previous calendar month;

(ii) No more than 15 gallons in any consecutive 12-month period for facilities and operations using 150 gallons or more, but less than 400 gallons, of coating during the 12-month period concluding at the end of the previous calendar month; or

(iii) No more than 10 gallons in any consecutive 12-month period for facilities and operations using less than 150 gallons of coating during the 12-month period concluding at the end of the previous calendar month;

(B) Cleaning solvent used to clean plastic parts immediately before coating or for the removal of wax and grease; provided, that:

(i) Non-aerosol, hand-held spray bottles are used to apply the cleaning solvent;

(ii) The volatile organic compound content of the cleaning solvent shall not exceed 780 grams per liter (6.51 pounds per gallon); and

(iii) No more than 20 gallons of the cleaning solvent are used in any consecutive 12-month period in any one business location;

(C) Aerosol cleaning solvent; provided, that 160 ounces or less are used per day per business location; or

(D) Cleaning solvent with a volatile organic compound content no greater than 350 grams per liter (2.92 pounds per gallon), used at a volume equal to or less than 2.5% of the preceding calendar year's annual coating usage, up to a maximum of 15 gallons per calendar year.

(b) The limits in subsection (a)(1) of this section shall represent the weight of volatile organic compound per volume of coating, prepared to the manufacturer's recommended maximum volatile organic compound content, exclusive of water and non-volatile organic compound solvents.

(c) The Mayor shall refer to the Ozone Transport Commission's "Model Rule 2009-12-Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations Alternate Technical Revisions" for calculation methodologies and definitions.

Sec. 4. Repealer.

The Ward 5 Paint Spray Booth Moratorium Temporary Act of 2015, enacted on August 4, 2015 (D.C. Act 21-147; 62 DCR 10903), is repealed.

Note, § 8-233.01

Sec. 5. Sunset.

This act shall expire upon the promulgation of rules by the Mayor that revise section 718 of Chapter 20 of the District of Columbia Municipal Regulations (20 DCMR §718).

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code 1-204.12(a)).

D.C. Act 21-190, effective October 29, 2015 (Expiration date January 27, 2016)

AN ACT

Bill 21-437

Emergency Declaration Res. 21-240 21 DCStat 2360

Codification District of Columbia Official Code 2001 Edition

Gas Station Advisory Board Emergency Amendment Act of 2015

Note, § 36-304.01

To amend, on an emergency basis, the Retail Services Station Act of 1976 to provide that certain prohibitions to discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015 and August 1, 2015.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Gas Station Advisory Board Emergency Amendment Act of 2015".

Sec. 2. Section 5-301(b) of the Retail Services Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-304.01(b)), is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) The newly designated paragraph (1) is amended by striking the phrase "No retail station" and inserting the phrase "Except as provided in paragraph (2) of this subsection, no retail station" in its place.

(c) A new paragraph (2) is added to read as follows:

"(2) This subsection shall not apply to any retail service station for which an application was on file with the Zoning Commission between the effective date of the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884), and August 1, 2015.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-191, effective October 27, 2015 (Expiration date January 25, 2016)

AN ACT

Bill 21-439

Emergency Declaration Res. 21-239 21 DCStat 2359

Codification District of Columbia Official Code 2001 Edition

N Street Village, Inc. Tax and TOPA Exemption Clarification Emergency Amendment Act of 2015

To amend section 47-1086 of the District of Columbia Official Code to clarify the exemption from the tenant opportunity to purchase requirements of the property owned by N Street Village, Inc., located at 1301 14th Street, N.W.; and to amend the N Street Village, Inc. Tax and TOPA Exemption Act of 2014 to make a conforming amendment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "N Street Village, Inc. Tax and TOPA Exemption Clarification Emergency Amendment Act of 2015".

Note, § 47-1096

Sec. 2. Section 47-1096 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Subparagraph (A) is amended by adding the word "and" at the end.

(2) Subparagraph (B) is amended by striking the phrase "; and" and inserting a period in its place.

(3) Subparagraph (C) is repealed.

(b) A new subsection (c) is added to read as follows:

"(c) So long as N Street Village, Inc., Lot 93, or any lots created out of Lot 93, Square 242 located at 1301 14th Street, N.W. ("Property), continues to be used for affordable housing as described in § 47-1005.02(a)(1), for supportive services for tenants of the affordable housing and other people of low income, and for offices and parking on the Property, and is not used for commercial purposes, the conveyance of the Property by a deed to an owner that meets the foregoing requirements shall be exempt from Chapter 34 of Title 42.".

Note, § 47-1096

Sec. 3. Section 3(a) of the N Street Village, Inc. Tax and TOPA Exemption Act of 2014, effective March 11, 2015 (D.C. Law 20-229; 62 DCR 276), is amended by striking the phrase "This act" and inserting the phrase "The amendatory subsections (a) and (b) of section 2(b)" in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-197, effective November 7, 2015 (Expiration date February 5, 2016)

AN ACT

Bill 21-454

Emergency Declaration Res. 21-288 21 DCStat 2418

Not Codified

To approve, on an emergency basis, multiyear Contract No. DCAM-14-CS-0123A with Nextility, Inc. to develop on-site solar power generation systems at approximately 34 District government buildings and to authorize payment for power generated by the systems for a 20-year period.

Contract No. DCAM-14-CS-0123A Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCAM-14-CS-0123A Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. DCAM-14-CS-0123A with Nextility Inc. to develop on-site solar power generation systems at approximately 34 District government buildings and authorize payment for the power generated by the systems for a 20-year period.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-198, effective November 23, 2015 (Expiration date February 21, 2016)

AN ACT

Bill 21-448

Emergency Declaration Res. 21-271 21 DCStat 2394

Codification District of Columbia Official Code 2001 Edition

Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Act of 2015

To approve, on an emergency basis, Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 with Parkinson/Forrester UDC Student Center JV, LLC for the construction of the New Student Center at the University of the District of Columbia, Van Ness Campus, and to authorize payment in the aggregate amount of $3,584,222 for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 with Parkinson/Forrester UDC Student Center JV, LLC for the construction of the New Student Center at the University of the District of Columbia, Van Ness Campus, and authorizes payment in the aggregate amount of $3,584,222 for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-199, effective November 23, 2015 (Expiration date February 21, 2016)

AN ACT

Bill 21-451

Emergency Declaration Res. 21-280 21 DCStat 2409

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Day Care Policy Act of 1979 to extend eligibility for subsidized child care to foster parents who may no longer be working but have some form of verifiable income, teen parents under 21 years of age who themselves are in foster care or wards of the District, and foster parents who are not working but who are enrolled in a verified job training or education program.

Foster Care Extended Eligibility Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Foster Care Extended Eligibility Emergency Amendment Act of 2015".

Note, § 4-404.01

Sec. 2. Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code § 4-404.01(a)), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase “services; and” and inserting the phrase “services;” in its place.

(b) Paragraph (5) is amended by striking the phrase “child.” and inserting the phrase “child;” in its place.

(c) New paragraphs (6), (7), and (8) are added to read as follows:

“(6) Children of a teen parent under 21 years of age who is either in foster care or a ward of the District and is either working or enrolled in a verified job training or education program;

“(7) Children in foster care placement when the foster care provider is not working but receives some form of verifiable income, such as social security or disability, and the child care services are in the best interest of the child; and

“(8) Children in foster care placement when the foster care provider is not working but enrolled in a verified job training or education program, and the child care services are in the best interest of the child.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1 206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-200, effective November 23, 2015 (Expiration date January 16, 2016)

AN ACT

Bill 21-453

Emergency Declaration Res. 21-249 21 DCStat 2373

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Grandparent Caregivers Pilot Program Establishment Act of 2005 to allow the Grandparent Caregivers Program subsidy to be transferred to a relative caregiver when a grandparent is no longer able to care for the child.

Grandparent Caregivers Program Subsidy Transfer Congressional Review Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grandparent Caregivers Program Subsidy Transfer Congressional Review Emergency Amendment Act of 2015".

Sec. 2. The Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq*.), is amended as follows:

Note, § 4-251.01

(a) Section 101 (D.C. Official Code § 4-251.01) is amended as follows:

(1) A new paragraph (1A) is added to read as follows:

"(1A) "Godparent" means an individual identified in a sworn affidavit by a relative of the child by blood, marriage, domestic partnership, or adoption to have close personal or emotional ties with the child or the child's family that pre-dated the child's placement with the individual.".

(2) A new paragraph (3A) is added to read as follows:

"(3A) "Relative caregiver" means an individual who is the primary caretaker of the child and is related to the child by blood, marriage, domestic partnership, or adoption or is a godparent of the child.".

Note, New § 4-251.03a

(b) A new section 103a is added to read as follows:

"Sec. 103a. Transfer of subsidy.

"(a) The Mayor may transfer subsidy payments to a relative caregiver upon the death or mental or physical incapacity of a grandparent if:

"(1) The relative caregiver files an application for a subsidy within 30 days of becoming the child's primary caregiver;

"(2) The relative caregiver has a strong commitment to caring for the child;

"(3) The child's parent does not reside in the relative caregiver's home; provided, that a parent may reside in the home without disqualifying the relative caregiver from receiving a subsidy if:

"(A) The parent has designated the relative caregiver to be the child's standby guardian pursuant to Chapter 48 of Title 16;

"(B) The parent is a minor enrolled in school; or

"(C) The parent is a minor with a medically verifiable disability under criteria prescribed by the Mayor pursuant to section 106;

"(4) The relative caregiver and all adults residing in the relative caregiver's home have submitted to criminal background checks;

"(5) The relative caregiver is a resident of the District as defined by section 503 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.03);

"(6) The relative caregiver has applied for Temporary Assistance for Needy Families benefits for the child;

"(7) The relative caregiver has entered into a subsidy agreement that includes a provision that no payments received under the agreement shall inure to the benefit of the child's parent but shall be solely for the benefit of the child;

"(8) The relative caregiver is not currently receiving a guardianship or adoption subsidy for the child;

"(9) The relative caregiver has provided a signed statement, sworn under penalty of perjury, that the information provided to establish eligibility pursuant to this section or rules issued pursuant to section 106 is true and accurate to the best belief of the relative caregiver; and

"(10) The relative caregiver has met any additional requirements of rules issued pursuant to section 106.

"(b)(1) The Mayor shall recertify the eligibility of each relative caregiver receiving a subsidy on at least an annual basis.

"(2) For the purposes of the recertification, a relative caregiver may be required to provide a signed statement, sworn under penalty of perjury, that the information provided to establish continued eligibility pursuant to this section or any rules issued pursuant to section 106 remains true and accurate to the best belief of the relative caregiver.

"(c)(1) The Mayor shall terminate subsidy payments to a relative caregiver at any time if:

"(A) The Mayor determines the relative caregiver no longer meets the eligibility requirements established by this section or by rules issued pursuant to section 106; or

"(B) There is a substantiated finding of child abuse or neglect against the relative caregiver resulting in the removal of the child from the relative caregiver's home.

"(2) A relative caregiver whose subsidy payments are terminated as a result of the removal of the child from the relative caregiver's home may reapply if the child has been returned to the relative caregiver's home.

"(d) Eligibility for subsidy payments under this section may continue until the child reaches 18 years of age.

"(e) The determination of whether to transfer a subsidy is solely within the discretion of the Mayor.

"(f) A relative caregiver whose application for a subsidy transfer has been denied shall not be entitled to a hearing under Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.).

"(g) A relative caregiver whose subsidy has been terminated shall be entitled to a fair hearing under the applicable provisions of Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*); provided, that a relative caregiver shall not be entitled to a hearing if the termination of a subsidy is based upon the unavailability of appropriated funds.

"(h) Any statement under this section made with knowledge that the information set forth in the statement is false shall be subject to prosecution as a false statement under section 404(a) of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2405(a)).".

Note, § 4-251.04

(c) Section 104 (D.C. Official Code § 4-251.04) is amended as follows:

(1) Subsection (b) is amended by striking the word "grandparent" and inserting the phrase "grandparent or relative caregiver" in its place.

(2) Subsection (c) is amended by striking the word "grandparent" wherever it appears and inserting the phrase "grandparent or relative caregiver" in its place.

Note, § 4-251.05

(d) Section 105 (D.C. Official Code § 4-251.05) is amended by adding a new paragraph (5A) to read as follows:

"(5A) The number of subsidies transferred to a relative caregiver pursuant to section 103a;".

Note, § 4-251.07

(e) Section 107(a) (D.C. Official Code § 4-251.07(a)) is amended by striking the word "grandparent" and inserting the phrase "grandparent or relative caregiver" in its place.

Sec. 3. Applicability.

This act shall apply as of October 18, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-201, effective November 23, 2015 (Expiration date February 21, 2016)

AN ACT

Bill 21-470

Emergency Declaration Res. 21-275 21 DCStat 2400

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Street and Alley Closing and Acquisition Procedures Act of 1982 to allow for the temporary naming of an adopted or sponsored Department of Parks and Recreation athletic field in honor of a current or former professional sports player and to permit the District to display the logo of an entity sponsoring or adopting a Department of Parks and Recreation athletic field on signage at the field; and to amend the Recreation Act of 1994 to clarify that certain entities, including a nonprofit organization, may adopt or sponsor a Department of Parks and Recreation program, site, facility, field, or operation.

Athletic Field Naming and Sponsorship Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Athletic Field Naming and Sponsorship Emergency Amendment Act of 2015".

Sec 2. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), is amended as follows:

Note, § 9-204.05

(a) Section 405 (D.C. Official Code § 9-204.05) is amended by striking the phrase "No public space" and inserting the phrase "Except as otherwise provided by this act, no public space" in its place.

Note, New § 9-204.10

(b) A new section 410 is added to read as follows:

"Sec. 410. Naming of sponsored recreation facilities.

"(a) Notwithstanding section 401, the Mayor may name in honor of a person a Department of Parks and Recreation athletic field that is adopted or sponsored pursuant to section 5 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-304); provided, that:

"(1) The naming is detailed in an agreement between the Mayor and the entity adopting or sponsoring the field;

"(2) The agreement requires the financial adoption or sponsorship of the field;

"(3) The name is that of a current or former professional sports player who may be living or deceased less than 2 years; and

"(4) The naming is not permanent.

"(b) The District may display the logo of an entity sponsoring or adopting a field on signage at the field; provided, that the display of the logo be less prominent than the name of the person for whom the field is named, and that the display be consistent with the terms of the agreement required by subsection (a)(1) of this section.

Note, § 10-304

Sec. 3. Section 5(a) of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-304(a)), is amended by striking the phrase "neighborhood and civic groups or other governmental entities may adopt or sponsor Departmental programs, sites, or operations" and inserting the phrase "neighborhood and civic groups, nonprofit organizations, or other governmental entities may adopt or sponsor Departmental programs, sites, facilities, fields, or operations" in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-202, effective November 23, 2015 (Expiration date February 21, 2016)

AN ACT

Bill 21-472

Emergency Declaration Res. 21-276 21 DCStat 2402

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Fiscal Year 2016 Budget Support Act of 2015 and various other acts to clarify provisions supporting the Fiscal Year 2016 budget; and to amend the Firearms Control Regulations Act of 1975 to clarify the descriptions of the boundaries around the White House and the U.S. Naval Observatory within which a concealed pistol licensee is prohibited from carrying a pistol.

Fiscal Year 2016 Second Budget Support Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Second Budget Support Clarification Emergency Amendment Act of 2015".

Note, § 50-2633.01

Sec. 2. Section 6004 of the Parking Amendment Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is repealed.

Note, § 1-301.47a

Sec. 3. Section 4a(a)(1) of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(a)(1)), is amended by striking the word "permanent".

Note, § 7-2509.07

Sec. 4. Section 907 of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.07) is amended as follows:

(a) Subsections (a)(11) and (12) are amended to read as follows:

"(11) The White House Complex and its grounds up to and including to the curb of the adjacent sidewalks touching the roadways of the area bounded by Constitution Avenue, N.W., 15th Street, N.W., H Street N.W., and 17th Street, N.W;

"(12) The U.S. Naval Observatory and its fence line, including the area from the perimeter of its fence up to and including to the curb of the adjacent sidewalks touching the roadway of Observatory Circle, from Calvert Street, N.W. to Massachusetts Avenue, N.W. and around Observatory Circle to the far corner of Observatory Lane;".

(b) Subsection (d)(1) is amended by striking the phrase "While he or she is traveling along a public street, road, or highway, including an adjacent public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this section" and inserting the phrase "While he or she is traveling along a public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this

section, except for the areas designated in subsection (a)(11) and (a)(12), or along a public street, roadway, or highway" in its place.

Sec. 5. Section 47-355.07 of the District of Columbia Official Code is amended as follows: **Note, § 47-355.07**

(a) Subsection (c)(1) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "serve at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(2) Subparagraph (B) is amended by striking the phrase "serves at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(3) Subparagraph (D) is amended by striking the phrase "serves at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(b) Subsection (d)(3)(D) is amended by striking the phrase "taken or proposed to be taken" and inserting the word "recommended" in its place.

(c) New subsections (d-1), (d-2), and (d-3) are added to read as follows:

"(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of an alleged violation.

"(2) In investigating a report of an alleged violation, the Review Board may:

"(A) Request assistance from the Office of the Chief Financial Officer, the Office of the Inspector General, and the Office of the Attorney General; and

"(B) Consult with the Office of the Attorney General for the purposes of obtaining legal advice.

"(d-2) The Review Board:

"(1) Shall have access, subject to any privileges or confidentiality requirements as provided by law, to all facilities, files, and databases of the District government, including all files, electronic paper records, reports, documents, and other materials that may relate to the investigation;

"(2) May request information or assistance from any District, federal, state, or local government agency as may be necessary for carrying out the investigation; and

"(3) May seek information from parties outside the District government, including government contractors, that may be relevant to the investigation.

"(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of boards, commissions, and councils of the District government shall cooperate in an investigation by the Review Board and shall provide documents, materials, and information to the Review Board upon request.

"(2) Subject to any applicable privileges, officers, employees, and members of boards, commissions, and councils of the District government shall respond truthfully to all questions posed by the Review Board, and shall not prevent or prohibit the Review Board from initiating, carrying out, or completing an investigation within its jurisdiction.

"(3) The Review Board:

"(A) May require any officer, employee, or member of a board, commission, or council of the District government, including the subject of an allegation, to appear before the Review Board; and

"(B) Shall provide any officer, employee, or member of a board, commission, or council of the District who is potentially subject to disciplinary action an opportunity to appear before the Review Board.

"(4) The Review Board may recommend an appropriate disciplinary action with respect to any officer, employee, or member of a board, commission, or council of the District government who fails to cooperate fully with a Review Board investigation.".

Sec. 6. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "Tax haven updates" and inserting the phrase "Tax haven updates. (Repealed)." in its place.

(b) Section 47-1801.04(49) is amended as follows: **Note, § 47-1801.04**

(1) Subparagraph (A) is amended by striking the phrase "means the jurisdictions listed in subparagraph (B-i) of this paragraph and any jurisdiction that" and inserting the phrase "means a jurisdiction that" in its place.

(2) Subparagraph (B-i) is repealed.

(c) Section 47-1810.09 is repealed. **Note, Repeal § 47-1810.09**

Sec. 7. Section 47-1801.04(11) of the District of Columbia Official Code is amended as follows: **Note, § 47-1801.04**

(a) Subparagraph (A) is amended by striking the phrase "calendar year beginning January 1, 2011" wherever it appears and inserting the phrase "base year" in its place.

(b) A new subparagraph (C) is added to read as follows:

"(C) For the purposes of this paragraph, the term "base year" shall mean the calendar year beginning January 1, 2011, or the calendar year beginning one calendar year before the calendar year in which the new dollar amount of a deduction or exemption shall become effective, whichever is later.".

Sec. 8. Section 47-1806.02(h-1)(1) of the District of Columbia Official Code is amended to read as follows: **Note, § 47-1806.02**

"(h-1)(1) For taxable years beginning after December 31, 2014, the amount of the personal exemption otherwise allowable for the taxable year in the case of an individual whose adjusted gross income exceeds $150,000 shall be reduced by 2% for every $2,500 (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year exceeds $150,000.".

Sec. 9. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended by striking the phrase "shall be a violation of" and inserting the phrase "shall be a violation, to be adjudicated pursuant to" in its place. **Note, § 50-2671**

Sec. 10. Section 2404 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2404) is amended as follows: **DCMR**

(a) Subsection 2404.15 is amended to read as follows:

"2404.15 Except as provided in § 2424, the rates for parking meters in the "Premium Demand Parking Meter Rate Zones" shall be as follows:

"(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

"(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.".

(b) Subsection 2404.17 is amended to read as follows:

"2404.17 Except as provided in § 2424, the rates for parking meters in the "Normal Demand Parking Meter Rate Zones" shall be as follows:

"(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

"(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.".

Sec. 11. Section 8052 of the Fiscal Year 2016 Capital Rescission Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Strike the phrase "YY105C" in the tabular array and insert the phrase "YY159C" in its place.

(b) Strike the phrase "PROSPECT ES MODERNIZATION/RENOVATION" in the tabular array and insert the phrase "ELLINGTON MODERNIZATION/RENOVATION" in its place.

Sec. 12. Section 2(d) of the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2015, effective October 16, 2015 (D.C. Act 21-164; 62 DCMR 13734), is repealed.

Sec. 13. Applicability.

Section 10 shall apply as of June 1, 2016.

Sec. 14. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 15. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-214, effective November 30, 2015 (Expiration date February 28, 2016)

AN ACT

Bill 21-338

Emergency Declaration Res. 21-287 21 DCStat 2417

Not Codified

To approve, on an emergency basis, the amended proposal for the property designated as Lot 25 in Square 526, which was previously conveyed to Golden Rule Plaza, Inc.

Plaza West Disposition Restatement Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Plaza West Disposition Restatement Emergency Act of 2015".

Sec. 2. (a) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), and subject to the conditions set forth in subsection (c) of this section, the Council approves the amended development proposal ("Amended Proposal") offered by Golden Rule Plaza, Inc. and its successors or assigns, as approved by the Mayor ("Developer") for the following property conveyed via special warranty deed to Golden Rule Plaza, Inc. from the District in 2005 pursuant to section 2 of the Approval of the Negotiated Disposition of the "Golden Rule Property" to Golden Rule Plaza, Inc., and Reorganization Plan No. 8 of 1996 for the Business of Public Management Disapproval Resolution of 1996, effective November 7, 1996 (Res. 11-569; 43 DCR 6219): Lot 25 in Square 526, which is bounded by 4th Street, N.W., the Center Leg Freeway, and K Street, N.W., as shown on a plat of subdivision recorded by Golden Rule Plaza, Inc. in the Office of the Surveyor for the District of Columbia in Subdivision Book 208 at Page 168.

(b) The Amended Proposal includes approximately 223 units of affordable housing, with supportive services, outdoor space, parking, and any ancillary uses allowed under applicable law.

(c) The Amended Proposal is subject to the following conditions:

(1) Developer shall construct residential units that shall be affordable for a minimum of 40 years at the following affordability levels:

(A) Approximately 35 units shall be reserved for households earning at or below 30% of Area Median Income;

(B) Approximately 26 units shall be reserved for households earning at or below 40% of Area Median Income;

(C) Approximately 82 units shall be reserved for households earning at or below 50% of Area Median Income; and

(D) Approximately 80 units shall be reserved for households earning at or below 60% of Area Median Income;

(2) Developer shall enter into an agreement governing its obligations under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) ("CBE Act"), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a); and

(3) Developer shall enter into an agreement with the District governing its obligations pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983) regarding job creation and employment generated as a result of the Amended Proposal.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-215, effective November 30, 2015 (Expiration date February 28, 2016)

AN ACT

Bill 21-450

Emergency Declaration Res. 21-278 21 DCStat 2405

Codification District of Columbia Official Code 2001 Edition

Uniform Interstate Family Support Emergency Act of 2015

New Chapter 3A, Title 46, Subchapter I, Note, New § 46-351.01

Note, New § 46-351.02

To enact, on an emergency basis, the Uniform Interstate Family Support Act, as revised with amendments officially adopted by the National Conference of Commissioners on Uniform State Laws, to implement the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Uniform Interstate Family Support Emergency Act of 2015".

TITLE 1. GENERAL PROVISIONS.

Sec. 101. Short title.

This act may be cited as the "Uniform Interstate Family Support Emergency Act".

Sec. 102. Definitions.

In this act:

(1) "Child" means an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the beneficiary of a support order directed to the parent.

(2) "Child-support order" means a support order for a child, including a child who has attained the age of majority under the law of the issuing state or foreign country.

(3) "Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007.

(4) "District" means the District of Columbia.

(5) "Duty of support" means an obligation imposed or imposable by law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.

(6) "Foreign country" means a country, including a political subdivision thereof, other than the United States, that authorizes the issuance of support orders and:

(A) Which has been declared under the law of the United States to be a foreign reciprocating country;

(B) Which has established a reciprocal arrangement for child support with the District as provided in section 308;

(C) Which has enacted a law or established procedures for the issuance and enforcement of support orders which are substantially similar to the procedures under this act; or

(D) In which the Convention is in force with respect to the United States.

(7) "Foreign support order" means a support order of a foreign tribunal.

(8) "Foreign tribunal" means a court, administrative agency, or quasi-judicial entity of a foreign country which is authorized to establish, enforce, or modify support orders or to determine parentage of a child. The term includes a competent authority under the Convention.

(9) "Home state" means the state or foreign country in which a child lived with a parent or a person acting as parent for at least 6 consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than six months old, the state or foreign country in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

(10) "Income" includes earnings or other periodic entitlements to money from any source and any other property subject to withholding for support under the law of the District.

(11) "Income-withholding order" means an order or other legal process directed to an obligor's holder, as defined by section 2(11) of the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6–166; D.C. Official Code § 46-201(11)), to withhold support from the income of the obligor.

(12) "Initiating tribunal" means the tribunal of a state or foreign country from which a petition or comparable pleading is forwarded or in which a petition or comparable pleading is filed for forwarding to another state or foreign country.

(13) "Issuing foreign country" means the foreign country in which a tribunal issues a support order or a judgment determining parentage of a child.

(14) "Issuing state" means the state in which a tribunal issues a support order or a judgment determining parentage of a child.

(15) "Issuing tribunal" means the tribunal of a state or foreign country that issues a support order or a judgment determining parentage of a child.

(16) "Law" includes decisional and statutory law and rules and regulations having the force of law.

(17) "Mayor" means the Mayor of the District of Columbia.

(18) "Obligee" means:

(A) An individual to whom a duty of support is or is alleged to be owed or in whose favor a support order or a judgment determining parentage of a child has been issued;

(B) A foreign country, state, or political subdivision of a state to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee in place of child support;

(C) An individual seeking a judgment determining parentage of the individual's child; or

(D) A person that is a creditor in a proceeding under Title 7.

(19) "Obligor" means an individual, or the estate of a decedent that:

(A) Owes or is alleged to owe a duty of support;

(B) Is alleged but has not been adjudicated to be a parent of a child;

(C) Is liable under a support order; or

(D) Is a debtor in a proceeding under Title 7.

(20) "Office of the Attorney General" means the Office of the Attorney General for the District of Columbia.

(21) "Outside the District" means a location in another state or a country other than the United States, whether or not the country is a foreign country.

(22) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(23) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(24) "Register" means to file in a tribunal of the District a support order or judgment determining parentage of a child issued in another state or a foreign country.

(25) "Registering tribunal" means a tribunal in which a support order or judgment determining parentage of a child is registered.

(26) "Responding state" means a state in which a petition or comparable pleading for support or to determine parentage of a child is filed or to which a petition or comparable pleading is forwarded for filing from another state or a foreign country.

(27) "Responding tribunal" means the authorized tribunal in a responding state or foreign country.

(28) "Spousal-support order" means a support order for a spouse or former spouse of the obligor.

(29) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession under the jurisdiction of the United States. The term includes an Indian nation or tribe.

(30) "Support enforcement agency" means a public official, governmental entity, or private agency authorized to:

(A) Seek enforcement of support orders or laws relating to the duty of support;

(B) Seek establishment or modification of child support;

(C) Request determination of parentage of a child;

(D) Attempt to locate obligors or their assets; or

(E) Request determination of the controlling child-support order.

(31) "Support order" means a judgment, decree, order, decision, or directive, whether temporary, final, or subject to modification, issued in a state or foreign country for the benefit of a child, a spouse, or a former spouse, which provides for monetary support, health care, arrearages, retroactive support, or reimbursement for financial assistance provided to an

individual obligee in place of child support. The term may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney's fees, and other relief.

(32) "Tribunal" means a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage of a child.

Note, New § 46-351.03

Sec. 103. Tribunal and support enforcement agency of the District.

(a) The Family Division of the Superior Court of the District of Columbia is the tribunal of the District.

(b) The Office of the Attorney General is the support enforcement agency of the District.

Note, New § 46-351.04

Sec. 104. Remedies cumulative.

(a) Remedies provided by this act are cumulative and do not affect the availability of remedies under other law or the recognition of a foreign support order on the basis of comity.

(b) This act does not:

(1) Provide the exclusive method of establishing or enforcing a support order under the law of the District; or

(2) Grant a tribunal of the District jurisdiction to render judgment or issue an order relating to child custody or visitation in a proceeding under this act.

Note, New § 46-351.05

Sec. 105. Application of act to resident of foreign country and foreign support proceeding.

(a) A tribunal of the District shall apply Titles 1 through 6 and, as applicable, Title 7, to a support proceeding involving:

(1) A foreign support order;

(2) A foreign tribunal; or

(3) An obligee, obligor, or child residing in a foreign country.

(b) A tribunal of the District that is requested to recognize and enforce a support order on the basis of comity may apply the procedural and substantive provisions of Titles 1 through 6.

(c) Title 7 applies only to a support proceeding under the Convention. In such a proceeding, if a provision of Title 7 is inconsistent with Titles 1 through 6, Title 7 controls.

TITLE 2. JURISDICTION.

Subchapter II, Note, New § 46-352.01

Sec. 201. Bases for jurisdiction over nonresident.

(a) In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of the District may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if:

(1) The individual is personally served with notice within the District;

(2) The individual submits to the jurisdiction of the District by consent in a record, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction;

(3) The individual resided with the child in the District;

(4) The individual resided in the District and provided prenatal expenses or support for the child;

(5) The child resides in the District as a result of the acts or directives of the individual;

(6) The individual engaged in sexual intercourse in the District and the child may have been conceived by that act of intercourse; or

(7) There is any other basis consistent with the laws of the District and the Constitution of the United States for the exercise of personal jurisdiction.

(b) The bases of personal jurisdiction set forth in subsection (a) of this section or in any other law of the District may not be used to acquire personal jurisdiction for a tribunal of the District to modify a child-support order of another state unless the requirements of section 611 are met, or, in the case of a foreign support order, unless the requirements of section 615 are met.

Sec. 202. Duration of personal jurisdiction. **Note, New § 46-352.02**

Personal jurisdiction acquired by a tribunal of the District in a proceeding under this act or other law of the District relating to a support order continues as long as a tribunal of the District has continuing, exclusive jurisdiction to modify its order or continuing jurisdiction to enforce its order as provided by sections 205, 206, and 211.

Sec. 203. Initiating and responding tribunal of state. **Note, New § 46-352.03**

Under this act, a tribunal of the District may serve as an initiating tribunal to forward proceedings to a tribunal of another state, and as a responding tribunal for proceedings initiated in another state or a foreign country.

Sec. 204. Simultaneous proceedings. **Note, New § 46-352.04**

(a) A tribunal of the District may exercise jurisdiction to establish a support order if the petition or comparable pleading is filed after a pleading is filed in another state or a foreign country only if:

(1) The petition or comparable pleading in the District is filed before the expiration of the time allowed in the other state or the foreign country for filing a responsive pleading challenging the exercise of jurisdiction by the other state or the foreign country;

(2) The contesting party timely challenges the exercise of jurisdiction in the other state or the foreign country; and

(3) If relevant, the District is the home state of the child.

(b) A tribunal of the District may not exercise jurisdiction to establish a support order if the petition or comparable pleading is filed before a petition or comparable pleading is filed in another state or a foreign country if:

(1) The petition or comparable pleading in the other state or foreign country is filed before the expiration of the time allowed in the District for filing a responsive pleading challenging the exercise of jurisdiction by the District;

(2) The contesting party timely challenges the exercise of jurisdiction in the District; and

(3) If relevant, the other state or foreign country is the home state of the child.

Sec. 205. Continuing, exclusive jurisdiction to modify child-support order. **Note, New § 46-352.05**

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District has and shall exercise continuing, exclusive jurisdiction to modify its child-support order if the order is the controlling order and:

(1) At the time of the filing of a request for modification the District is the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued; or

(2) Even if the District is not the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued, the parties consent in a record or in open court that the tribunal of the District may continue to exercise jurisdiction to modify its order.

(b) A tribunal of the District that has issued a child-support order consistent with the law of the District may not exercise continuing, exclusive jurisdiction to modify the order if:

(1) All of the parties who are individuals file consent in a record with the tribunal of the District that a tribunal of another state that has jurisdiction over at least one of the parties who is an individual or that is located in the state of residence of the child may modify the order and assume continuing, exclusive jurisdiction; or

(2) Its order is not the controlling order.

(c) If a tribunal of another state has issued a child-support order pursuant to the Uniform Interstate Family Support Act or a law substantially similar to that Act which modifies a child-support order of a tribunal of the District, a tribunal of the District shall recognize the continuing, exclusive jurisdiction of the tribunal of the other state.

(d) A tribunal of the District that lacks continuing, exclusive jurisdiction to modify a child-support order, may serve as an initiating tribunal to request a tribunal of another state to modify a support order issued in that state.

(e) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

Sec. 206. Continuing jurisdiction to enforce child-support order. **Note, New § 46-352.06**

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District may serve as an initiating tribunal to request a tribunal of another state to enforce:

(1) The order if the order is the controlling order and has not been modified by a tribunal of another state that assumed jurisdiction pursuant to the Uniform Interstate Family Support Act; or

(2) A money judgment for arrears of support and interest on the order accrued before a determination that an order of a tribunal of another state is the controlling order.

(b) A tribunal of the District having continuing jurisdiction over a support ordermay act as a responding tribunal to enforce the order.

Sec. 207. Determination of controlling child-support order.

Note, New § 46-352.07

(a) If a proceeding is brought under this act and only one tribunal has issued a child-support order, the order of that tribunal controls and must be recognized.

(b) If a proceeding is brought under this act, and 2 or more child-support orders have been issued by tribunals of the District, of another state, or a foreign country with regard to the same obligor and same child, a tribunal of the District having personal jurisdiction over both the obligor and individual obligee shall apply the following rules and by order shall determine which order controls and must be recognized:

(1) If only one of the tribunals would have continuing, exclusive jurisdiction under this act, the order of that tribunal controls.

(2) If more than one of the tribunals would have continuing, exclusive jurisdiction under this act:

(A) An order issued by a tribunal in the current home state of the child controls; or

(B) If an order has not been issued in the current home state of the child, the order most recently issued controls.

(3) If none of the tribunals would have continuing, exclusive jurisdiction under this act, the tribunal of the District shall issue a child-support order, which controls.

(c) If 2 or more child-support orders have been issued for the same obligor and same child, upon request of a party who is an individual or that is a support enforcement agency, a tribunal of the District having personal jurisdiction over both the obligor and the obligee who is an individual shall determine which order controls under subsection (b) of this section. The request may be filed with a registration for enforcement or registration for modification pursuant to Title 6, or may be filed as a separate proceeding.

(d) A request to determine which is the controlling order must be accompanied by a copy of every child-support order in effect and the applicable record of payments. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(e) The tribunal that issued the controlling order under subsection (a), (b), or (c) of this section has continuing jurisdiction to the extent provided in section 205 or 206.

(f) A tribunal of the District that determines by order which is the controlling order under subsection (b)(1) or (2) or (c) of this section, or that issues a new controlling order under subsection (b)(3) of this section, shall state in that order:

(1) The basis upon which the tribunal made its determination;

(2) The amount of prospective support, if any; and

(3) The total amount of consolidated arrears and accrued interest, if any, under all of the orders after all payments made are credited as provided by section 209.

(g) Within 30 days after issuance of an order determining which is the controlling order, the party obtaining the order shall file a certified copy of it in each tribunal that issued or registered an earlier order of child support. A party or support enforcement agency obtaining the order that fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order.

(h) An order that has been determined to be the controlling order, or a judgment for consolidated arrears of support and interest, if any, made pursuant to this section must be recognized in proceedings under this act.

Sec. 208. Child-support orders for 2 or more obligees. **Note, New § 46-352.08**

In responding to registrations or petitions for enforcement of 2 or more child-support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state or a foreign country, a tribunal of the District shall enforce those orders in the same manner as if the orders had been issued by a tribunal of the District.

Sec. 209. Credit for payments. **Note, New § 46-352.09**

A tribunal of the District shall credit amounts collected for a particular period pursuant to any child-support order against the amounts owed for the same period under any other child-support order for support of the same child issued by a tribunal of the District, another state, or a foreign country.

Sec. 210. Application of act to nonresident subject to personal jurisdiction. **Note, New § 46-352.10**

A tribunal of the District exercising personal jurisdiction over a nonresident in a proceeding under this act, under other law of the District relating to a support order, or recognizing a foreign support order, may receive evidence from outside the District pursuant to section 316, communicate with a tribunal outside the District pursuant to section 317, and obtain discovery through a tribunal outside the District pursuant to section 318. In all other respects, Titles 3 through 6 do not apply, and the tribunal shall apply the procedural and substantive law of the District.

Sec. 211. Continuing, exclusive jurisdiction to modify spousal-support order. **Note, New § 46-352.11**

(a) A tribunal of the District issuing a spousal-support order consistent with the law of the District has continuing, exclusive jurisdiction to modify the spousal-support order throughout the existence of the support obligation.

(b) A tribunal of the District may not modify a spousal-support order issued by a tribunal of another state or a foreign country having continuing, exclusive jurisdiction over that order under the law of that state or foreign country.

(c) A tribunal of the District that has continuing, exclusive jurisdiction over a spousal-support order, may serve as:

(1) An initiating tribunal to request a tribunal of another state to enforce the spousal-support order issued in the District; or

(2) A responding tribunal to enforce or modify its own spousal-support order.

TITLE 3. CIVIL PROVISIONS OF GENERAL APPLICATION.

Subchapter III, Note, New § 46-353.01

Sec. 301. Proceedings under act.

(a) Except as otherwise provided in this act, this title applies to all proceedings under this act.

(b) An individual petitioner or a support enforcement agency may initiate a proceeding authorized under this act by filing a petition in an initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable pleading directly in a tribunal of another state or a foreign country which has or can obtain personal jurisdiction over the respondent.

Note, New § 46-353.02

Sec. 302. Proceeding by minor parent.

A minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child.

Note, New § 46-353.03

Sec. 303. Application of law of the District.

Except as otherwise provided in this act, a responding tribunal of the District, shall:

(1) Apply the procedural and substantive law generally applicable to similar proceedings originating in the District and may exercise all powers and provide all remedies available in those proceedings; and

(2) Determine the duty of support and the amount payable in accordance with the law and support guidelines of the District.

Note, New § 46-353.04

Sec. 304. Duties of initiating tribunal.

(a) Upon the filing of a petition authorized by this act, an initiating tribunal of the District, shall forward the petition and its accompanying documents:

(1) To the responding tribunal or appropriate support enforcement agency in the responding state; or

(2) If the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

(b) If requested by the responding tribunal, a tribunal of the District shall issue a certificate or other document and make findings required by the law of the responding state. If the responding tribunal is in a foreign country, upon request the tribunal of the District shall specify the amount of support sought, convert that amount into the equivalent amount in the

foreign currency under the applicable official or market exchange rate as publicly reported, and provide any other documents necessary to satisfy the requirements of the responding foreign tribunal.

Sec. 305. Duties and powers of responding tribunal. **Note, New § 46-353.05**

(a) When a responding tribunal of the District receives a petition or comparable pleading from an initiating tribunal or directly pursuant to section 301(b), it shall cause the petition or pleading to be filed and notify the petitioner where and when it was filed.

(b) A responding tribunal of the District, to the extent not prohibited by other law, may do one or more of the following:

(1) Establish or enforce a support order, modify a child-support order, determine the controlling child-support order, or determine parentage of a child;

(2) Order an obligor to comply with a support order, specifying the amount and the manner of compliance;

(3) Order income withholding;

(4) Determine the amount of any arrearages, and specify a method of payment;

(5) Enforce orders by civil or criminal contempt, or both;

(6) Set aside property for satisfaction of the support order;

(7) Place liens and order execution on the obligor's property;

(8) Order an obligor to keep the tribunal informed of the obligor's current residential address, electronic-mail address, telephone number, employer, address of employment, and telephone number at the place of employment;

(9) Issue a bench warrant for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant in any local and state computer systems for criminal warrants;

(10) Order the obligor to seek appropriate employment by specified methods;

(11) Award reasonable attorney's fees and other fees and costs; and

(12) Grant any other available remedy.

(c) A responding tribunal of the District shall include in a support order issued under this act, or in the documents accompanying the order, the calculations on which the support order is based.

(d) A responding tribunal of the District may not condition the payment of a support order issued under this act upon compliance by a party with provisions for visitation.

(e) If a responding tribunal of the District issues an order under this act, the tribunal shall send a copy of the order to the petitioner and the respondent and to the initiating tribunal, if any.

(f) If requested to enforce a support order, arrears, or judgment or modify a support order stated in a foreign currency, a responding tribunal of the District shall convert the amount stated in the foreign currency to the equivalent amount in dollars under the applicable official or market exchange rate as publicly reported.

Sec. 306. Inappropriate tribunal. **Note, New § 46-353.06**

If a petition or comparable pleading is received by an inappropriate tribunal of the District, the tribunal shall forward the pleading and accompanying documents to an appropriate tribunal of the District or of another state and notify the petitioner where and when the pleading was sent.

Sec. 307. Duties of support enforcement agency. **Note, New § 46-353.07**

(a) In a proceeding under this act a support enforcement agency of the District, upon request:

(1) Shall provide services to a petitioner residing in a state;

(2) Shall provide services to a petitioner requesting services through a central authority of a foreign country as described in section 102(6)(A) or (D); and

(3) May provide services to a petitioner who is an individual not residing in a state.

(b) A support enforcement agency of the District that is providing services to the petitioner shall:

(1) Take all steps necessary to enable an appropriate tribunal of the District, another state, or a foreign country to obtain jurisdiction over the respondent;

(2) Request an appropriate tribunal to set a date, time, and place for a hearing;

(3) Make a reasonable effort to obtain all relevant information, including information as to income and property of the parties;

(4) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of notice in a record from an initiating, responding, or registering tribunal, send a copy of the notice to the petitioner;

(5) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of communication in a record from the respondent or the respondent's attorney, send a copy of the communication to the petitioner; and

(6) Notify the petitioner if jurisdiction over the respondent cannot be obtained.

(c) A support enforcement agency of the District that requests registration of a child-support order in the District for enforcement or for modification shall make reasonable efforts:

(1) To ensure that the order to be registered is the controlling order; or

(2) If 2 or more child-support orders exist and the identity of the controlling order has not been determined, to ensure that a request for such a determination is made in a tribunal having jurisdiction to do so.

(d) A support enforcement agency of the District that requests registration and enforcement of a support order, arrears, or judgment stated in a foreign currency shall convert the amounts stated in the foreign currency into the equivalent amounts in dollars under the applicable official or market exchange rate as publicly reported.

(e) A support enforcement agency of the District shall issue or request a tribunal of the District to issue a child-support order and an income-withholding order that redirect payment of

current support, arrears, and interest if requested to do so by a support enforcement agency of another state pursuant to section 319.

(f) This act does not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Sec. 308. Duty of Office of the Attorney General. **Note, New § 46-353.08**

The Office of the Attorney General may determine that a foreign country has established a reciprocal arrangement for child support with the District and take appropriate action for notification of the determination.

Sec. 309. Private counsel. **Note, New § 46-353.09**

An individual may employ private counsel to represent the individual in proceedings authorized by this act.

Sec. 310. Duties of Office of the Attorney General as state information agency. **Note, New § 46-353.10**

(a) The Office of the Attorney General is the state information agency under this act.

(b) The state information agency shall:

(1) Compile and maintain a current list, including addresses, of the tribunals in the District which have jurisdiction under this act and any support enforcement agencies in the District and transmit a copy to the state information agency of every other state;

(2) Maintain a register of names and addresses of tribunals and support enforcement agencies received from other states;

(3) Forward to the appropriate tribunal in the District all documents concerning a proceeding under this act received from another state or a foreign country; and

(4) Obtain information concerning the location of the obligor and the obligor's property within the District not exempt from execution, by such means as postal verification and federal or state locator services, examination of telephone directories, requests for the obligor's address from employers, and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses, and social security.

Sec. 311. Pleadings and accompanying documents. **Note, New § 46-353.11**

(a) In a proceeding under this act, a petitioner seeking to establish a support order, to determine parentage of a child, or to register and modify a support order of a tribunal of another state or a foreign country must file a petition. Unless otherwise ordered under section 312, the petition or accompanying documents must provide, so far as known, the name, residential address, and social security numbers of the obligor and the obligee or the parent and alleged parent, and the name, sex, residential address, social security number, and date of birth of each child for whose benefit support is sought or whose parentage is to be determined. Unless filed at the time of registration, the petition must be accompanied by a copy of any support order known

to have been issued by another tribunal. The petition may include any other information that may assist in locating or identifying the respondent.

(b) The petition must specify the relief sought. The petition and accompanying documents must conform substantially with the requirements imposed by the forms mandated by federal law for use in cases filed by a support enforcement agency.

Sec. 312. Nondisclosure of information in exceptional circumstances. **Note, New § 46-353.12**

If a party alleges in an affidavit or a pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by disclosure of specific identifying information, that information must be sealed and may not be disclosed to the other party or the public. After a hearing in which a tribunal takes into consideration the health, safety, or liberty of the party or child, the tribunal may order disclosure of information that the tribunal determines to be in the interest of justice.

Sec. 313. Costs and fees. **Note, New § 46-353.13**

(a) The petitioner may not be required to pay a filing fee or other costs.

(b) If an obligee prevails, a responding tribunal of the District may assess against an obligor filing fees, reasonable attorney's fees, other costs, and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs, or expenses against the obligee or the support enforcement agency of either the initiating or responding state or foreign country, except as provided by other law. Attorney's fees may be taxed as costs, and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs, and expenses.

(c) The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that a hearing was requested primarily for delay. In a proceeding under Title 6, a hearing is presumed to have been requested primarily for delay if a registered support order is confirmed or enforced without change.

Sec. 314. Limited immunity of petitioner. **Note, New § 46-353.14**

(a) Participation by a petitioner in a proceeding under this act before a responding tribunal, whether in person, by private attorney, or through services provided by the support enforcement agency, does not confer personal jurisdiction over the petitioner in another proceeding.

(b) A petitioner is not amenable to service of civil process while physically present in the District to participate in a proceeding under this act.

(c) The immunity granted by this section does not extend to civil litigation based on acts unrelated to a proceeding under this act committed by a party while physically present in the District to participate in the proceeding.

Sec. 315. Nonparentage as defense. **Note, New § 46-353.15**

A party whose parentage of a child has been previously determined by or pursuant to law may not plead nonparentage as a defense to a proceeding under this act.

Sec. 316. Special rules of evidence and procedure. **Note, New § 46-353.16**

(a) The physical presence of a nonresident party who is an individual in a tribunal of the District is not required for the establishment, enforcement, or modification of a support order or the rendition of a judgment determining parentage of a child.

(b) An affidavit, a document substantially complying with federally mandated forms, or a document incorporated by reference in any of them, which would not be excluded under the hearsay rule if given in person, is admissible in evidence if given under penalty of perjury by a party or witness residing outside the District.

(c) A copy of the record of child-support payments certified as a true copy of the original by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made.

(d) Copies of bills for testing for parentage of a child, and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least 10 days before trial, are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary, and customary.

(e) Documentary evidence transmitted from outside the District to a tribunal of the District by telephone, telecopier, or other electronic means that do not provide an original record may not be excluded from evidence on an objection based on the means of transmission.

(f) In a proceeding under this act, a tribunal of the District shall permit a party or witness residing outside the District to be deposed or to testify under penalty of perjury by telephone, audiovisual means, or other electronic means at a designated tribunal or other location. A tribunal of the District shall cooperate with other tribunals in designating an appropriate location for the deposition or testimony.

(g) If a party called to testify at a civil hearing refuses to answer on the ground that the testimony may be self-incriminating, the trier of fact may draw an adverse inference from the refusal.

(h) A privilege against disclosure of communications between spouses does not apply in a proceeding under this act.

(i) The defense of immunity based on the relationship of husband and wife or parent and child does not apply in a proceeding under this act.

(j) A voluntary acknowledgment of paternity, certified as a true copy, is admissible to establish parentage of the child.

Sec. 317. Communications between tribunals. **Note, New § 46-353.17**

A tribunal of the District may communicate with a tribunal outside the District in a record or by telephone, electronic mail, or other means, to obtain information concerning the laws, the legal effect of a judgment, decree, or order of that tribunal, and the status of a proceeding. A

tribunal of the District may furnish similar information by similar means to a tribunal outside the District.

Sec. 318. Assistance with discovery. **Note, New § 46-353.18**

A tribunal of the District may:

(1) Request a tribunal outside the District to assist in obtaining discovery; and

(2) Upon request, compel a person over which it has jurisdiction to respond to a discovery order issued by a tribunal outside the District.

Sec. 319. Receipt and disbursement of payments. **Note, New § 46-353.19**

(a) A support enforcement agency or tribunal of the District shall disburse promptly any amounts received pursuant to a support order, as directed by the order. The agency or tribunal shall furnish to a requesting party or tribunal of another state or a foreign country a certified statement by the custodian of the record of the amounts and dates of all payments received.

(b) If neither the obligor, nor the obligee who is an individual, nor the child resides in the District, upon request from the support enforcement agency of the District or another state, the support enforcement agency of the District or a tribunal of the District shall:

(1) Direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services; and

(2) Issue and send to the obligor's employer a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments.

(c) The support enforcement agency of the District receiving redirected payments from another state pursuant to a law similar to subsection (b) of this section shall furnish to a requesting party or tribunal of the other state a certified statement by the custodian of the record of the amount and dates of all payments received.

TITLE 4. ESTABLISHMENT OF SUPPORT ORDER OR DETERMINATION OF PARENTAGE. **Subchapter IV**

Sec. 401. Establishment of support order. **Note, New § 46-354.01**

(a) If a support order entitled to recognition under this act has not been issued, a responding tribunal of the District with personal jurisdiction over the parties may issue a support order if:

(1) The individual seeking the order resides outside the District; or

(2) The support enforcement agency seeking the order is located outside the District.

(b) The tribunal may issue a temporary child-support order if the tribunal determines that such an order is appropriate and the individual ordered to pay is:

(1) A presumed father of the child;

(2) Petitioning to have his paternity adjudicated;

(3) Identified as the father of the child through genetic testing;

(4) An alleged father who has declined to submit to genetic testing;

(5) Shown by clear and convincing evidence to be the father of the child;

(6) An acknowledged father as provided by D.C. Official Code §§ 16-909.01 to 16-909.05;

(7) The mother of the child; or

(8) An individual who has been ordered to pay child support in a previous proceeding and the order has not been reversed or vacated.

(c) Upon finding, after notice and opportunity to be heard, that an obligor owes a duty of support, the tribunal shall issue a support order directed to the obligor and may issue other orders pursuant to section 305.

Note, New § 46-354.02

Sec. 402. Proceeding to determine parentage.

A tribunal of the District authorized to determine parentage of a child may serve as a responding tribunal in a proceeding to determine parentage of a child brought under this act or a law or procedure substantially similar to this act.

Subchapter V, Note, New § 46-355.01

TITLE 5. ENFORCEMENT OF SUPPORT ORDER WITHOUT REGISTRATION.

Sec. 501. Employer's receipt of income-withholding order of another state.

An income-withholding order issued in another state may be sent by or on behalf of the obligee, or by the support enforcement agency, to the person defined as the obligor's employer under the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6–166; D.C. Official Code § 46-201 *et seq*.) without first filing a petition or comparable pleading or registering the order with a tribunal of the District.

Note, New § 46-355.02

Sec. 502. Employer's compliance with income-withholding order of another state.

(a) Upon receipt of an income-withholding order, the obligor's employer shall immediately provide a copy of the order to the obligor.

(b) The employer shall treat an income-withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of the District.

(c) Except as otherwise provided in subsection (d) of this section and section 503, the employer shall withhold and distribute the funds as directed in the withholding order by complying with terms of the order which specify:

(1) The duration and amount of periodic payments of current child support, stated as a sum certain;

(2) The person designated to receive payments and the address to which the payments are to be forwarded;

(3) Medical support, whether in the form of periodic cash payment, stated as a sum certain, or ordering the obligor to provide health insurance coverage for the child under a policy available through the obligor's employment;

(4) The amount of periodic payments of fees and costs for a support enforcement agency, the issuing tribunal, and the obligee's attorney, stated as sums certain; and

(5) The amount of periodic payments of arrearages and interest on arrearages, stated as sums certain.

(d) An employer shall comply with the law of the state of the obligor's principal place of employment for withholding from income with respect to:

(1) The employer's fee for processing an income-withholding order;

(2) The maximum amount permitted to be withheld from the obligor's income; and

(3) The times within which the employer must implement the withholding order and forward the child-support payment.

Sec. 503. Employer's compliance with 2 or more income-withholding orders. **Note, New § 46-355.03**

If an obligor's employer receives 2 or more income-withholding orders with respect to the earnings of the same obligor, the employer satisfies the terms of the orders if the employer complies with the law of the state of the obligor's principal place of employment to establish the priorities for withholding and allocating income withheld for 2 or more child-support obligees.

Sec. 504. Immunity from civil liability. **Note, New § 46-355.04**

An employer that complies with an income-withholding order issued in another state in accordance with this title is not subject to civil liability to an individual or agency with regard to the employer's withholding of child support from the obligor's income.

Sec. 505. Penalties for noncompliance. **Note, New § 46-355.05**

An employer that willfully fails to comply with an income-withholding order issued in another state and received for enforcement is subject to the same penalties that may be imposed for noncompliance with an order issued by a tribunal of the District.

Sec. 506. Contest by obligor. **Note, New § 46-355.06**

(a) An obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in the District by registering the order in a tribunal of the District and filing a contest to that order as provided in Title 6, or otherwise contesting the order in the same manner as if the order had been issued by a tribunal of the District.

(b) The obligor shall give notice of the contest to:

(1) A support enforcement agency providing services to the obligee;

(2) Each employer that has directly received an income-withholding order relating to the obligor; and

(3) The person designated to receive payments in the income-withholding order or, if no person is designated, to the obligee.

Sec. 507. Administrative enforcement of orders. **Note, New § 46-355.07**

(a) A party or support enforcement agency seeking to enforce a support order or an income-withholding order, or both, issued in another state or a foreign support order may send the documents required for registering the order to a support enforcement agency of the District.

(b) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of the District to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to this act.

TITLE 6. REGISTRATION, ENFORCEMENT, AND MODIFICATION OF SUPPORT ORDER. **Subchapter VI**

SUBTITLE A. REGISTRATION FOR ENFORCEMENT OF SUPPORT ORDER. **Part A**

Sec. 601. Registration of order for enforcement. **Note, New § 46-356.01**

A support order or income-withholding order issued in another state or a foreign support order may be registered in the District for enforcement.

Sec. 602. Procedure to register order for enforcement. **Note, New § 46-356.02**

(a) Except as otherwise provided in section 706, a support order or income-withholding order of another state or a foreign support order may be registered in the District by sending the following records to the Superior Court of the District of Columbia:

(1) A letter of transmittal to the tribunal requesting registration and enforcement;

(2) Two copies, including one certified copy, of the order to be registered, including any modification of the order;

(3) A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage;

(4) The name of the obligor and, if known:

(A) The obligor's address and social security number;

(B) The name and address of the obligor's employer and any other source of income of the obligor; and

(C) A description and the location of property of the obligor in the District not exempt from execution; and

(5) Except as otherwise provided in section 312, the name and address of the obligee and, if applicable, the person to whom support payments are to be remitted.

(b) On receipt of a request for registration, the registering tribunal shall cause the order to be filed as an order of a tribunal of another state or a foreign support order, together with one copy of the documents and information, regardless of their form.

(c) A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of the District may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

(d) If two or more orders are in effect, the person requesting registration shall:

(1) Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;

(2) Specify the order alleged to be the controlling order, if any; and

(3) Specify the amount of consolidated arrears, if any.

(e) A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

Sec. 603. Effect of registration for enforcement. **Note, New § 46-356.03**

(a) A support order or income-withholding order issued in another state or a foreign support order is registered when the order is filed in the registering tribunal of the District.

(b) A registered support order issued in another state or a foreign country is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of the District.

(c) Except as otherwise provided in this act, a tribunal of the District shall recognize and enforce, but may not modify, a registered support order if the issuing tribunal had jurisdiction.

Sec. 604. Choice of law. **Note, New § 46-356.04**

(a) Except as otherwise provided in subsection (d) of this section, the law of the issuing state or foreign country governs:

(1) The nature, extent, amount, and duration of current payments under a registered support order;

(2) The computation and payment of arrearages and accrual of interest on the arrearages under the support order; and

(3) The existence and satisfaction of other obligations under the support order.

(b) In a proceeding for arrears under a registered support order, the statute of limitation of the District, or of the issuing state or foreign country, whichever is longer, applies.

(c) A responding tribunal of the District shall apply the procedures and remedies of the District to enforce current support and collect arrears and interest due on a support order of another state or a foreign country registered in the District.

(d) After a tribunal of the District or another state determines which is the controlling order and issues an order consolidating arrears, if any, a tribunal of the District shall prospectively apply the law of the state or foreign country issuing the controlling order, including its law on interest on arrears, on current and future support, and on consolidated arrears.

SUBTITLE B. CONTEST OF VALIDITY OR ENFORCEMENT.

Part B

Sec. 605. Notice of registration of order.

Note, New § 46-356.05

(a) When a support order or income-withholding order issued in another state or a foreign support order is registered, the registering tribunal of the District shall notify the nonregistering party. The notice must be accompanied by a copy of the registered order and the documents and relevant information accompanying the order.

(b) A notice must inform the nonregistering party:

(1) That a registered support order is enforceable as of the date of registration in the same manner as an order issued by a tribunal of the District;

(2) That a hearing to contest the validity or enforcement of the registered order must be requested within 20 days after notice unless the registered order is under section 707;

(3) That failure to contest the validity or enforcement of the registered order in a timely manner will result in confirmation of the order and enforcement of the order and the alleged arrearages; and

(4) Of the amount of any alleged arrearages.

(c) If the registering party asserts that 2 or more orders are in effect, a notice must also:

(1) Identify the 2 or more orders and the order alleged by the registering party to be the controlling order and the consolidated arrears, if any;

(2) Notify the nonregistering party of the right to a determination of which is the controlling order;

(3) State that the procedures provided in subsection (b) of this section apply to the determination of which is the controlling order; and

(4) State that failure to contest the validity or enforcement of the order alleged to be the controlling order in a timely manner may result in confirmation that the order is the controlling order.

(d) Upon registration of an income-withholding order for enforcement, the support enforcement agency or the registering tribunal shall notify the obligor's employer pursuant to the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6–166; D.C. Official Code § 46-201 *et seq*.).

Sec. 606. Procedure to contest validity or enforcement of registered support order.

Note, New § 46-356.06

(a) A nonregistering party seeking to contest the validity or enforcement of a registered support order in the District shall request a hearing within the time required by section 605. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 607.

(b) If the nonregistering party fails to contest the validity or enforcement of the registered support order in a timely manner, the order is confirmed by operation of law.

(c) If a nonregistering party requests a hearing to contest the validity or enforcement of the registered support order, the registering tribunal shall schedule the matter for hearing and give notice to the parties of the date, time, and place of the hearing.

Sec. 607. Contest of registration or enforcement. **Note, New § 46-356.07**

(a) A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) The issuing tribunal lacked personal jurisdiction over the contesting party;

(2) The order was obtained by fraud;

(3) The order has been vacated, suspended, or modified by a later order;

(4) The issuing tribunal has stayed the order pending appeal;

(5) There is a defense under the law of the District to the remedy sought;

(6) Full or partial payment has been made;

(7) The statute of limitation under section 604 precludes enforcement of some or all of the alleged arrearages; or

(8) The alleged controlling order is not the controlling order.

(b) If a party presents evidence establishing a full or partial defense under subsection (a) of this section, a tribunal may stay enforcement of a registered support order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered support order may be enforced by all remedies available under the law of the District.

(c) If the contesting party does not establish a defense under subsection (a) of this section to the validity or enforcement of a registered support order, the registering tribunal shall issue an order confirming the order.

Sec. 608. Confirmed order. **Note, New § 46-356.08**

Confirmation of a registered support order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

SUBTITLE C. REGISTRATION AND MODIFICATION OF CHILD-SUPPORT ORDER OF ANOTHER STATE. **Part C**

Sec. 609. Procedure to register child-support order of another state for modification. **Note, New § 46-356.09**

A party or support enforcement agency seeking to modify, or to modify and enforce, a child-support order issued in another state shall register that order in the District in the same manner provided in sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or later. The pleading must specify the grounds for modification.

Sec. 610. Effect of registration for modification. **Note, New § 46-356.10**

A tribunal of the District may enforce a child-support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of the District, but the registered support order may be modified only if the requirements of section 611 or 613 have been met.

Sec. 611. Modification of child-support order of another state. **Note, New § 46-356.11**

(a) If section 613 does not apply, upon petition a tribunal of the District may modify a child-support order issued in another state which is registered in the District if, after notice and hearing, the tribunal finds that:

(1) The following requirements are met:

(A) Neither the child, nor the obligee who is an individual, nor the obligor resides in the issuing state;

(B) A petitioner who is a nonresident of the District seeks modification; and

(C) The respondent is subject to the personal jurisdiction of the tribunal of the District; or

(2) The District is the residence of the child, or a party who is an individual is subject to the personal jurisdiction of the tribunal of the District, and all of the parties who are individuals have filed consents in a record in the issuing tribunal for a tribunal of the District to modify the support order and assume continuing, exclusive jurisdiction.

(b) Modification of a registered child-support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by a tribunal of the District and the order may be enforced and satisfied in the same manner.

(c) A tribunal of the District may not modify any aspect of a child-support order that may not be modified under the law of the issuing state, including the duration of the obligation of support. If 2 or more tribunals have issued child-support orders for the same obligor and same child, the order that controls and must be so recognized under section 207 establishes the aspects of the support order which are nonmodifiable.

(d) In a proceeding to modify a child-support order, the law of the state that is determined to have issued the initial controlling order governs the duration of the obligation of support. The obligor's fulfillment of the duty of support established by that order precludes imposition of a further obligation of support by a tribunal of the District.

(e) On the issuance of an order by a tribunal of the District modifying a child-support order issued in another state, the tribunal of the District becomes the tribunal having continuing, exclusive jurisdiction.

(f) Notwithstanding subsections (a) through (e) of this section and section 201(b), a tribunal of the District retains jurisdiction to modify an order issued by a tribunal of the District if:

(1) One party resides in another state; and

(2) The other party resides outside the United States.

Sec. 612. Recognition of order modified in another state. **Note, New § 46-356.12**

If a child-support order issued by a tribunal of the District is modified by a tribunal of another state which assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of the District:

(1) May enforce its order that was modified only as to arrears and interest accruing before the modification;

(2) May provide appropriate relief for violations of its order which occurred before the effective date of the modification; and

(3) Shall recognize the modifying order of the other state, upon registration, for the purpose of enforcement.

Note, New § 46-356.13

Sec. 613. Jurisdiction to modify child-support order of another state when individual parties reside in the District.

(a) If all of the parties who are individuals reside in the District and the child does not reside in the issuing state, a tribunal of the District has jurisdiction to enforce and to modify the issuing state's child-support order in a proceeding to register that order.

(b) A tribunal of the District exercising jurisdiction under this section shall apply the provisions of Titles 1 and 2, this title, and the procedural and substantive law of the District to the proceeding for enforcement or modification. Titles 3, 4, 5, 7, and 8 do not apply.

Note, New § 46-356.14

Sec. 614. Notice to issuing tribunal of modification.

Within 30 days after issuance of a modified child-support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal that had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows the earlier order has been registered. A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction.

Part D

SUBTITLE D. REGISTRATION AND MODIFICATION OF FOREIGN CHILD-SUPPORT ORDER.

Note, New § 46-356.15

Sec. 615. Jurisdiction to modify child-support order of foreign country.

(a) Except as otherwise provided in section 711, if a foreign country lacks or refuses to exercise jurisdiction to modify its child-support order pursuant to its laws, a tribunal of the District may assume jurisdiction to modify the child-support order and bind all individuals subject to the personal jurisdiction of the tribunal whether the consent to modification of a child-support order otherwise required of the individual pursuant to section 611 has been given or whether the individual seeking modification is a resident of the District or of the foreign country.

(b) An order issued by a tribunal of the District modifying a foreign child-support order pursuant to this section is the controlling order.

Note, New § 46-356.16

Sec. 616. Procedure to register child-support order of foreign country for modification.

A party or support enforcement agency seeking to modify, or to modify and enforce, a foreign child-support order not under the Convention may register that order in the District under

sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or at another time. The petition must specify the grounds for modification.

TITLE 7. SUPPORT PROCEEDING UNDER CONVENTION.

Subchapter VII, Note, New § 46-357.01

Sec. 701. Definitions.

In this title:

(1) "Application" means a request under the Convention by an obligee or obligor, or on behalf of a child, made through a central authority for assistance from another central authority.

(2) "Central authority" means the entity designated by the United States or a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(3) "Convention support order" means a support order of a tribunal of a foreign country described in section 102(6)(D).

(4) "Direct request" means a petition filed by an individual in a tribunal of the District in a proceeding involving an obligee, obligor, or child residing outside the United States.

(5) "Foreign central authority" means the entity designated by a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(6) "Foreign support agreement":

(A) Means an agreement for support in a record that:

(i) Is enforceable as a support order in the country of origin;

(ii) Has been:

(I) Formally drawn up or registered as an authentic instrument by a foreign tribunal; or

(II) Authenticated by, or concluded, registered, or filed with a foreign tribunal; and

(iii) May be reviewed and modified by a foreign tribunal; and

(B) Includes a maintenance arrangement or authentic instrument under the Convention.

(7) "United States central authority" means the Secretary of the United States Department of Health and Human Services.

Note, New § 46-357.02

Sec. 702. Applicability.

This title applies only to a support proceeding under the Convention. In such a proceeding, if a provision of this title is inconsistent with Titles 1 through 6, this title controls.

Note, New § 46-357.03

Sec. 703. Relationship of Office of the Attorney General to United States central authority.

The Office of the Attorney General is recognized as the agency designated by the United States central authority to perform specific functions under the Convention.

Note, New § 46-357.04

Sec. 704. Initiation by Office of the Attorney General of support proceeding under Convention.

(a) In a support proceeding under this title, the Office of the Attorney General shall:

(1) Transmit and receive applications; and

(2) Initiate or facilitate the institution of a proceeding regarding an application in a tribunal of the District.

(b) The following support proceedings are available to an obligee under the Convention:

(1) Recognition or recognition and enforcement of a foreign support order;

(2) Enforcement of a support order issued or recognized in the District;

(3) Establishment of a support order if there is no existing order, including, if necessary, determination of parentage of a child;

(4) Establishment of a support order if recognition of a foreign support order is refused under section 708(b)(2), (4), or (9);

(5) Modification of a support order of a tribunal of the District; and

(6) Modification of a support order of a tribunal of another state or a foreign country.

(c) The following support proceedings are available under the Convention to an obligor against which there is an existing support order:

(1) Recognition of an order suspending or limiting enforcement of an existing support order of a tribunal of the District;

(2) Modification of a support order of a tribunal of the District; and

(3) Modification of a support order of a tribunal of another state or a foreign country.

(d) A tribunal of the District may not require security, bond, or deposit, however described, to guarantee the payment of costs and expenses in proceedings under the Convention.

Note, New § 46-357.05

Sec. 705. Direct request.

(a) A petitioner may file a direct request seeking establishment or modification of a support order or determination of parentage of a child. In the proceeding, the law of the District applies.

(b) A petitioner may file a direct request seeking recognition and enforcement of a support order or support agreement. In the proceeding, sections 706 through 713 apply.

(c) In a direct request for recognition and enforcement of a Convention support order or foreign support agreement:

(1) A security, bond, or deposit is not required to guarantee the payment of costs and expenses; and

(2) An obligee or obligor that in the issuing country has benefited from free legal assistance is entitled to benefit, at least to the same extent, from any free legal assistance provided for by the law of the District under the same circumstances.

(d) A petitioner filing a direct request is not entitled to assistance from the Office of the Attorney General.

(e) This title does not prevent the application of laws of the District that provide simplified, more expeditious rules regarding a direct request for recognition and enforcement of a foreign support order or foreign support agreement.

Sec. 706. Registration of Convention support order.

Note, New § 46-357.06

(a) Except as otherwise provided in this title, a party who is an individual or a support enforcement agency seeking recognition of a Convention support order shall register the order in the District as provided in Title 6.

(b) Notwithstanding sections 311 and 602(a), a request for registration of a Convention support order must be accompanied by:

(1) A complete text of the support order or an abstract or extract of the support order drawn up by the issuing foreign tribunal, which may be in the form recommended by the Hague Conference on Private International Law;

(2) A record stating that the support order is enforceable in the issuing country;

(3) If the respondent did not appear and was not represented in the proceedings in the issuing country, a record attesting, as appropriate, either that the respondent had proper notice of the proceedings and an opportunity to be heard or that the respondent had proper notice of the support order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal;

(4) A record showing the amount of arrears, if any, and the date the amount was calculated;

(5) A record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations; and

(6) If necessary, a record showing the extent to which the applicant received free legal assistance in the issuing country.

(c) A request for registration of a Convention support order may seek recognition and partial enforcement of the order.

(d) A tribunal of the District may vacate the registration of a Convention support order without the filing of a contest under section 707 only if, acting on its own motion, the tribunal finds that recognition and enforcement of the order would be manifestly incompatible with public policy.

(e) The tribunal shall promptly notify the parties of the registration or the order vacating the registration of a Convention support order.

Sec. 707. Contest of registered convention support order.

Note, New § 46-357.07

(a) Except as otherwise provided in this title, sections 605 through 608 apply to a contest of a registered Convention support order.

(b) A party contesting a registered Convention support order shall file a contest not later than 30 days after notice of the registration, but if the contesting party does not reside in the United States, the contest must be filed not later than 60 days after notice of the registration.

(c) If the nonregistering party fails to contest the registered Convention support order by the time specified in subsection (b) of this section, the order is enforceable.

(d) A contest of a registered Convention support order may be based only on grounds set forth in section 708. The contesting party bears the burden of proof.

(e) In a contest of a registered Convention support order, a tribunal of the District:

(1) Is bound by the findings of fact on which the foreign tribunal based its jurisdiction; and

(2) May not review the merits of the order.

(f) A tribunal of the District deciding a contest of a registered Convention support order shall promptly notify the parties of its decision.

(g) A challenge or appeal, if any, does not stay the enforcement of a Convention support order unless there are exceptional circumstances.

Sec. 708. Recognition and enforcement of registered convention support order.

Note, New § 46-357.08

(a) Except as otherwise provided in subsection (b) of this section, a tribunal of the District shall recognize and enforce a registered Convention support order.

(b) The following grounds are the only grounds on which a tribunal of the District may refuse recognition and enforcement of a registered Convention support order:

(1) Recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard;

(2) The issuing tribunal lacked personal jurisdiction consistent with section 201;

(3) The order is not enforceable in the issuing country;

(4) The order was obtained by fraud in connection with a matter of procedure;

(5) A record transmitted in accordance with section 706 lacks authenticity or integrity;

(6) A proceeding between the same parties and having the same purpose is pending before a tribunal of the District and that proceeding was the first to be filed;

(7) The order is incompatible with a more recent support order involving the same parties and having the same purpose if the more recent support order is entitled to recognition and enforcement under this act in the District;

(8) Payment, to the extent alleged arrears have been paid in whole or in part;

(9) In a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(A) If the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or

(B) If the law of that country does not provide for prior notice of the proceedings, the respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or

(10) The order was made in violation of section 711.

(c) If a tribunal of the District does not recognize a Convention support order under subsection (b)(2), (4), or (9) of this section:

(1) The tribunal may not dismiss the proceeding without allowing a reasonable time for a party to request the establishment of a new Convention support order; and

(2) The Office of the Attorney General shall take all appropriate measures to request a child-support order for the obligee if the application for recognition and enforcement was received under section 704.

Sec. 709. Partial enforcement.

Note, New § 46-357.09

If a tribunal of the District does not recognize and enforce a Convention support order in its entirety, it shall enforce any severable part of the order. An application or direct request may seek recognition and partial enforcement of a Convention support order.

Sec. 710. Foreign support agreement.

Note, New § 46-357.10

(a) Except as otherwise provided in subsections (c) and (d) of this section, a tribunal of the District shall recognize and enforce a foreign support agreement registered in the District.

(b) An application or direct request for recognition and enforcement of a foreign support agreement must be accompanied by:

(1) A complete text of the foreign support agreement; and

(2) A record stating that the foreign support agreement is enforceable as an order of support in the issuing country.

(c) A tribunal of the District may vacate the registration of a foreign support agreement only if, acting on its own motion, the tribunal finds that recognition and enforcement would be manifestly incompatible with public policy.

(d) In a contest of a foreign support agreement, a tribunal of the District may refuse recognition and enforcement of the agreement if it finds:

(1) Recognition and enforcement of the agreement is manifestly incompatible with public policy;

(2) The agreement was obtained by fraud or falsification;

(3) The agreement is incompatible with a support order involving the same parties and having the same purpose in the District, another state, or a foreign country if the support order is entitled to recognition and enforcement under this act in the District; or

(4) The record submitted under subsection (b) of this section lacks authenticity or integrity.

(e) A proceeding for recognition and enforcement of a foreign support agreement must be suspended during the pendency of a challenge to or appeal of the agreement before a tribunal of another state or a foreign country.

Sec. 711. Modification of convention child-support order. **Note, New § 46-357.11**

(a) A tribunal of the District may not modify a Convention child-support order if the obligee remains a resident of the foreign country where the support order was issued unless:

(1) The obligee submits to the jurisdiction of a tribunal of the District, either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity; or

(2) The foreign tribunal lacks or refuses to exercise jurisdiction to modify its support order or issue a new support order.

(b) If a tribunal of the District does not modify a Convention child-support order because the order is not recognized in the District, section 708(c) applies.

Sec. 712. Personal information; limit on use. **Note, New § 46-357.12**

Personal information gathered or transmitted under this title may be used only for the purposes for which it was gathered or transmitted.

Sec. 713. Record in original language; English translation. **Note, New § 46-357.13**

A record filed with a tribunal of the District under this title must be in the original language and, if not in English, must be accompanied by an English translation.

TITLE 8. INTERSTATE RENDITION

Subchapter VIII, Note, New § 46-358.01

Sec. 801. Grounds for rendition.

(a) For purposes of this title, "governor" includes an individual performing the functions of governor or the executive authority of a state covered by this act.

(b) The Mayor may:

(1) Demand that the governor of another state surrender an individual found in the other state who is charged criminally in the District with having failed to provide for the support of an obligee; or

(2) On the demand of the governor of another state, surrender an individual found in the District who is charged criminally in the other state with having failed to provide for the support of an obligee.

(c) A provision for extradition of individuals not inconsistent with this act applies to the demand even if the individual whose surrender is demanded was not in the demanding state when the crime was allegedly committed and has not fled therefrom.

Sec. 802. Conditions of rendition. **Note, New § 46-358.02**

(a) Before making a demand that the governor of another state surrender an individual charged criminally in the District with having failed to provide for the support of an obligee, the Mayor may require a prosecutor of the District to demonstrate that at least 60 days previously the obligee had initiated proceedings for support pursuant to this act or that the proceeding would be of no avail.

(b) If, under this act or a law substantially similar to this act, the governor of another state makes a demand that the Mayor surrender an individual charged criminally in that state with having failed to provide for the support of a child or other individual to whom a duty of support is owed, the Mayor may require a prosecutor to investigate the demand and report whether a proceeding for support has been initiated or would be effective. If it appears that a proceeding would be effective but has not been initiated, the Mayor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(c) If a proceeding for support has been initiated and the individual whose rendition is demanded prevails, the Mayor may decline to honor the demand. If the petitioner prevails and the individual whose rendition is demanded is subject to a support order, the governor may decline to honor the demand if the individual is complying with the support order.

TITLE 9. MISCELLANEOUS PROVISIONS

Subchapter IX, Note, New § 46-359.01

Sec. 901. Uniformity of application and construction.

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Note, New § 46-359.02

Sec. 902. Repealer.

The Uniform Interstate Family Support Act of 1995, effective February 9, 1996 (D.C. Law 11-81; D.C. Official Code § 46-301.01 *et seq.*), is repealed.

Note, New § 46-359.03

Sec. 903. Transitional provision.

This act applies to proceedings begun on or after the effective date of this act to establish a support order or determine parentage of a child or to register, recognize, enforce, or modify a prior support order, determination, or agreement, whenever issued or entered.

Note, New § 46-359.04

Sec. 904. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Uniform Interstate Family Support Act of 2015, passed on 1st reading on November 3, 2015 (Engrossed version of Bill 21-245), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Note, New § 46-359.05

Sec. 905. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-216, effective November 30, 2015 (Expiration date February 28, 2016)

AN ACT

Bill 21-471

Emergency Declaration Res. 21-279 21 DCStat 2407

Not Codified

To order, on an emergency basis, the closing of portions of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128 in Ward 5.

Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Emergency Act of 2015".

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closings and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council of the District of Columbia finds that public streets in Square 3128, as shown by the hatch-marks on the Surveyor's plat in S.O. 13-09432, are unnecessary for street purposes and orders them closed with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-217, effective November 30, 2015 (Expiration date February 28, 2016)

AN ACT

Bill 21-473

Emergency Declaration Res. 21-277 21 DCStat 2404

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Homeless Services Reform Act of 2005 to authorize the Mayor to place a family that does not have a safe-housing alternative in a temporary interim eligibility placement pending a determination of eligibility for shelter and an assessment of the supportive services necessary to assist the family in obtaining sustainable permanent housing, to authorize the Mayor to provide shelter to a family in a private room meeting certain minimum standards and constructed for the purpose of closing the District of Columbia General Family Shelter, to add an expedited appeals process for a family that is denied eligibility for shelter following an interim eligibility placement, and to provide that a family may continue in an interim eligibility placement pending the outcome of an appeal of a denial of eligibility for shelter.

Interim Eligibility and Minimum Shelter Standards Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Interim Eligibility and Minimum Shelter Standards Emergency Amendment Act of 2015".

Note, § 4-751.01

Sec. 2. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 4-751.01) is amended as follows:

(1) A new paragraph (11A) is added to read as follows:

"(11A) "DC General Family Shelter replacement unit" means a private room that includes space to store and refrigerate food and is constructed by or at the request of the District for the purpose of sheltering a homeless family.".

(2) Paragraph (25A) is redesignated as paragraph (25B).

(3) A new paragraph (25A) is added to read as follows:

"(25A) "Interim eligibility placement" means a short-term shelter placement for a family, for the purpose of conducting an in-depth assessment to facilitate an eligibility determination for shelter and appropriate supportive services pursuant to section 8(a).".

(4) Paragraph (28A) is amended to read as follows:

"(28A) "Private room" means a part or division of a building that has:

"(A) Four non-portable walls that meet the ceiling and floor at the edges so as to be continuous and uninterrupted; provided, that the room may contain a window if the window comes with an opaque covering, such as blinds or shades;

"(B) A door that locks from both the inside and outside as its main point of access;

"(C) Sufficient insulation from sound so that family members sheltered in the room may have a conversation at a normal volume and not be heard from the exterior;

"(D) Lighting within the room that the occupants can turn on or off as desired; and

"(E) Access to on-site bathroom facilities, including a toilet, sink, and shower.".

(b) Section 7(d) (D.C. Official Code § 4-753.01(d)) is amended to read as follows: **Note, § 4-753.01**

"(d)(1) Except as provided in paragraph (2) of this subsection, when the Mayor places a family in shelter pursuant to this act, the shelter shall be one or more apartment-style units, or one or more DC General Family Shelter replacement units.

"(2) If an apartment-style unit or a DC General Family Shelter replacement unit is not available when the Mayor places a family in shelter pursuant to this act, the Mayor may place that family in one or more private rooms that are not apartment-style units or DC General Family Shelter replacement units.

"(3) Buildings composed of DC General Family Shelter replacement units shall include, at minimum:

"(A) A private bathroom, including a toilet, sink, and bathtub or shower, in at least 10% of the DC General Family Shelter replacement units;

"(B) For every 5 DC General Family Shelter replacement units, one private, lockable bathroom that includes a toilet, sink, and bathtub and shall be accessible to all residents; and

"(C) At least 2 multi-fixture bathrooms per floor that shall include multiple toilets, sinks, and showers.

"(4) The Mayor shall maintain within the District's shelter inventory a minimum of 121 apartment-style units.

"(5) Once constructed, the Mayor shall maintain within the District's shelter inventory a minimum of 280 DC General Family Shelter replacement units.".

(c) Section 8 (D.C. Official Code § 4-753.02) is amended by adding a new subsection (c-1) to read as follows: **Note, § 4-753.02**

"(c-1)(1) If eligibility for a family seeking shelter cannot be determined pursuant to subsection (a) of this section on the business day on which the family applies for shelter, the Mayor may place the family in an interim eligibility placement for a period not to exceed 3 days.

"(2) The Mayor may extend an interim eligibility placement no more than 3 times; provided, that an interim eligibility placement shall not exceed a period of 12 days, except as otherwise provided in paragraph (6) of this subsection and section 9(a)(20).

"(3) The Mayor shall issue an eligibility determination pursuant to subsection (a) of this section to a family placed in an interim eligibility placement within 12 days of the start of the interim eligibility placement.

"(4) If the Mayor does not issue an eligibility determination within 12 days of the start of an interim eligibility placement, the interim eligibility placement shall conclude and the family shall be considered eligible for shelter.

"(5) If the Mayor determines that a family in an interim eligibility placement is eligible for shelter, the Mayor shall place that family in shelter, subject to the requirements of section 7(d).

"(6) If the Mayor determines that a family in an interim eligibility placement is ineligible for shelter pursuant to subsection (a) of this section, or if the District identifies safe housing to which the family has access, the interim eligibility placement shall conclude on the date indicated in the written notice issued pursuant to section 19(b-1) or (c), unless the family has filed a timely fair hearing request pursuant to section 26.

"(7) The Mayor may consider a family that was placed in an interim eligibility placement, but was determined to be ineligible for shelter because the family has access to other safe housing, for the same housing and case management services offered by the Department to family shelter residents.

"(8) If the Mayor determines that a family placed in an interim eligibility placement is ineligible for shelter because the family has access to safe housing, and the family subsequently loses access to that safe housing within 14 days of the Mayor's determination, the Mayor shall place the family in shelter if the Mayor determines that:

"(A) The family is participating in prevention and diversion services; and

"(B) The family has no access to other safe housing that complies with paragraph (9) of this subsection.

"(9) For the purposes of this subsection, safe housing, in addition to meeting the definition of "safe housing" set forth in section 2(32A), shall satisfy the following criteria:

"(A) The family shall be expected to have access to the safe housing for at least 14 days; and

"(B) To the best of the provider's knowledge, the family's presence in the safe housing shall not imminently jeopardize the tenancy of any household already occupying the safe housing.

"(10) Other than during a hypothermia alert, no provision under this subsection shall be construed to require the Mayor to provide shelter to a family if there is no existing capacity in the shelter system or if the Department has exhausted its appropriation for family shelter services.".

(d) Section 9 (D.C. Official Code § 4-754.11) is amended as follows:

Note, § 4-754.11

(1) Subsection (a) is amended as follows:

(A) Paragraph (18) is amended by striking the phrase "suspension or termination; and" and inserting the phrase "suspension or termination;" in its place.

(B) Paragraph (19)(F) is amended by striking the phrase "expression." and inserting the phrase "expression; and" in its place.

(C) A new paragraph (20) is added to read as follows:

"(20) Continuation of a family's interim eligibility placement, pending the outcome of a fair hearing requested pursuant to section 26, if the family requests a fair hearing within 48 hours or before the close of the next business day, whichever occurs later, following receipt of written notice provided pursuant to section 19(b-1) of a denial of an application for shelter following an interim eligibility placement.".

(2) Subsection (b)(1) is amended by striking the phrase "pursuant to section 7(d)(2)" and inserting the phrase "pursuant to section 7(d)" in its place.

(e) Section 19 (D.C. Official Code § 4-754.33) is amended as follows: **Note, § 4-754.33**

(1) A new subsection (b-1) is added to read as follows:

"(b-1) All providers shall give to any client in an interim eligibility placement prompt oral and written notice that the Mayor has denied eligibility for shelter placement and that the interim eligibility placement will end 48 hours or at the close of the next business day, whichever occurs later, following the client's receipt of the written notice.".

(2) A new subsection (d-1) is added to read as follows:

"(d-1) Any written notice issued pursuant to subsection (b-1) of this section must be served upon the client and shall include:

"(1) A clear statement of the denial;

"(2) A clear and detailed statement of the factual basis for the denial, including the date or dates on which the basis or bases for the denial occurred;

"(3) A reference to the statute, regulation, policy, or Program Rule pursuant to which the denial is being implemented;

"(4) A clear and complete statement of the client's right to appeal the denial through fair hearing proceedings pursuant to section 26 and administrative review proceedings pursuant to section 27, including the appropriate deadlines for instituting the appeal; and

"(5) A statement of the client's right, if any, to continuation of an interim eligibility placement pending the outcome of any appeal, pursuant to section 9(20).".

(f) Section 26 (D.C. Official Code § 4-754.41) is amended as follows: **Note, § 4-754.41**

(1) Subsection (b)(2) is amended as follows:

(A) Subparagraph (C) is amended by striking the word "or".

(B) A new subparagraph (E) is added to read as follows:

"(E) Deny eligibility for shelter following an interim eligibility placement; or".

(2) A new subsection (d-1) is added to read as follows:

"(d-1) In accordance with section 9(20), any client in an interim eligibility placement who requests a fair hearing within 48 hours or before the close of the next business day, whichever occurs later, of receipt of written notice of a denial of eligibility for shelter placement shall continue in that interim eligibility placement pending a final decision from the fair hearing proceedings.".

(3) Subsection (f) is amended as follows:

(A) Paragraph (2) is amended by striking the word "and".

(B) Paragraph (3) is amended as follows:

(i) Subparagraph (B) is amended by striking the word "and" at the end.

(ii) Subparagraph (C) is amended to read as follows:

"(C) Except as provided in subparagraph (D) of this paragraph, the Administrative Law Judge shall issue a final decision within 15 days following the completion of the hearing; and".

(iii) A new subparagraph (D) is added to read as follows:

"(D) The Administrative Law Judge shall issue a final decision in a review requested pursuant to subsection (b)(2)(E) of this section within 96 hours, not including weekends or holidays, following the completion of the hearing; and".

(C) A new paragraph (4) is added to read as follows:

"(4) For a fair hearing requested from the Office of Administrative Hearings pursuant to subsection (b)(2)(E) of this section, the following additional requirements shall apply:

"(A) The fair hearing shall be held no later than 4 business days after the Office of Administrative Hearings receives an administrative review decision issued pursuant to section 27; and

"(B) If a party fails to appear, the Administrative Law Judge designated to conduct the hearing may enter a default decision in favor of the party present; provided, that the default decision may be set aside only for good cause shown, and upon equitable terms and conditions.".

Note, § 4-754.42

(g) Section 27 (D.C. Official Code § 4-754.42) is amended as follows:

(1) A new subsection (b-1) is added to read as follows:

"(b-1) An administrative review of a denial of application for shelter following an interim eligibility placement, conducted pursuant to subsection (a) of this section, shall be completed and a decision rendered no later than 4 business days following receipt of the administrative review request, except upon a showing of good cause as to why such deadline cannot be met. If good cause is shown, a decision shall be rendered as soon as possible thereafter. If an extension of time for review is required for good cause, written notice of the extension shall be provided to the client or client representative prior to the commencement of the extension.".

(2) A new subsection (c-1) is added to read as follows:

"(c-1) The administrative review of a denial of an application for shelter following an interim eligibility placement conducted in accordance with subsection (b-1) shall not be waived; provided, that the Office of Administrative Hearings may grant a fair hearing prior to the completion of the administrative review, on proper notice to all parties, to decide if a notice required by section 19, other than a notice of an emergency action, has not been given or is invalid on its face.".

(3) A new subsection (e) is added to read as follows:

"(e) Each administrative review decision shall be in writing and shall contain a detailed statement of the basis for the decision. It shall include a comprehensive evaluation of the issues and clearly delineate the legal basis, if the decision upholds denial of shelter placement.".

Note, New § 4-756.04

(h) A new section 31b is added to read as follows:

"Sec. 31b. Interim eligibility reporting requirement.

'The Department, no later than February 1 of each year, shall provide a report to the Council of the District of Columbia and the Interagency Council on Homelessness that shall include the following information:

"(1) Number of families placed in an interim eligibility placement;

"(2) Average length of stay in an interim eligibility placement;

"(3) Number of eligibility denials during and subsequent to an interim eligibility placement;

"(4) Number of appeals of eligibility determinations during and subsequent to an interim eligibility placement;

"(5) Number of interim eligibility appeals resolved via administrative review;

"(6) Average time for issuance of decision for review of interim eligibility appeal via administrative review;

"(7) Number of interim eligibility appeals brought to the Office of Administrative Hearings;

"(8) Average time for issuance of decision for review of interim eligibility appeal via the Office of Administrative Hearings;

"(9) Final placement outcome for each family placed into an interim eligibility placement.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-218, effective December 4, 2015 (Expiration date January 27, 2016)
(Retroactive applicability)

AN ACT

Bill 21-457

Emergency Declaration Res. 21-247 21 DCStat 2369

Codification District of Columbia Official Code 2001 Edition

To authorize, on an emergency basis, due to congressional review, the disposition by lease of District-owned real property located at 1351 Nicholson Street, N.W., commonly known as the Old Brightwood School and designated for tax and assessment purposes as Lot 0846 in Square 2794.

1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Congressional Review Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Congressional Review Emergency Act of 2015".

Sec. 2. Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), and the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), the Council authorizes the Mayor:

(1) To amend the existing lease agreement between the District of Columbia and Community Academy Public Charter School, Inc. (the "Lease"), dated March 1, 2001, for the real property located at 1351 Nicholson Street, N.W., commonly known as the Old Brightwood School and designated for tax and assessment purposes as Lot 0846 in Square 2794 (the "Property"), to:

(A) Adopt Friendship Public Charter School, Inc. as assignee of the lease;

(B) Extend the term of the Lease for a period of greater than 20 years; and

(C) Provide such other terms related to the extension of the Lease and transfer of the Property as are consistent with the letter of intent approved by both parties to the Lease; and

(2) To execute any associated transactional documents.

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of October 29, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-219, effective December 4, 2015 (Expiration date February 7, 2016)

AN ACT

Bill 21-458

Emergency Declaration Res. 21-248 21 DCStat 2371

Not Codified

To authorize, on an emergency basis, due to congressional review, the disposition by lease of District-owned real property located at 4095 Minnesota Avenue, N.E., commonly known as the Woodson School and designated for tax and assessment purposes as Lot 0813 in Square 5078.

4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Congressional Review Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Congressional Review Emergency Act of 2015".

Sec. 2. Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), and the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), the Council authorizes the Mayor:

(1) To amend the existing lease agreement between the District of Columbia and Friendship Public Charter School, Inc., (the "Lease"), dated May 1, 2008, for the real property located at 4095 Minnesota Avenue, N.E., commonly known as the Woodson School and designated for tax and assessment purposes as Lot 0813 in Square 5078 (the "Property"), to:

(A) Extend the term of the Lease for a period of greater than 20 years;

(B) Provide such other terms related to the extension of the Lease and transfer of the Property as are consistent with the letter of intent approved by both parties to the Lease; and

(2) To execute any associated transactional documents.

Sec. 3. Applicability.

This act shall apply as of November 9, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-220, effective December 17, 2015 (Expiration date March 16, 2016)

AN ACT

Bill 21-456

Emergency Declaration Res. 21-333 21 DCStat 2480

Not Codified

To approve, on an emergency basis, Modification Nos. M0008, M0009, M0010, and M0011 to Human Care Agreement No. CW22955 with Tricom Training Institute to provide family reunification homes to District youth on behalf of the Department of Youth and Rehabilitation Services and to authorize payment in the amount of $1,636,118.14 for services received and to be received under the contract modifications.

Human Care Agreement No. CW22955 Modification Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Human Care Agreement No. CW22955 Modification Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. M0008, M0009, M0010, and M0011 to Human Care Agreement No. CW22955 with Tricom Training Institute to continue to provide family reunification homes to District youth, and authorizes payment in the total amount of $1,636,118.14 for services received and to be received under the contract modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-221, effective December 17, 2015 (Expiration date March 16, 2016)

AN ACT

Bill 21-475

Emergency Declaration Res. 21-324 21 DCStat 2467

Not Codified

To approve, on an emergency basis, the extension of Contract No. DCKV-2007-C-0001 with Industrial Bank, N.A. to provide secondary collections services for photo enforcement, parking, and moving tickets, and to authorize payment for the services received and to be received under the contract.

Contract No. DCKV-2007-C-0001 Extension Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCKV-2007-C-0001 Extension Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 2020 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-352.02), the Council approves the extension of Contract No. DCKV-2007-C-0001 with Industrial Bank, N.A. to provide secondary collections services for photo enforcement, parking, and moving tickets and authorizes payment in the not-to-exceed amount of $4.2 million for services received and to be received from October 1, 2015, through September 30, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-222, effective December 17, 2015 (Expiration date March 16, 2016)

AN ACT

Bill 21-489

Emergency Declaration Res. 21-291 21 DCStat 2421

Codification District of Columbia Official Code 2001 Edition

Sexual Assault Victim Rights Task Force Report Extension Congressional Review Emergency Amendment Act of 2015

Note, § 4-561.15

To amend, on an emergency basis, due to congressional review, the Sexual Assault Victims' Rights Act of 2014 to extend the date by which the Sexual Assault Victim Rights Task Force shall submit its report to the Council and the Sexual Assault Response Team.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sexual Assault Victim Rights Task Force Report Extension Congressional Review Emergency Amendment Act of 2015".

Sec. 2. Section 215(c)(1) of the Sexual Assault Victims' Rights Act of 2014, effective November 20, 2014 (D.C. Law 20-139; D.C. Official Code § 4-561.15(c)(1)), is amended by striking the phrase "September 30, 2015" and inserting the phrase "January 31, 2016" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-223, effective December 17, 2015 (Expiration date March 16, 2016)

AN ACT

Bill 21-490

Emergency Declaration Res. 21-328 21 DCStat 2472

Not Codified

To approve, on an emergency basis, Modification Nos. 2, 3, and 4 to Contract No. DCAM-14-NC-0099A with RWD Consulting, LLC, for consolidated maintenance services for the John A. Wilson Building, and to authorize payment in the aggregate amount of $1,332,677.33 for the goods and services received and to be received under the modifications.

Modification Nos. 2, 3, and 4 to Contract No. DCAM-14-NC-0099A Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 2, 3, and 4 to Contract No. DCAM-14-NC-0099A Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 2, 3, and 4 to Contract No. DCAM-14-NC-0099A with RWD Consulting, LLC, for consolidated maintenance services for the John A. Wilson Building, and authorizes payment in the aggregate amount of $1,332,677.33 for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-224, effective December 17, 2015 (Expiration date March 16, 2016)

AN ACT

Bill 21-491

Emergency Declaration Res. 21-329 21 DCStat 2473

Not Codified

To approve, on an emergency basis, Modification Nos. 4, 5, and 6 to Contract No. DCAM-14-NC-0099B with Spectrum Management, LLC for consolidated maintenance services for One Judiciary Square, and to authorize payment in the aggregate amount of $2,969,289.60 for the goods and services received and to be received under the modifications.

Modification Nos. 4, 5, and 6 to Contract No. DCAM-14-NC-0099B Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 4, 5, and 6 to Contract No. DCAM-14-NC-0099B Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 4, 5, and 6 to Contract No. DCAM-14-NC-0099B with Spectrum Management, LLC, for consolidated maintenance services for One Judiciary Square, and authorizes payment in the aggregate amount of $2,969,289.60 for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-225, effective December 17, 2015 (Expiration date March 16, 2016)

AN ACT

Bill 21-500

Emergency Declaration Res. 21-334 21 DCStat 2481

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to provide that costs associated with the payment of compensation, benefits, and other expenses to injured District government employees may be paid from the Employees' Compensation Fund.

Employees' Compensation Fund Clarification Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Employees' Compensation Fund Clarification Emergency Amendment Act of 2015".

Note, § 1-623.42

Sec. 2. Section 2342 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-623.42), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraph (1) is repealed.

(2) Paragraph (2) is amended by striking the phrase "expenses, except administrative expenses, authorized by this title or any extension or application thereof, except as otherwise provided by this subtitle or other statute." and inserting the phrase "expenses that are necessary to implement the provisions of this title." in its place.

(3) Paragraph (3) is repealed.

(b) Subsection (b) is repealed.

(c) A new subsection (c) is added to read as follows:

"(c) This section shall apply to payments made from the Fund on or after October 1, 2008.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-226, effective December 17, 2015 (Expiration date March 10, 2016)
(Retroactive applicability)

AN ACT

Bill 21-516

Emergency Declaration Res. 21-321 21 DCStat 2463

To amend, on an emergency basis, the Animal Control Act of 1979 to clarify that an educational institution may have animals for educational and instructional purposes.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Classroom Animal for Educational Purposes Emergency Amendment Act of 2015".

Classroom Animal for Educational Purposes Emergency Amendment Act of 2015

Sec. 2. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to read as follows:

Note, § 8-1808

"(6) Paragraph (1) of this subsection shall not apply to educational institutions that possess animals for educational and instructional purposes and that otherwise comply with humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law 17-281; D.C. Official Code § 8-1851.02).".

Sec. 3. Applicability.

Retroactive applicability

This act shall apply as of December 11, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

D.C. Act 21-226, effective December 17, 2015 (Expiration date March 10, 2016)
(Retroactive applicability)

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-227, effective December 17, 2015 (Expiration date March 16, 2016)

AN ACT

Bill 21-518

Emergency Declaration Res. 21-325 21 DCStat 2468

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Business Improvement Districts Act of 1996 to clarify that the business improvement district shall submit a plan to the Mayor to request to extend its operations for a period of 5 years.

Business Improvement Districts Charter Renewal Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Business Improvement Districts Charter Renewal Emergency Amendment Act of 2015".

Note, § 2-1215.18

Sec. 2. Section 19(a)(1)(B) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.18(a)(1)(B)), is amended by striking the phrase "The Board and membership approve a BID plan for the next 5 years of BID operations and submit that plan to the Mayor; and" and inserting the phrase "The BID submits a plan for the next 5 years of BID operations to the Mayor; and" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-237, effective December 21, 2015 (Expiration date March 20, 2016)

AN ACT

Bill 21-486

Emergency Declaration Res. 21-315 21 DCStat 2449

Not Codified

To approve, on an emergency basis, Modification Nos. 6 and 7 and proposed Modification No. 8 to Contract No. CW24576 with Intergraph Corporation to manage and maintain the District's Computer Aided Dispatch System and to authorize payment for the goods and services received and to be received under the contract.

Modification Nos. 6, 7, and 8 to Contract No. CW24576 Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 6, 7, and 8 to Contract No. CW24576 Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 6 and 7 and proposed Modification No. 8 to Contract No. CW24576 with Intergraph Corporation to manage and maintain the District's Computer Aided Dispatch System and authorizes payment in the amount of $1,416,781.44 for the goods and services received and to be received under the contract for the period from October 1, 2015, through September 30, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-238, effective December 21, 2015 (Expiration date March 20, 2016)

AN ACT

Bill 21-492

Emergency Declaration Res. 21-316 21 DCStat 2451

Not Codified

To approve, on an emergency basis, Modification Nos. 001 and 005 and proposed Modification No. 002 to Contract No. DCFA-2015-C-2292SS with PFC Associates, LLC to operate and provide occupational and ancillary health care services at the Police and Fire Clinic and to authorize payment for the goods and services received and to be received under the contract.

Modification Nos. 001, 002, and 005 to Contract No. DCFA-2015-C-2292SS Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 001, 002, and 005 to Contract No. DCFA-2015-C-2292SS Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modifications Nos. 001 and 005 and proposed Modification No. 002 to Contract No. DCFA-2015-C-2292SS with PFC Associates, LLC to operate and provide occupational and ancillary health care services at the Police and Fire Clinic and authorizes payment in the amount of $9,125,876.38 for the goods and services received and to be received under the contract for the period from November 1, 2015 through June 30, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-239, effective December 21, 2015 (Expiration date March 30, 2016)

AN ACT

Bill 21-493

Emergency Declaration Res. 21-332 21 DCStat 2478

Not Codified

To approve, on an emergency basis, Modification Nos. 3, 4, 4A, 5, and 6 to Contract No. GAGA-2013-C-0029 to allow the District of Columbia Public Schools to continue purchasing equipment under the American Express Buy Down Account Program and to authorize payment for the goods and services received and to be received under the contract.

Contract No. GAGA-2013-C-0029 Modification Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. GAGA-2013-C-0029 Modification Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 3, 4, 4A, 5, and 6 to Contract No. GAGA-2013-C-0029 for option year 2 of the American Express Buy Down Account Program for the District of Columbia Public Schools and authorizes payment of $15 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-240, effective December 21, 2015 (Expiration date March 20, 2016)

AN ACT

Bill 21-494

Emergency Declaration Res. 21-327 21 DCStat 2471

To amend, on an emergency basis, the Prevention of Child Abuse and Neglect Act of 1977 to encourage foster children to have connections with individuals who would have been considered siblings but for the termination of parental rights or death of a parent.

Codification District of Columbia Official Code 2001 Edition

Encouraging Foster Children To Have Connections with Siblings Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Encouraging Foster Children To Have Connections with Siblings Emergency Amendment Act of 2015".

Sec. 2. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

Note, § 4-1301.02

(a) Section 102(3)(F)(ii) (D.C. Official Code § 4-1301.02(3)(F)(ii)) is amended by striking the phrase "separation of siblings" and inserting the phrase "separation of siblings, including individuals who would have been considered siblings of the child but for the termination of parental rights or death of a parent," in its place.

Note, § 4-1303.03

(b) Section 303(a-1)(5) (D.C. Official Code § 4-1303.03(a-1)(5)) is amended by striking the phrase "siblings," and inserting the phrase "siblings, including individuals who would have been considered siblings of the child but for the termination of parental rights or death of a parent," in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-241, effective December 21, 2015 (Expiration date March 10, 2016)
(Retroactive applicability)

AN ACT

Bill 21-503

Emergency Declaration Res. 21-320 21 DCStat 2461

Codification District of Columbia Official Code 2001 Edition

Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Emergency Amendment Act of 2015

Note, § 47-4658

To amend, on an emergency basis, section 47-4658 of the District of Columbia Official Code to clarify the real property tax abatement for Lot 72 in Square 5041 and Lot 811 in Square 5056.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Emergency Amendment Act of 2015".

Sec. 2. Section 47-4658 of the District of Columbia Official Code is amended as follows:

(a) The heading is amended to read as follows:

"§ 47-4658. Lot 72, Square 5041 and Lot 811, Square 5056.".

(b) Subsection (a) is amended to read as follows:

"(a) Subject to subsection (b) of this section, the real property described as Lot 72 in Square 5041 and Lot 811 in Square 5056 shall be allowed an annual real property tax abatement equal to the amount of the real property taxes assessed and imposed by Chapter 8 of this title of up to a total maximum amount for each lot of $300,000 per year for 10 property tax years commencing for Lot 72 and Lot 811 at the beginning of the first month following the date that specific lot is issued a final certificate of occupancy ("commencement date") and ending for each lot at the end of the 10th full real property tax year following the lot's commencement date.".

(c) Subsections (c) and (d) are amended to read as follows:

"(c) Notwithstanding any other provision of law and provided that the final certificate of occupancy is issued on or before September 20, 2018, upon the issuance of a final certificate for Lot 72 or Lot 811, any fees or deposits charged to and paid by the owner of that specific lot for the development of Lot 72 or Lot 811, including private space or building permit fees or public space permit fees ("related fees"), shall be refunded and any prospective related fees forgiven.

"(d) The tax abatements and fees and deposits exemptions provided pursuant to this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the development of Lot 72 or Lot 811.".

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of December 11, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-242, effective December 21, 2015 (Expiration date March 20, 2016)

AN ACT

Bill 21-505

Emergency Declaration Res. 21-322 21 DCStat 2465

Not Codified

To order, on an emergency basis, the closing of a portion of the public alley system in Square 70, bounded by 22nd Street, N.W., N Street, N.W., 21st Street, N.W., New Hampshire Avenue, N.W., and M Street, N.W., in Ward 2.

Closing of a Public Alley in Square 70, S.O. 15-23283, Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 70, S.O. 15-23283, Emergency Act of 2015".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council finds the portion of the public alley system in Square 70, as shown on the Surveyor's plat filed in S.O. 15-23283, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this alley closing is contingent upon:

(1) The recordation of a covenant establishing new portions of the alley system by easement over the surface of the closed alley, to a height of 16 feet and a width of 30 feet, as shown on the Surveyor's plat in S.O. 15-23283 that includes an agreement by the owner of the property encumbered by the easement to maintain the new portions of the alley system; and

(2) The satisfaction of all conditions in the official file for S.O. 15-23283 before the recordation of the alley closing.

Sec. 3. Transmittal.

The Council shall transmit copies of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of a Public Alley in Square 70, S.O. 15-23283, Act of 2015, passed on 2nd reading on December 1, 2015 (Enrolled version of Bill 21-179), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-243, effective December 21, 2015 (Expiration date March 20, 2016)

AN ACT

Bill 21-520

Emergency Declaration Res. 21-326 21 DCStat 2469

Not Codified

To authorize, on an emergency basis, the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Act of 2015".

Sec. 2. Findings.

The Council finds that:

(1) The District of Columbia Water and Sewer Authority ("DC Water") currently operates a site south of N Place, S.E., north of the Anacostia River and between 1st and Canal Streets, S.E. ("DC Water Site").

(2) Pursuant to the Anacostia Waterfront Framework Plan, the District of Columbia plans to dispose of and develop a portion of the DC Water Site so as to leverage other large-scale District investments in the Capitol Riverfront/Near Southeast neighborhood, such as the South Capitol Street Bridge project and Nationals Park, thereby serving to accelerate and promote economic vitality as well as enhance economic development in the District of Columbia.

(3) For the planned disposition and development to proceed, it is necessary for DC Water to relocate the functions currently at the DC Water Site.

(4) The District of Columbia and DC Water have entered into a Memorandum of Understanding for DC Water to relocate a portion of the uses from the DC Water Site to a site in Prince Georges County, Maryland.

(5) The District desires to relocate the current DC Water Site uses not being relocated to the Prince Georges County site, including customer care and sewer service operations, to Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 ("W Street Site").

(6) The W Street Site is currently occupied by a private trash transfer station.

(7) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(8) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin, and have complained that there is an increased incidence of health concerns.

(9) The W Street Site trash transfer station continues to operate as an open air trash transfer station, which allows its pungent odors to reach much farther than they would if the facility were closed.

(10) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

(11) The W Street Site will provide an opportunity to construct and establish an updated customer care and sewer service operation for DC Water that is more centrally located within the District of Columbia.

(12) The relocation of DC Water to the W Street Site shall not be considered as a permanent solution to the future use of the site. The permanent future use of the W Street Site should include sustainable economic development and be made in consultation with the surrounding community.

Sec. 3. Exercise of eminent domain.

The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots 36, 41 and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in section 2.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-244, effective December 22, 2015 (Expiration date March 21, 2016)

AN ACT

Bill 21-477

Emergency Declaration Res. 21-21-323 21 DCStat 2466

Not Codified

To approve, on an emergency basis, multiyear Contract No. DCPL-2016-C-0005 with Smoot/Gilbane III MLK, A Joint Venture, to provide Construction Manager At-Risk services for the renovation of the Martin Luther King Jr. Memorial Library from the date of award through December 31, 2019.

Proposed Multiyear Contract No. DCPL-2016-C-0005 Approval Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Proposed Multiyear Contract No. DCPL-2016-C-0005 Approval Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-352.02), the Council approves multiyear Contract No. DCPL-2016-C-0005 with Smoot/Gilbane III MLK, A Joint Venture, for Construction Manager At-Risk services for the renovation of the Martin Luther King Jr. Memorial Library from the date of award through December 31, 2019.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-245, effective December 29, 2015 (Expiration date March 28, 2016)

AN ACT

Bill 21-478

Emergency Declaration Res. 21-331 21 DCStat 2476

Not Codified

To approve, on an emergency basis, Change Order Nos. 001 and 002 to Contract No. DCAM-14-NC-0046A with DC Partners for the Revitalization of Education Projects to complete the exercise of Option Year 002 and to authorize payment in the not-to-exceed amount of $9.8 million for the goods and services received and to be received under the contract for the period of Option Year 002.

Exercise of Option Year 002 of Contract No. DCAM-14-NC-0046A Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 002 of Contract No. DCAM-14-NC-0046A Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Order Nos. 001 and 002 to Contract No. DCAM-14-NC-0046A with DC Partners for the Revitalization of Education Projects to complete the exercise of Option Year 002, and authorizes payment in the aggregate not-to-exceed amount of $9.8 million for the goods and services received and to be received under the contract for the period of Option Year 002.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-246, effective December 29, 2015 (Expiration date March 28, 2016)

AN ACT

Bill 21-487

Emergency Declaration Res. 21-330 21 DCStat 2474

Not Codified

To approve, on an emergency basis, Modification Nos. 4, 5, and 6, and proposed Modification No. 7 to Contract No. GAGA-2013-C-0036 to provide Whole School Whole Child Program services to improve the quality of in-school support and afterschool programming to the District of Columbia Public Schools and to authorize payment for the services received and to be received under the contract.

Contract No. GAGA-2013-C-0036 Modification Approval and Payment Authorization Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. GAGA-2013-C-0036 Modification Approval and Payment Authorization Emergency Act of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 4, 5, 6, and 7 to Contract No. GAGA-2013-C-0036 with City Year, Inc., and authorizes payment not to exceed $1.27 million for services received and to be received under the contract for option year two.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-253, effective December 30, 2015 (Expiration date March 29, 2016)

AN ACT

Bill 21-530

Emergency Declaration Res. 21-339 21 DCStat 2482

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, Title II of the District of Columbia Administrative Procedure Act to allow public access to certain body-worn camera recordings recorded by the Metropolitan Police Department; to amend the Fiscal Year 2016 Budget Support Act of 2015 to require the Mayor to collect additional data; to establish the Metropolitan Police Department Body-Worn Camera Fund; and to adopt regulations governing the Metropolitan Police Department's Body-Worn Camera Program.

Body-Worn Camera Program Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Body-Worn Camera Program Emergency Amendment Act of 2015".

Sec. 2. Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), is amended as follows:

Note, § 2-532

(a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

(1) Subsection (b) is amending by striking the phrase "A public body may establish and collect fees not to exceed the actual cost of searching for, reviewing, and making copies of records." and inserting the phrase "A public body may establish and collect fees not to exceed the actual cost of searching for, reviewing, redacting, and making copies of records." in its place.

(2) Subsection (c) is amended as follows:

(A) The existing text is designated as paragraph (1).

(B) The newly designated paragraph (1) is amended by striking the phrase "A public body" and inserting the phrase "Except as provided in paragraph (2) of this subsection, a public body" in its place.

(C) A new paragraph (2) is added to read as follows:

"(2)(A) If the public record requested is a body-worn camera recording recorded by the Metropolitan Police Department, the Metropolitan Police Department, upon request reasonably describing the recording, shall within 25 days (except Saturdays, Sundays, and legal public holidays) of the receipt of any such request either make the requested recording accessible or notify the person making such request of its determination not to make the requested recording or any part thereof accessible and the reasons therefor.

"(B) A request for a body-worn camera recording may only be submitted to the Metropolitan Police Department.".

(3) Subsection (d) is amended to read as follows:

"(d)(1) In unusual circumstances, the time limits prescribed in subsection (c)(1) and (2) of this section may be extended by written notice to the person making such request setting forth the reasons for extension and expected date for determination. Such extension shall not exceed 10 days (except Saturdays, Sundays, and legal public holidays) for records requested under subsection (c)(1) of this section and 15 days (except Saturdays, Sundays, and legal public holidays) for records requested under subsection (c)(2) of this section.

"(2) For the purposes of this subsection, and only to the extent necessary for processing of the particular request, "unusual circumstances" are limited to:

"(A) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request;

"(B) The need for consultation, which shall be conducted with all practicable speed, with another public body having a substantial interest in the determination of the request or among 2 or more components of a public body having substantial subject-matter interest therein; or

"(C) For body-worn camera recordings covered by subsection (c)(2) of this section, the inability to procure a vendor that is able to perform the redactions within the 25-day time period provided under subsection (c)(2) of this section.".

Note, § 2-534

(b) Section 204(a) (D.C. Official Code § 2-534) is amended by adding a new paragraph (2A) to read as follows:

"(2A) Any body-worn camera recordings recorded by the Metropolitan Police Department:

"(A) Inside a personal residence; or

"(B) Related to an incident involving domestic violence as defined in section 3032(1) of the Domestic Violence Hotline Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 4-551(1)), stalking as defined in section 503 of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-3133), or sexual assault as defined in D.C. Official Code § 23-1907(a)(7).".

Note, § 5-116.33

Sec. 3. Section 3004(a) of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Paragraph (6) is amended by striking the word "and" at the end.

(b) Paragraph (7) is amended to read as follows:

"(7) How many Freedom of Information Act requests the Metropolitan Police Department received for body-worn camera recordings during the reporting period, the outcome of each request, including any reasons for denial, and the cost to the department for complying with each request, including redaction; and".

(c) A new paragraph (8) is added to read as follows:

"(8) How many recordings were assigned to each body-worn camera recording category.".

Note, New Part B, New § 5-1116.51

Sec. 4. Metropolitan Police Department Body-Worn Camera Fund.

(a) There is established as a special fund the Metropolitan Police Department Body-Worn Camera Fund ("Fund"), which shall be administered by the Metropolitan Police Department.

(b) Funds from the following sources shall be deposited into the Fund:

(1) All fees that are paid as part of Freedom of Information Act requests for body-worn camera recordings recorded by the Metropolitan Police Department;

(2) All monies appropriated to the Fund;

(3) Federal grants to the Fund; and

(4) Private monies donated to the Fund.

(c) Money in the Fund shall be used for the purpose of procuring a vendor to perform any necessary redactions of body-worn camera recordings.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

DCMR

Sec. 5. Title 24 of the District of Columbia Municipal Regulations is amended by adding a new Chapter 39 to read as follows:

"3900 GENERAL PROVISONS

"3900.1. The purposes of this chapter are to establish rules for the Metropolitan Police Department's Body-Worn Camera Program ("BWC Program") and to implement section 3003 of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905).

"3900.2. The intent of the BWC Program is to promote accountability and transparency, foster improved police-community relations, and ensure the safety of both MPD members ("members") and the public.

"3900.3. In addition to these regulations, the Chief of Police of MPD may issue policy directives to members; those policy directives shall be published on the Department's website at http://mpdc.dc.gov/page/written-directives-general-orders.

"3900.4. Members shall successfully complete MPD-offered or approved BWC training before being issued a BWC.

"3900.5. When practicable, members shall inform contact subjects that they are being recorded at the beginning of the contact and shall provide language access services to all limited and non-English proficient persons in a timely and effective manner.

"3900.6. Members may record First Amendment assemblies for the purpose of documenting violations of law and police actions, as an aid to future coordination and deployment of law enforcement units, and for training purposes; provided, that recording First Amendment assemblies shall not be conducted for the purpose of identifying and recording the presence of participants who are engaged in lawful conduct.

"3900.7. Members shall not create BWC recordings when they are at a school and are engaged in non-critical contacts with students or mediating minor incidents involving students. For purposes of this subsection, "school" means a facility devoted to primary or secondary education.

"3900.8. When reviewing BWC recordings, members shall immediately notify Department officials upon observing, or becoming aware of, an alleged violation of Department policies, laws, rules, regulations, or directives.

"3900.9. Members may review their BWC recordings or BWC recordings that have been shared with them to assist in initial report writing, except in cases involving a police shooting.

"3900.10. The Mayor may, on a case-by-case basis in matters of significant public interest and after consultation with the Chief of Police, the United States Attorney's Office for the District of Columbia, and the Office of the Attorney General, release BWC recordings that would otherwise not be releasable pursuant to a FOIA request. Examples of matters of significant public interest include officer-involved shootings, serious use of force by an officer, and assaults on an officer requiring hospitalization.

"3901 RETENTION OF BODY-WORN CAMERA RECORDINGS

"3901.1. Unless subject to the requirements of § 3901.2, a BWC recording shall be retained by the Department for not more than ninety (90) calendar days from the date the recording was created. All metadata shall be retained by the Department for not less than five (5) years.

"3901.2. The Department shall, through a policy directive, establish and make available on its website retention schedules for BWC recordings that contain the following:

"(a) Recordings related to a criminal investigation;

"(b) Recordings involving conduct by an MPD officer or civilian employee that is under investigation or the subject of a complaint;

"(c) Recordings related to a death investigation;

"(d) Recordings that the Department has actual or constructive knowledge may be:

"(1) Subject to a civil litigation hold;

"(2) Subject to a FOIA request; or

"(3) Used for training purposes by the Department; and

"(e) Any other category of recordings that the Chief of Police determines should be retained.

"3902. ACCESS TO BODY-WORN CAMERA VIDEO.

"3902.1. The Department shall make unredacted BWC recordings available to the United States Attorney's Office for the District of Columbia, the Office of the Attorney General, and the Office of Police Complaints.

"3902.2. The Department shall make BWC recordings available to law enforcement or investigatory agencies, such as the Office of the Inspector General and the Office of the District of Columbia Auditor, pursuant to the officers' or agencies' official duties. Nothing in this subsection shall be construed to limit those entities' authority under existing law. The cost of any required redactions shall be borne by the Department.

"3902.3. A FOIA request for a BWC recording shall only be submitted to MPD.

"3902.4. The Department shall make unredacted BWC recordings available to the appropriate oversight committee or committees of the Council of the District of Columbia upon request of the committee or committees. BWC recordings in the possession of the Council shall not be publicly disclosed.

"3902.5. (a) Pursuant to policy directives adopted under the authority of § 3900.3, the Department shall schedule a time for any subject of a BWC recording, the subject's legal representative, and the subject's parent or legal guardian if the subject is a minor, to view the BWC recording at the police station in the police district where the incident occurred; provided, that:

"(1) Neither the subject, the subject's legal representative, nor the subject's parent or legal guardian if the subject is a minor shall make a copy of the BWC recording;

"(2) Access to the unredacted BWC recording would not violate the individual privacy rights of any other subject; and

"(3) Access to the unredacted BWC recording would not jeopardize the safety of any other subject.

"(b)(1) To receive a copy of a BWC recording viewed pursuant to paragraph (a) of this subsection, an individual shall file a FOIA request with the Department; provided, that there shall be no cost to the individual for the production of the BWC recording.

"(2) Upon receipt of the copy of the BWC recording, the individual may further copy or distribute the BWC recording.

"3902.6. An individual seeking to obtain a copy of a BWC recording not covered by § 3902.5 may submit a FOIA request to the Department for a copy of the BWC recording.

"3902.7. The Department shall engage academic institutions and organizations to analyze the BWC Program; provided, that any such relationships shall require the protection of any information or unredacted BWC recordings.

"3902.8. The Department shall, through a policy directive, develop procedures to implement this section and District law.

"3903 BODY-WORN CAMERA AUDITS AND DATA PROTECTION

"3903.1. The Department shall conduct audits of the BWC Program to assess the following, at a minimum:

"(a) Member compliance with these regulations and any policy directives issued by the Department;

"(b) The impact of the BWC Program on reports submitted by members;

"(c) Member training and equipment needs;

"(d) The proper protection of individuals' privacy rights;

"(e) The impact of BWCs on the number and type of citizen complaints filed with the Department;

"(f) The impact of BWCs on the number of use-of-force incidents;

"(g) The total number of contacts between members and the public; and

"(h) The maintenance of proper and secure access to shared or retained BWC recordings.

"3903.2. The Department shall regularly monitor the business practices of any third-party entity providing services to the BWC Program to ensure that individuals' privacy rights are protected.

"3903.3. The Department may enter into agreements with other government agencies to provide access to BWC recordings; provided, that any such agreements shall require the other agencies to adhere to the individual privacy protections contained in these regulations or any policy directives issued by the Department.

"3903.4. The Department shall strictly control access to BWC recordings and shall identify each member who accesses BWC recordings. The Department shall perform quarterly audits of member access to BWC recordings.

"3903.5. A member who makes a BWC recording shall not have access to delete that recording.

"3903.6. The deletion of any BWC recording shall be tightly restricted and shall require written justification for the deletion.

"3903.7. If it is discovered through review, audit, or inspection that a member did not record a required event, the Department shall require the member to provide written justification for the failure to record.

"3903.8. The Department shall regularly monitor its BWC recordings data protection policies.

"3999. DEFINITIONS.

"3999.1. When used in this chapter, the following terms and phrases shall have the meanings ascribed:

"Body-worn camera or "BWC"– means a camera system with secured internal memory for storage of recorded audio and video that is designed to be worn on the clothing of or otherwise secured to a person.

"Department" or "MPD" – means the Metropolitan Police Department.

"FOIA" – means Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq*.).

"Metadata – means descriptors that identify the time, date, location, badge number linked to the creation of the record, and officer interaction/offense categorization of BWC recordings.

"Subject – means an individual who is not an on-duty law enforcement officer at the time of the BWC recording and who has been recorded by a BWC.

"Use of force – means any physical contact used to effect, influence, or persuade an individual to comply with an order from an officer. The term shall not include unresisted handcuffing or hand control procedures that do not result in injury.".

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec.7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

A RESOLUTION

Proposed Resolution 21-312

***See* Emergency D.C. Act 21-156 21 DCStat 2184**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow any applicant that received notification on July 25, 2014, that its medical marijuana cultivation center was eligible for registration to modify its application, to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants, not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1000.

Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) Enactment of the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2015, effective July 20, 2015 (D.C. Act 21-104; 62 DCR 9965) (“Emergency Act”), enables the District to increase the number of live marijuana plants to assuage the demand for medical marijuana in medical marijuana distribution centers.

(b) The District is currently experiencing higher demand for medical marijuana than there is capacity to produce.

(c) The Emergency Act enables existing cultivation centers to expand the size of their facilities when they have leaseholds for adjacent real property.

(d) The Emergency Act also authorizes twice the number of live marijuana plants, up to a maximum of 1000, for all cultivation centers.

(e) New emergency legislation is necessary to prevent a gap in the law between the expiration of the Emergency Act, which expires on October 18, 2015, and the effectiveness of temporary legislation, the Medical Marijuana Cultivation Center Expansion Temporary Amendment Act of 2015, enacted on July 21, 2015 (D.C. Act 21-0145; 62 DCR 10896), which is expected to become law on October 22, 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-339

See Emergency D.C. Act 21-162 21 DCStat 2201

To declare the existence of an emergency, due to congressional review, with respect to the need to adjust certain allocations requested in the Fiscal Year 2015 Budget Request Act of 2014 pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2015 Second Revised Budget Request Adjustment Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2015 Second Revised Budget Request Adjustment Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) On May 27, 2015, the Council passed the Fiscal Year 2015 Second Revised Budget Request Emergency Adjustment Act of 2015, effective June 17, 2015 (D.C. Act 21-76; 62 DCR 8815) ("Act 21-76"). Act 21-76 was signed by the Mayor on June 17, 2015 and expired on September 15, 2015.

(b) On June 10, 2015, the Council passed the Fiscal Year 2015 Budget Request Temporary Adjustment Act of 2015, effective September 17, 2015 (D.C. Act 21-94; 62 DCR 9221) ("Act 21-94"), a temporary version of Act 21-76. The Mayor signed that temporary legislation on June 25, 2015. Due to the congressional review period, the temporary legislation did not take effect until September 17, 2015.

(c) Acts 21-76 and 21-94 consist of substantial adjustments to existing budget authority upon which the approved Fiscal Year 2016 Budget and Financial Plan were based.

(d) The congressional review period for Act 21-94 has created a funding and authority gap upon the expiration of Act 21-76. This gap must be addressed to ensure the proper implementation and balancing of both the Fiscal Year 2015 Budget and the Fiscal Year 2016 Budget and Financial Plan.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2015 Second Revised Budget Request Congressional Review Emergency Adjustment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-313

***See* Emergency D.C. Act 21-157 21 DCStat 2186**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

Sale of Synthetic Drugs Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sale of Synthetic Drugs Congressional Review Emergency Declaration Resolution of 2015."

Sec. 2. (a) There is an immediate need to amend section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

(b) This bill is necessary to prevent a gap in the law as the emergency legislation, the Sale of Synthetic Drugs Emergency Amendment Act of 2015, effective July 10, 2015 (D.C. Act 21-0100; 62 DCR 9689), expires on October 8, 2015.

(c) Temporary legislation, the Sale of Synthetic Drugs Temporary Amendment Act of 2015, enacted on July 31, 2015 (D.C. Act 21-0146; 62 DCR 10898), was transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(d) The temporary legislation may not become law until after the expiration of the emergency legislation; therefore, a congressional review emergency is needed to prevent a gap in the law.

(e) The Committee on the Judiciary held a hearing on the permanent legislation, the Sale of Synthetic Drugs Amendment Act of 2015, as introduced on June 18, 2015 (Bill 21-0261), on September 16, 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sale of Synthetic Drugs Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-337

***See* Emergency D.C. Act 21-160 21 DCStat 2195**

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, and to require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.

Rent Control Hardship Petition Limitation Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rent Control Hardship Petition Limitation Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District's rent control regime is established by the Rental Housing Act of 1985; approximately 79,000 housing units are subject to the law, accounting for 66% of the rental housing stock in the District.

(b) For units subject to rent control, annual rent increases are limited to a maximum of 10% for most tenants and 5% for seniors and individuals with disabilities.

(c) However, under the hardship petition process a housing provider can apply to the Rent Administrator at the Department of Housing and Community Development to raise rents by more than the standard increase, in order to achieve a 12% rate of return on the housing provider's investment in the building.

(d) The hardship petition requires the housing provider to submit a schedule of income and expenses, which the Rent Administrator can use to calculate a new rent based on the 12% rate of return.

(e) If a hardship petition is not decided within 90 days, the housing provider may automatically start collecting the entire rent for which the housing provider originally applied.

(f) As hardship petitions are rarely decided within the 90-day time period, conditional increases are frequently granted that result in rent increases of 50% to 100%.

(g) These rent increases place a significant burden on low-income renters, increasing the likelihood of displacement and homelessness.

(h) For example, tenants of a building in Ward 7 were charged a 34% increase and were threatened with eviction if they did not pay the rent increase. Tenants were forced to file a lawsuit challenging the increase based on numerous housing code violations, and the dispute was prolonged for more than 4 years. During this time the higher rents were required to be paid into a court-mandated escrow account.

(i) Although a conditional increase may ultimately be reversed, it is often too late for tenants who have been displaced by rent increases that housing providers were ultimately not authorized to charge.

(j) More than 88 hardship petitions were filed between 2007 and 2013, significantly raising the rent on thousands of District residents.

(k) Without swift action by the Council to counter opportunities for abuse of the hardship petition process, additional tenants will likely be priced out of their homes.

(l) Emergency and temporary legislation was moved in Council Period 20, by Councilmember Bowser, to deal with these issues. As permanent legislation was not completed during Council Period 20, and the temporary legislation will expire on October 9, 2015, additional emergency legislation is necessary so there will not be a gap in the law.

(m) On March 17, 2015, permanent legislation, Bill 21-146, the Rent Control Hardship Petition Limitation Amendment Act of 2015, was introduced by Councilmember Bonds along with Councilmembers Silverman, Nadeau, and Cheh. The bill was referred to the Committee on Housing and Community Development, and a hearing on the bill was held on Tuesday, May 26, 2015. The Committee will soon mark up Bill 21-146 and send it to the full Council for consideration.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Rent Control Hardship Petition Limitation Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-216, effective September 22, 2015

A RESOLUTION

Proposed Resolution 21-314

***See* Emergency D.C. Act 21-158 21 DCStat 2190**

To declare the existence of an emergency with respect to the need to amend the Education Licensure Commission Act of 1976 to change the name of the Education Licensure Commission to the Higher Education Licensure Commission, to extend authority to the commission to require institutions physically located outside the District of Columbia offering postsecondary degree-granting or non-degree-granting online programs or courses to District of Columbia residents physically in the District to be licensed in the District, to permit members of the commission to serve in a hold-over capacity for no more than 180 days after expiration of their second full consecutive term, to provide the commission with the authority to enter into reciprocity agreements with regards to online courses, and to authorize the commission to impose alternative sanctions for violations of provisions of the act or regulations promulgated under the authority of the act; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the annual compensation of members of the Higher Education Licensure Commission from $4,000 to $8,000; to amend the State Education Office Establishment Act of 2000 to designate the Office of the State Superintendent of Education the state portal agency for state authorization reciprocity; and to amend the Office of Administrative Hearings Establishment Act of 2001 to make a conforming amendment.

Higher Education Licensure Commission Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Higher Education Licensure Commission Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District of Columbia seeks to ensure that a wide array of post-secondary learning opportunities is available for our residents. Across the country, at least 7 million students are using online technology to access post-secondary courses. Post-secondary online distance education expands learning opportunities by providing flexible, accessible methods to acquiring new skills and fulfilling degree requirements.

(b) The rapid growth of distance education has brought to the forefront the need to provide a coherent and comprehensive structure that focuses on consumer protection and security while maintaining the unique features of online distances learning. Students in online distance education programs require stronger protections because they are completing their courses and programs outside of the visibility of traditional oversight and monitoring structures. Many other states have already taken the step to protect their residents and the District must move forward to keep up with best practices in post-secondary licensing.

(c) Since the current Education Licensure Commission law does not specifically require schools outside of the District offering online distance education programs to District residents to be licensed, District residents are left unprotected against unethical practices by false or misleading postsecondary entities. Therefore, a need exists to protect District residents who may

be unable to assess the legitimacy, quality, or legality of a post-secondary educational institution.

(d) Currently, over 100 postsecondary institutions outside of the District are already providing distance education to District residents and have inquired with the Education Licensure Commission about getting licensed. Until the changes proposed in this emergency legislation are made, there is no guidance that the Education Licensure Commission can provide to these institutions and no basic standards or safeguards that the Education Licensure Commission can require of these institutions.

(e) Furthermore, District-based postsecondary institutions that are engaging in distance education in other jurisdictions must navigate multiple state licensing requirements that are both cumbersome and costly. The changes in this emergency legislation will allow the Education Licensure Commission to enter into reciprocity agreements with other jurisdictions regarding licensing online distance education programs, which would result in ensuring security and consumer protections while making the process and costs for providing distance education far less involved. The Education Licensure Commission has already entered into a State Authorization Reciprocity Agreement ("SARA"), per authority provided by the Education Licensure Commission Temporary Amendment Act of 2014 (D.C. Law 20-239) ("Temporary Act"), which expires on October 24, 2015, but cannot maintain the SARA if the Temporary Act expires.

(f) Without this emergency legislation, private and public higher education institutions in the District, including the University of the District of Columbia ("UDC"), will have to pay fees to each state to conduct online learning programs in their respective states. This is extremely expensive and burdensome for the District's institutions of higher learning. Thus, this emergency legislation, through the SARA, will save both UDC and the District's private higher education institutions in the District tens of thousands of dollars in fees in the coming months.

(g) This emergency legislation is necessary to prevent a gap in the law as the Temporary Act expires on October 24, 2015. The permanent version of this law, the Higher Education Licensure Commission Amendment Act of 2015 (B21-295), was introduced on July 8, 2015, and referred to the Committee on Education, which will hold a public hearing on October 1, 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Higher Education Licensure Commission Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-341

See Emergency D.C. Act 21-164 21 DCStat 2206

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 2016 Budget Support Act of 2015, the Fiscal Year 2016 Budget Support Emergency Act of 2015, and various other acts to clarify provisions supporting the Fiscal Year 2016 budget.

Fiscal Year 2016 Budget Support Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2016 Budget Support Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) On June 30, 2015, the Council passed the Fiscal Year 2016 Budget Support Act of 2015, enacted on August 11, 2015 (D.C. Act 21-148; 62 DCR 10905) ("Act 21-148"). Act 21-148 was signed by the Mayor on August 11, 2015, was transmitted to Congress on September 9, 2015, and has a projected law date of October 22, 2015.

(b) At the June 30, 2015 Legislative Meeting, the Council also adopted the Fiscal Year 2016 Budget Support Emergency Act of 2015, effective July 27, 2015 (D.C. Act 21-127; 62 DCR 10201) ("Act 21-127"), an emergency version of Act 21-148. Act 21-127 was signed by the Mayor and became effective on July 27, 2015.

(c) Since the Council's adoption of Acts 21-127 and 21-148, it has been discovered that several provisions within these measures are in need of technical corrections or further clarification. As such, the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2015 makes the following changes:

(1) Clarifies the scope of the District of Columbia Auditor's review of the summer youth jobs program to include multiple years;

(2) Adds a residency requirement to the Kids Ride Free program at the request of the Mayor;

(3) Repeals the subject-to-appropriations clause for section 302(b) of the Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; 62 DCR 1243);

(4) Repeals the subject-to-appropriations clause for the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; 62 DCR 3820);

(5) Repeals the subject-to-appropriations clause for section 103(c) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; 62 DCR 3600);

(6) Clarifies that the Combined Reporting Clarification subtitle (section 7182 of the Fiscal Year 2016 Budget Support Act of 2015, enacted on August 11, 2015 (D.C. Act 21-148; 62 DCR 10905), applies starting in tax year 2016;

(7) Renames the WMATA Momentum Fund as the WMATA Operations Support

Fund, and correspondingly modifies the scope of the fund to include extraordinary or unanticipated operating or capital needs of WMATA that arise outside of WMATA's regular inter-jurisdictional subsidy allocation formulae;

(8) Clarifies administrative requirements related to tax sales;

(9) Clarifies that a uniform interest rate applies to delinquent vault rents; and

(10) Clarifies provisions of the Accrued Paid Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq*.), with regard to substitute teachers and substitute aides.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-340

***See* Emergency D.C. Act 21-163 21 DCStat 2205**

To declare the existence of an emergency with the respect to the need amend An Act To amend the Act entitled "An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes", approved June 20, 1906, and for other purposes, to permit members of the Fire and Emergency Medical Services Department that worked overtime hours during the 2013 Presidential Inauguration to be paid for work performed.

Fire and Emergency Medical Services Department Presidential Inauguration Pay Rectification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fire and Emergency Medical Services Department Presidential Inauguration Pay Rectification Emergency Declaration Resolution of 2015".

Sec. 2. (a) On June 5, 2012, the Council adopted the Fiscal Year 2013 Budget Support Act of 2012, effective September 20, 2012 (D.C. Law 19-168; 59 DCR 8025). Section 3023 of that legislation provided an exemption from the allowable overtime hours that Fire and Emergency Medical Services Department ("Department") members were permitted to work during the 2013 Presidential Inauguration. Specifically, the legislation exempted pay periods 1 and 2 from the overtime restrictions set forth at D.C. Official Code § 5-405.

(b) This exemption from overtime hours was subsequently amended, following the recommendation of the Office of the Chief Financial Officer, as it was believed that the incorrect pay periods were identified in D.C. Law 19-168. Thus, on March 1, 2013 the Council adopted emergency legislation in order to remedy the perceived error. The Department of Fire and Emergency Medical Services Inaugural Overtime Clarification Emergency Act of 2013, effective March 1, 2013 (D.C. Act 20-20; 60 DCR 3976), changed the applicable pay periods for the exemption from pay periods 1 and 2 to pay periods 2 and 3.

(c) Complicating this legislative history further, the Department issued a Special Order on January 14, 2013—midway through the period for which the exemption was to apply—implementing the "waiver of the Overtime Implementation Act."

(d) It is now apparent that the pay periods provided in the law for the exemption, both as originally put forth and as amended, were incorrect.

(e) Regardless of the error in applicable pay periods, the Department, without statutory authorization and contrary to its own Special Order, ordered 6 members of the Department to work beyond the statutory cap for overtime. These 6 individuals, despite having served during the 2013 Presidential Inauguration, have not yet been paid for the hours worked in excess of the cap. Having exceeded the hour cap also triggers compensation at time-and-a-half.

(f) After 2½ years, it is important for the District to finally resolve this issue and for the Office of Pay and Retirement Services to pay these 6 individuals for work performed. The

accompanying emergency removes any statutory barrier that may be perceived as preventing payment to these individuals.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fire and Emergency Medical Services Department Presidential Inauguration Pay Rectification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-326

See Emergency D.C. Act 21-159 21 DCStat 2194

To declare the existence of an emergency with respect to the need to amend the Sexual Assault Victims' Rights Act of 2014 to extend the date by which the Sexual Assault Victim Rights Task Force shall submit its report to the Council and the Sexual Assault Response Team.

Sexual Assault Victim Rights Task Force Report Extension Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sexual Assault Victim Rights Task Force Report Extension Emergency Declaration Resolution of 2015".

Sec. 2. (a) Title II of the Sexual Assault Victims' Rights Act of 2014, effective November 20, 2014 (D.C. Law 20-139; D.C. Official Code § 4-561.01 *et seq*.) ("Act") requires the Office of Victim Services and Justice Grants to establish a Sexual Assault Victim Rights Task Force ("Task Force") to study nationally recognized best practices and develop recommendations regarding:

(1) The development and implementation of an effective mechanism for submitting, tracking, and investigating complaints regarding the handling of, or response to, a sexual assault report or investigation by any agency or organization involved in the response;

(2) Whether a need exists for additional sexual assault victim advocates;

(3) Whether a need exists to expand the right to a sexual assault victim advocate beyond the hospital and law enforcement interview settings, such as meetings and conversations with prosecutors; and

(4) Whether a need exists to expand the right to a sexual assault victim advocate to juvenile sexual assault victims.

(b) The Act requires the Task Force to submit its report of the results of its assessments, developments, and recommendations to the Council and the Sexual Assault Response Team by September 30, 2015.

(c) The Task Force has met monthly since October 2014 and is now primarily considering its recommendations relating to juvenile sexual assault victims.

(d) The Task Force has committed to producing a draft report for public comment by October 14, 2015, and to holding an open meeting no later than November 18, 2015.

(e) The emergency act would extend the date by which the Task Force must submit its report to January 31, 2016, to enable it to complete consideration of its recommendations and to finalize the report following the open meeting.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sexual Assault Victim Rights Task Force Report Extension Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-338

***See* Emergency D.C. Act 21-161 21 DCStat 2198**

To declare the existence of an emergency with respect to the need to establish a qualified ABLE Program, to be known as the ABLE Program Trust, pursuant to the requirements of the federal Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014 to exempt from income taxation the earnings on deposits made to an ABLE Program Trust by an eligible individual to assist the individual with certain expenses related to the individual's blindness or disability.

ABLE Program Trust Establishment Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "ABLE Program Trust Establishment Emergency Declaration Resolution of 2015".

Sec. 2. (a) According to the 2012 Disability Status Report of the District of Columbia, 11.5% of District residents have a disability. Of these residents, 13,100 working-age people with disabilities received Supplementary Security Income ("SSI") benefits.

(b) Eligibility for public benefits, such as SSI, do not allow a person to possess more than $2,000 in cash savings or retirement funds. A person with a disability must therefore forego accumulating savings or planning for the future in order to remain eligible for public benefits.

(c) In 2014, the federal Stephen Beck Jr., Achieving a Better Life Experience Act of 2014 ("ABLE Act") was enacted and mandated that states provide people with disabilities and their families the opportunity to create tax-exempt savings accounts. Since enactment of the federal ABLE Act, 41 states have pending or signed legislation establishing ABLE programs in their jurisdictions.

(d) Without this emergency legislation, District residents with a disability cannot possess a savings account in excess of $2,000 and therefore cannot have access to personal finances in case of an emergency of for long-term plans.

(e) This emergency is necessary to enable District residents with a disability to establish an ABLE account of up to $100,000 and therefore enable these residents and their families to create more opportunities to live independently and provide access to work and wealth without relegating people to government benefits alone.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the ABLE Program Trust Establishment Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-205

See Emergency D.C. Act 21-155 21 DCStat 2183

To declare the existence of an emergency with respect to the need to approve Contract No. CW22673 with Pearson VUE to provide professional-licensing services, and to authorize payment for the goods and services received and to be received under the contract.

Contract No. CW22673 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW22673 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Contract No. CW22673 with Pearson VUE to provide professional-licensing services and to authorize payment for the goods and services received and to be received under the contract.

(b) On July 2, 2013, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Consumer and Regulatory Affairs, awarded Contract No. CW22673 (the "Contract") to Pearson VUE in an amount of $650,000.00 for the period from July 2, 2013 through December 31, 2013. Actual expenditures under the Contract during this period totaled $961,790.00.

(c) By Modification No. 1 dated December 31, 2013, OCP extended the term of the Contract from January 1, 2014 through March 31, 2014 and increased the estimated amount of the Contract by $200,000. Actual expenditures under the Contract during this extension period totaled $723,532.00.

(d) By Modification No.2 dated March 31, 2014, OCP extended the term of the Contract from April 1, 2014 through September 30, 2014 and increased the estimated amount of the Contract by $650,000. Actual expenditures under the Contract during this extension period totaled $1,578,025.00.

(e) Modification No. 3 was an administrative change only.

(f) By Modification No. 4, OCP increased the estimated amount of the Contract by $915,005.00.

(g) By Modification No. 5, OCP extended the term of the Contract from October 1, 2014 through December 31, 2014 and increased the estimated amount of the Contract by $1,170.000.00. Actual expenditures under the Contract during this extension period totaled $470,705.00.

(h) By Modification No. 6, OCP extended the term of the Contract from January 1, 2015 through September 30, 2015 and increased the estimated amount of the Contract by $1,885.000.00, for a total estimated amount of $5,619,052.00 for the period from July 2, 2013 through September 30, 2015.

(i) Approval of the Contract and authorization of payment is necessary to allow the continuation of these vital services. Without this approval, Pearson VUE cannot be paid for goods and services provided in excess of $1 million during each 12-month period of the Contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW22673 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-311

***See* Emergency D.C. Act 21-153 21 DCStat 2176**

To declare the existence of an emergency with respect to the need to adjust certain allocations requested in the Fiscal Year 2015 Budget Request Act of 2014 pursuant to the Omnibus Appropriations Act, 2009; to authorize that available Fiscal Year 2015 funds be retained as fund balance and carried over into Fiscal Year 2016; and to adjust certain allocations requested in the Fiscal Year 2016 Budget Request Act of 2015 pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Declaration Resolution of 2015".

Sec. 2. (a) On June 30, 2015, the Office of the Chief Financial Officer released a quarterly revised revenue estimate that showed a $117.2 million increase in certified revenues. This revenue increase was reduced by $49 million to satisfy a required allocation for a Fire and Emergency Medical Services Department settlement, as required by section 7092(b)(l)(A) of the Fiscal Year 2016 Budget Support Act of 2015. This reduction leaves an unallocated revenue balance of $68.2 million available for expenditure. Pursuant to the proposed Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency ct of 2015, $57.6 million of this $68.2 million amount will go directly towards the repayment of Fiscal Year 2015 contingency cash, which was accessed in order to cover the cost of the Department of Healthcare Finance Medicaid disallowance. The remaining $10.6 million will be retained as fund balance and carried over into Fiscal Year 2016 to cover various initiatives.

(b) The Office of Tax and Revenue recently received funds related to a settlement payment in the *District of Columbia v. Expedia, Inc. et. al.* (Nos. 14-CV-308, 14-CV-309) case in the amount of $73,631,296.57. The Fiscal Year 2015 Budget Support Act of 2014 (Title IV, Subtitle P of D.C. Law 20-155) and Fiscal Year 2016 Budget Support Act of 2015 (Title VII, Subtitle B of D.C. Act 21-148, adopted on an emergency basis in D.C. Act 21-127) specify how those funds are to be allocated: $1.5 million to the Destination DC Marketing Fund; $3.5 million to the IPW Fund for the travel industry conference; $1.5 million to the Office of the Attorney General for the Litigation Support Fund; and the remainder to be deposited in the WMATA Momentum Fund. Pursuant to the proposed Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015, $17.7 million in funds that otherwise would have been deposited into the WMATA Momentum Fund will be carried over into Fiscal Year 2016 to cover various initiatives.

(c) Of the $28.3 million to be carried over into Fiscal Year 2016 pursuant to the proposed Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment

Emergency Act of 2015, $23.3 million will be spent on an urgently needed and comprehensive legislative, administrative, and budgetary agenda to address crime in the District.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-216

To confirm the appointment of Mr. Victor Reinoso to the Board of Library Trustees.

Board of Library Trustees Victor Reinoso Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Victor Reinoso Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Victor Reinoso
616 Aspen Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), succeeding Myrna Peralta, for a term to end January 5, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-280

To confirm the appointment of Ms. Ricarda Ganjam to the Public Charter School Board.

Public Charter School Board Ricarda Ganjam Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Charter School Board Ricarda Ganjam Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Ricarda Ganjam
436 Fourth Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a member of the Public Charter School Board, established by section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), succeeding John H. McKoy, for a term to end February 24, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-343

To approve multiyear Contract No. SO-15-016-0001071 with Hi-Tech Solutions, Inc. to provide Microsoft software licenses and software assurances for the Washington Convention and Sports Authority.

Hi-Tech Solutions, Inc. Contract Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Hi-Tech Solutions, Inc. Contract Approval Resolution of 2015".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(c)(3)), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. SO-15-016-0001071 between the Washington Convention and Sports Authority and Hi-Tech Solutions, Inc. to provide 2 Microsoft SQL Server 2014 Standard core based licenses and one Microsoft Visual Studio Professional license in an amount not to exceed $35,647 for a term beginning October 1, 2015 and ending September 30, 2018.

Sec. 3. Transmittal.
The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.
This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-344

See Emergency D.C. Act 21-183 21 DCStat 2220

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCPL-2015-C-0034 with Gilbane Building Company to provide a 685-calendar-day period for the performance of design-build services for the interim and new Cleveland Park library.

Contract No. DCPL-2015-C-0034 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCPL-2015-C-0034 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve multiyear Contract DCPL-2015-C-0034 with Gilbane Building Company for design-build services for a new Cleveland Park library and test fits for the interim Cleveland Park library. The period of performance is 685 calendar days.

(b) On December 8, 2014, the District of Columbia Public Library ("DCPL") issued a request for proposals for a contractor to provide Phase 1 of the design-build services for the interim and new Cleveland Park library as part of a 2-step selection process.

(c) On March 17, 2015, the Technical Evaluation Panel compiled the Step 2 report recommending issuing the award to Gilbane Building Company and transmitted the results of the report to the DCPL Chief Procurement Officer. The Chief Procurement Officer, after performing her own independent assessment of each offeror, recommended that the contract be awarded to Gilbane Building Company, the highest-scored offeror in Step 2 selection process.

(d) The not-to-exceed total expenditure under this multiyear contract with Gilbane Building Company is in the amount of $2,674,032 for phases 1 and 2 of the contract.

(e) Council approval is necessary to allow the performance and payment for these vital services by Gilbane Building Company through an award of this multiyear contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCPL-2015-C-0034 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-352

***See* Emergency D.C. Act 21-184 21 DCStat 2221**

To declare the existence of an emergency with respect to the need to amend the Day Care Policy Act of 1979 to establish a pilot, community-based Quality Improvement Network that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family-support engagement services, including educational, health, nutritional, behavioral, and family-support services.

Early Learning Quality Improvement Network Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Early Learning Quality Improvement Network Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District of Columbia leads the nation in providing high-quality pre-K to 3- and 4-year olds. In order to ensure that the District's youngest children are prepared when they enter our pre-K programs, a need exists to increase the quality child care and services that our 0-3 year old population receives.

(b) Currently, 3,542 children ages 0-3 years receive child care subsidy in the District of Columbia, and of those children, 38% come from families with no income, 63% come from families whose incomes are under 100% of the federal poverty level ("FPL"), and 75% come from families whose incomes are under 130% of the FPL. These are generally the District's most vulnerable residents who need comprehensive services and a continuity of care to ensure that they are poised to succeed when they enter pre-K and kindergarten.

(c) In order to address the needs of the population discussed in subsection (b) of this section and their families, the Office of the State Superintendent of Education ("OSSE") is creating a pilot Early Learning Quality Improvement Network ("QIN") composed of child development facilities that will serve as hubs to provide quality improvement technical assistance and comprehensive services to licensed child development centers and licensed child development homes. The child development centers and child development homes will provide low-income infants and toddlers high-quality, full-day, full-year comprehensive early learning and development services, including health, mental health, nutrition, and family engagement support, and a continuum of care.

(d) The pilot QIN will allow the District to demonstrate the effectiveness of an evidence-based model of infant and toddler child care to support children's learning and development outcomes. Federal studies of use of the Early Head Start standards have shown improved cognitive skills and social development by the age of 3 years. Thus, better preparation of the District's youngest children will allow them to be more successful later in school, as well as lead to long-term positive social and educational outcomes.

(e) Under current District law, children receiving child care subsidy are not guaranteed continuity of care, as their subsidy status is linked to their guardian's employment status. Thus, if a parent loses his or her job, his or her child will lose subsidy and thus child care. This disruption is particularly detrimental to these children, as they are often the population with the greatest need for consistency and continuity. Thus, a need exists to allow the children in the pilot QIN to continue to receive child care subsidy, and therefore child care, in spite of the employment status of their guardian.

(f) In August 2014, OSSE applied for a federal Department of Health and Human Services ("HHS") grant to support the QIN. This federal grant requires recipients to provide continuity of care for children participating in the QIN. To date, OSSE has heard from the HHS that we are in the fundable range and thus anticipate receiving the federal grant, thereby further elevating the need for this legislation.

(g) Additionally, the federal HHS grant requires recipients to provide children enrolled in the QIN free child care and comprehensive services. Under current District law, this is not possible. While a child's family may receive subsidy to cover his or her child care, the law still requires the parent to pay for a portion of the child care based on a sliding scale adjusted for the guardian's income level. Therefore, in order to fulfill the requirement of the federal grant, as well as to ensure that the District's most vulnerable population has access to complete and comprehensive health, mental health, nutrition, and family engagement services, a need exists for the children included in the pilot QIN to be exempt from the payment requirement sections of the Day Care Policy Act of 1979.

(h) The permanent version of legislation to implement the QIN, the Early Learning Quality Improvement Network Amendment Act of 2015, as introduced on June 22, 2015 (Bill 21-271) was referred to the Committee on Education. The Committee on Education held a public hearing on the bill on October 1, 2015, and is expected to move the bill soon.

(i) This emergency legislation is necessary to prevent a gap in the law as the Early Learning Quality Improvement Network Temporary Amendment Act of 2014, effective March 13, 2015 (D.C. Law 20-238; 62 DCR 1326), expires on October 24, 2015. There will be 400 children enrolled in QIN by the end of October and it is important that this program continues for those children.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Early Learning Quality Improvement Network Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-373

See Emergency D.C. Act 21-186 21 DCStat 2225

To declare the existence of an emergency with respect to the need to order the closing of a portion of the public alley system in Square 369, bounded by M Street, N.W., 9th Street, N.W., L Street, N.W., and 10th Street, N.W., in Ward 2.

Closing of a Public Alley in Square 369, S.O. 13-07989, Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of a Public Alley in Square 369, S.O. 13-07989, Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close a portion of the public alley system in Square 369, S.O. 13-07989.

(b) The alley closing will facilitate the development of a new mixed-use development project that includes the adaptive reuse of 8 historic buildings and their incorporation into a new 12-story mixed-use development, consisting of 2 Marriott hotels with ground-floor retail service uses (Phase I) and a residential building (Phase II). The alley-closing legislation requires the recordation of a covenant establishing new portions of the alley system by easement, accessing L Street, N.W., and 9th Street, N.W., and the applicant agrees to maintain such new portions of the alley system established by easement.

(c) The alley closing has received letters of no objection from all reviewing District agencies and utilities and is supported by Advisory Neighborhood Commission 2F.

(d) On September 22, 2015, the Council voted unanimously on first reading to enact the Closing of a Public Alley in Square 369, S.O. 13-07989, Act of 2015, passed on 2nd reading on October 6, 2015 (Enrolled version of Bill 21-217), permanent legislation to close the alley. Given the decision to go forward with the closing, there is no benefit to further delay. Securing the alley-closing approval is essential for the applicant to move forward in a timely manner with the development. Making the closing effective sooner will enable the project to proceed without the risk of delay.

Sec. 3 The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Public Alley in Square 369, 13-07989, Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-374

See Emergency D.C. Act 21-187 21 DCStat 2227

To declare the existence of an emergency with respect to the need to order the closing of a portion of the public alley system in Square 197, bounded by L Street, N.W., 15th Street, N.W., M Street, N.W., and 16th Street, N.W., in Ward 2.

Closing of a Public Alley in Square 197, S.O. 15-23895, Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of a Public Alley in Square 197, S.O. 15-23895, Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close a portion of the public alley system in Square 197, S.O. 15-23895.

(b) The alley closing will facilitate the development of a new office building that will serve as the headquarters building for Fannie Mae and will include ground-floor retail use. The alley-closing legislation requires the recordation of a covenant establishing an easement of between 5 feet and 8 feet in width to widen the existing north-south alley at the ground level to provide a continuous 20-foot wide passageway at grade to the public. In addition, the development will have a positive fiscal impact on the District of Columbia through the generation of substantial new property tax revenues as well as substantial sales and business tax revenues.

(c) The alley closing has received letters of no objection from all reviewing District agencies and utilities and is supported by Advisory Neighborhood Commission 2B.

(d) On September 22, 2015, the Council voted unanimously on first reading to enact the Closing of a Public Alley in Square 197, S.O. 15-23895, Act of 2015, passed on 2nd reading on October 6, 2015 (enrolled version of Bill 21-240), permanent legislation to close the alley. Given the decision to go forward with the closing, there is no benefit to further delay. Securing the alley-closing approval is essential for the applicant to move forward in a timely manner with the development. Making the closing effective sooner will enable the project to proceed without the risk of delay.

Sec. 3 The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Public Alley in Square 197, S.O. 15-23895, Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-375

See Emergency D.C. Act 21-180 21 DCStat 2216

To declare the existence of an emergency with respect to the need to amend An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify that, for purposes of determining whether the referral of a minor student 14 years of age through 17 years of age to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section for the accrual of 15 unexcused absences during School Year 2015-2016 is required, the term unexcused absence may mean an unexcused full school day absence.

Truancy Referral Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Truancy Referral Emergency Declaration Resolution of 2015".

Sec. 2. (a) Over the past 5 years, the Council of the District of Columbia has passed 3 laws: the Safe Children and Safe Neighborhoods Educational Neglect Mandatory Reporting Amendment Act of 2010, effective October 26, 2010 (D.C. Law 18-242; 57 DCR 7555); the South Capitol Street Memorial Amendment Act of 2012, effective June 7, 2012 (D.C. Law 19-141; 59 DCR 3083); and the Attendance Accountability Amendment Act of 2013, effective September 19, 2013 (D.C. Law 20-17; 60 DCR 14501); with the goal of reducing chronic truancy.

(b) In particular, the Attendance Accountability Amendment Act of 2013 requires educational institutions to refer minor students 14 through 17 years of age to the Court Social Services ("CSS") Division of the Superior Court of the District of Columbia and to the Office of the Attorney General ("OAG") Juvenile Section after the student has accrued 15 unexcused absences within a school year. The goal of this mandate was to facilitate interagency coordination and to ensure that students who continuously miss full days of school receive the services and interventions that they need.

(c) However, students who miss more than 20% of the school day, and thus are not "present," as defined by section 2199 of Title 5-A of the District of Columbia Municipal Regulations, are being counted as absent. Because many of the District's high schools operate on a block schedule, this results in a student being considered absent if he or she misses one period of the school day even though he or she may be present the rest of the school day. If this occurs on 15 or more days, the student is referred to CSS and OAG, as the statute requires a referral after 15 unexcused absences. Thus, a student may be referred to CSS or OAG even though he or she has not been chronically truant but instead has been chronically tardy. This has resulted in over-referrals to CSS, thereby saturating the system and diverting limited resources away from those students and families that are truly in need of CSS or OAG intervention.

(d) Chronic truancy is inherently different from chronic tardiness. Chronic truancy involves continual and complete absence from school, often signaling other issues, whether they be social, emotional, mental, familial, or academic, in a child's life, and thus necessitates a myriad of interventions from various District agencies. Chronic tardiness, on the other hand, may signal that a student needs aid in getting to school but does not necessitate serious intervention, such as referral to CSS and OAG.

(e) Without this immediate change, chronic truancy and chronic tardiness will continue to be conflated, thereby resulting in students who are not truly truant being identified as such and leading to their involvement with the juvenile justice system. While schools should work with youth who display a pattern of chronic tardiness, such behavior does not rise to the level of requiring a referral to the courts or to OAG. Thus, an emergency exists to clarify that for the purposes of CSS and OAG referral, an educational institution may ignore the "80/20" rule and consider an unexcused absence to be an unexcused full school day absence.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Truancy Referral Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-376

***See* Emergency D.C. Act 21-188 21 DCStat 2229**

Wage Theft Prevention Correction and Clarification Emergency Declaration Resolution of 2015

To declare the existence of an emergency with respect to the need to clarify and improve the laws prohibiting wage theft and the enforcement of those laws.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Wage Theft Prevention Correction and Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to amend the amendments made by the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157) ("Wage Theft Act"), to clarify when certain provisions shall take effect, clarify who may bring an action on behalf of an employee, amend criminal penalties, clarify when amounts in the Wage Theft Prevention Fund may be spent, authorize the Mayor to issue rules, and clarify how the Mayor shall make certain information available to manufacturers.

(b) These changes will enhance the ability of the District to enforce laws prohibiting wage theft, thus protecting victims of employers who fail to perform the basic obligation of paying employees for work completed.

(c) As a result of the need to make these necessary technical corrections to the Wage Theft Act, the Council previously enacted the Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2014, enacted on December 29, 2014 (D.C. Act 20-544; 62 DCR 243)("emergency legislation"), and the Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2014, effective March 13, 2015 (D.C. Law 20-240; 62 DCR 4511) ("temporary legislation").

(d) The temporary legislation is set to effective October 24, 2015. This emergency legislation is necessary to make sure there is no gap in the law until a permanent bill can be adopted by the Council.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-353

See Emergency D.C. Act 21-185 21 DCStat 2224

To declare the existence of an emergency with respect to the need to approve an extension of time to dispose of District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater.

Extension of Time to Dispose of the Strand Theater Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Extension of Time to Dispose of the Strand Theater Emergency Declaration Resolution of 2015".

Sec. 2. (a) On June 16, 2008, the Deputy Mayor for Planning and Economic Development awarded Washington Metropolitan Community Development Corporation ("Developer"), exclusive rights to negotiate to redevelop the District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known for tax and assessment purposes as Lot 801 in Square 5196 ("Strand Theater"), along with an adjacent developer-owned property, as part of a commercial-use project that will include vibrant, street-front retail, a community and office space, and off-street parking.

(b) The Mayor has recently allocated an additional $1 million to improve the physical structure of Strand Theater to make it more attractive to potential tenants. An affordable housing project has been approved across the street, which will also increase the site's marketability. The closing on the property will not occur by October 6, 2015, the date upon which the Mayor's authority to dispose of the property expires under the Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-162; 62 DCR 3608).

(c) The proposed legislation will extend the Mayor's authority to dispose of the property until October 6, 2016, to allow the parties to meet the closing and pre-development deadlines.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Extension of Time to Dispose of the Strand Theater Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-237, effective October 6, 2015

A RESOLUTION

Proposed Resolution 21-354

***See* Emergency D.C. Act 21-177 21 DCStat 2212**

To declare the existence of an emergency with respect to the need to establish that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

Grocery Store Restrictive Covenant Prohibition Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Grocery Store Restrictive Covenant Prohibition Emergency Declaration Resolution of 2015".

Sec. 2. (a) In late 2014, it was reported that the Safeway at 4865 MacArthur Boulevard was offered for sale. In previous store and property sales, Safeway required that a purchaser of its property agree to a covenant prohibiting reuse of the property for a similar or analogous use; that is, that the property may not be used as a grocery store or retail food establishment of any kind. This type of restriction is harmful to residents. And, in the Macarthur Boulevard instance, it is harmful to the residents of the neighborhood as the next closest grocer is approximately 2.5 miles away.

(b) Restrictive covenants and other use restriction policies related to grocery stores are harmful and limit a community's access to fresh food.

(c) Maintaining a grocery store within an urban neighborhood is vital, particularly since many residents rely heavily on walking as a means of access to fresh food.

(d) Seniors and low-income residents especially rely on food retailers in close proximity to their homes as they often face mobility challenges or have limited access to vehicles.

(e) A lack of stores offering healthy food options leads to unhealthy food choices and related health problems.

(f) These restrictive covenants are contrary to the American standard of a free market and open competition.

(g) As development in the District continues and the city sees continued population increases, it is vital that every neighborhood has access to essential grocery-store services. Restrictive covenants undermine food-services competition and the advent of revitalized communities with large and small retailers, including independent butchers and bakeries.

(h) The circumstances described in this section underscore the need for the Council to act to prohibit such restrictive covenants and prevent the creation of food deserts in the District.

(i) Further, this emergency legislation is necessary as the Grocery Store Restrictive Covenant Prohibition Temporary Act of 2014, which is currently in effect, will expire on October 18, 2015, and the permanent version of this emergency legislation has not yet been enacted by the Council.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Grocery Store Restrictive Covenant Prohibition Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-377

***See* Emergency D.C. Act 21-189 21 DCStat 2232**

To declare the existence of an emergency with respect to the need to institute a moratorium on the issuance of permits for the construction or operation of automobile paint spray booths in Ward 5; provided, that the moratorium shall not apply to permits for automobile paint spray booths that meet certain conditions.

Ward 5 Paint Spray Booth Conditional Moratorium Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Ward 5 Paint Spray Booth Conditional Moratorium Emergency Declaration Resolution of 2015".

Sec. 2. (a) It is necessary to place a moratorium on the issuance of permits to construct and the issuance and renewal of permits to operate automobile paint spray booths within Ward 5 that do not meet certain standards.

(b) This emergency legislation addresses the immediate and longstanding concerns of residents who are adversely affected by the noxious and possibly injurious fumes emanating from already existing automobile paint spray booth operators. Not all operators are in compliance with current law and even those that are, due to the low threshold of certain regulations, persistently pollute the air with such fumes.

(c) There are several pending automobile paint spray booth permit applications in Ward 5 under consideration before the District Department of the Environment. The possible granting of these permits will exacerbate the problem by adding new operators within a ward with an already high concentration of such operators.

(d) The effects of the noxious and possibly injurious fumes emanating from automobile paint spray booths have a negative impact on property values within the ward, as well as the quality of life of its residents.

(e) The Council previously enacted the Air Quality Amendment Act of 2014, effective September 9, 2014 (D.C. Law 20-135; 61 DCR 9968). One of the purposes of this law is to combat toxic odors. Despite that enactment, however, the complaints from residents due to such odors caused by automobile paint spray booths remain frequent and steady.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Ward 5 Paint Spray Booth Moratorium Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-379

See Emergency D.C. Act 21-191 21 DCStat 2236

To declare the existence of an emergency with respect to the need to amend section 47-1086 of the District of Columbia Official Code to clarify the exemption from the tenant opportunity to purchase requirements of the property owned by N Street Village, Inc., located at 1301 14th Street, N.W.; and to amend the N Street Village, Inc. Tax and TOPA Exemption Act of 2014 to make a conforming amendment.

N Street Village, Inc. Tax and TOPA Exemption Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "N Street Village, Inc. Tax and TOPA Exemption Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) In October 2014, the Council enacted the N Street Village, Inc. Tax and TOPA Exemption Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-229; 62 DCR 4500) ("Act").

(b) The applicability clause in the Act inadvertently included the entire bill, but the TOPA exemption need not be subject to funding.

(c) The renovation project has been approved by the Housing Finance Agency and the Department of Housing and Community Development for tax credits with a pending closing of late October. Part of the transaction includes a long -erm lease to a tax credit entity that without this emergency measure would trigger the tenants opportunity to purchase obligations pursuant to the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.01 *et seq.*).

(d) Emergency legislation is necessary to clarify that the applicability clause applies only to the provisions with a fiscal effect that have not been funded in a budget and financial plan.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the N Street Village, Inc. Tax and TOPA Exemption Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-378

See Emergency D.C. Act 21-190 21 DCStat 2235

To declare the existence of an emergency with respect to the need to amend the Retail Services Station Act of 1976 to provide that certain prohibitions on discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015 and August 1, 2015.

Gas Station Advisory Board Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Gas Station Advisory Board Emergency Declaration Resolution of 2015".

Sec. 2. (a) In October 2014, the Council enacted the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884) ("Act").

(b) Part 2 of Title II of the Act increased the prohibitions against conversion of a full-service retail service stations by adding the prohibition that such a station cannot be discontinued or be converted into any other use without a waiver.

(c) It is important to protect the integrity of doing business in and with the District by protecting those businesses that were in the process of converting their property or business into a non-service station enterprise before the Act becoming law.

(d) Emergency legislation is necessary to provide that retail service stations that submitted an application with the Zoning Commission will not be impacted by the added prohibitions of the Act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Gas Station Advisory Board Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-180

See Emergency D.C. Act 21-181 21 DCStat 2217

To declare the existence of an emergency with respect to the need to amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494, and to make conforming amendments to the Fourth/Sixth and E Streets, S.W., Property Disposition Resolution of 2009.

Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W. Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W. Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District owns real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494 ("Property") for the construction of a mixed-use development, which was approved by the Council pursuant to the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799).

(b) E Street Development Group, LLC, a joint venture led by Potomac Investment Properties and CityPartners ("Developer") was selected in 2009, through a competitive RFP process, to redevelop property located at 4th and E Streets, S.W., and 6th and E Streets, S.W.

(c) The redevelopment was planned to include the construction of a new fire station (the "Fire Station") for Engine Company 13 within a mixed-use building and a new mixed-use commercial project on the site of the existing fire station.

(d) Phase 1 of the project is under construction and slated to deliver by early 2016. However, due to permit and weather delays, the Fire Station will not achieve final completion (Phase 2) under the current timeline by November 3, 2015.

(e) Due to Council recess and the congressional review period, there will not be enough time to obtain passage of permanent legislation authorizing the disposition of the Property.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-242

***See* Emergency D.C. Act 21-182 21 DCStat 2219**

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DHCF-2013-C-0137 with Magellan Medicaid Administration to provide pharmacy benefit management services on behalf of the District of Columbia for eligible Medicaid beneficiaries.

Contract No. DHCF-2013-C-0137 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DHCF-2013-C-0137 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve a multiyear contract with Magellan Medicaid Administration to provide pharmacy benefit management services to eligible Medicaid beneficiaries on behalf of the District of Columbia.

(b) This multiyear contract with Magellan Medicaid Administration is in the not- to-exceed amount of $11,576,181.22, for a base period of 3 years from the date of award, with 2 additional option years.

(c) Approval is necessary to allow the District to receive the benefit of these vital services in a timely manner from Magellan Medicaid Administration. Without this approval, Magellan Medicaid Administration cannot be paid for services provided in excess of $1 million during the proposed period of performance.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DHCF-2013-C-0137 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-351

***See* Emergency D.C. Act 21-176 21 DCStat 2211**

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. CW34843 with Covanta Fairfax, Inc. to provide solid waste disposal services to be performed at a licensed and permitted Waste-to-Energy facility and to authorize payment for services to be received under the contract.

Contract No. CW34843 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW34843 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve multiyear Contract No. CW34843 with Covanta Fairfax, Inc. to provide solid waste disposal services to be performed at a licensed and permitted Waste-to-Energy facility.

(b) The District proposes to enter into multiyear Contract No. CW34843 with Covanta Fairfax, Inc. for a base period of 5 years, with 2 3-year options. The estimated value of the base period is $35,661,880.

(c) Council approval is necessary pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51), to allow provision of these services. Without this approval, the District will not have a place to dispose of collected municipal solid waste.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW34843 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-359

See Emergency D.C. Act 21-179 21 DCStat 2215

To declare the existence of an emergency with respect to the need to approve Modification No. 11 and proposed Modification No. 12 to Contract No. DDOE-2010- SEU-0001 with Vermont Energy Investment Corporation to continue to provide sustainable energy utility services and to authorize payment for the services to be received.

Modifications to Contract No. DDOE-2010-SEU-0001 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. DDOE-2010-SEU-0001 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification No. 11 and proposed Modification No. 12 to Contract No. DDOE-2010-SEU-0001 with Vermont Energy Investment Corporation to provide sustainable energy services to the District and to authorize payment for the services received and to be received under that contract.

(b) On September 25, 2015, by Modification No. 11, the Office of the Deputy Mayor for Planning and Economic Development, on behalf of the Department of Energy and Environment, exercised a partial option of option year 5 of Contract No. DDOE-2010-SEU-0001 to provide sustainable energy services for the period from October 1 through October 31, 2015, in a not-to-exceed amount of $990,000.

(c) Modification No. 12 is now necessary to exercise the remainder of option year 5 in the not-to exceed amount of $19,010,000 for the period from November 1, 2015, through September 30, 2016, resulting in a total not-to-exceed amount of $20 million for the period from October 1, 2015, through September 30, 2016.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Vermont Energy Investment Corporation cannot be paid for services provided in excess of $1 million for the contract period October 1, 2015, through September 30, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DDOE-2010-SEU-0001 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-357

***See* Emergency D.C. Act 21-178 21 DCStat 2214**

To declare the existence of an emergency with respect to the need to approve Modification Nos. M0005 and M0006 to Task Order No. CW30657 against GSA Federal Supply Schedule Contract No. GS-35F-0688R with On Point Technology, Inc. to supply, maintain, support, and modify the District On-Line Compensation System and to authorize payment for the goods and services received and to be received under the task order.

Modification Nos. M0005 and M0006 to Task Order No. CW30657 against GSA Federal Supply Schedule Contract No. GS-35-F-0688R Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Modification Nos. M0005 and M0006 to Task Order No. CW30657 against GSA Federal Supply Schedule Contract No. GS-35-F-0688R Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M0005 and M0006 to Task Order No. CW30657 (the "Task Order") issued by the District of Columbia (the "District") Office of Contracting and Procurement ("OCP"), on behalf of the District Department of Employment Services ("DOES"), against GSA Federal Supply Schedule Contract No. GS-35F-0688R and to authorize payment for the goods and services received, and to be received, under these modifications to the Task Order.

(b) On August 8, 2014, OCP awarded the Task Order to On Point Technology, Inc. ("On Point") to maintain, support and modify DOES's automated unemployment compensation benefits system, known as the District On-Line Compensation System. OCP issued the Task Order against On Point's GSA Federal Supply Contract No. GS-35F-0688R. The period of performance under the Task Order was 30 days, from August 11, 2014 through September 11, 2014, and the Task Order was in the not-to-exceed contract amount of $355,391.00.

(c) By Modification No. M0001, dated September 10, 2014, OCP extended the term of the Task Order, which was then in the form of a Letter Contract, from September 11, 2014 through October 31, 2014 and increased the not-to-exceed amount of the Task Order to $939,595.57.

(d) By Modification No. M0003, dated October 21, 2014, OCP extended the term of the Task Order from October 31, 2014 through November 6, 2014 and increased the not-to-exceed amount of the Task Order to $998,016.02.

(e) On November 4, 2014, after receiving Council approval, OCP definitized the Task Order and partially awarded the base year for the 10-month period from August 11, 2014 through June 23, 2015 because On Point's Federal Supply Contract No. GS-35F-0688R was set to expire on June 23, 2015. The not-to-exceed amount for the entire base year of the Task Order was $4,264,690.00.

(f) On June 16, 2015, by Modification No. PO-0007, GSA exercised option period 2 of On Point's Federal Supply Contract No. GS-35F-0688R for the 5-year period of performance from June 24, 2015 through June 23, 2020.

(g) By Modification No. M0004, dated June 15, 2015, OCP modified the period of performance for the base year of the Task Order to be August 11, 2014 through August 10, 2015, in the not-to-exceed amount of $4,323,110.52.

(h) By Modification No. M0005, dated August 5, 2015, OCP partially exercised option year one of the Task Order and extended the term of the Task Order for the period from August 11, 2015 through October 10, 2015, in the not-to-exceed amount of $619,985.10.

(i) By proposed Modification No. M0006, OCP intends to exercise the remainder of option year one of the Task Order to extend the term of the Task Order for the period from October 11, 2015 through August 10, 2016, in the not-to-exceed amount of $4,435,278.00.

(j) Council approval of Modification Nos. M0005 and M0006 to the Task Order is necessary pursuant to section 451(b)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)(1)), because the expenditures under the modifications to the Task Order are in an amount in excess of $1,000,000 during a 12-month period.

(k) Approval of Modification Nos. M0005 and M0006 to the Task Order is necessary to allow the continuation of these vital services. Without this approval, On Point cannot be paid for goods and services provided in excess of $1,000,000.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. M0005 and M0006 to Task Order No. CW30657 against GSA Federal Supply Schedule Contract No. GS-35-F-0688R Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-358

***See* Emergency D.C. Act 21-154 21 DCStat 2180**

To declare the existence of an emergency with respect to the need to authorize the Fire and Emergency Medical Services Department to contract with third parties to provide supplemental pre-hospital medical care and transportation for Basic Life Support calls for service.

Emergency Medical Services Contract Authority Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Emergency Medical Services Contract Authority Emergency Declaration Resolution of 2015".

Sec. 2. (a) Under existing law, the Fire and Emergency Medical Services Department ("FEMS") is required to provide pre-hospital medical care and transportation in the District.

(b) The District's current emergency medical services call volume is at a historic high and increases every month.

(c) The high call volume for emergency medical services provided by FEMS is having an impact on FEMS's availability to respond to all emergencies.

(d) Often patient transports are used for lower priority services provided by FEMS, with many requiring only a Basic Life Support ("BLS") level of care.

(e) Emergency response units are required to remain out-of-service while transporting and transferring low-acuity patients to a hospital's care. The average time at the hospital ranges from 45 to 56 minutes and impedes FEMS personnel's ability to fully prepare for the next emergency call.

(f) As a result, there are times when there are no ambulances available to respond to emergencies.

(g) Council approval of emergency legislation allowing FEMS to contract with third parties to provide BLS transport services will allow FEMS to respond to all calls, including critical and time-sensitive calls for service.

(h) Additionally, each third-party contractor is required to provide a quarterly report to the Council so that the Council may evaluate the effectiveness of the services rendered.

(i) FEMS will provide, within 4 months after the date of a contract award, a report to the Council that includes its efforts to educate the public on requesting emergency services and a synopsis of statistics related to personnel training, patient fees, and ambulance services.

(j) The Office of Unified Communications will provide, within 4 months after the date of a contract award, a report on average dispatch times and how the office re-routes non-emergency calls.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Emergency Medical Services Contract Authority Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-408

See Emergency D.C. Act 21-218 21 DCStat 2290

To declare the existence of an emergency, due to congressional review, with respect to the need to authorize the disposition by lease of District-owned real property located at 1351 Nicholson Street, N.W., commonly known as the Old Brightwood School and designated for tax and assessment purposes as Lot 0846 in Square 2794.

1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) On March 1, 2001, the Community Academy Public Charter School ("CAPCS") entered into a lease agreement with the District to lease the property located at 1351 Nicholson Street, N.W. (Lot 0846, Square 2794), which is improved by the Old Brightwood School, for a period of twenty years.

(b) On February 19, 2015, the District of Columbia Public Charter School Board ("PCSB") voted to revoke the charter of CAPCS at the end of the 2014-2015 school year, with the revocation effective as of July 1, 2015. In order to ensure that the students enrolled at CAPCS schools were not displaced, PCSB and the Deputy Mayor for Education worked to identify other entities that would be willing and able to assume control over the various CAPCS campuses. Friendship Public Charter School, Inc. ("Friendship PCS") agreed to take over the CAPCS campus located at 1351 Nicholson Street, N.W. (the "Nicholson Street Property") and stepped in as an assignee of the lease CAPCS had with the District.

(c) In assuming the lease for the Nicholson Street Property from CAPCS, Friendship PCS agreed to shoulder responsibility for a $22 million bond that CAPCS originally had for the online campus located at the Nicholson Street campus. This bond was set to default on June 30, 2015 due to CAPCS's charter being revoked and its inability to pay for the bond. In accepting responsibility for this $22 million bond, Friendship PCS combined the $22 million bond with its current bond assets and closed on these consolidated bonds in September 2015.

(d) A condition of Friendship PCS's ability to close was the approval by the Council of the District of Columbia of Friendship PCS's assumption of the Nicholson Street Property lease from CAPCS. Friendship PCS was scheduled to close on its bond consolidation in late August/early September 2015. Thus, on July 14, 2015, the Council passed the 1351 Nicholson Street, N.W., Old Brightwood School Lease Emergency Amendment Act of 2015, effective July 31, 2015 (D.C. Act 21-136; 62 DCR 10874) (the "emergency legislation").

(e) On September 22, 2015, the Council passed the 1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Act of 2015, enacted on October 16, 2015 (D.C. Act 21-169; 62 DCR 13750) (the "permanent legislation"). On October 23, 2015, the permanent

legislation was transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(f) The emergency legislation expired on October 29, 2015; however the permanent legislation is not expected to become law until December 21, 2015. A congressional review emergency is necessary to ensure that the provisions of the emergency legislation continue in effect, without further interruption, until the permanent legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the 1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Congressional Review Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-409

***See* Emergency D.C. Act 21-219 21 DCStat 2292**

To declare the existence of an emergency, due to congressional review, with respect to the need to authorize the disposition by lease of District-owned real property located at 4095 Minnesota Avenue, N.E., commonly known as the Woodson School and designated for tax and assessment purposes as Lot 0813 in Square 5078.

4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) On May 26, 2000, Friendship Public Charter School, Inc. ("Friendship PCS") entered a lease agreement with the District to lease the property located at 4095 Minnesota Avenue N.E. (Lot 0813, Square 5078) for a period of twenty years. In 2009, the lease was amended to extend it for an additional ten years, giving the lease a total duration of thirty years. Friendship PCS seeks to amend the lease again to extend it for another ten years, for a total of forty years. The amended lease would also include an option for a twenty-five year renewal.

(b) On April 14, 2015, the Council of the District of Columbia approved Resolution 21-77, the Friendship Public Charter School, Inc. Revenue Bonds Project Approval Resolution of 2015. Resolution 21-77 authorized and provided for the issuance, sale, and delivery of District revenue bonds to Friendship PCS in an amount not to exceed $70 million. Having received this bond financing, Friendship PCS now requests an extension of its 4095 Minnesota Avenue, N.E. lease.

(c) Additionally, on February 19, 2015, the District of Columbia Public Charter School Board ("PCSB") voted to revoke the charter of Community Academy Public Charter School ("CAPCS") at the end of the 2014-2015 school year, with the revocation effective as of July 1, 2015. In order to ensure that the students currently enrolled at CAPCS schools are not displaced, PCSB and the Deputy Mayor for Education worked to identify other entities that would be willing and able to assume control over the various CAPCS campuses. Friendship PCS agreed to take over the CAPCS campus located at 1351 Nicholson Street, N.W. (the "Nicholson Street Property"), as well as CAPCS's Armstrong property, and is stepping in as an assignee of the lease CAPCS had with the District for the Nicholson Street Property.

(d) In assuming the lease for the Nicholson Street Property from CAPCS, Friendship PCS agreed to shoulder responsibility for a $22 million bond that CAPCS originally had for the online campus located at the Nicholson Street Property. This bond was set to default on June 30, 2015 due to CAPCS's charter being revoked and its inability to pay for the bond. In accepting responsibility for this $22 million bond, Friendship PCS combined the $22 million bond with its current bond assets, most of which Friendship PCS acquired through Resolution

21-77, and closed on these consolidated bonds in September 2015.

(e) A condition of Friendship PCS's ability to close was the approval by the Council of the District of Columbia of the extension of Friendship PCS's lease for the property at 4095 Minnesota Ave. N.E. Friendship PCS was scheduled to close on their bond consolidation in late August/early September 2015. Thus, on July 14, 2015, the Council passed the 4095 Minnesota Avenue, N.E., Woodson School Lease Emergency Amendment Act of 2015, effective August 11, 2015 (D.C. Act 21-152; 62 DCR 11446) (the "emergency legislation").

(f) On September 22, 2015, the Council passed the 4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Act of 2015, enacted on October 16, 2015 (D.C. Act 21-170; 62 DCR 13752) (the "permanent legislation"). On October 23, 2015, the permanent legislation was transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(g) The emergency legislation will expire on November 9, 2015; however, the permanent legislation is not expected to become law until December 21, 2015. A congressional review emergency is necessary to ensure that the provisions of the emergency legislation continue in effect until the permanent legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the 4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Congressional Review Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-249, effective November 3, 2015

A RESOLUTION

Proposed Resolution 21-391

***See* Emergency D.C. Act 21-200 21 DCStat 2242**

To declare the existence of an emergency, due to congressional review, with respect to the need to allow the Grandparent Caregivers Program subsidy to be transferred to a relative caregiver when a grandparent is no longer able to care for the child.

Grandparent Caregivers Program Subsidy Transfer Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Grandparent Caregivers Program Subsidy Transfer Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Grandparent Caregivers Program Subsidy Transfer Temporary Amendment Act of 2014, effective March 7, 2015 (D.C. Law 20-177; 62 DCR 21), expired on October 18, 2015.

(b) The Grandparent Caregivers Program Subsidy Transfer Amendment Act of 2015, enacted on October 16, 2015 (D.C. Act 21-168; 62 DCR 13746), is pending congressional review.

(c) The congressional review emergency is necessary to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Grandparent Caregivers Program Subsidy Transfer Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-190

To confirm the appointment of Mr. Ernest Chrappah to the District of Columbia Taxicab Commission.

District of Columbia Taxicab Commission Ernest Chrappah Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Taxicab Commission Ernest Chrappah Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Ernest Chrappah
4000 Massachusetts Avenue, N.W.
Apartment 928
Washington, D.C. 20016
(Ward 3)

as chairperson of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-274

To confirm the appointment of Mr. Linwood Jolly to the District of Columbia Taxicab Commission.

District of Columbia Taxicab Commission Linwood Jolly Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Taxicab Commission Linwood Jolly Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Linwood Jolly
6609 16th Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a public member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), replacing Bart Lasner, for an unexpired term to end May 4, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-275

To confirm the appointment of Mrs. Dottie Love Wade to the District of Columbia Taxicab Commission.

District of Columbia Taxicab Commission Dotti Love Wade Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Taxicab Commission Dotti Love Wade Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mrs. Dotti Love Wade
1116 Columbia Road, N.W.
Washington, D.C. 20009
(Ward 1)

as a public member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), replacing Cyril L. Crocker, whose term expired May 4, 2014, for a term to end May 4, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-322

To confirm the appointment of Ms. Ventris Gibson as the Director of the Department of Human Resources.

Director of the Department of Human Resources Ventris Gibson Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Human Resources Ventris Gibson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Ventris Gibson
12200 Foxhill Lane
Bowie, MD 20715

as the Director of the Department of Human Resources, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-355

To confirm the appointment of Mr. Jose Ortiz to the District of Columbia Housing Authority Board of Commissioners.

District of Columbia Housing Authority Board of Commissioners Jose Ortiz Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Authority Board of Commissioners Jose Ortiz Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jose Ortiz
3389 Stephenson Place, N.W.
Washington, D.C. 20015
(Ward 4)

as a public member of the District of Columbia Housing Authority Board of Commissioners, established by section 12 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), for a term to end July 12, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-318

To confirm the appointment of Mr. Donovan W. Anderson, Esq. as a member of the Alcoholic Beverage Control Board.

Alcoholic Beverage Control Board Donovan W. Anderson, Esq. Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Donovan W. Anderson, Esq. Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Donovan W. Anderson, Esq.
2516 34th Street, S.E.
Washington, D.C. 20020
(Ward 7)

as a member, and the chairperson, of the Alcoholic Beverage Control Board, established by D.C. Official Code § 25-201, for a term to end May 7, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-320

To confirm the appointment of Mr. Stephen Taylor as the Commissioner of the Department of Insurance, Securities, and Banking.

Commissioner of the Department of Insurance, Securities, and Banking Stephen Taylor Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commissioner of the Department of Insurance, Securities, and Banking Stephen Taylor Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Stephen Taylor
1405½ Fifth Street, N.W.
Washington, D.C. 20001
(Ward 6)

as the Commissioner of the Department of Insurance, Securities, and Banking, established by section 3 of the Department of Insurance and Securities Regulation Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-102), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01, to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-321

To confirm the appointment of Mr. Jed Ross as the Chief Risk Officer of the Office of Risk Management.

Chief Risk Officer of the Office of Risk Management Jed Ross Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chief Risk Officer of the Office of Risk Management Jed Ross Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jed Ross
3032 N Street, N.W.
Washington, D.C. 20007
(Ward 2)

as the Chief Risk Officer of the Office of Risk Management, established by section 3(b) of the Reorganization Plan No. 1 of 2003, effective December 15, 2003 (50 DCR 6504), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-257

To confirm the appointment of Ms. Phylisa Carter to the Corrections Information Council Governing Board.

Corrections Information Council Governing Board Phylisa Carter Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Corrections Information Council Governing Board Phylisa Carter Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Phylisa Carter
360 H Street, N.E.
Apt. 509
Washington, D.C. 20002
(Ward 6)

as a member of the Corrections Information Council Governing Board, established by section 11201a of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01), for a term to end June 7, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-272

To confirm the appointment of Ms. Lisa Bornstein to the Commission on Human Rights.

Commission on Human Rights Lisa Bornstein Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Lisa Bornstein Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Lisa Bornstein
1725 New Hampshire Avenue, N.W.
205
Washington, D.C. 20009
(Ward 2)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-273

To confirm the appointment of Ms. Karen Mulhauser to the Commission on Human Rights.

Commission on Human Rights Karen Mulhauser Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Karen Mulhauser Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Karen Mulhauser
319 7th Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), replacing Mr. David Scruggs, for a term to end December 31, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-262, effective November 3, 2015

A RESOLUTION

Proposed Resolution 21-324

To confirm the appointment of Dr. Jenifer Smith as the Director of the Department of Forensic Sciences.

Director of the Department of Forensic Sciences Jenifer Smith Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Forensic Sciences Jenifer Smith Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Dr. Jenifer Smith
954 Crabapple Drive
State College, PA 16801

as the Director of the Department of Forensic Sciences, established by section 3 of the Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.02), in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), to serve a 4-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-347

To confirm the appointment of Dr. Jullette Saussy as the Medical Director of the Fire and Emergency Medical Services Department.

Fire and Emergency Medical Services Department Medical Director Jullette Saussy Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fire and Emergency Medical Services Department Medical Director Jullette Saussy Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Dr. Jullette Saussy
301 East Windsor Avenue
Alexandria, VA 22301

as the Medical Director of the Fire and Emergency Medical Services Department, in accordance with section 3a(a) of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, effective April 15, 2008 (D.C. Law 17-147; D.C. Official Code § 5-404.01(a)), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-348

To confirm the reappointment of Assistant Chief Patrick Burke to the Police Complaints Board.

Police Complaints Board Patrick Burke Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Patrick Burke Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Assistant Chief Patrick Burke
4837 W Street, N.W.
Washington, D.C. 20007
(Ward 3)

as the Metropolitan Police Department member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), for a term to end January 12, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-349

To confirm the appointment of Ms. Bobbi Strang to the Police Complaints Board.

Police Complaints Board Bobbi Strang Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Bobbi Strang Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Bobbi Strang
1606 K Street, N.E., Apt. 2
Washington, D.C. 20002
(Ward 5)

as a member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), for a term to end January 12, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-252

To confirm the appointment of Ms. Elvi Moore as a member of the Commission on the Arts and Humanities.

Commission on the Arts and Humanities Elvi Moore Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Arts and Humanities Elvi Moore Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Elvi Moore
4200 Massachusetts Avenue, N.W.
Apartment 713
Washington, D.C. 20016
(Ward 3)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), succeeding Philippa Hughes, whose term expired June 30, 2013, for a term to end June 30, 2016.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-253

To confirm the appointment of Ms. Stacie Lee Banks to the Commission on the Arts and Humanities.

Commission on the Arts and Humanities Stacie Lee Banks Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Arts and Humanities Stacie Lee Banks Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Stacie Lee Banks
4465 Sedwick Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), succeeding Lavinia M. Wohlfarth, whose term expired June 30, 2014, for a term to end June 30, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-254

To confirm the appointment of Mr. C. Brian Williams to the Commission on the Arts and Humanities.

Commission on the Arts and Humanities C. Brian Williams Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Arts and Humanities C. Brian Williams Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. C. Brian Williams
434 Warner Street, N.W.
Washington, D.C. 20001
(Ward 6)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), succeeding Christopher B. Cowan, whose term expired June 30, 2014, for a term to end June 30, 30, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-255

To confirm the appointment of Ms. Kim Alfonso to the Commission on the Arts and Humanities.

Commission on the Arts and Humanities Kim Alfonso Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Arts and Humanities Kim Alfonso Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Kim Alfonso
1809 Parkside Drive, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), succeeding Tendani Mpulubusi, whose term expired June 30, 2014, for a term to end June 30, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-256

To confirm the appointment of Ms. Maria Hall Rooney to the Commission on the Arts and Humanities.

Commission on the Arts and Humanities Maria Hall Rooney Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Arts and Humanities Maria Hall Rooney Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Maria Hall Rooney
6136 32nd Street, N.W.
Washington, D.C. 20015
(Ward 4)

as a member of the Commission on the Arts and Humanities, established by section 4 of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203), succeeding Danielle M. St. Germaine-Gordon, whose term expired June 30, 2014, for a term to end June 30, 2017.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-384

***See* Emergency D.C. Act 21-198 21 DCStat 2239**

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 with Parkinson/Forrester UDC Student Center JV, LLC for the construction of the New Student Center at the University of the District of Columbia, Van Ness Campus, and to authorize payment in the aggregate amount of $3,584,222 for the goods and services received and to be received under the contract.

Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 for the construction of the New Student Center at the University of the District of Columbia, Van Ness Campus, and to authorize payment in the aggregate amount of $3,584,222 for the goods and services received and to be received under the contract.

(b) On January 21, 2011, Contract No. GF-2011-C-0030 in the amount of $29,899,000 was awarded to Parkinson/Forrester UDC Student Center JV, LLC for the construction of the New Student Center at the University of the District of Columbia, Van Ness Campus.

(c) The aggregate value of the additional scope of work under Change Order Nos. 11 and 12 to the contract exceeds $1 million in a 12-month period.

(d) Approval of Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 in the aggregate amount of $3,584,222 is necessary to compensate Parkinson/Forester UDC Student Center JV, LLC for work performed and to be performed in timely completing the construction of the New Student Center at the University of the District of Columbia, Van Ness Campus.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 11 and 12 to Contract No. GF-2010-C-0030 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-325

To approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-03 with Archer Park, LP, for program units located at 1100 and 1200 Mississippi Avenue, S.E.

Local Rent Supplement Program Contract No. 2014-LRSP-03 Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-03 Approval Resolution of 2015".

Sec. 2. (a) In 2007, the District passed title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsored-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In April 2014, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development ("DHCD"). Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units throughout the District for extremely low-income families making from 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the agreement to enter into a long-term contract ("ALTSC") by the Council, DCHA will execute the agreement with the selected housing provider under the LRSP.

(c) There exists an immediate need to approve the ALTSC with Archer Park, LP, in order to provide long-term affordable housing units for extremely low-income households in the District for units located at 1100 and 1200 Mississippi Avenue, S.E.

(d) The Council's approval authorizes the ALTSC between DCHA and Archer Park, LP, with respect to the payment of rental subsidy, and allows the owner to lease the rehabilitated units at Archer Park and house District extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the agreement to enter into the ALTSC with Archer Park, LP, for the creation of 10 affordable housing units, in an initial amount not to exceed $124,560 annually.

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to DCHA and the Mayor.

Sec. 5. The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-328

To approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-04A with 2255 MLK, LLC, for program units located at 2255 MLK Avenue, S.E.

Local Rent Supplement Program Contract No. 2014-LRSP-04 Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-04 Approval Resolution of 2015".

Sec. 2. (a) In 2007, the District passed title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsored-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In April 2014, DCHA participated in a Request for Proposals ("RFP") issued by the District of Columbia Department of Housing and Community Development ("DHCD"). Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units throughout the District for extremely low-income families making from 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the agreement to enter into a long-term contract ("ALTSC") by the Council, DCHA will execute the agreement with the selected housing provider under the LRSP.

(c) There exists an immediate need to approve the ALTSC with 2255 MLK, LLC, in order to provide long-term affordable housing units for extremely low-income households in the District for units at The Four Points, located at 2255 MLK Avenue, S.E.

(d) The Council's approval authorizes the ALTSC between the DCHA and 2255 MLK, LLC, with respect to the payment of rental subsidy, and allows the owner to lease the rehabilitated units at The Four Points and house District extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the ALTSC with 2255 MLK, LLC, for the creation of 4 affordable housing units, in an amount not to exceed $ 46,752 annually.

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to DCHA and the Mayor.

Sec. 5. The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-383

To approve multiyear Contract No. CFOPD-16-C-002 with RSI Enterprises, Inc. to conduct delinquent tax collections on behalf of the Office of Tax and Revenue.

Contract No. CFOPD-16-C-002 Delinquent Tax Collection Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-16-C-002 Delinquent Tax Collection Approval Resolution of 2015".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. CFOPD-16-C-002 with RSI Enterprises, Inc., which has a 3-year base term and 2 2-year option periods, for delinquent tax collections for the Office of the Chief Financial Officer, Office of Tax and Revenue in the not-to-exceed amount of $3 million for the 3-year base term.

Sec. 3. The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-410

See Emergency D.C. Act 21-201 21 DCStat 2245

To declare the existence of an emergency with respect to the need to amend the Street and Alley Closing and Acquisition Procedures Act of 1982 to allow for the temporary naming of an adopted or sponsored Department of Parks and Recreation athletic field in honor of a current or former professional sports player and to permit the District to display the logo of an entity sponsoring or adopting a Department of Parks and Recreation athletic field on signage at the field; and to amend the Recreation Act of 1994 to clarify that certain entities, including a nonprofit organization, may adopt or sponsor a Department of Parks and Recreation program, site, facility, field, or operation.

Athletic Field Naming and Sponsorship Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Athletic Field Naming and Sponsorship Emergency Declaration Resolution of 2015".

Sec. 2. (a) On September 16, 2015, Chairman Phil Mendelson and Councilmembers Evans, Allen, and Cheh, introduced the Athletic Field Naming and Sponsorship Amendment Act of 2015, passed on 1st reading on November 3, 2015 (Engrossed version of Bill 21-340) (the "permanent legislation"). The permanent legislation was referred to the Committee of the Whole, which held a hearing on it on October 13, 2015, and reported it favorably on October 20, 2015.

(b) The permanent legislation was passed on first reading on November 3, 2015. Its second reading may not occur until at least 14 days thereafter. The legislation then would need to be signed by the Mayor and transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(c) The District of Columbia is presently attempting to enter into a philanthropic partnership with the Washington Nationals baseball club to renovate a Department of Parks and Recreation athletic field slated for completion by March 1, 2016.

(d) Based on the schedule for enactment of the permanent legislation, it does not seem likely that the District will have the authority to enter in to this partnership in sufficient time for the required agreements to be executed and the field renovations to occur.

(e) It is therefore important that emergency legislation authorize the District to enter into this partnership before the permanent legislation becomes effective.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Athletic Field Naming and Sponsorship Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-412

See Emergency D.C. Act 21-202 21 DCStat 2247

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 2016 Budget Support Act of 2015 and various other acts to clarify provisions supporting the Fiscal Year 2016 budget; and to amend the Firearms Control Regulations Act of 1975 to clarify the descriptions of the boundaries around the White House and the U.S. Naval Observatory within which a concealed pistol licensee is prohibited from carrying a pistol.

Fiscal Year 2016 Second Budget Support Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2016 Second Budget Support Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) On June 30, 2015, the Council passed the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905) ("Act 21-248"). Act 21-248 was signed by the Mayor on August 11, 2015, was transmitted to Congress on September 9, 2015, and became effective on October 22, 2015.

(b) At the June 30, 2015 Legislative Meeting, the Council also adopted the Fiscal Year 2016 Budget Support Emergency Act of 2015, effective July 27, 2015 (D.C. Act 21-127; 62 DCR 10201) ("Act 21-127"), an emergency version of Act 21-148. Act 21-127 was signed by the Mayor and became effective on July 27, 2015.

(c) Following the Council's adoption of Acts 21-127 and 21-148, it was discovered that several provisions within these measures were in need of technical corrections or further clarification. On September 22, 2015, the Council adopted the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2015, effective October 16, 2015 (D.C. Act 21-164; 62 DCR 13734) ("Act 21-164") and approved a corresponding temporary measure, the Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act, passed on 2nd reading on November 3, 2015 (Engrossed version of Bill 21-396), on first reading.

(d) Since the Council's adoption of D.C. Act 21-164, additional necessary clarifications or other changes to the law have come to the Council's attention, necessitating the adoption of the revisions contained in the Fiscal Year 2016 Second Budget Support Clarification Emergency Amendment Act of 2015, including:

(1) Necessary clarifications to the District's license-to-carry-a-pistol law;

(2) Provisions authorizing the Board of Review of Anti-Deficiency Violations to access records and materials to perform the Board's investigatory functions;

(3) Modifications to the District's combined reporting provisions;

(4) Revisions to the structure of the District's parking-meters program;

(5) Clarification to the application of the cost-of-living computation as it pertains to the standard deduction; and

(6) Other technical revisions.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2016 Second Budget Support Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-277, effective November 3, 2015

A RESOLUTION

Proposed Resolution 21-413

***See* Emergency D.C. Act 21-217 21 DCStat 2284**

To declare the existence of an emergency with respect to the need to the amend the Homeless Services Reform Act of 2005 to authorize the Mayor to place a family that does not have a safe-housing alternative in a temporary interim eligibility placement pending a determination of eligibility for shelter and an assessment of the supportive services necessary to assist the family in obtaining sustainable permanent housing, to authorize the Mayor to provide shelter to a family in a private rooms meeting certain minimum standards and constructed for the purpose of closing the District of Columbia General Family Shelter, to add an expedited appeals process for a family that is denied eligibility for shelter following an interim eligibility placement, and to provide that a family may continue in an interim eligibility placement pending the outcome of an appeal of a denial of eligibility for shelter.

Interim Eligibility and Minimum Shelter Standards Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interim Eligibility and Minimum Shelter Standards Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Department of Human Services ("DHS") seeks to codify its current practice of temporarily placing a family seeking shelter into shelter before making a final eligibility determination.

(b) Specifically, DHS seeks to codify this practice at the start of "hypothermia season" in order to allow for a more thorough review of a family's circumstances and housing options in order to distinguish more fully those families that are entitled to shelter.

(c) This emergency legislation would codify the Department's existing practice and establish an appeals process for a family ultimately determined to be ineligible for shelter during an interim eligibility placement.

(d) This legislation also would authorize the Mayor to utilize private rooms rather than apartment-style units as shelter for families.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Interim Eligibility and Minimum Shelter Standards Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-389

***See* Emergency D.C. Act 21-215 21 DCStat 2253**

To declare the existence of an emergency with respect to the need to enact the Uniform Interstate Family Support Act, as revised with amendments officially adopted by the National Conference of Commissioners on Uniform State Laws to ensure that the amendments will be in effect prior to January 1, 2016.

Uniform Interstate Family Support Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Uniform Interstate Family Support Emergency Declaration Resolution of 2015".

Sec. 2. (a) On November 23, 2007, the United States signed the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance at the Hague.

(b) In order to implement the Convention, the Uniform Law Commission drafted the 2008 Amendments to the Uniform Interstate Family Support Act, to be adopted by every state.

(c) On September 29, 2014, the President signed the Preventing Sex Trafficking and Strengthening Families Act, approved September 9, 2014 (Pub. L. No. 113-183; 128 Stat. 1919), which required that the 2008 Amendments to the Uniform Interstate Family Support Act be in effect in each state and the District of Columbia, no later "than the 1st day of the 1st calendar quarter beginning after the close of the 1st regular session of the State legislature that begins after the date of enactment of this Act", provided that, if a state has a 2-year legislative session, "each year of the session shall be deemed to be a separate regular session of the State legislature."

(d) In order to ensure adoption in all states, the Office of Child Support Enforcement in the United States Department of Health and Human Services issued an Action Transmittal which requires states to have the 2008 Revised Uniform Interstate Family Support Act in effect by January 1, 2016, as a prerequisite for continued federal financial support for child support enforcement and Temporary Assistance for Needy Families ("TANF").

(e) On September 17, 2015, Juanita Devine, the Regional Program Manager for Region III of the federal Office of Child Support Enforcement, wrote Benidia Rice, the Director of the Child Support Services Division of the Office of the Attorney General for the District of Columbia, a letter stating that "[a] State must have an approved State IV-D plan in order to receive federal funding under Title IV-D of the [Social Security] Act" and that "a State plan disapproval would result in immediate suspension of all Federal payments for the State's child support enforcement program." She noted that for Fiscal Year 2013, the federal share for the District's IV-D program, including incentive payments, was $19,912,823. She also noted that an approved IV-D plan is a condition for eligibility for a TANF block grant and that, for Fiscal Year 2013, the TANF block grant to the District was $92,609,815.

(f) The Committee on the Judiciary held a hearing on the permanent legislation, the Uniform Interstate Family Support Act of 2015, passed on 1st reading on November 3, 2015 (Engrossed version of B21-0245), on October 8, 2015, and marked up the bill on October 28, 2015.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Uniform Interstate Family Support Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-411

See Emergency D.C. Act 21-216 21 DCStat 2283

Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128, S.O. 13-09432, Emergency Declaration Resolution of 2015

To declare the existence of an emergency with respect to the need to order the closing of portions of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128 in Ward 5.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128, S.O. 13-09432, Emergency Declaration Resolution of 2015".

Sec. 2. There exists an immediate need to approve emergency legislation to close those portions of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128, which are paper streets that traverse the site of the former McMillan Sand Filtration Plant in Ward 5. The McMillan site is owned by the District, and the Office of the Deputy Mayor for Planning and Economic Development is actively overseeing its redevelopment into a mix of residential, commercial, and recreational uses. Emergency legislation to close the streets within McMillan site is necessary to permit the immediate subdivision of the property into townhome, commercial, multifamily, and District parcels. Subdivision is necessary to ensure that the needed permits can be obtained, the land disposition and development agreements can be executed, and the complex horizontal and vertical development activities can be completed according to the project schedule and within the disposition authority provided for in the McMillan Townhomes Parcel, Commercial Parcel, and Multifamily Parcels Disposition Extension Approval Resolution of 2015, effective November 3, 2015 (Res. 21-253; 62 DCR _____). The development project was approved by the Council pursuant to the McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-705; 62 DCR 1091), the McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-706; 62 DCR 1094), and the McMillan Commercial Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-707; 62 DCR 1097). Making the street closings effective sooner than congressional review otherwise would allow will enable the project to proceed without the risk of delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128, S.O. 13-09432, Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-390

***See* Emergency D.C. Act 21-199 21 DCStat 2240**

To declare the existence of an emergency with respect to the need to amend the Day Care Policy Act of 1979 to address the growing needs for foster parents and support the foster care community by extending eligibility for subsidized child care to foster parents who may no longer be working but have some form of verifiable income, teen parents under 21 years of age who themselves are in foster care or wards of the District, and foster parents who are not working but who are enrolled in a verified job training or education program.

Foster Care Extended Eligibility Emergency Declaration Resolution of 2015

RESOLVED,BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Foster Care Extended Eligibility Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District of Columbia leads the nation in providing high-quality pre-K to over 70% of the District's 3-year olds and over 90% of the District's 4-year olds. In order to ensure that the District's youngest children are prepared when they enter our pre-K programs, a need exists to increase the level of high-quality child care and services that our 0-3 year old population receives.

(b) Currently, 3,542 children ages 0-3 receive a child care subsidy in the District of Columbia, and of those children, 215 live with foster parents that seek support through subsidized child care services. These are generally some of the District's most vulnerable residents who need comprehensive services and a continuity of care to ensure that they are poised to succeed when they enter pre-K and Kindergarten.

(c) In order to address the needs of the population discussed in subsection (b) of this section and their families, the Office of the State Superintendent of Education is expanding the eligibility for subsidized child care to 3 specific cohorts of the foster care population: foster parents who may no longer be working but have some form of verifiable income; teen parents under 21 years of age who themselves are in foster care or wards of the District; and foster parents who are not working but who are enrolled in a verified job training or education program.

(d) Under current District law, children receiving a child care subsidy are not guaranteed continuity of care, as their subsidy status is linked to their foster parent's employment status. Thus, if a foster parent loses his or her job or has retired his or her foster child will either not be eligible for the subsidy or will lose the subsidy and thus child care. This disruption is particularly detrimental to these children, as they are often the population with the greatest need for consistency and continuity. Thus, a need exists to allow the children in foster homes to continue to receive a child care subsidy, and therefore child care, despite the employment status of their foster parent.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Foster Care Extended Eligibility Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-396

See Emergency D.C. Res. 21-282 21 DCStat 2142

To declare the existence of an emergency with respect to the need to confirm the reappointment of Mr. Mike Silverstein as a member of the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Mike Silverstein Confirmation Emergency Declaration Resolution of 2015".

Alcoholic Beverage Control Board Mike Silverstein Confirmation Emergency Declaration Resolution of 2015

Sec. 2. (a) The Alcoholic Beverage Control Board ("Board") is a 7-member, independent body that meets once each week to adjudicate, administer, and enforce alcoholic beverage laws.

(b) Board members are appointed by the Mayor and confirmed by the Council for 4-year terms.

(c) There may be as many as 7 members on the Board, with 3 members constituting a quorum.

(d) On September 24, 2015, a proposed resolution was introduced by Chairman Mendelson at the request of the Mayor to reappoint Mike Silverstein to serve on the Board for a term to end May 7, 2019.

(e) A public hearing was held on October 26, 2015 to consider Mr. Silverstein's nomination.

(f) Mr. Silverstein's current term expired on May 7, 2015, and it is therefore necessary to confirm his reappointment by emergency legislation before the 180-day holdover period for his seat expires on November 3, 2015.

(g) Without emergency action, the Board will lack a quorum and not have sufficient members to conduct business.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Alcoholic Beverage Control Board Mike Silverstein Emergency Confirmation Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-0397

Emergency Declaration Res. 21-281 21 DCStat 2411

Alcoholic Beverage Control Board Mike Silverstein Emergency Confirmation Resolution of 2015

To confirm, on an emergency basis, the reappointment of Mr. Mike Silverstein as a member of the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Mike Silverstein Emergency Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Mike Silverstein
1301 20th Street, N.W.
Apt. #705
Washington, D.C. 20036
(Ward 2)

as a member of the Alcoholic Beverage Control Board, established by D.C. Official Code § 25-201, for a term to end May 7, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-398

***See* Emergency D.C. Res. 21-284 21 DCStat 2414**

Alcoholic Beverage Control Board Nicholas S. Alberti Confirmation Emergency Declaration Resolution of 2015

To declare the existence of an emergency with respect to the need to confirm the reappointment of Mr. Nicholas S. Alberti as a member of the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Nicholas S. Alberti Confirmation Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Alcoholic Beverage Control Board ("Board") is a 7-member, independent body that meets once each week to adjudicate, administer, and enforce alcoholic beverage laws.

(b) Board members are appointed by the Mayor and confirmed by the Council for 4-year terms.

(c) There may be as many as 7 members on the Board, with 3 members constituting a quorum.

(d) On September 21, 2015, a proposed resolution was introduced by Chairman Mendelson at the request of the Mayor to reappoint Nicholas S. Alberti to serve on the Board for a term to end May 7, 2019.

(e) A public hearing was held on October 26, 2015 to consider Mr. Alberti's nomination.

(f) Mr. Alberti's current term expired on May 7, 2015, and it is therefore necessary to confirm his reappointment by emergency legislation before the 180-day holdover period for his seat expires on November 3, 2015.

(g) Without emergency action, the Board will lack a quorum and not have sufficient members to conduct business.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Alcoholic Beverage Control Board Nicholas S. Alberti Emergency Confirmation Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-399

Emergency Declaration Res. 21-283 21 DCStat 2413

Alcoholic Beverage Control Board Nicholas S. Alberti Emergency Confirmation Resolution of 2015

To confirm, on an emergency basis, the reappointment of Mr. Nicholas S. Alberti as a member of the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Nicholas S. Alberti Emergency Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Nicholas S. Alberti
1330 North Carolina Avenue, N.E.
Washington, D.C. 20002
(Ward 6)

as a member of the Alcoholic Beverage Control Board, established by D.C. Official Code § 25-201, for a term to end May 7, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-394

***See* Emergency D.C. Res. 21-286 21 DCStat 2416**

Director of the Office of Cable Television, Film, Music, and Entertainment Angie Gates Confirmation Emergency Declaration Resolution of 2015

To declare the existence of an emergency with respect to the need to confirm the appointment of Ms. Angie Gates as Director of the Office of Cable Television, Film, Music, and Entertainment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office of Cable Television, Film, Music, and Entertainment Angie Gates Confirmation Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Entertainment and Media Production and Development Amendment Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), created the Office of Cable Television, Film, Music, and Entertainment ("OCTFME") by merging the Office of Cable Television and the Office of Motion Picture and Television Development.

(b) The OCTFME will realize efficiencies by better utilizing staff and resources to achieve the previously separate agencies' complementary missions.

(c) Ms. Gates was unanimously confirmed by the Council as Director of the Office of Motion Picture and Television Development on April 14, 2015.

(d) To ensure that OCTFME has permanent leadership as soon as possible, emergency legislation is necessary to confirm Ms. Angie Gates as Director.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Director of the Office of Cable Television, Film, Music, and Entertainment Angie Gates Emergency Confirmation Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-0395

Emergency Declaration Res. 21-285 21 DCStat 2415

Director of the Office of Cable Television, Film, Music, and Entertainment Angie Gates Emergency Confirmation Resolution of 2015

To confirm, on an emergency basis, the appointment of Ms. Angie Gates as Director of the Office of Cable Television, Film, Music, and Entertainment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office of Cable Television, Film, Music, and Entertainment Angie Gates Emergency Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Angie Gates
901 11th Street, N.E.
Washington, D. C. 20002
(Ward 6)

as the Director of the Office of Cable Television, Film, Music, and Entertainment, established by section 201 of the Cable Television Reform Act of 2002, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1252.01), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-287, effective November 3, 2015

A RESOLUTION

Proposed Resolution 21-310

See Emergency D.C. Act 21-214 21 DCStat 2251

To declare the existence of an emergency with respect to the need to approve the amended proposal for the property designated as Lot 25 in Square 526, which was previously conveyed to Golden Rule Plaza, Inc.

Plaza West Disposition Restatement Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Plaza West Disposition Restatement Emergency Declaration Resolution of 2015".

Sec. 2. (a) The District conveyed property designated for tax and assessment purposes as Lot 25 in Square 526, commonly known as the Golden Rule Property ("Property"), to Golden Rule Plaza, Inc. ("Developer") on October 28, 2005, in accordance with the proposal submitted by the Developer.

(b) At the time of the conveyance, the proposed development included an affordable senior citizens apartment building, a senior day care facility, and an intergeneration center ("Initial Project").

(c) Since 2005, the Developer has been preparing the site and securing the financing for the redevelopment of the Property. During this time, the Initial Project has been revised to contain approximately 223 units of affordable housing, with supportive services, outdoor space, parking, and any ancillary uses allowed under applicable law ("Amended Project").

(d) Council approval is necessary to allow timely construction of the Amended Project in order to provide necessary affordable housing in the District.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Plaza West Disposition Restatement Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-392

***See* Emergency D.C. Act 21-197 21 DCStat 2238**

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCAM-14-CS-0123A with Nextility, Inc. to develop on-site solar power generation systems at approximately 34 District government buildings, and to authorize payment for the power generated by the systems for a 20-year period.

Contract No. DCAM-14-CS-0123A Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-14-CS-0123A Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2.(a) There exists an immediate need to approve Contract No DCAM-14-CS-0123A with Nextility, Inc. to develop on-site solar power generation systems at approximately 34 District government buildings, and to authorize payment for the power generated by the systems for a 20-year period at a competitive price.

(b) Contract No. DCAM-14-CS-0123A is a multiyear contract that requires Council approval pursuant to section 451(c) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 1-252.02).

(c) Approval of Contract No. DCAM-14-CS-0123A is necessary for the District to enter into a long-term agreement with Nextility, Inc. to develop on-site solar power generation systems at approximately 34 District government buildings, and to allow the Department of General Services to purchase the power generated by the systems for a 20-year period at a competitive rate. The systems must be put in service by Nextility, Inc. before December 31, 2016, in order for the systems to qualify for solar investment tax credits, without which development of the systems is not economically viable. Given the time required for the development of the systems, including engineering and construction, the District must act immediately.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-14-CS-0123A Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-289, effective November 3, 2015

A RESOLUTION

Proposed Resolution 21-387

***See* Emergency D.C. Res. 21-290 21 DCStat 2420**

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCHT-2015-C-0018 with Maximus Health Services, Inc. to provide and administer a Provider Data Management System.

Contract No. DCHT-2015-C-0018 Approval Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHT-2015-C-0018 Approval Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Department of Health Care Finance, proposes to enter into a multiyear agreement with Maximus Health Services, Inc. ("Maximus") to provide and administer a Provider Data Management System.

(b) The firm-fixed price under this multiyear contract with Maximus is $12,952,907.23.

(c) Approval is necessary to allow the District to receive the benefit of these vital services in a timely manner from Maximus.

(d) These critical services can only be obtained through an award of the multiyear contract with Maximus.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCHT-2015-C-0018 Emergency Approval Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-388

Emergency Declaration Res. 21-289 21 DCStat 2419

Contract No. DCHT-2015-C-0018 Emergency Approval Resolution of 2015

To approve, on an emergency basis, multiyear Contract No. DCHT-2015-C-0018 with Maximus Health Services, Inc. to provide and administer a Provider Data Management System to properly screen Medicaid providers to ensure they meet participation eligibility requirements.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHT-2015-C-0018 Emergency Approval Resolution of 2015".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(c)(3)), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. DCHT-2015-C-0018 between the Department of Health Care Finance and Maximus Health Services, Inc. to provide and administer a Provider Data Management System to properly screen Medicaid providers to ensure that they meet participation eligibility requirements in a firm-fixed price amount of $12,952,907.23, for a term beginning November 9, 2015, and ending November 8, 2019.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-429

***See* Emergency D.C. Act 21-222 21 DCStat 2296**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Sexual Assault Victims' Rights Act of 2014 to extend the date by which the Sexual Assault Victim Rights Task Force shall submit its report to the Council and the Sexual Assault Response Team.

Sexual Assault Victim Rights Task Force Report Extension Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sexual Assault Victim Rights Task Force Report Extension Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) There is an immediate need to amend the Sexual Assault Victims' Rights Act of 2014, effective November 20, 2014 (D.C. law 20-139; D.C. Official Code § 4-561.01 *et seq.*), to extend the date by which the Sexual Assault Victim Rights Task Force shall submit its report to the Council and the Sexual Assault Response Team.

(b) This emergency act is necessary to prevent a gap in the law as the emergency legislation, the Sexual Assault Victim Rights Task Force Report Extension Emergency Amendment Act of 2015, effective October 16, 2015 (D.C. Act 21-0159; 62 DCR 13720), expires on January 14, 2016.

(c) Temporary legislation, the Sexual Assault Victim Rights Task Force Report Extension Temporary Amendment Act of 2015, enacted on October 22, 2015 (D.C. Act 21-0173; 62 DCR 13988), was transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(d) The temporary legislation may not become law until after the expiration of the emergency legislation; therefore, a congressional review emergency is needed to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sexual Assault Victim Rights Task Force Report Extension Congressional Review Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-361

To confirm the appointment of Ms. Christina M. Respress to the Interagency Council on Homelessness.

Interagency Council on Homelessness Christina M. Respress Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Christina M. Respress Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Christina M. Respress
7109 13th Avenue
Takoma Park, MD 20912

as a representative of an organization that provides services within the Continuum of Care member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), replacing Hannah Hawkins, for a term to end June 12, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-362

To confirm the reappointment of Ms. Elizabeth Schroeder Stribling to the Interagency Council on Homelessness.

Interagency Council on Homelessness Elizabeth Schroeder Stribling Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Elizabeth Schroeder Stribling Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Elizabeth Schroeder Stribling
1418 Jonquil Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a representative from an organization that provides services within the Continuum of Care member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), for a term to end May 1, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-363

To confirm the reappointment of Mr. Michael L. Ferrell to the Interagency Council on Homelessness.

Interagency Council on Homelessness Michael L. Ferrell Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Michael L. Ferrell Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Michael L. Ferrell
1611 Lemontree Lane
Silver Spring, MD 20904

as a representative from an organization that provides services within the Continuum of Care member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), for a term to end May 1, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-364

To confirm the reappointment of Ms. Deborah Shore to the Interagency Council on Homelessness.

Interagency Council on Homelessness Deborah Shore Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Deborah Shore Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Deborah Shore
3408 Patterson Street, N.W.
Washington, D.C. 20015
(Ward 3)

as a representative from an organization that provides services within the Continuum of Care member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), for a term to end May 1, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-365

To confirm the appointment of Mr. Adam Rocap to the Interagency Council on Homelessness.

Interagency Council on Homelessness Adam Rocap Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Adam Rocap Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Adam Rocap
2401 Virginia Avenue, N.W.
Washington, D.C. 20037
(Ward 2)

as a representative from an organization that provides services within the Continuum of Care member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), replacing Jean Michel Giraud, for a term to end August 10, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-366

To confirm the appointment of Ms. Nechama Masliansky to the Interagency Council on Homelessness.

Interagency Council on Homelessness Nechama Masliansky Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Nechama Masliansky Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Nechama Masliansky
3001 Veazey Terrace, N.W.
Unit 1224
Washington, D.C. 20008
(Ward 3)

as a representative from an organization that provides services within the Continuum of Care member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), replacing Kari K. Bedell, for a term to end August 10, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-367

To confirm the appointment of Mr. Eric J. Sheptock to the Interagency Council on Homelessness.

Interagency Council on Homelessness Eric J. Sheptock Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Eric J. Sheptock Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Eric J. Sheptock
425 2nd Street, N.W.
Washington, D.C. 20001
(Ward 6)

as a homeless or formerly homeless individual member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), replacing Darryl A. Becher, for a term to end August 10, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-368

To confirm the reappointment of Mr. Donald L. Brooks to the Interagency Council on Homelessness.

Interagency Council on Homelessness Donald L. Brooks Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Donald L. Brooks Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Donald L. Brooks
1649 Franklin Street, N.E. Unit 1
Washington, D.C. 20018
(Ward 5)

as a homeless or formerly homeless individual member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), for a term to end June 4, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-369

To confirm the appointment of Mr. Albert Townsend to the Interagency Council on Homelessness.

Interagency Council on Homelessness Albert Townsend Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Albert Townsend Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Albert Townsend
860 S. Greenbrier Street, Unit 1
Arlington, VA 22204

as a homeless or formerly homeless individual member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), replacing Jackie L. Chandler, for a term to end August 10, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-370

To confirm the appointment of Ms. Margaret A. Hacskaylo to the Interagency Council on Homelessness.

Interagency Council on Homelessness Margaret A. Hacskaylo Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Margaret A. Hacskaylo Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Margaret A. Hacskaylo
1325 13th Street, N.W. Unit 47
Washington, D.C. 20005
(Ward 2)

as an advocate for the District's homeless population member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), replacing Nan Roman, for a term to end May 1, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-371

To confirm the reappointment of Ms. Margaret Riden to the Interagency Council on Homelessness.

Interagency Council on Homelessness Margaret Riden Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Margaret Riden Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Margaret Riden
1443 Monroe Street, N.W.
Washington, D.C. 20010
(Ward 1)

as an advocate for the District's homeless population member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), for a term to end May 1, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-372

To confirm the appointment of Ms. Jill Carmichael to the Interagency Council on Homelessness.

Interagency Council on Homelessness Jill Carmichael Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interagency Council on Homelessness Jill Carmichael Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Jill Carmichael
3128 Sherman Avenue, N.W.
Washington, D.C. 20010
(Ward 1)

as an advocate for the District's homeless population member of the Interagency Council on Homelessness in accordance with section 4 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.01), for a term to end August 10, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-360

To confirm the appointment of Dr. Tanya Royster as the Director of the Department of Behavioral Health.

Director of the Department of Behavioral Health Tanya Royster Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Behavioral Health Tanya Royster Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Dr. Tanya Royster
1702 Shepherd Street, N.W.
Washington, D.C. 20011
(Ward 4)

as the Director of the Department of Behavioral Health, established by section 5113 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 7-1141.02), in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-323

To confirm the appointment of Rear Admiral Christopher Weaver (USN, Retired) as the Director of the Department of General Services.

Director of the Department of General Services Christopher Weaver Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of General Services Christopher Weaver Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Rear Admiral Christopher E. Weaver (USN, Retired)
511 7th Street, S.E.
Washington, D.C. 20003
(Ward 6)

as the Director of the Department of General Services, established by section 1022 of the Department of General Services Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-329

To confirm the appointment of Ms. Ana Recio Harvey to the District of Columbia Water and Sewer Authority Board of Directors.

District of Columbia Water and Sewer Authority Board of Directors Ana Recio Harvey Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Ana Recio Harvey Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Ana Recio Harvey
1275 25th Street, N.W. Unit #601
Washington, D.C. 20037
(Ward 2)

as an alternate member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing Matthew T. Brown, for a term to end September 12, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-330

To confirm the appointment of Mr. Matthew T. Brown to the District of Columbia Water and Sewer Authority Board of Directors.

District of Columbia Water and Sewer Authority Board of Directors Matthew T. Brown Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Matthew T. Brown Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Matthew T. Brown
1228 C Street, S.E.
Washington, D.C. 20003
(Ward 6)

as a principal member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing Allen Lew, for a term to end September 12, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-276

To confirm the appointment of Ms. Tammi Lambert as the Director of the Office of Veterans Affairs.

Director of the Office of Veterans Affairs Tammi Lambert Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office of Veterans Affairs Tammi Lambert Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Tammi Lambert
905 6th Street, S.W., Apt. #708-B
Washington, D.C. 20024

as the Director of the Office of Veterans Affairs, established by section 703 of the Office of Veterans Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 49-1002), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-304

To approve proposed rules to amend section 718 of Title 23 of the District of Columbia Municipal Regulations to modify reimbursement levels to the Metropolitan Police Department under the Reimbursable Detail Subsidy Program.

Reimbursable Detail Subsidy Program Regulations Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Reimbursable Detail Subsidy Program Regulations Approval Resolution of 2015".

Sec. 2. Pursuant to D.C. Official Code § 25-211(b), the Mayor transmitted to the Council on September 16, 2015, proposed rules to modify reimbursement levels by the Alcoholic Beverage Regulation Administration to the Metropolitan Police Department under the Reimbursable Detail Subsidy Program. The Council approves the proposed rules, published at 62 DCR 3976, to amend section 718 of Title 23 of the District of Columbia Municipal Regulations.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chairperson of the Alcoholic Beverage Control Board.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-309

To approve proposed rules to amend Chapter 16 of Title 23 of the District of Columbia Municipal Regulations regarding contested hearings, non-contested hearings, protest hearings, and procedures.

ABRA Administrative and Procedural Regulations Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "ABRA Administrative and Procedural Regulations Approval Resolution of 2015".

Sec. 2. Pursuant to D.C. Official Code § 25-211(b), the Mayor transmitted to the Council on September 16, 2015, proposed rules of the Alcoholic Beverage Control Board regarding contested hearings, non-contested hearings, protest hearings, and procedures. The Council approves the proposed rules, published at 62 DCR 5499, to amend Chapter 16 of Title 23 of the District of Columbia Municipal Regulations.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chairperson of the Alcoholic Beverage Control Board.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-385

To authorize and provide for the issuance, sale, and delivery, pursuant to a plan of finance, in one or more series, in an aggregate principal amount not to exceed $150 million of District of Columbia revenue bonds, and to authorize and provide for the loan of the proceeds of such bonds to assist The Catholic University of America in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

The Catholic University of America Revenue Bonds Project Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "The Catholic University of America Revenue Bonds Project Approval Resolution of 2015".

Sec. 2. Definitions.

For the purpose of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be The Catholic University of America, a nonprofit corporation organized under the laws of the District of Columbia and exempt from federal income taxes under 26 U.S.C. § 501(a) as an organization described in 26 U.S.C. § 501(c)(3).

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents other than Closing Documents that relate to the financing or refinancing of transactions to be effected through the issuance, sale,

and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan contemplated thereby, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) Refunding all or a portion of the outstanding District of Columbia Revenue Bonds (The Catholic University of America Issue, Series 2007) originally issued in the aggregate principal amount of $72,710,000 pursuant to the provisions of The Catholic University of America Revenue Bonds Project Approval Resolution of 2007, effective May 1, 2007 (Res. 17-172; 54 DCR 004281);

(B) Refunding all or a portion of the outstanding District of Columbia Revenue Bonds (The Catholic University of America Issue), Series 2010, originally issued in the aggregate principal amount of $38,010,000 pursuant to the provisions of The Catholic University of America Revenue Bonds Project Approval Resolution of 2010, effective June 1, 2010 (Res. 18-483; 57 DCR 4973);

(C) Improvements to the Borrower's campus, including but not limited to the modernization and upgrade of (i) building envelopes, including windows, exterior wall systems and roofs, (ii) power distribution and lighting systems, and (iii) heating and cooling and control systems, together with other improvements to land or interests in land, buildings, structures, machinery, equipment, furnishings or other real or personal property located on the Borrower's campus;

(D) Any required deposit to a debt service reserve fund or other reserve fund;

(E) All or a portion of eligible Issuance Costs; and

(F) Any bond insurance or other credit enhancement.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may by resolution authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the costs of undertakings in certain areas designated in section 490 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, pursuant to a plan of finance, in one or more series, in an aggregate principal amount not to exceed $150 million and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to the economic development of the District.

(4) The Project is an undertaking in the area of college and university facilities within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, pursuant to a plan of finance, in one or more series, in an aggregate principal amount not to exceed $150 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale,

delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or

appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147 (f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-427

See Emergency D.C. Act 21-237 21 DCStat 2305

To declare the existence of an emergency with respect to the need to approve Modification Nos. 6 and 7 and proposed Modification No. 8 to Contract No. CW24576 with Intergraph Corporation to manage and maintain the District's Computer Aided Dispatch System and to authorize payment for the goods and services received and to be received under the contract.

Modification Nos. 6, 7, and 8 to Contract No. CW24576 Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 6, 7, and 8 to Contract No. CW24576 Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification Nos. 6 and 7 and proposed Modification No. 8 to Contract No. CW24576 with Intergraph Corporation to manage and maintain the District of Columbia's Computer Aided Dispatch System and to authorize payment for the goods and services received and to be received under the contract.

(b) On September 30, 2013, the District awarded Contract No. CW24567 to Intergraph Corporation, with a base year for the period from October 1, 2013, through September 30, 2014.

(c) The District exercised the first option year of Contract No. CW24576, for the period from October 1, 2014, through September 30, 2015.

(d) By Modification No. 6, on September 28, 2015, the District partially exercised the second option year of Contract No. CW24576 in the estimated amount of $118,065.12 for the period from October 1, 2015, through October 31, 2015.

(e) By Modification No. 7, on October 23, 2015, the District further partially exercised the second option year of Contract No. CW24576 in the estimated amount of $236,130.24 for the period from November 1, 2015, through December 31, 2015.

(f) By Modification No. 8, the District proposes to exercise the remainder of the second option year of Contract No. CW24576 for the period from January 1, 2016, through September 30, 2016 in the estimated amount of $1,062,586.08, making the total estimated amount for option year two $1,416,781.44.

(g) Council approval is necessary because these modifications increase the contract by more than $1 million during a 12-month period.

(h) Approval is necessary to allow the continuation of these vital services. Without this approval, Intergraph Corporation cannot be paid for goods and services provided in excess of $1 million for the contract period from October 1, 2015, through September 30, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Modification Nos. 6, 7, and 8 to Contract No. CW24576 Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-432

See Emergency D.C. Act 21-238 21 DCStat 2306

To declare the existence of an emergency with respect to the need to approve Modification Nos. 001 and 005 and proposed Modification No. 002 to Contract No. DCFA-2015-C-2292SS with PFC Associates, LLC to operate and provide occupational and ancillary health care services for covered employees at the Police and Fire Clinic and to authorize payment for the goods and services received and to be received under the contract.

Modification Nos. 001, 002, and 005 to Contract No. DCFA-2015-C-2292SS Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 001, 002, and 005 to Contract No. DCFA-2015-C-2292SS Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 001 and 005 and proposed Modification No. 002 to Contract No. DCFA-2015-C-2292SS with PFC Associates, LLC ("PFC") to operate and provide occupational and ancillary health care services for all covered employees at the Police and Fire Clinic ("Clinic")and to authorize payment for the goods and services received and to be received under the contract.

(b) On July 1, 2015, the Office of Contracting and Procurement ("OCP"), on behalf of the District Metropolitan Police Department, entered into Contract No. DCFA-2009-C-2292SS with PFC to operate and provide occupational and ancillary healthcare services for covered employees at the Clinic from July 1, 2015, through October 31, 2015, in the total estimated contract amount of $4,399,726.33.

(c) On October 28, 2015, by Modification No. 001, OCP extended the term of the contract for the period from November 1, 2015, through November 21, 2015, in the estimated contract amount of $893,321.38.

(d) On November 19, 2015, by Modification No. 005, OCP extended the term of the contract from November 22, 2015, to December 1, 2015, with no change in the estimated contract amount.

(e) OCP now desires to extend the term of the contract for the period from December 1, 2015, through June 30, 2016, in the estimated contract amount of $8,232,555.00. The total estimated contract amount for the extension of the current contract is $9,125,876.38.

(f) Council approval is necessary because the modifications increase the contract by more than $1 million during a 12-month period.

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, PFC cannot be paid for goods and services provided in excess of $1 million for the contract period from November 1, 2015, through June 30, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 001, 002, and 005 to Contract No. DCFA-2015-C-2292-SS Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-382

To declare the sense of the Council that the District of Columbia Housing Authority prioritize and develop a "Build First" model of reinvestment in Greenleaf public housing as part of its redevelopment strategy.

Sense of the Council Supporting a "Build First" Model of Reinvestment in Greenleaf Public Housing Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Supporting a "Build First" Model of Reinvestment in Greenleaf Public Housing Resolution of 2015".

Sec. 2. The Council finds that:

(1) Greenleaf public housing, located in Southwest D.C., makes up 455 important units of public housing, much of which is dedicated to senior and disabled residents and multiple-bedroom family housing. Greenleaf public housing includes Greenleaf Gardens, Greenleaf Senior, Greenleaf Extension, and Greenleaf Addition, all located in Ward 6.

(2) The District of Columbia Housing Authority ("DCHA") has initiated a planning process for the reinvestment and replacement of Greenleaf public housing.

(3) The Greenleaf and surrounding Southwest community share significant concerns regarding potential displacement of current Greenleaf public housing residents as part of the DCHA future redevelopment.

(4) The Office of Planning, as part of its extensive small area plan process, recognized these concerns and included recommendations in its Southwest Neighborhood Plan, which the Council approved on July 14, 2015.

(5) The Neighborhood Plan recommends developing a strategy for keeping current residents in the community during and after construction and redevelopment, including identifying potential "Build First" sites.

(6) The Southwest community, including Advisory Neighborhood Commission 6D, the Southwest Neighborhood Assembly, and the Southwest Community Benefits Coordinating Committee, has expressed a strong desire to support a "Build First" model for Greenleaf public housing replacement.

(7) In light of DCHA's status as an independent public agency, and recognizing the importance of protecting the needs of the Greenleaf and Southwest community, the Council makes a statement on the issue.

Sec. 3. It is the sense of the Council that DCHA should prioritize and develop a "Build First" model of reinvestment in Greenleaf public housing to better preserve this important housing availability and the Southwest community that currently calls it home.

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Housing Authority, the Deputy Mayor for Planning and Economic Development, and the Office of Planning.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-414

To confirm the reappointment of Ms. Sandra Mattavous-Frye as the People's Counsel.

People's Counsel Sandra Mattavous-Frye Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "People's Counsel Sandra Mattavous-Frye Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Sandra Mattavous-Frye
2411 First Street, N.W.
Washington, D.C. 20001
(Ward 5)

as the People's Counsel, established by section 1 of An Act To provide a People's Counsel for the Public Service Commission in the District of Columbia, and for other purposes, approved January 2, 1975 (88 Stat. 1975; D.C. Official Code § 34-804), for a term to end June 13, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-423

To establish the date by which the Mayor shall submit to the Council the proposed budget for the government of the District of Columbia for the fiscal year ending September 30, 2017, to identify information and documentation to be submitted to the Council with the proposed budget for the government of the District of Columbia for the fiscal year ending September 30, 2017, and to require the Mayor to submit performance plans and accountability reports pursuant to Title XIV-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978.

Fiscal Year 2017 Budget Submission Requirements Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2017 Budget Submission Requirements Resolution of 2015".

Sec. 2. Pursuant to section 442(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42(a)) ("Home Rule Act"), the Mayor shall submit to the Council, and make available to the public, not later than March 24, 2016, the proposed budget for the District government and related budget documents required by sections 442, 443, and 444 of the Home Rule Act (D.C. Official Code §§ 1-204.42, 1-204.43, and 1-204.44), for the fiscal year ending September 30, 2017.

Sec. 3. The proposed budget shall contain:

(1) Required budget documents as follows:

(A) For the entire District government, including all subordinate agencies, independent agencies, independent instrumentalities, and independent authorities ("agency"), the proposed budget shall contain a summary statement or table showing the following:

(i) The revenues by source (local, dedicated tax, special purpose, federal, and private);

(ii) Expenditures by Comptroller Source Group; and

(iii) Projections for revenues and expenditures for the Fiscal Year 2016 approved budget and for the Fiscal Year 2017 proposed budget.

(B) For each agency or separate Organizational Level I line item in the District's annual budget, summary statements or tables showing all sources of funding by source (local, dedicated tax, special purpose, federal, private, and intra-district) for Fiscal Years 2014 and 2015;

(C) For each agency or separate Organizational Level I line item in the District's annual budget, a summary statement or table showing projections of all sources of

funding by source (local, dedicated tax, special purpose, federal, private, and intra-district), for the Fiscal Year 2016 approved budget and for the Fiscal Year 2017 proposed budget;

(D) For each agency or separate Organizational Level I line item in the District's annual budget, summary statements or tables showing expenditures by Comptroller Source Group and by Program (Organizational Level II), delineated by Activity (Organizational Level III), by source of funding for Fiscal Years 2014 and 2015, as well as projections for the Fiscal Year 2016 approved budget and for the Fiscal Year 2017 proposed budget;

(E) For each Program (Organizational Level II), a delineation by Comptroller Source Group;

(F) A narrative description of each program and activity that explains the purpose and services to be provided; and

(G) A summary statement or table showing, by Comptroller Source Group and by Program, delineated by Activity, authorized full-time equivalents ("FTEs") by revenue source (local, dedicated tax, special purpose, federal, private, intra-district, and capital).

(2) School-related budget documents as follows:

(A) A summary statement or table showing the number of full-time and part-time school-based personnel in the District of Columbia Public Schools, by school level (e.g., elementary, middle, junior high, pre-kindergarten through 8th grade, senior high school) and school, including school-based personnel funded by other District agencies, federal funds, or private funds;

(B) A summary statement or table showing the number of special education students served by school level (e.g., elementary, junior high), including the number of students who are eligible for Medicaid services; and

(C) For each District of Columbia public school, a summary statement or table of the local funds budget, including the methodology used to determine each school's local funding.

(3) Agency budgets shall be structured to ensure accessibility and transparency for how taxpayer dollars will be disbursed. Agency budget structures should align with current or proposed agency organizational structures and programs and clearly indicate the source and amount of funding needed for each individual program, facility, or venue identified on the agency's website. Agency program and activity titles shall be specific and descriptive and reflect the programs and activities within the agency. The following shall be eliminated:

(A) Program titles that reiterate the agency name;

(B) Duplicate program and activity titles within an agency; and

(C) Discretionary budget that is not clearly identified and explained.

(4) A Capital Improvements Plan ("CIP") for Fiscal Years 2017 through 2022 that is based on the current approved CIP. The CIP shall include all capital projects (inclusive of subprojects) as defined in section 103(8) of the Home Rule Act. The CIP shall be presented separately in one volume and shall include the following information:

(A) A detailed description for each project with planned allotment in Fiscal Years 2017 through 2022. The projects shall be organized alphabetically by title,

summarized by owner agency, and listed in a table of contents. Each project description shall include the following:

(i) A specific scope consistent with the project title;
(ii) The purpose;
(iii) The current status;
(iv) The location (address and ward, if applicable);
(v) A facility name or identifier, if applicable;
(vi) Appropriate maps or other graphics;
(vii) The estimated useful life;
(viii) The current estimated full-funded cost;
(ix) Proposed sources of funding;
(x) Current allotments, expenditures, and encumbrances;
(xi) Proposed allotments by fiscal year;
(xii) For each pool project, a Fiscal Year 2017 spending plan that identifies the specific District assets that will be improved with the proposed budget;
(xiii) The change in budget authority request from the prior year;
(xiv) The number of FTE positions and the amount of Personnel Services budget to be funded with the project, as a percentage of the proposed allotment; and
(xv) The estimated impact that the project will have on the annual operating budget;

(B) The proposed Highway Trust Fund budget and the projected local Highway Trust Fund cash flow for Fiscal Years 2016 through 2022, with actual expenditures for Fiscal Year 2015;

(C) A capital budget pro forma setting forth the sources and uses of new allotments by fund detail and owner agency;

(D) An explanation of the debt cap analysis used to formulate the capital budget and a table summarizing the analysis by fiscal year, which shall include total borrowing, total debt service, total expenditures, the ratio of debt service to expenditures, and the balance of debt service capacity for each fiscal year included in the CIP; and

(E) An analysis, prepared by the Mayor, of whether the CIP is consistent with the Comprehensive Plan, Transportation Improvement Program, Washington Metropolitan Area Transit Authority capital budget, and other relevant planning programs, proposals, or elements developed by the Mayor as the central planning agency for the District. The Mayor's analysis shall highlight and explain any differences between the CIP and other programs and plans on a project-by-project basis.

(5) Additional documents as follows:

(A) Copies of all documents referenced in and supportive of the budget justification for Fiscal Year 2017, including the proposed Fiscal Year 2017 Budget Request Act, and any other legislation that is necessary for implementation of the proposed budget for the District for Fiscal Year 2017;

(B) A table of all intra-district funds included in the Fiscal Year 2017 budget, including the receiving and transmitting agency, and whether there is a signed Memorandum of Understanding for each intra-district funding arrangement;

(C) A table showing all tax-supported debt issued and authorized within and above the debt cap and spending authority remaining within the cap;

(D) A summary table, which shall include a list of all intra-agency and inter-agency changes of funding, with a narrative description of each change sufficient to provide an understanding of the change in funds and its impact on services;

(E) A crosswalk, for any agency that has undergone a budget restructuring in Fiscal Year 2016 or which would undergo a proposed budget restructuring in Fiscal Year 2017, that shows the agency's allocations before the restructuring under the new or proposed structure;

(F) A table showing each agency's actual fringe rate and amount for Fiscal Years 2014 and 2015, the approved rate and amount for Fiscal Year 2016, and the proposed rate and amount for Fiscal Year 2017; and

(G) A spreadsheet detailing each revenue source by line item, including the actual amount received for that revenue line item in the prior 2 fiscal years and the amount projected to be received for that revenue line item in the proposed budget.

Sec. 4. Pursuant to Title XIV-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective May 16, 1995 (D.C. Law 11-16; D.C. Official Code § 1-614.11 *et seq.*), the Mayor shall submit to each Councilmember and the Council Officers, and make available to the public, not later than January 31, 2016, all performance accountability reports for Fiscal Year 2015 that cover all publicly funded activities of each District government agency.

Sec. 5. The Mayor and the Chief Financial Officer shall include in the submission of the budget a presentation of the budget for the University of the District of Columbia with detail similar to that provided for subordinate agencies.

Sec. 6. The submission of the budget shall include actual copies of agency budget enhancement requests, including each agency's "Form B," consistent with section 47-318.05a of the District of Columbia Official Code.

Sec. 7. Pursuant to section 446 of the Home Rule Act, the Council's budget review period shall begin after the date that all materials required to be submitted by sections 2 through 6 have been submitted in accordance with this resolution and the Council's rules.

Sec. 8. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 9. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-452

***See* Emergency D.C. Act 21-241 21 DCStat 2309**

To declare the existence of an emergency with respect to the need to amend Chapter 46 of Title 47 of the District of Columbia Official Code to clarify the real property tax abatement for Lot 72 in Square 5041 and Lot 811 in Square 5056.

Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Emergency Declaration Resolution of 2015".

Sec. 2. (a) It is necessary to pass emergency legislation to address the immediate concerns related to a residential property development in Ward 7.

(b) In December 2012, the Council passed the Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Act of 2012, effective April 20, 2013 (D.C. Law 19-255; 60 DCR 987), which amended Chapter 46 of Title 47 of the District of Columbia Official Code to abate the imposition of taxes on certain real property, Lot 808, Square 5041 and Lot 811, Square 5056, known as the Parkside Parcel E and J Mixed-Income Apartments, a development located in the Parkside neighborhood in Ward 7.

(c) In December 2014, the Council passed the Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2014, effective April 30, 2015 (D.C. Law 20-251; 62 DCR 1876). The temporary legislation will expire on December 11, 2015.

(d) The tax abatement allowed an annual real property tax abatement equal to the amount of the real property taxes assessed and imposed up to a total maximum amount for both lots of $600,000 per year for 10 property tax years, commencing at the beginning of the first month following the date of the issuance of a final certificate of occupancy.

(e) When the Council passed the bill, Parkside Residential, LLC owned parcels E and J. The company has since partnered with additional entities for the development, creating a new ownership entity.

(f) The emergency and temporary legislation modified the language of the tax abatement to include only references to the square and lots for development in lieu of the names of developers and development projects. The legislation also changed the 10-year $600,000 per year real property tax abatement for both lots into a 10-year $300,000 per year real property tax abatement for each lot. These changes were made in light of the then pending closing on the property.

(g) The developer has closed on Lot 72, formerly Lot 808, and construction has begun. Emergency legislation is necessary to continue the tax abatements and ensure that the language of the tax abatement remains consistent with the existing financing.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-454

***See* Emergency D.C. Act 21-226 21 DCStat 2301**

To declare the existence of an emergency with respect to the need to amend the Animal Control Act of 1979 to clarify that animals at educational institutions are permitted for educational and instructional purposes.

Classroom Animal for Educational Purposes Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Classroom Animal for Educational Purposes Emergency Declaration Resolution of 2015".

Sec. 2. (a) There is an immediate need to amend section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), to make clear that animals at educational institutions are permitted for educational and instructional purposes.

(b) The Department of Health has previously notified schools across the District that they must remove animals – such as geckos, frogs, toads, tadpoles, and other species historically used for instructional purposes but not specifically cited in section 9 of the Animal Control Act of 1979 – or the District will seize and destroy them.

(c) To address this concern, the Council enacted the Classroom Animal for Educational Purposes Clarification Second Temporary Act of 2015 on April 30, 2015. Since its passage, a number of schools have obtained and maintained animals on the school premises to provide teaching and learning opportunities for students.

(d) Because a number of schools already maintain animals on their premises, this emergency action is necessary to prevent classroom and instructional animals from being removed and ensure that the schools can continue providing teaching and learning opportunities for students with living creatures that are treated and maintained humanely and safely.

(e) This emergency action is necessary to prevent a gap in the law as the temporary legislation that is currently in effect, the Classroom Animal for Educational Purposes Clarification Second Temporary Amendment Act of 2015, effective April 30, 2015 (D.C. Law 20-255; 62 DCR 2257), expires on December 11, 2015. The permanent version of this emergency measure, the Educational and Instructional Animals Clarification Amendment Act of 2015, has not yet been passed by the Council.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Classroom Animal for Educational Purposes Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-453

***See* Emergency D.C. Act 21-242 21 DCStat 2311**

To declare the existence of an emergency with respect to the need to order the closing of a portion of the public alley system in Square 70, bounded by 22nd Street, N.W., N Street, N.W., 21st Street, N.W., New Hampshire Avenue, N.W., and M Street, N.W., in Ward 2.

Closing of a Public Alley in Square 70, S.O. 15-23283, Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of a Public Alley in Square 70, S.O. 15-23283, Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close a portion of the public alley system in Square 70, S.O. 15-23283.

(b) The alley is owned by the 1255 22nd Street Limited Partnership ("the Applicant") and is located at the northeast corner of 22nd Street, N.W., and Ward Place, N.W., in Ward 2. The Applicant's property includes Lots 193 and 194; the alley is located along the eastern edge of Lot 193. Lot 193 contains a seven-story office building that is vacant except for a Post Office, and Lot 193 contains a parking lot.

(c) The Applicant intends to convert the office space into residential units and build a connecting nine-story residential building on the site of the existing parking lot. As part of the development plans, the Applicant will maintain public access over the existing 30-foot-wide alley, by way of a tunnel-like passage, created by the construction of the building, with a width of 30 feet and a height of 16 feet.

(d) The Applicant will dedicate a perpetual easement over the closed portion of the alley to allow continued access to the new residential units, as well as to the rear of two properties fronting on N Street, N.W., that abut the alley (Lots 153 and 192).

(e) A permanent version of this legislation passed first reading unanimously on November 3, 2015 and will be considered by the Council on second reading on December 1, 2015. Making the closing effective sooner than congressional review would allow will enable the project to proceed without the risk of delay.

Sec. 3. The Council of the District of Columbia determines the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Public Alley in Square 70, S.O. 15-23283, Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-420

See Emergency D.C. Act 21-244 21 DCStat 2315

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCPL-2016-C-0005 with Smoot/Gilbane III MLK, A Joint Venture, to provide Construction Manager At-Risk services for the renovation of the Martin Luther King Jr. Memorial Library from the date of award through December 31, 2019.

Proposed Multiyear Contract No. DCPL-2016-C-0005 Approval Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Proposed Multiyear Contract No. DCPL-2016-C-0005 Approval Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve multiyear Contract DCPL-2016-C-0005 with Smoot/Gilbane III MLK, A Joint Venture, for Construction Manager At-Risk ("CMAR") services for the renovation of the Martin Luther King Jr. Memorial Library ("MLK Library"). The period of performance is from the date of award through December 31, 2019.

(b) On April 30, 2015, the District of Columbia Public Library ("DCPL") issued a Request for Proposals for a contractor to provide Phase 1 of CMAR services for the renovation of the MLK Library as part of a 2-step source selection process ("selection process"). On August 28, 2015, the Technical Evaluation Panel compiled the Step 2 report recommending award to Smoot/Gilbane III MLK, A Joint Venture, the highest-scored offeror after Step 2 presentations, and transmitted the results to the DCPL Chief Procurement Officer. The Chief Procurement Officer, after performing her own independent assessment of each offeror, recommends that the subject contract for Design-Build Services be awarded to Smoot/Gilbane III MLK, A Joint Venture, the highest-scored offeror in the Step 2 selection process.

(c) The estimated total expenditure under this multiyear delivery of services contract with Smoot/Gilbane III MLK, A Joint Venture, is $9,072,102 for Phase One of the contract.

(d) DCPL now seeks Council approval of this multiyear contract consisting of a performance period from the date of award through December 31, 2019.

(e) Council approval is necessary to allow the performance of and payment for these vital services for the term of this multiyear contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Proposed Multiyear Contract No. DCPL-2016-C-0005 Approval Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-418

See Emergency D.C. Act 21-221 21 DCStat 2295

To declare the existence of an emergency with respect to the need to extend Contract No. DCKV-2007-C-0001 with Industrial Bank, N.A. to provide secondary collections services for photo enforcement, parking, and moving tickets, and to authorize payment for the services received and to be received under the contract.

Contract No. DCKV-2007-C-0001 Extension Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKV-2007-C-0001 Extension Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve the extension of Contract No. DCKV-2007-C-0001 with Industrial Bank, N.A. to provide secondary collections services for photo enforcement, parking, and moving tickets and to authorize payment for the services received and to be received under the contract.

(b) On September 30, 2015, the Office of the Chief Financial Officer executed Modification No. 30, extending Contract No. DCKV-2007-C-0001 from October 1, 2015, through November 30, 2015, in the amount of $700,000.

(c) Proposed Modification No. 31 will extend Contract No. DCKV-2007-C-0001 from December 1, 2015, through March 31, 2016, in the amount of $1.4 million. This modification also provides that the District may further extend the period of this contract for up to 3 2-month option periods, each in the amount of $700,000. If all options are exercised, the not-to-exceed amount of the 12-month extension will be $4.2 million.

(d) Council approval is necessary because these modifications increase the contract to one of more than $1 million during a 12-month period, and to allow the continuation of these vital services and Industrial Bank, N.A. to continue to perform under the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKV-2007-C-0001 Extension Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-325, effective December 1, 2015

A RESOLUTION

Proposed Resolution 21-455

See Emergency D.C. Act 21-227 21 DCStat 2303

To declare the existence of an emergency with respect to the need to amend the Business Improvement Districts Act of 1996 to clarify that the business improvement district shall submit a plan to the Mayor to request to extend its charter for a period of 5 years.

Business Improvement Districts Charter Renewal Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Business Improvement Districts Charter Renewal Emergency Declaration Resolution of 2015".

Sec. 2. (a) In 2014, the Council passed the Business Improvement Districts Amendment Act of 2014, effective February 25, 2015 (D.C. Law 20-161; D.C. Official Code § 2-1215.01 *et seq.)* ("Act"). The Act modernized the law concerning business improvement districts ("BID").

(b) The Act inadvertently changed the way that a BID's charter was extended. The inadvertent change requires the Board and the membership of a BID to first approve a BID plan and then submit it to the Mayor requesting that its operations be extended for 5 years. Historically, BID plans were approved and submitted to the Mayor in accordance with the BID's bylaws. The change in the charter renewal procedure that was made in the Act altered the timing and administrative burden of a BID applying to renew its charter. The change will have a negative impact on the BIDs, especially on smaller neighborhood BIDs.

(c) The Adams Morgan BID is in the process of organizing its plan to renew its charter and without this technical amendment, the Act would require the BID to meet a higher threshold and would add uncertainty to its renewal extension process.

(d) Emergency legislation is necessary to expeditiously return the BID charter renewal procedure to the way it had been since 2002, when the first BID term extension took place.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Business Improvement Districts Charter Renewal Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-456

***See* Emergency D.C. Act 21-243 21 DCStat 2313**

To declare the existence of an emergency with respect to the need to authorize the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve the use of eminent domain to acquire Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110.

(b) The District of Columbia Water and Sewer Authority ("DC Water") currently operates a site south of N Place, S.E., north of the Anacostia River and between 1st and Canal Streets, S.E. ("DC Water Site").

(c) Pursuant to the Anacostia Waterfront Framework Plan, the District plans to dispose of and develop a portion of the DC Water Site so as to leverage other large-scale District investments in the Capitol Riverfront/Near Southeast neighborhood such as the South Capitol Street Bridge project and Nationals Park thereby serving to accelerate and promote economic vitality and enhance economic development in the District of Columbia.

(d) For the planned disposition and development to proceed, it is necessary for DC Water to relocate the functions currently at the DC Water Site.

(e) The District of Columbia and DC Water have entered into a Memorandum of Understanding for DC Water to relocate a portion of the uses of the DC Water Site to a site in Prince Georges County, Maryland.

(f) To ensure adequate response times to water and sewer emergencies, DC Water must also maintain a site west of the Anacostia River.

(g) The District desires to relocate the current DC Water Site uses not being relocated to the Prince Georges County site, including customer care and sewer service operations, to Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 ("W Street Site").

(h) The W Street Site is currently occupied by a trash transfer station.

(i) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(j) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin, and have complained that there is an increased incidence of health concerns.

(k) The W Street Site trash transfer station continues to operate as an open air trash transfer station, which allows its pungent odors to reach much farther than they would if the facility were closed.

(l) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-434

***See* Emergency D.C. Act 21-240 21 DCStat 2308**

To declare the existence of an emergency with respect to the need to include specified people in the category of a sibling for the purpose of ensuring that foster children have connections with siblings.

Encouraging Foster Children To Have Connections with Siblings Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Encouraging Foster Children To Have Connections with Siblings Emergency Declaration Resolution of 2015".

Sec. 2. (a) Title IV-E of the Social Security Act, approved June 17, 1980 (P.L. 96-272; 42 USC § 670 *et seq.*) ("Title IV-E"), provides federal funds to states and the District of Columbia for foster care and guardianship and adoption assistance programs.

(b) Section 209 of the Preventing Sex Trafficking and Strengthening Families Act, approved September 29, 2014 (128 Stat. 1941; 42 U.S.C. §§ 671 and 675), requires states and the District, as a condition of receiving Title IV-E funds, to encourage the placement of foster children with siblings by including in the category of a sibling individuals who would have been considered a sibling but for the termination or disruption of parental rights.

(c) For the District to be eligible for Title IV-E funding, it must enact legislation by January 1, 2016, that encourages the placement of foster children with siblings.

(d) Emergency legislation is necessary to ensure that the District of Columbia maintains compliance with the federal requirements and continues to be eligible for Title IV-E funding.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Encouraging Foster Children To Have Connections with Siblings Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-430

***See* Emergency D.C. Act 21-223 21 DCStat 2297**

to the need to approve Modification Nos. 2, 3, and 4 to Contract No. DCAM-14-NC-0099A with RWD Consulting, LLC, for consolidated maintenance services for the John A. Wilson Building, and to authorize payment in the aggregate amount of $1,332,677.33 for the goods and services received and to be received under these modifications.

Modification Nos. 2, 3, and 4 to Contract DCAM-14-NC-0099A Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 2, 3, and 4 to Contract DCAM-14-NC-0099A Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 2, 3, and 4 to Contract No. DCAM-14-NC-0099A with RWD Consulting, LLC, for consolidated maintenance services for the John A. Wilson Building, and to authorize payment in the aggregate amount of $1,332,677.33 for the goods and services received and to be received under the modifications.

(b) The underlying contract was competitively bid, awarded to RWD Consulting, LLC, and previously approved by the Council in the amount of $1,588,111.96 for the base year as CA 20-536. Thereafter, Modification No. 2 was issued to partially exercise Option Year One with a value of $266,535.47. Modification No. 3 also partially exercised Option Year One and had a value of $266,535.47. Modification Nos. 2 and 3 had an aggregate value of $533,070.94 and did not require Council approval.

(c) Modification No. 4 will cause the aggregate value of the modifications issued, after the Council's last approval of the base contract, to exceed the $1 million threshold pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Modification No. 4 in the amount of $799,606.39 is necessary to compensate RWD Consulting, LLC, for work completed and to be completed pursuant to the modification.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 2, 3, and 4 to Contract No. DCAM-14-NC-0099A Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-431

***See* Emergency D.C. Act 21-224 21 DCStat 2298**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 4, 5, and 6 to Contract No. DCAM-14-NC-0099B with Spectrum Management, LLC, for consolidated maintenance services for One Judiciary Square, and to authorize payment in the aggregate amount of $2,969,289.60 for the goods and services received and to be received under the modifications.

Modification Nos. 4, 5, and 6 to Contract DCAM-14-NC-0099B Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 4, 5, and 6 to Contract DCAM-14-NC-0099B Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 4, 5, and 6 to Contract No. DCAM-14-NC-0099B with Spectrum Management, LLC, for consolidated maintenance services for One Judiciary Square, and to authorize payment in the aggregate amount of $2,969,289.60 for the goods and services received and to be received under the modifications.

(b) The underlying contract was competitively bid, awarded to Spectrum Management, LLC, and previously approved by the Council in the amount of $2,679,770.92 for the base year as CA 20-537. Thereafter, Modification No. 4 was issued to partially exercise Option Year One with a value of $613,013.92. Modification No. 5 also partially exercised Option Year One and had a value of $276,749.28. Modification Nos. 4 and 5 had an aggregate value of $889,763.20 and did not require Council approval.

(c) Modification No. 6 will cause the aggregate value of the modifications issued, after the Council's last approval of the base contract, to exceed the $1 million threshold pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Modification No. 6 in the amount of $2,079,526.40 is necessary to compensate Spectrum Management, LLC, for work completed and to be completed pursuant to the modification.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 4, 5, and 6 to Contract No. DCAM-14-NC-0099B Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-428

See Emergency D.C. Act 21-246 21 DCStat 2317

To declare the existence of an emergency with respect to the need to approve Modification Nos. 4,5, and 6 and proposed Modification No. 7 to Contract No. GAGA-2013-C-0036 to provide Whole School Whole Child Program services to improve the quality of in-school support and afterschool programming to the District of Columbia Public Schools and to authorize payment for the services received and to be received under the contract.

Contract No. GAGA-2013-C-0036 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2015-2013-C-0036

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. GAGA-2013-C-0036 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to approve Modification Nos. 4, 5, and 6 and proposed Modification No. 7 to Contract No. GAGA-2013-C-0036 to provide Whole School Whole Child Program services to District of Columbia Public Schools and to authorize payment for the services received and to be received under the contract.

(b) On September 30, 2015, by Modification No. 4, the District of Columbia Public Schools exercised a partial option of option year two of Contract No. GAGA-2013-C-0036 to provide Whole School Whole Child Program services from October 1, 2015, through October 31, 2015, in the amount of $141,111.12.

(c) On October 6, 2015, by Modification No. 5, the District of Columbia Public Schools exercised a partial option of option year two of Contract No. GAGA-2013-C-0036 to provide Whole School Whole Child Program services from November 1, 2015, through November 30, 2015, in the amount of $141,111.12.

(d) On November 1, 2015, by Modification No. 6, the District of Columbia Public Schools exercised a partial option of option year two of Contract No. GAGA-2013-C-0036 to provide Whole School Whole Child Program services from December 1, 2015, through December 31, 2015, in the amount of $141,111.12.

(e) Modification No. 7 is now necessary to exercise the remainder of option year two, in the amount of $846,666.64 for the total option year two amount of $1.27 million.

(f) Council approval is necessary because these modifications increase the total expenditure under the contract to more than $1 million during a 12-month period.

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, City Year, Inc. cannot be paid for services provided in excess of $1 million for the contract period October 1, 2015 through September 30, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Contract No. GAGA-2013-C-0036 Modification Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-421

See Emergency D.C. Act 21-245 21 DCStat 2316

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 001 and 002 to Contract No. DCAM-14-NC-0046A with DC Partners for the Revitalization of Education Projects to complete the exercise of Option Year 002 and to authorize payment in the not-to-exceed amount of $9.8 million for the goods and services received and to be received under the contract for the period of Option Year 002..

Exercise of Option Year 002 of Contract No. DCAM-14-NC-0046A Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 002 of Contract No. DCAM-14-NC-0046A Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 001 and 002 to Contract No. DCAM-14-NC-0046A with DC Partners for the Revitalization of Education Projects ("DCPEP") for the exercise of the remainder of Option Year 002 of the Agreement for Program Management Services for the DCPS Portfolio. The changes orders exercise, in full, the last option to extend the term of the contract and establish an aggregate not-to-exceed amount of $9.8 million for Option Year 002. Council approval is necessary to authorize payment to DCPEP for the goods and services received and to be received under the contract and change orders for the period of Option Year 002.

(b) The Department of General Services awarded the underlying contract with DCPEP to provide program management services for the District of Columbia Public Schools portfolio and certain legacy projects in the Department of Parks and Recreation portfolio. The contract was submitted to the Council for review and approval and was approved as CA20-0290. Subsequently, the Department of General Services exercised the first of the 2 one-year options to extend the term of the contract; that action was also submitted to the Council for review and approval and was approved as CA20-0522. Thereafter, the Department of General Services partially exercised the second option year and issued Change Order No. 001 to the partial exercise, the aggregate value of which was $975,000.

(c) Change Order No. 002 will cause the aggregate value of Option Year 002 to exceed $1 million.

(d) Council approval of Change Order No. 002 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the change order will increase the total expenditure under Option Year 002 of Contract No. DCAM-14-NC-0046A to an amount in excess of $1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 002 of Contract No. DCAM-14-NC-0046A Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-433

***See* Emergency D.C. Act 21-239 21 DCStat 2307**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 3, 4, 4A, 5, and 6 to Contract No. GAGA-2013-C-0029 to allow the District of Columbia Public Schools to continue purchasing equipment under the American Express Buy Down Account Program and to authorize payment for the goods and services received and to be received under the contract.

Contract No. GAGA-2013-C-0029 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. GAGA-2013-C-0029 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 3, 4, 4A, 5, and 6 to Contract No. GAGA-2013-C-0029 to continue option year 2 of the American Express Buy Down Account Program for the District of Columbia Public Schools.

(b) On September 30, 2015, by Modification No. 3, the District of Columbia Public Schools exercised a partial option of option year 2 of Contract No. GAGA-2013-C-0029 for the period October 1, 2015 through October 31, 2015 at no cost.

(c) On October 13, 2015, by Modification No. 4, the District of Columbia Public Schools exercised a partial option of option year 2 of Contract No. GAGA-2013-C-0029 for the period November 1, 2015 through November 30, 2015 at no cost.

(d) On November 17, 2015, by Modification No. 4A, the District of Columbia Public Schools exercised a partial option of option year 2 of Contract No. GAGA-2013-C-0029 for the period December 1, 2015 through December 30, 2015 at no cost.

(e) Modification No. 5 is now necessary to increase the contract from $10 million to $15 million.

(f) Modification No. 6 is now necessary to exercise the remainder of option year 2 in the amount of $15 million.

(g) Council approval is necessary because these modifications increase the expenditures under the contract to an amount in excess of $1 million during a 12-month period.

(h) Approval is necessary to allow the continuation of these vital services. Without this approval, American Express TRS Company, cannot be paid for services provided in excess of $1 million for the contract period October 1, 2015 through September 30, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. GAGA-2013-C-0029 Modification Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-400

***See* Emergency D.C. Act 21-220 21 DCStat 2294**

To declare the existence of an emergency with respect to the need to approve Modification Nos. M0008, M0009, M0010, and M00011 to Human Care Agreement No. CW22955 to continue to provide family reunification homes to District youth on behalf of the Department of Youth and Rehabilitation Services.

Human Care Agreement No. CW22955 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement No. CW22955 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M0008, M0009, M0010, and M0011 to Human Care Agreement No. CW22955 to continue to provide family reunification homes to District youth on behalf of the Department of Youth and Rehabilitation Services.

(b) Modification Nos. M0008, M0009, M0010, and M0011to Human Care Agreement No. CW22955 modifies the Human Care Agreement by increasing the not-to-exceed amount of option year 3 from $984,563.90 to $1,636,118.40 for the period from January 5, 2015, through January 4, 2016.

(c) Council approval is necessary since this modification increases the contract to more than $1 million during a 12-month period.

(d) Approval is necessary to allow the continuation of these vital services. Without this approval, Tricom Training Institute, cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Human Care Agreement No. CW22955 Modification Approval and Payment Authorization Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-334, effective December 1, 2015

A RESOLUTION

Proposed Resolution 21-451

***See* Emergency D.C. Act 21-225 21 DCStat 2299**

To declare the existence of an emergency with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to provide that all costs associated with the payment of compensation, benefits, and other expenses to injured District government employees may be paid from the Employees' Compensation Fund.

Employees' Compensation Fund Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Employees' Compensation Fund Clarification Emergency Declaration Resolution of 2015".

Sec. 2. Section 2342 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-623.42), currently prohibits the use of funds from the Employees' Compensation Fund for all costs associated with the payment of compensation, benefits, and other expenses to injured District government employees. It is necessary to amend section 2342 immediately to permit payment of all such costs from the Employees' Compensation Fund so that injured District government employees can continue to receive the compensation, benefits, and other expenses that they are entitled to receive.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Employees' Compensation Fund Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-483

See Emergency D.C. Act 21-253 21 DCStat 2318

To declare the existence of an emergency with respect to the need to amend Title II of the District of Columbia Administrative Procedure Act to allow public access to certain body-worn camera recordings recorded by the Metropolitan Police Department; to amend the Fiscal Year 2016 Budget Support Act of 2015 to require the Mayor to collect additional data; to establish the Metropolitan Police Department Body-Worn Camera Fund; and to adopt regulations governing the Metropolitan Police Department's Body-Worn Camera Program.

Body-Worn Camera Program Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Body-Worn Camera Program Emergency Declaration Resolution of 2015".

Sec. 2. (a) After 8 months of public comment and consideration, on November 19, 2015, the Committee on the Judiciary voted unanimously to approve Bill 21-351, the Body-Worn Camera Program Amendment Act of 2015, thereby creating guidelines for the implementation of the Metropolitan Police Department's Body-Worn Camera Program ("BWC Program").

(b) This emergency legislation would amend Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), to allow public access to certain body-worn camera recordings recorded by the Metropolitan Police Department; amend the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), to require the Mayor to collect additional data; establish the Metropolitan Police Department Body-Worn Camera Fund; and adopt regulations governing the Metropolitan Police Department's Body-Worn Camera Program.

(c) The Council voted unanimously in favor of Bill 21-351 on first reading on December 1, 2015.

(d) It is necessary to now pass the Body-Worn Camera Program Emergency Amendment Act of 2015 on an emergency basis due to the need to begin implementation of the BWC Program.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Body-Worn Camera Program Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-458

See Emergency D.C. Res. 21-344 21 DCStat 2484

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCHT-2013-C-0144 with Medical Transportation Management, Inc. to manage and administer District Non-Emergency Transportation services for the District's Medicaid Eligible Fee-for-Service recipients and for individuals with intellectual or developmental disabilities.

Contract No. DCHT-2013-C-0144 Multiyear Approval Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHT-2013-C-0144 Multiyear Approval Emergency Declaration Resolution of 2015".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Department of Health Care Finance, proposes to enter into a multiyear agreement with Medical Transportation Management, Inc. to manage and administer District Non-Emergency Transportation services for the District's Medicaid Eligible Fee-for-Service recipients and for individuals with intellectual or developmental disabilities.

(b) The estimated price under this multiyear contract is in the amount of $85,225,477.68.

(c) Approval on an emergency basis is necessary to allow the District to receive the benefit of these vital services in a timely manner.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute circumstances making it necessary that the Contract No. DCHT-2013-C-0144 Multiyear Emergency Approval Resolution of 2015 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-459

Emergency Declaration Res. 21-343 21 DCStat 2483

To approve, on an emergency basis, multiyear Contract No. DCHT-2013-C-0144 with Medical Transportation Management, Inc. to manage and administer District Non-Emergency Transportation services for the District's Medicaid Eligible Fee-for-Service recipients and individuals with intellectual or developmental disabilities.

Contract No. DCHT-2013-C-0144 Multiyear Emergency Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHT-2013-C-0144 Multiyear Emergency Approval Resolution of 2015".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(c)(3)), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. DCHT-2013-C-0144 between the Department of Health Care Finance and the Medical Transportation Management, Inc. to manage and administer District Non-Emergency Transportation NET services for the District's Medicaid Eligible Fee-for-Service recipients and individuals with intellectual or developmental disabilities in the not-to-exceed amount of $85,225,477.68, for the 3-year base term beginning December 15, 2015.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

D.C. Act 21-196, effective November 11, 2015
(No Congressional Review)

AN ACT

Bill 21-299

To authorize the issuance of District of Columbia general obligation tax revenue anticipation notes to finance general governmental expenses for the fiscal year ending September 30, 2016.

Not Codified

Fiscal Year 2016 Tax Revenue Anticipation Notes Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Tax Revenue Anticipation Notes Act of 2015".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Additional Notes" means District general obligation revenue anticipation notes described in section 9 that may be issued pursuant to section 472 of the Home Rule Act and that will mature on or before September 30, 2016, on a parity with the notes.

(2) "Authorized delegate" means the City Administrator, the Chief Financial Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor's functions under this act pursuant to section 422(6) of the Home Rule Act.

(3) "Available funds" means District funds required to be deposited with the Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

(4) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

(5) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia established pursuant to section 424(a)(1) of the Home Rule Act.

(6) "City Administrator" means the City Administrator established pursuant to section 422(7) of the Home Rule Act

(7) "Council" means the Council of the District of Columbia.

(8) "District" means the District of Columbia.

(9) "Escrow Agent" means any bank, trust company, or national banking association with requisite trust powers designated to serve in this capacity by the Chief Financial Officer.

(10) "Escrow Agreement" means the escrow agreement between the District and the Escrow Agent authorized in section 7.

(11) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(12) "Mayor" means the Mayor of the District of Columbia.

(13) "Notes" means one or more series of District general obligation revenue anticipation notes authorized to be issued pursuant to this act.

(14) "Receipts" means all funds received by the District from any source, including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds that are pledged to debt or other obligations according to section 9 or that are restricted by law to uses other than payment of principal of, and interest on, the notes.

(15) "Secretary" means the Secretary of the District of Columbia.

(16) "Treasurer" means the District of Columbia Treasurer established pursuant to section 424(a)(3)(E) of the Home Rule Act.

Sec. 3. Findings.

The Council finds that:

(1) Under section 472 of the Home Rule Act, the Council may authorize, by act, the issuance of general obligation revenue anticipation notes for a fiscal year in anticipation of the collection or receipt of revenues for that fiscal year. Section 472 of the Home Rule Act provides further that the total amount of general obligation revenue anticipation notes issued and outstanding at any time during a fiscal year shall not exceed 20% of the total anticipated revenue of the District for that fiscal year, as certified by the Mayor pursuant to section 472 of the Home Rule Act, as of a date not more than 15 days before each original issuance of the notes.

(2) Under section 482 of the Home Rule Act, the full faith and credit of the District is pledged for the payment of the principal of, and interest on, any general obligation revenue anticipation note.

(3) Under section 483 of the Home Rule Act, the Council is required to provide in the annual budget sufficient funds to pay the principal of, and interest on, all general obligation revenue anticipation notes becoming due and payable during that fiscal year, and the Mayor is required to ensure that the principal of, and interest on, all general obligation revenue anticipation notes is paid when due, including by paying the principal and interest from funds not otherwise legally committed.

(4) The Chief Financial Officer has advised the Council that, based upon the Chief Financial Officer's projections of anticipated receipts and disbursements during the fiscal year ending September 30, 2016, it may be necessary for the District to borrow to a sum not to exceed $600 million, an amount that does not exceed 20% of the total anticipated revenue of the District for such fiscal year, and to accomplish the borrowing by issuing general obligation revenue anticipation notes in one or more series.

(5) The issuance of general obligation revenue anticipation notes in a sum not to exceed $600 million is in the public interest.

Sec. 4. Note authorization.

(a) The District is authorized to incur indebtedness by issuing the notes pursuant to sections 472 and 482 of the Home Rule Act, in one or more series, in a sum not to exceed $600

million, to finance its general governmental expenses, in anticipation of the collection or receipt of revenues for the fiscal year ending September 30, 2016.

(b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the costs and expenses of issuing and delivering the notes, including, but not limited to, underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement, marketing and selling the notes, and printing costs and expenses.

Sec. 5. Note details.

(a) The notes shall be known as "District of Columbia Fiscal Year 2016 General Obligation Tax Revenue Anticipation Notes" and shall be due and payable, as to both principal and interest, on or before September 30, 2016.

(b) The Chief Financial Officer is authorized to take any action necessary or appropriate in accordance with this act in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the notes, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the notes, including any redemptions applicable thereto and a determination that the notes may be issued in book-entry form;

(2) Provisions for the transfer and exchange of the notes;

(3) The principal amount of the notes to be issued;

(4) The rate or rates of interest or the method of determining the rate or rates of interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the basis of a 365-day year (actual days elapsed);

(5) The date or dates of issuance, sale, and delivery of the notes;

(6) The place or places of payment of principal of, and interest on, the notes;

(7) The designation of a registrar, if appropriate, for any series of the notes, and the execution and delivery of any necessary agreements relating to the designation;

(8) The designation of paying agent(s) or escrow agent(s) for any series of the notes, and the execution and delivery of any necessary agreements relating to such designations; and

(9) Provisions concerning the replacement of mutilated, lost, stolen or destroyed notes.

(c) The notes shall be executed in the name of the District and on its behalf by the manual signature of the Mayor or an authorized delegate. The official seal of the District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar is designated, the registrar shall authenticate each note by manual signature and maintain the books of registration for the payment of the principal of and interest on the notes and perform other ministerial responsibilities as specifically provided in its designation as registrar.

(d) The notes may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the notes.

(a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par plus accrued interest from the date of the notes to the date of delivery thereof. The purchase contract or bid form shall contain the terms that the Chief Financial Officer considers necessary or appropriate to carry out the purposes of this act. The Chief Financial Officer's execution and delivery of the purchase contract or bid form shall constitute conclusive evidence of the Chief Financial Officer's approval, on behalf of the District, of the final form and content of the notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the purchasers upon receiving the purchase price provided in the purchase contract or bid form.

(b) The Chief Financial Officer may execute, in connection with each sale of the notes, an offering document on behalf of the District, and may authorize the document's distribution in relation to the notes being sold.

(c) The Chief Financial Officer shall take actions and execute and deliver agreements, documents, and instruments (including any amendment of or supplement to any such agreement, document, or instrument) in connection with any series of notes as required by or incidental to:

(1) The issuance of the notes;

(2) The establishment or preservation of the exclusion from gross income for federal income tax purposes of interest on the notes, the treatment of interest on the notes as not constituting an item of tax preference for purposes of the federal alternative minimum tax ("non-AMT"), if the notes are originally issued as non-AMT notes, and the exemption from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

(3) The performance of any covenant contained in this act, in any purchase contract for the notes, or in any escrow or other agreement for the security thereof;

(4) The provision for securing the repayment of the notes by a letter or line of credit or other form of credit enhancement, and the repayment of advances under any such credit enhancement, including the evidencing of such a repayment obligation with a negotiable instrument with such terms as the Chief Financial Officer shall determine; or

(5) The execution, delivery, and performance of the Escrow Agreement, a purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement relating to credit enhancement, if any, including any amendments of any of these agreements, documents, or instruments.

(d) The notes shall not be issued until the Chief Financial Officer receives an approving opinion of Bond Counsel as to the validity of the notes and the establishment or preservation of the exclusion from gross income for federal income tax purposes of the interest on the notes and, if the notes are issued as non-AMT notes, the treatment of such interest as not an item of tax preference for purposes of the federal alternative minimum tax, and the exemption from the District income taxation of the interest on the notes (except estate, inheritance and gift taxes).

(e) The Chief Financial Officer shall execute a note issuance certificate evidencing the determinations and other actions taken by the Chief Financial Officer for each issue or series of the notes issued and shall designate in the note issuance certificate the date of the notes, the series designation, the aggregate principal amount to be issued, the authorized denominations of the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a separate certificate, not more than 15 days before each original issuance of a series, the total anticipated revenue of the District for the fiscal year ending September 30, 2016, and that the total amount of all general obligation revenue anticipation notes issued and outstanding at any time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery of the notes covered by the certificates.

Sec. 7. Payment and security.

(a) The full faith and credit of the District is pledged for the payment of the principal of, and interest on, the notes when due.

(b) The funds for the payment of the notes as described in this act shall be irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds shall be used for the payment of the principal of, and interest on, the notes when due, and shall not be used for other purposes so long as the notes are outstanding and unpaid.

(c) The notes shall be payable from available funds of the District, including, but not limited to, any moneys advanced, loaned, or otherwise provided to the District by the United States Treasury, and shall evidence continuing obligations of the District until paid in accordance with their terms.

(d) The Chief Financial Officer may, without regard to any act or resolution of the Council now existing or adopted after the effective date of this act, designate an Escrow Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate to carry out the purposes of this act. A special account entitled "Special Escrow for Payment of District of Columbia Fiscal Year 2016 General Obligation Tax Revenue Anticipation Notes" is created and shall be maintained by the Escrow Agent for the benefit of the owners of the notes as stated in the Escrow Agreement. Funds on deposit, including investment income, under the Escrow Agreement shall not be used for any purposes except for payment of the notes or, to the extent permitted by the Home Rule Act, to service any contract or other arrangement permitted under subsections (k) or (l) of this section, and may be invested only as provided in the Escrow Agreement.

(e) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued interest and premium, if any, received upon the sale of the notes.

(f)(1) The Chief Financial Officer shall set aside and deposit with the Escrow Agent funds in accordance with the Escrow Agreement at the time and in the amount as provided in the Escrow Agreement.

(2) If Additional Notes are issued pursuant to section 9(b), and if on the date set forth in the Escrow Agreement, the aggregate amount of principal and interest payable at maturity on the outstanding notes, including any Additional Notes, less all amounts on deposit, including investment income, under the Escrow Agreement exceeds 90% of the actual receipts of District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act), for the period August 15, 2016, until September 30, 2016, beginning on the date set forth in the Escrow Agreement, the Chief Financial Officer shall promptly, upon receipt by the District, set aside and deposit with the Escrow Agent the receipts received by the District after the date set forth in the Escrow Agreement, until the aggregate amount of principal and interest payable at maturity on the outstanding notes, including any Additional Notes as described above, is less than 90% of actual receipts of District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act).

(3) The District covenants that it shall levy, maintain, or enact taxes due and payable during August 1, 2016, through September 30, 2016, to provide for payment in full of the principal of, and interest on, the notes when due. The taxes referred to in this paragraph shall be separate from special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, or taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act.

(4) The District covenants that so long as any of the notes are outstanding, it shall not grant, create, or permit the existence of any lien, pledge, or security interest with respect to its taxes due and payable during the period August 1, 2016, through September 30, 2016, or commit or agree to set aside and apply those tax receipts to the payment of any obligation of the District other than the notes. The taxes referred to in this paragraph shall not include special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, or taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act, or any real property tax liens created or arising in any fiscal year preceding the issuance of the notes.

(g) Before the 16th day of each month, beginning in August 2016, the Chief Financial Officer shall review the current monthly cash flow projections of the District, and if the Chief Financial Officer determines that the aggregate amount of principal and interest payable at maturity on the notes then outstanding, less any amounts and investment income on deposit under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Chief Financial Officer to be received after such date by the District but before the maturity of the notes, then the Chief Financial Officer shall promptly, upon receipt by the District, set aside and deposit with the Escrow Agent the receipts received by the District on and after that date until the aggregate amount, including investment income, on deposit with the Escrow Agent equals or

exceeds 100% of the aggregate amount of principal of and interest on the notes payable at their maturity.

(h) The Chief Financial Officer shall, in the full exercise of the authority granted the Chief Financial Officer under the Home Rule Act and under any other law, take actions as may be necessary or appropriate to ensure that the principal of and interest on the notes are paid when due, including, but not limited to, seeking an advance or loan of moneys from the United States Treasury if available under then current law. This action shall include, without limitation, the deposit of available funds with the Escrow Agent as may be required under section 483 of the Home Rule Act, this act, and the Escrow Agreement. Without limiting any obligations under this act or the Escrow Agreement, the Chief Financial Officer reserves the right to deposit available funds with the Escrow Agent at his or her discretion.

(i) There are provided and approved for expenditure sums as may be necessary for making payments of the principal of, and interest on, the notes, and the provisions of the District of Columbia Appropriations Act, 2016, if enacted prior to the effective date of this act, relating to short-term borrowings are amended and supplemented accordingly by this section, as contemplated in section 483 of the Home Rule Act.

(j) The notes shall be payable, as to both principal and interest, in lawful money of the United States of America in immediately available or same day funds at a bank or trust company acting as paying agent, located in the District, and at not more than 2 co-paying agents that may be located outside the District, one of which shall be located in New York, New York. All of the paying agents shall be qualified to act as paying agents under the laws of the United States of America, of the District, or of the state in which they are located, and shall be designated by the Chief Financial Officer without regard to any other act or resolution of the Council now existing or adopted after the effective date of this act.

(k) In addition to the security available for the holders of the notes, the Chief Financial Officer is hereby authorized to enter into agreements, including any agreement calling for payments in excess of $1 million during fiscal year 2016, with a bank or other financial institution to provide a letter of credit, line of credit, or other form of credit enhancement to secure repayment of the notes when due. The obligation of the District to reimburse the bank or financial institution for any advances made under any such credit enhancement shall be a general obligation of the District until repaid and shall accrue interest at the rate of interest established by the Chief Financial Officer not in excess of 15% per year until paid.

(l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.), and the Financial Institutions Deposit and Investment Amendment Act of 1997, effective March 18, 1998 (D.C. Law 12-56; D.C. Official Code § 47-351.01 *et seq*.), shall not apply to any contract which the Chief Financial Officer may from time to time determine to be necessary or appropriate to place, in whole or in part, including:

(1) An investment or obligation of the District as represented by the notes;

(2) An investment or obligation or program of investment; or

(3) A contract or contracts based on the interest rate, currency, cash flow, or other basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap agreements; currency swap agreements; insurance agreements; forward payment conversion agreements; futures; contracts providing for payments based on levels of, or changes in, interest rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure, including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts or other arrangements also may be entered into by the District in connection with, or incidental to, entering into or maintaining any agreement that secures the notes. The contracts or other arrangements shall contain whatever payment, security, terms, and conditions as the Chief Financial Officer may consider appropriate and shall be entered into with whatever party or parties the Chief Financial Officer may select, after giving due consideration, where applicable, to the creditworthiness of the counterparty or counterparties including any rating by a nationally recognized rating agency or any other criteria as may be appropriate. In connection with, or incidental to, the issuance or holding of the notes, or entering into any contract or other arrangement referred to in this section, the District may enter into credit enhancement or liquidity agreements, with payment, interest rate, termination date, currency, security, default, remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds of the notes and any money set aside for payment of the notes or of any contract or other arrangement entered into pursuant to this section may be used to service any contract or other arrangement entered into pursuant to this section.

Sec. 8. Defeasance.

(a) The notes shall no longer be considered outstanding and unpaid for the purpose of this act and the Escrow Agreement, and the requirements of this act and the Escrow Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

(1) Deposits with an Escrow Agent, herein referred to as the "defeasance escrow agent," in a separate defeasance escrow account, established and maintained by the Escrow Agent solely at the expense of the District and held in trust for the note owners, sufficient moneys or direct obligations of the United States, the principal of and interest on which, when due and payable, will provide sufficient moneys to pay when due the principal of, and interest payable at maturity on, all the notes; and

(2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

(b) The defeasance escrow agent shall not invest the defeasance escrow account in any investment callable at the option of its issuer if the call could result in less than sufficient moneys being available for the purposes required by this section.

(c) The moneys and direct obligations referred to in subsection (a)(1) of this section may include moneys or direct obligations of the United States of America held under the Escrow Agreement and transferred, at the written direction of the Chief Financial Officer, to the defeasance escrow account.

(d) The defeasance escrow account specified in subsection (a) of this section may be established and maintained without regard to any limitations placed on these accounts by any act or resolution of the Council now existing or adopted after this act becomes effective, except for this act.

Sec. 9. Additional debt and other obligations.

(a) The District reserves the right at any time to: borrow money or enter into other obligations to the full extent permitted by law; secure the borrowings or obligations by the pledge of its full faith and credit; secure the borrowings or obligations by any other security and pledges of funds as may be authorized by law; and issue bonds, notes, including Additional Notes, or other instruments to evidence the borrowings or obligations. The reserved right with regard to notes and Additional Notes issued pursuant to sections 471, 472, 475, and 490 of the Home Rule Act shall be subject to this act. No borrowings or other obligations, including Additional Notes, shall be entered into that would require an immediate set-aside and deposit under section 7(g) applied as of the date of the issuance.

(b)(1) The District may issue Additional Notes pursuant to section 472 of the Home Rule Act that shall mature on or before September 30, 2016, and the District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other available funds for payment of the principal of, and the interest on, the Additional Notes issued pursuant to section 472 of the Home Rule Act on a parity basis with the notes.

(2) The receipts and available funds referred to in subsection (a) of this section shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home Rule Act, and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act.

(3) Any covenants relating to any Additional Notes shall have equal standing and be on a parity with the covenants made for payment of the principal of, and the interest on, the notes.

(4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act, the provisions of section 7 shall apply to both the notes and the Additional Notes and increase the amounts required to be set aside and deposited with the Escrow Agent.

(5) As a condition precedent to the issuance of any Additional Notes, the Chief Financial Officer shall deliver a signed certificate certifying that the District is in full compliance with all covenants and obligations under this act and the Escrow Agreement, that no set-aside and deposit of receipts pursuant to section 7(g) applied as of the date of issuance is required, and that no set-aside and deposit will be required under section 7(g) applied immediately after the issuance.

(c) Any general obligation notes issued by the District pursuant to section 471 of the Home Rule Act shall not be scheduled to be due and payable until after the earlier of the following:

(1) The stated maturity date of all outstanding notes and Additional Notes; or

(2) The date an amount sufficient to pay all principal and interest payable at maturity on the notes and the Additional Notes is on deposit with the Escrow Agent.

(d) Revenue notes of the District, which are payable from specified District revenue that is set aside for the payment of the revenue notes and that is included in the amount of receipts estimated by the Chief Financial Officer, pursuant to section 7(g), to be received after the proposed date of issue of the revenue notes and before the maturity of the notes, shall not be issued if a set-aside and deposit of receipts pursuant to section 7(g) applied as of the proposed date of the issuance of revenue notes would be required. In determining, for purposes of this subsection, whether a set-aside and deposit would be required, there shall be excluded from receipts estimated by the Chief Financial Officer to be received after the proposed date of issuance of revenue notes and before the maturity of the notes an amount equal to the estimated revenues set aside for the payment of revenue notes.

Sec. 10. Tax matters.

The Chief Financial Officer shall not take any action or omit to take any action, or invest, reinvest, or accumulate any moneys in a manner, that will cause the interest on the notes to be includable in gross income for federal income tax purposes or, if the notes were issued as non-AMT notes, to be treated as an item of tax preference for purposes of the federal alternative minimum tax. The Chief Financial Officer also shall take all actions necessary to be taken so that the interest on the notes will not be includable in gross income for federal income tax purposes or, if the notes were issued as non-AMT notes, be treated as an item of tax preference for purposes of the federal alternative minimum tax.

Sec. 11. Contract.

This act shall constitute a contract between the District and the owners of the notes authorized by this act. To the extent that any acts or resolutions of the Council may be in conflict with this act, this act shall be controlling.

Sec. 12. District officials.

(a) The elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the notes or be subject to any personal liability by reason of the issuance of the notes.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding the fact that the official ceases to be that official before delivery of the notes.

Sec. 13. Authorized delegation of authority.

To the extent permitted by the District and federal laws, the Mayor may delegate to the City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act authorized to be performed by the Mayor under this act.

Sec. 14. Maintenance of documents.

Copies of the notes and related documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 15. Information reporting.

(a) Within 3 days after the Chief Financial Officer's receipt of the transcript of proceedings relating to the issuance of the notes, the Chief Financial Officer shall transmit a copy of the transcript to the Secretary to the Council.

(b) The Chief Financial Officer shall notify the Council within 30 days of any action taken under section 7(g).

Sec. 16. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 17. Effective date.

This act shall take effect upon enactment as provided in section 472(d)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 806; D.C. Official Code § 1-204.72(d)(1)).

Proposed Resolution 21-164 (Deemed Disapproved November 2, 2015)

A PROPOSED RESOLUTION

Officially Read June 2, 2015

To confirm the appointment of Mr. David Franco as a member of the Zoning Commission for the District of Columbia.

Zoning Commission David Franco Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Zoning Commission David Franco Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. David Franco
2303 14th Street, N.W. #825
Washington, D.C. 20009
(Ward 1)

as a member of the Zoning Commission, replacing Marcie Cohen, for a four year term to end February 3, 2019. This appointment is in accordance with section 1 of the Act to regulate the height, area, and use of buildings in the District of Colun1bia and to create a Zoning Commission, and for other purposes, approved December 24, 1973 (87 Stat. 810; D.C. Official Code § 6-621.01), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01).

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-217 (Deemed Approved October 16, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Ms. Bridgett Gagne to the District of Columbia Board of Accountancy.

District of Columbia Board of Accountancy Bridgett Gagne Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Accountancy Bridgett Gagne Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Bridgett Gagne
1245 4th Street, N.W.
E703
Washington, D.C. 20024
(Ward 6)

as a Certified Public Account member of the District of Columbia Board of Accountancy, in accordance with section 1002(b)(1) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.06(b)(l)), and pursuant to section 2(f)(38) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(38)), replacing Abdool Akhran, for appointment as member of the commission, for a term which ended on January 14, 2015. Ms. Gagne is to serve for a three year term to end January 14, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-233 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Gregory Cendana to the Commission on Asian and Pacific Islander Community Development.

Commission on Asian and Pacific Islander Community Development Gregory Cendana Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Asian and Pacific Islander Community Development Gregory Cendana Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Gregory Cendana
1810 California Street, N.W.
Unit 101
Washington, D.C. 20009
(Ward 1)

as a public voting member of the Commission on Asian and Pacific Islander Community Development, established by section 305 of the Fiscal Year 2002 Budget Support Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1374) and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01), for a term to end April 17, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-234 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Easten Law to the Commission on Asian and Pacific Islander Community Development.

Commission on Asian and Pacific Islander Community Development Easten Law Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Asian and Pacific Islander Community Development Easten Law Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Easten Law
3930 Langley Court, N.W.
Unit C639
Washington, D.C. 20016
(Ward 3)

as a public voting member of the Commission on Asian and Pacific Islander Community Development, established by section 305 of the Fiscal Year 2002 Budget Support Act of 2001, effective October 3, 200 1 (D.C. Law 14-28; D.C. Official Code § 2-1374) and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01), for a term to end April 17, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-235 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Thu Nguyen to the Commission on Asian and Pacific Islander Community Development.

Commission on Asian and Pacific Islander Community Development Thu Nguyen Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Asian and Pacific Islander Community Development Thu Nguyen Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Thu Nguyen
1451 Park Road, N.W.
Unit 510
Washington, DC 20010
(Ward 1)

as a public voting member of the Commission on Asian and Pacific Islander Community Development, established by section 305 of the Fiscal Year 2002 Budget Support Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1374) and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01), replacing Surjeet K. Ahluwalia, for a term to end April 17, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-2 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Koustubh "K.J." Bagchi to the Commission on Asian and Pacific Islander Community Development.

Commission on Asian and Pacific Islander Community Development Koustubh "K.J." Bagchi Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Asian and Pacific Islander Community Development Koustubh "K.J." Bagchi Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Koustubh "K.J." Bagchi
2950 Van Ness Street, N.W.
Unit 111
Washington, D.C. 20008
(Ward 3)

as a public voting member of the Commission on Asian and Pacific Islander Community Development, established by section 305 of the Fiscal Year 2002 Budget Support Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1374) and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01), replacing Dr. Erick A. Hosaka, for a term to end April 17, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-248 (Deemed Approved July 31, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To approve an amendment to the District of Columbia State Plan for Medical Assistance to change the penalty period for asset transfers by individuals receiving Medicaid reimbursable institutionalized care in nursing homes.

Medicaid Penalty Period for Asset Transfers Approval Resolution of 2015

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid Penalty Period for Asset Transfers Approval Resolution of 2015."

Sec. 2. Pursuant to section 1(a) of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance, which will enable the District to change the penalty period for transfer of assets by individuals receiving Medicaid State Plan or Waiver institutionalized care in nursing facilities.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by Section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-258 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of The Honorable Arthur Louis Burnett, Sr. to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys The Honorable Arthur Louis Burnett, Sr. Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys The Honorable Arthur Louis Burnett, Sr. Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

The Honorable Arthur Louis Burnett, Sr.
6229 32nd Place, N.W.
Washington, D.C. 20015
(Ward 4)

as a public voting member of the Commission on Fathers, Men, and Boys, established by section 1072 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 10003), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end September 19, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-259 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Edward "Ed" Davies to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys Edward "Ed" Davies Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys Edward "Ed" Davies Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirm the appointment of:

Edward "Ed" Davies
3626 Alabama Avenue, S.E.
Washington, D.C. 20020
(Ward 7)

as a public voting member of tl1e Commission on Fathers, Men, and Boys, established by section 1072 of the Con1mission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 10003), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2- 142; D.C. Official Code § 1-523.01), for a term to end Septen1ber 19, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-260 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of George L. Garrow, Jr., to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys George L. Garrow, Jr. Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF TI-IE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys George L. Garrow, Jr. Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

George L. Garrow, Jr.
1400 Hemlock Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a public voting member of the Commission on Fathers, Men, and Boys, established by section 1072 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 10003), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end September 19, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-261 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Brett O. Greene to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys Brett O. Greene Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys Brett O. Greene Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Brett O. Greene
1330 Geranium Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a public voting member of the Commission on Fathers, Men, and Boys, established by section 1072 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 10003), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end September 19, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-262 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confi1m the appointment of Franklyn M. Malone to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys Franklyn M. Malone Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys Franklyn M. Malone Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Franklyn M. Malone
2300 Monroe Street, N.E.
Washington, D.C. 20018
(Ward 5)

as a public voting member of the Commission on Fathers, Men, and Boys, established by section 1072 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 10003), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end September 19, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-263 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Elsie L. Scott to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys Elsie L. Scott Confirn1ati on Resolution of 2015

RESOLVED, BY THE COUNCIL OF TI-IE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys Elsie L. Scott Confirn1ati on Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Elsie L. Scott
56 S Street, N.W.
Washington, D.C. 20001
(Ward 5)

as a public voting member of the Commission on Fathers, Men, and Boys, established by section 1072 of the Commission on Fathers, Men, and Boys Establishment Act of 20 14, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 10003), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.0 I), for a term to end September 19, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-264 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Ivory A. Toldson to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys Ivory A. Toldson Confirmation Resolution of 2015

RESOLVED, BY TI-IE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys Ivory A. Toldson Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ivory A. Toldson
3812 Hansberry Court, N.E.
Washington, D.C. 20018
(Ward 5)

as a public voting member of the Commission on Fathers, Men, and Boys, established by section 1072 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 10003), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end September 19, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-265 (Deemed Approved October 17, 2015)

A PROPOSED RESOLUTION

Officially Read June 30, 2015

To confirm the appointment of Tristan Wilkerson to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys Tristan Wilkerson Confirmation Resolution of 2015

RESOLV ED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys Tristan Wilkerson Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Tristan Wilkerson
1302 Gallaudet Street, N.E.
Washington, D.C. 20002
(Ward 5)

as a public voting member of the Commission on Fathers, Men, and Boys, established by section 1072 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 10003), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end September 19, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-266 (Deemed Approved November 7, 2015)

A PROPOSED RESOLUTION

Officially Read July 14, 2015

To confirm the appointment of Nana Arna Afari-Dwamena to the Commission on African Affairs.

Commission on African Affairs Nana Arna Afari-Dwamena Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on African Affairs Nana Arna Afari-Dwamena Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Nana Arna Afari-Dwamena
300 Massachusetts Avenue, N.W.
Washington, D.C. 20001
(Ward 6)

as a public voting member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1394) and in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01), replacing Mamadou Samba, for a term to end October 27, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-267 (Deemed Approved November 7, 2015)

A PROPOSED RESOLUTION

Officially Read July 14, 2015

To confirm the appointment of Chibu Anyanwu to the Commission on African Affairs.

Commission on African Affairs Chibu Anyanwu Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on African Affairs Chibu Anyanwu Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Chibu Anyanwu
32 Bates Street, N.W.
Unit A
Washington, D.C. 20001
(Ward 6)

as a public voting member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1394) and in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01), for a term to end October 27, 2015.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-268 (Deemed Approved November 7, 2015)

A PROPOSED RESOLUTION

Officially Read July 14, 2015

To confirm the appointment of Kotheid Nicoue to the Commission on African Affairs.

Commission on African Affairs Kotheid Nicoue Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on African Affairs Kotheid Nicoue Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Kotheid Nicoue
1711 17th Street, N.W.
Washington, D.C. 20009
(Ward 2)

as a public voting member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1394) and in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01), for a term to end October 27, 2016.

Sec. 3. The Counci1 of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-269 (Deemed Approved November 7, 2015)

A PROPOSED RESOLUTION

Officially Read July 14, 2015

To confirm the appointment of Willair St. Vil to the Commission on African Affairs.

Commission on African Affairs Willair St. Vil Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on African Affairs Willair St. Vil Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Willair St. Vil
1407 3rd Street, S.W.
Washington, D.C. 20024
(Ward 6)

replacing George Banks, as a public voting member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1394) and in accordance with section 2(f)of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2- 142; D.C. Official Code § 1-523.01), for a term to end October 27, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-270 (Deemed Approved November 7, 2015)

A PROPOSED RESOLUTION

Officially Read July 14, 2015

To confirm the appointment of lkenna Udejiofor to the Commission on African Affairs.

Commission on African Affairs Ikenna Udejiofor Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on African Affairs Ikenna Udejiofor Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ikenna Udejiofor
3202 19th Street, N.W.
Washington, D.C. 20010
(Ward 1)

as a public voting member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1394) and in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.0 1), for a term to end October 27, 2015.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-271 (Deemed Approved November 7, 2015)

A PROPOSED RESOLUTION

Officially Read July 14, 2015

To confirm the appointment of Ms. Vonetta Dumas as a member of the Board of Barber and Cosmetology.

Board of Barber and Cosmetology Vonetta Dumas Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this Resolution may be cited as the "Board of Barber and Cosmetology Vonetta Dumas Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Venetta Dumas
1274 Holbrook Terrace N.E.
Washington, DC 20002
(Ward 5)

as a cosmetology specialist member of the Board of Barber and Cosmetology, in accordance with D.C. Official Code § 47-2853.06(c), and pursuant to section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), replacing Sharon Young, whose term expired December 13, 2012, for a term to end December 13, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. Tills resolution shall take effect immediately.

Proposed Resolution 21-277 (Deemed Approved August 14, 2015)

A PROPOSED RESOLUTION

Officially Read July 14, 2015

To approve a Medicaid program waiver that authorizes the distribution and dispensing of antiretroviral and other HIV-related medications to Medicaid fee-for-service and managed care program beneficiaries through a selected pharmacy network contracted through the District of Columbia Department of Health.

Medicaid Distribution and Dispensing of Antiretroviral and Other HIV-related Medications Program Waiver Approval Resolution of 2015

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid Distribution and Dispensing of Antiretroviral and Other HIV-related Medications Program Waiver Approval Resolution of 2015."

Sec. 2. Pursuant to section 1(a) of An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the extension of the Medicaid 1915(b)(4) Distribution and Dispensing of Antiretroviral and Other HIV-related Medications Program Waiver which will authorize the Department of Health Care Finance to contract with the Department of Health (DOH), HIV/AIDS, Hepatitis, STD, and TB Administration (HAHSTA) to dispense antiretroviral and other HIV-related medications to eligible District residents who are living with HIV and who are enrolled in the District's Medicaid fee-for-service and managed care programs. The Waiver assures access to life-saving and life-enhancing antiretroviral and other HIV-related medications related medications within the proximity of Medicaid beneficiaries' homes or places of work.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health Care Finance and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-281 (Deemed Approved November 7, 2015)

A PROPOSED RESOLUTION

Officially Read July 14, 2015

To confirm the appointment of Khadijah Tribble to the Not-For-Profit Hospital Corporation Board of Directors.

Not-For-Profit Hospital Corporation Board of Directors Khadijah Tribble Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Not-For-Profit Hospital Corporation Board of Directors Khadijah Tribble Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia appoints:

Ms. Khadijah Tribble
3320 7th Street, S.E.
Washington, D.C. 20032
(Ward 8)

as a member of the Not-For-Profit Hospital Corporation Board of Directors, established by section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 4, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04), replacing H. Patrick Swygert, for the remainder of an unexpired term to end July 9, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-282 (Deemed Approved October 23, 2015)

A PROPOSED RESOLUTION

Officially Read July 14, 2015

To approve an amendment to the District of Columbia State Plan for Medical Assistance electing to cover individuals with income between 134% and 210% of the Federal Poverty Level.

Individuals Between 134% and 210% FPL State Plan Amendment Approval Resolution of 2015

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Individuals Between 134% and 210% FPL State Plan Amendment Approval Resolution of 2015".

Sec. 2. Pursuant to section 1(a) of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance, which will enable the District Medicaid Program to cover individuals under age sixty-five (65), with income between 134% and 210% of the Federal Poverty Level not otherwise eligible for enrollment into the Medicaid program.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by Section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-305 (Deemed Approved October 23, 2015)

A PROPOSED RESOLUTION

Officially Read September 22, 2015

To approve the proposed rules to amend and add to the schedule of fines for violations related to pesticides information and control and enforceable under Pesticide Education and Control Amendment Act of 2012.

Pesticides Information and Control Schedule of Fines Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Pesticides Information and Control Schedule of Fines Approval Resolution of 2015".

Sec. 2. Pursuant to section 104(a)(l) of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 ("Act"), effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.04(a)(l)) and section 11 of the Pesticide Education and Control Amendment Act of 2012, effective October 23, 2012 (D.C. Law 19-191; D.C. Official Code § 8-440), the Mayor transmitted to the Council proposed rules to amend the schedule of fines for violations related to pesticide information and control. The proposed rules were published in the D.C. Register on May 30, 2014 at 61 DCR 5422. The Council approves the proposed rules as submitted.

Sec. 3. Fiscal impact.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, The Director of the District Department of the Environment, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-306 (Deemed Approved November 30, 2015)

A PROPOSED RESOLUTION

Officially Read September 22, 2015

To approve proposed final regulations adding chapter 14 to title 20 of the D.C. Municipal Regulations to adopt federal standards controlling hazardous air pollutants (HAPs).

Control of Hazardous Air Pollutants Regulations Approval Resolution of 2015

RESOLV ED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Control of Hazardous Air Pollutants Regulations Approval Resolution of 2015".

Sec. 2. Pursuant to sections 5 and 6(b) of the District of Columbia Air Pollution Control Act of 1984, effective March 15, 1985, as amended (D.C. Law 5-165; D.C. Official Code §§ 8-101.05 and 8-101.06(b)), the Mayor transmitted to the Council proposed rules to implement the District's comprehensive air pollution control program in respect to Hazardous Air Pollutants. The proposed rules were published in the D.C. Register on March 16, 2012 at 59 DCR 2167 and on June 6, 2014 at 61 DCR 5773.

Sec. 3. The Council approves the rulemaking, "Control of Hazardous Air Pollutants (HAPs)," as submitted by the Director of the District Department of the Environment. The final rules would add chapter 14 to title 20 (Environment) of the District of Columbia Municipal Regulations, which is currently reserved.

Sec. 4. Fiscal impact.

The Council adopts the fiscal impact statement provided by the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the District Department of the Environment, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 6. Effective date.

This resolution shall take effect immediately.

Proposed Resolution 21-319 (Deemed Disapproved December 21, 2015)

A PROPOSED RESOLUTION

Officially Read September 22, 2015

To confirm the appointment of Montez Jacques Anderson as a member of the Alcoholic Beverage Control Board.

Alcoholic Beverage Control Board Montez Jacques Anderson Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Alcoholic Beverage Control Board Montez Jacques Anderson Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Montez Jacques Anderson
825 10th Street, N.W.
Apt. 981
Washington, D.C. 20001
(Ward 2)

as a member of the Alcoholic Beverage Control Board, established by the D.C. Official Code § 25-201(a) and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2- 142; D.C. Official Code § 1- 523.01), replacing Herman Jones whose term ended on May 7, 2015, for a term to end May 7, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-327 (Deemed Disapproved November 27, 2015)

A PROPOSED RESOLUTION

Officially Read September 22, 2015

To approve the proposed rules to amend Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations.

Metropolitan Police Department Body-Worn Cameras Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Metropolitan Police Department Body-Worn Cameras Approval Resolution of 2015."

Sec. 2. Pursuant to section 3003(c) of the Fiscal Year 2016 Budget Support Emergency Act of 2015, effective July 27, 2015 (D.C. Act 21 -127; 62 DCR 10201), the Council approves the proposed rules, published at 62 DCR ____, to amend Title 24 of the District of Columbia Municipal Regulations.

Sec. 3. The Council adopts the fiscal impact statement contained in the committee report as the fiscal impact statement required by section 603(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 8l3; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its adoption, to the City Administrator and the Chief of Police of the Metropolitan Police Department.

Sec. 5. This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read September 22, 2015

To confirm the appointment of Joshua Lopez to the District of Columbia Water and Sewer Authority Board of Directors.

District of Columbia Water and Sewer Authority Board of Directors Joshua Lopez Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Joshua Lopez Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Joshua Lopez
215 Emerson St., N.W.
Unit #103
Washington, D.C. 20011
(Ward 4)

as a District resident alternate member of the District of Columbia Water and Sewer Authority Board of Directors in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04) and pursuant to section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), replacing Keith Anderson, for a term to end September 12, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-346 (Deemed Approved December 14, 2015)

A PROPOSED RESOLUTION

Officially Read October 6, 2015

To approve the proposed rules to amend the Temporary Assistance for Needy Families (TANF) Sanction Policy.

Temporary Assistance for Needy Families Sanction Policy Amendment Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Temporary Assistance for Needy Families Sanction Policy Amendment Approval Resolution of 2015".

Sec. 2. Pursuant to section 205(c) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-202.05(c)), the Mayor, on _____, 2015, transmitted to the Council the proposed rulemaking adopted by the Director of the Department of Human Services to amend TANF sanctions as authorized by subtitle C of title V of Fiscal Year 2011 Supplemental Budget Support Act of 2010, effective April 8, 2011 (D.C. Law 18-370; D.C. Official Code § 4- 202.05(c)). The Council approves the rulemaking, published at __ DCR ____, to amend Chapter 58 of Title 29 of the District of Columbia Municipal Regulations.

Sec. 3. Fiscal impact.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1- 206.02(c)(3)).

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the Department of Human Services, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-350 (Deemed Approved November 21, 2015)

A PROPOSED RESOLUTION

Officially Read October 6, 2015

To approve proposed rules adopted by the Office of the State Superintendent of Education which establish chapter A-35 of Title 5 of the District of Columbia Municipal Regulations (DCMR) entitled "Pre-k Enhancement and Expansion Funding", establishing administrative and procedural rules to facilitate and distribute funding for Pre-K enhancement and expansion, administered by the Office of the State Superintendent of Education, into community-based organizations providing high quality pre-k programs hence enabling the expansion of Pre-k education and broader access to high quality early education program and submit the rules operating within the District of Colu1nbia.

Pre-k Enhancement and Expansion Funding Approval Resolution of 2015

BE IT ENACTED BY THE COUNCIL OF Tl-IE DISTRICT OF COLUMBIA, That this act may be cited as the "Pre-k Enhancement and Expansion Funding Approval Resolution of 2015".

Sec. 2. Pursuant to section 501 of the Pre-k Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-272.05); section 2 of the Pre-k Acceleration and Clarification Amendment Act of 2010, effective March 8, 2011 (Pre-k Acceleration and Clarification Act) (D.C. Law 18-285; D.C. Official Code § 38-272.03); and Mayor's Order 2009-44 (March 27, 2009), the Council approves the proposed rulemaking adopted by Office of the State Superintendent of Education that establishes the administrative and procedural rules for the allocation of Pre-k enhancement and expansion funding within the District of Columbia as set forth in the chapter A-35 in Title 5 (DCMR).

Sec. 3. Fiscal impact.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l -206.02(c)(3)).

Sec. 4.The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Superintendent of the Office of the State Superintendent of Education, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-380 (Deemed Approved November 20, 2015)

A PROPOSED RESOLUTION

Officially Read October 20, 2015

To approve the proposed rules to amend and add to the schedule of fines for violations related to apiculture and enforceable under sections 5 and 21 of the Sustainable Urban Agriculture Apiculture Act of 2012.

Apiculture Schedule of Fines Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Apiculture Schedule of Fines Approval Resolution of 2015".

Sec. 2. Pursuant to section 104(a)(l) of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 ("Act"), effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-180l.04(a)(l)) and section 219 of the Sustainable Urban Agriculture Apiculture Act of 2012, effective April 20, 2012 (D.C. Law 19-262; D.C. Official Code § 8- 1825.09), the Mayor transmitted to the Council proposed rules to amend the schedule of fines for violations related to urban beekeeping. The proposed rules were published in the D.C. Register on June 12, 2015 at 62 DCR 8311. The Council approves the proposed rules as submitted.

Sec. 3. Fiscal impact.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, The Director of the District Department of the Environment, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-381 (Deemed Approved December 5, 2015)

A PROPOSED RESOLUTION

Officially Read October 20, 2015

To confirm the appointment of Tamara L. Watkins to the District of Columbia Health Benefit Exchange Authority Executive Board.

District of Columbia Health Benefit Exchange Authority Executive Board Tamara L. Watkins Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "District of Columbia Health Benefit Exchange Authority Executive Board Tamara L. Watkins Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Tamara L. Watkins
408 3rd Street, S.E.
Washington, D.C. 20003
(Ward 6)

as a voting member of the District of Columbia Health Benefit Exchange Authority Executive Board, pursuant to section 6 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Act 19-94; D.C. Official Code § 31-3171.05), replacing Kevin William Lucia, for a term to end July 6, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-386 (Deemed Approved December 19, 2015)

A PROPOSED RESOLUTION

Officially Read November 3, 2015

To confirm the appointment of Benjamin Takai to the Commission on Asian and Pacific Islander Community Development.

Commission on Asian and Pacific Islander Community Development Benjamin Takai Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Asian and Pacific Islander Community Development Benjamin Takai Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Benjamin Takai
4012 Kansas Avenue, N. W.
Unit 1
Washington, D.C. 20011
(Ward 4)

as a public voting member of the Commission on Asian and Pacific Islander Community Development, established by section 305 of the Fiscal Year 2002 Budget Support Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1374) and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.01), replacing Ajay K. Ojaha, for a term to end April 17, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-393 (Deemed Approved December 4, 2015)

A PROPOSED RESOLUTION

Officially Read November 3, 2015

To approve an amendment to the District of Columbia State Plan for Medical Assistance making permanent a primary care provider rate increase for specified primary care services provided by qualified physicians and advanced practice registered nurses.

Medicaid Primary Care Provider Rate Permanent Extension for Qualified Physicians and Advanced Practice Registered Nurses Approval Resolution of 2015

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Medicaid Primary Care Provider Rate Permanent Extension for Qualified Physicians and Advanced Practice Registered Nurses Approval Resolution of 2015".

Sec. 2. Pursuant to section 1(a) of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance, which will enable the District's Medicaid Program to permanently increase provider payment rates for certain qualified physicians, identified at 42 C.F.R. § 447.400(a), who provide specified primary care services. This proposed amendment also extends these increased rates for primary care services provided by qualified physicians with a primary specialty designation of psychiatry, obstetrics and gynecology and advanced practice registered nurses. The primary care provider rate increase continues to be an important incentive for providers. It supports the adequacy of the District's provider network and should be retained permanently.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health Care Finance and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes §1-206.02 (c)(3)).

Sect 5. This resolution shall take effect immediately.

Proposed Resolution 21-403 (Deemed Approved December 19, 2015)

A PROPOSED RESOLUTION

Officially Read November 3, 2015

To confirm the appointment of Mr. Chris G. Gardiner to the Not-For-Profit Hospital Corporation Board of Directors.

Not-For-Profit Hospital Corporation Board of Directors Chris G. Gardiner Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Not-For-Profit Hospital Corporation Board of Directors Chris G. Gardiner Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Chris G. Gardiner
4807 Foxhall Crescent, N.W.
Washington, D.C. 20007
(Ward 3)

as a member of the Not-For-Profit Hospital Corporation Board of Directors, established by section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04), replacing Bishop Charles Matthew Hudson, Jr., for the remainder of an unexpired term to end July 9, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

AN ACT

Bill 21-217
Act 21-192
effective October 27, 2015

Not Codified

To order the closing of a portion of the public alley system in Square 369, bounded by M Street, N.W., 9th Street, N.W., L Street, N.W., and 10th Street, N.W., in Ward 2.

Closing of a Public Alley in Square 369, S.O. 13-07989, Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 369, S.O. 13-07989, Act of 2015".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04) and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council finds the portion of the public alley system in Square 369, as shown on the Surveyor's plat filed in S.O. 13-07989, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b)The approval by the Council of this alley closing is contingent upon:

(1) The recordation of a covenant establishing new portions of the alley system by easement as shown on the Surveyor's plat in S.O. 13-07989 that includes an agreement by the owner of the property encumbered by the easement to maintain the new portions of the alley system; and

(2) The satisfaction of all conditions in the official file for S.O. 13-07989 before the recordation of the alley closing.

Sec. 3. Transmittal.

The Council shall transmit copies of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-239
Act 21-193 effective October 27, 2015

To amend the Testing Integrity Act of 2013 to amend the definition of Districtwide assessments to include assessments used only for accountability purposes, to require local education agencies to submit a test security plan for each school or campus under a local education agency's control at least 15 days before the administration of the first Districtwide assessment of the school year, to require that a local education agency's test integrity coordinators and test monitors submit affidavits within 10 days after the conclusion of the last Districtwide assessment of the school year, to allow for the use of approved electronic devices during the administration of Districtwide assessments, and to modify the Council review period of proposed rules related to testing integrity and Districtwide assessments; and to amend the State Education Office Establishment Act of 2000 to require the Office of the State Superintendent of Education to issue standards on securing and distributing test materials and training authorized personnel on testing integrity and security at least 45 days before the start of the first assessment of the school year, and to clarify the responsibilities that the Office of the State Superintendent of Education has relating to Districtwide assessments.

Codification District of Columbia Official Code 2001 Edition

Testing Integrity Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Testing Integrity Amendment Act of 2015".

Sec. 2. The Testing Integrity Act of 2013, effective October 17, 2013 (D.C. Law 20-27; D.C. Official Code § 38-771.01 *et seq.*), is amended as follows:

Amend § 38-771.01

(a) Section 101 (D.C. Official Code § 38-771.01) is amended as follows:

(1) Paragraph (2) is amended by striking the period and inserting the phrase "; provided, that for the purposes of this act, the term "Districtwide assessment" means assessments used only for accountability purposes." in its place.

(2) Paragraph (9) is amended to read as follows:

"(9) "Testing integrity and security notification statement" means a statement developed by OSSE that:

"(A) Sets forth requirements for ensuring integrity of Districtwide assessments pursuant to District law and regulation; and

"(B) Notifies the recipient that knowingly and willingly violating a District law, regulation, or test security plan could result in civil liability, including the loss of an OSSE-granted certification or license.".

Amend § 38-771.02

(b) Section 102(b) (D.C. Official Code § 38-771.02(b)) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) File the school test security plan required by section 3(b)(20) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176;

D.C. Official Code § 38-2602(b)(20), with OSSE for each school or campus under the LEA's control at least 15 days before the administration of the first Districtwide assessment of a school year;".

(2) Paragraph (5) is amended by striking the phrase "of a Districtwide assessment," and inserting the phrase "of the last Districtwide assessment of the school year," in its place.

(3) Paragraph (6) is amended to read as follows:

"(6) Within 15 days after the conclusion of the last Districtwide assessment of the school year, file with OSSE the affidavits required by paragraph (5) of this subsection.".

Amend § 38-771.03

(c) Section 103 (D.C. Official Code § 38-771.03) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (1)(B) is amended to read as follows:

"(B) Receive the testing integrity and security notification statement distributed by OSSE;".

(B) Paragraph (4) is amended as follows:

(i) Subparagraph (I) is amended by striking the word "administered" and inserting the phrase "administered and released by OSSE" in its place.

(ii) Subparagraph (K) is amended by striking the phrase "cell phones, unapproved electronics, or computer devices" and inserting the phrase "unapproved electronics" in its place.

(2) Subsection (b) is amended to read as follows:

"(b) The failure to comply with the prohibitions set forth in subsection (a)(4) of this section shall not be considered a violation of a test security plan if the action is:

"(1) Necessary to provide for an accommodation that is explicitly identified in a student's IEP or an approved accommodation plan for a ELL student; provided, that any accommodation shall be limited to the eligible student or students; or

"(2) Limited to supporting students to stay on task and focused, as defined and described as an acceptable action under OSSE regulations or guidance, and does not impact the content of students' answers.".

Amend § 38-771.06

(d) Section 106(b) (D.C. Official Code § 38-771.06(b)) is amended by striking the phrase "45-day period" both times it appears and inserting the phrase "14-day period" in its place.

Amend § 38-2602

Sec. 3. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

(a) Paragraph (20) is amended as follows:

(1) Subparagraph (B) is amended to read as follows:

"(B) At least 45 days before the start of the first Districtwide assessment of the school year, issue standards to obtain and securely maintain and distribute secure test materials, which shall at a minimum require that:

"(i) An inventory of all secure test materials be maintained;

"(ii) All secure test materials be secured under lock and key, or other equivalent security measures for electronic secure test materials with limited access;

"(iii) Only authorized personnel have access to secure test materials; and

"(iv) All authorized personnel are notified of their test integrity and security obligations before being permitted to access secure test materials or assist in the administration of a Districtwide assessment;".

(2) Subparagraph (C) is amended by striking the phrase "submit to OSSE at least 90 days before the administration of a Districtwide assessment a test security plan that at minimum includes" and inserting the phrase "submit to OSSE at least 15 days before the administration of the first Districtwide assessment of the school year, a separate test security plan for each school and campus under the LEA's control that at minimum includes" in its place.

(3) Subparagraph (D) is amended to read as follows:

"(D) Approve a school's test security plan at least 5 days before testing and make recommendations to amend the plan when necessary;".

(4) Subparagraph (E) is amended by striking the acronym "LEA's" and inserting the word "school's" in its place.

(5) Subparagraph (I) is amended by striking the phrase "agreement to be signed by authorized personnel" and inserting the phrase "notification statement" in its place.

(6) Subparagraph (J) is amended to read as follows:

"(J) At least 45 days before the first assessment of the school year, issue standards to train authorized personnel on testing integrity and security and require that attendance be taken at such training;".

(7) A new subparagraph (K-i) is added to read as follows:

"(K-i) Collaborate with LEAs to ensure accurate reporting of any testing violation while preserving the privacy of involved students and staff;".

(8) Subparagraph (O) is amended as follows:

(A) Sub-subparagraph (ii) is amended by striking the period and inserting the phrase"; provided, that for the purposes of this paragraph, the term "Districtwide assessment" means assessments used only for accountability purposes." in its place.

(B) A new sub-subparagraph (iii-I) is added to read as follows:

"(iii-I) "Secure test materials" means test materials that might contain or provide access to assessment content, such as information about test questions or answers, including test questions, passages, or performance tasks, answer documents, and used scratch paper.".

(C) Sub-subparagraph (v) is amended to read as follows:

"(v) "Testing integrity and security notification statement" means a notification developed by OSSE that:

"(I) Sets forth requirements for ensuring integrity of Districtwide assessments pursuant to District law and regulation; and

"(II) Notifies the recipient that knowingly and willingly violating a District law, regulation, or a test security plan could result in civil liability, including the loss of an OSSE granted certification or license.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813: D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-240
Act 21-194 effective October 27, 2015

Not Codified

To order the closing of a portion of the public alley system in Square 197, bounded by L Street, N.W., 15th Street, N.W., M Street, N.W., and 16th Street, N.W., in Ward 2.

Closing of a Public Alley in Square 197, S.O. 15-23895, Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 197, S.O. 15-23895, Act of 2015".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council finds the portion of the public alley system in Square 197, as shown on the Surveyor's plat filed in S.O. 15-23895, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this alley closing is contingent upon:

(1) The recordation of a covenant establishing new portions of the alley system by easement as shown on the Surveyor's plat in S.O. 15-23895 that includes an agreement by the owner of the property encumbered by the easement to maintain the new portions of the alley system; and

(2) The satisfaction of all conditions in the official file for S.O. 15-23895 before the recordation of the alley closing.

Sec. 3. Transmittal.

The Council shall transmit copies of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-333
Act 21-195
effective
October 27,
2015

To symbolically designate the 3100 block of Esther Place, S.E., in Ward 8, as James Bunn Way.

Codification
District of
Columbia
Official Code
2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "James Bunn Way Designation Act of 2015".

James Bunn
Way
Designation
Act of 2015

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding the requirements of sections 407 and 408 of the Act (D.C. Official Code §§ 9-204.07 and 9-204. 08), the Council symbolically designates the 3100 block of Esther Place, S.E., in Ward 8, as "James Bunn Way".

Note,
§ 9-204.01

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-252
Act 21-203 effective November 23, 2015

To amend Title 47 of the District of Columbia Official Code to establish a qualified ABLE Program, to be known as the ABLE Program Trust, pursuant to the requirements of the federal Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014 to exempt from income taxation the earnings on deposits made to an ABLE Program Trust by an eligible individual to assist the individual with certain expenses related to the individual's blindness or disability.

Codification District of Columbia Official Code 2001 Edition

ABLE Program Trust Establishment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "ABLE Program Trust Establishment Act of 2015".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new chapter designation to read as follows:

"49. ABLE Program.".

(b) A new Chapter 49 is added to read as follows:

"CHAPTER 49. ABLE PROGRAM.

"Sec.

"47-4901. Definitions.

"47-4902. ABLE Program Trust.

New § 47-4901

"§ 47-4901. Definitions.

"For the purposes of this chapter, the term:

"(1) "ABLE account" means an account established by an eligible individual, owned by the eligible individual, and maintained under a qualified ABLE program, as defined in the Federal ABLE Act.

"(2) "ABLE Account Savings Agreement" means the terms, conditions, and provisions considered necessary or appropriate by the Chief Financial Officer, as set forth in regulations issued pursuant to this section, governing the deposits to and withdrawals from an ABLE account.

"(3) "ABLE Program Trust" or "Trust" means the trust established in § 47-4902.

"(4) "Chief Financial Officer" or "CFO" means the Chief Financial Officer of the District of Columbia, established by § 1-204.24a(a)).

"(5) "Designated beneficiary" means an eligible individual who has established an ABLE account and is the owner of the account, as defined in the Federal ABLE Act.

"(6) "Eligible individual" means an individual who during the taxable year is entitled to benefits based on blindness or disability under Title II of the Social Security Act,

approved August 14, 1935 (49 Stat. 620; 42 U.S.C. § 401 *et seq.*), or Title XVI of the Social Security Act, approved October 30, 1972 (86 Stat. 1465; 42 U.S.C. § 1381 *et seq.*), and such blindness or disability occurred before the date on which the individual attained 26 years of age, or a disability certification with respect to such individual is filed with the CFO for such taxable year, as defined in subsection (e)(1) of the Federal ABLE Act.

"(7) " Federal ABLE Act" means the Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A).

"(8) "Qualified disability expense" means expenses related to the eligible individual's blindness or disability that are made for the benefit of an eligible individual who is the designated beneficiary, including expenses for:

"(A) Education;

"(B) Housing;

"(C) Transportation;

"(D) Employment training and support;

"(E) Assistive technology and personal support services;

"(F) Health, prevention and wellness;

"(G) Financial management and administrative services;

"(H) Legal fees;

"(I) Expenses for oversight and monitoring;

"(J) Funeral and burial expenses; and

"(K) Other expenses that are consistent with the purposes of § 47-4902 and the Federal ABLE Act and approved by the CFO.

New § 47-4902

"§ 47-4902. ABLE Program Trust.

"(a)(1) In accordance with the Federal ABLE Act, there is established a qualified ABLE program, to be known as the ABLE Program Trust, that shall be established as a trust, which shall authorize an eligible individual to create an ABLE account to enable the eligible individual to benefit from the tax incentives provided under the Federal ABLE Act.

"(2)(A) The Chief Financial Officer, or the CFO's designee, shall serve as the trustee of the Trust.

"(B) The Trust shall receive and hold all payments and contributions received from any public or private source, and the earnings on those payments and contributions, including:

"(i) Gifts;

"(ii) Bequests;

"(iii) Endowments;

"(iv) Federal and local grants; and

"(v) Any other funds intended for the Trust.

"(C) All deposits, and earnings on those deposits, held in the Trust shall constitute assets of the Trust and shall not be commingled with or revert to the General Fund of the District of Columbia or any special, emergency, or temporary fund of the District of Columbia at the end of any fiscal year or at any other time.

"(D) The Trust shall continue in existence as long as it holds any payments, contributions, or other funds or has any obligations and until its existence is terminated by law.

"(b) An eligible individual who seeks to save money for the payment of qualified disability expenses of a designated beneficiary may establish an ABLE account and shall enter into an ABLE Account Savings Agreement with the Trust.

"(c) The Chief Financial Officer shall take the action necessary to implement the ABLE Program Trust, promulgate regulations, and enter into ABLE Account Savings Agreements.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

AN ACT

Bill 21-226
Act 21-213 effective November 30, 2015

Codification District of Columbia Official Code 2001 Edition

To amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494; and to amend the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009 to make a conforming amendment.

Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Amendment Act of 2015".

Amend § 10-801

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-7) to read as follows:

"(d-7) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of District-owned real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494, for the construction of a mixed-use development, which was approved by the Council pursuant to the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799), as extended by the Fourth/Sixth and E Streets, S.W., Property Disposition Extension Approval Resolution of 2011, effective July 12, 2011 (Res. 19-170; 58 DCR 6589), is extended to November 3, 2017.".

Sec. 3. Section 3(a) of the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799), is amended by adding a new paragraph (4) to read as follows:

"(4) The Lessee will comply with the requirements of section 1(a-3) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-3)).".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-147
Act 21-228
effective December 17, 2015

To amend the Rental Housing Conversion and Sale Act of 1980 to clarify that a bona fide offer of sale for a housing accommodation with 5 or more units, for purposes of demolition or discontinuance of housing use, made in the absence of an arm's length third-party contract, shall be based on current, applicable, matter-of-right zoning regulations or laws, or by an existing right to convert to another use, that the offer may take into consideration the highest and best use of the property, and to establish the right of a tenant organization to a determination of the appraised value of a housing accommodation under certain circumstances.

Codification District of Columbia Official Code 2001 Edition

TOPA Bona Fide Offer of Sale Clarification Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "TOPA Bona Fide Offer of Sale Clarification Amendment Act of 2015".

Sec. 2. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq*.), is amended as follows:

Amend § 42-3401.03

(a) Section 103 (D.C. Official Code § 42-3401.03) is amended as follows:

(1) Paragraphs (1) and (2) are redesignated as paragraphs (2A) and (2B), respectively.

(2) New paragraphs (1) and (2) are added to read as follows:

"(1) "Appraised value" means the value of a housing accommodation as of the date of the appraisal, based on an objective, independent property valuation, performed according to professional appraisal industry standards.

"(2) "Bona fide offer of sale" means an offer of sale for a housing accommodation or the interest in the housing accommodation that is either:

"(A) For a price and other material terms that are at least as favorable as those accepted by a purchaser in an arm's length third-party contract; or

"(B) In the absence of an arm's length third-party contract, an offer of sale with a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value.".

(3) Paragraphs (9) and (10) are redesignated as paragraphs (10) and (9), respectively.

(4) A new paragraph (10A) is added to read as follows:

"(10A) "Highest and best use" means the reasonably probable legal use of a property that is physically possible, appropriately supported, and financially feasible and that results in the highest value of the property.".

(5) A new paragraph (12A) is added to read as follows:

"(12A) "Matter-of-right" means a land use, development density, or structural

dimension to which a property owner is entitled by current zoning regulations or law.".

Amend § 42-3404.02

(b) Section 402 (D.C. Official Code § 42-3404.02) is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a) Before an owner of a housing accommodation may sell the housing accommodation or issue a notice to vacate for purposes of demolition or discontinuance of housing use, the owner shall give the tenant an opportunity to purchase the housing accommodation at a price and terms that represent a bona fide offer of sale.".

(2) New subsections (a-1) and (a-2) are added to read as follows:

"(a-1) Whenever an offer of sale is made to tenants for a housing accommodation with 5 or more units that is required by subsection (a) of this section before the owner may issue a notice to vacate for purposes of demolition or discontinuance of housing use, and the offer is made in the absence of an arm's-length third-party contract, the following shall apply:

"(1) The sales price contained in the offer of sale shall be less than or equal to a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value of the housing accommodation as determined by this subsection.

"(2) An appraised value shall only be based on rights an owner has as a matter-of-right as of the date of the offer, including any existing right an owner may have to convert the property to another use.

"(3) Within the restrictions of paragraph (2) of this subsection, an appraised value may take into consideration the highest and best use of the property.

"(4) The owner of the housing accommodation shall have the burden of proof to establish that an offer of sale under this subsection is a bona fide offer of sale.

"(5)(A) A tenant organization registered according to section 411(1) may challenge the offer presented by an owner of a housing accommodation as not being a bona fide offer of sale, and request a determination of the appraised value of the housing accommodation.

"(B) The tenant organization shall request an appraisal by delivering the request to the Mayor and the owner by hand or by certified mail within 45 days of receipt of the alleged bona fide offer of sale.

"(C)(i) The tenant organization and owner of the housing accommodation shall jointly select an appraiser. If within 14 days after a tenant organization has requested an appraisal, the tenant organization and owner of the housing accommodation have not agreed upon an appraiser, either party may request that the Mayor select an appraiser.

"(ii) A request that the Mayor select an appraiser shall be in writing and delivered by hand or by certified mail to the Mayor and to the owner or to a member of the board of the tenant organization.

"(iii) The Mayor shall select the appraiser on a sole source basis within 7 days of receiving the request for an appraiser.

"(D) The tenant organization and owner of the housing accommodation shall pay one-third and two-thirds of the cost of the appraisal, respectively.

"(E)(i) The appraiser shall hold an active license as a Certified General

Real Property Real Estate Appraiser that has been issued by the District of Columbia Board of Real Estate Appraisers.

"(ii) The owner shall give the appraiser full, unfettered access to the property.

"(iii) The owner shall respond within 7 days to any request for information from the appraiser.

"(iv) The tenant organization may give the appraiser information relevant to the valuation of the property.

"(F) The appraisal shall be completed expeditiously according to standard industry timeframes.

"(6) Beginning with the date of a tenant organization request for an appraisal, and for each day thereafter until the tenant organization receives the appraisal, the negotiation period described in section 411(2) shall be extended by one day.

"(7)(A) The determination of the appraised value of the housing accommodation in accordance with this subsection shall become the sales price of the bona fide offer of sale for the housing accommodation unless:

"(i) The owner and the tenant organization agree upon a different sales price of the housing accommodation; or

"(ii) The owner elects to withdraw the offer of sale within 14 days of the receipt of the appraisal by the owner.

"(B)(i) The owner shall withdraw the offer of sale by delivering by hand or by certified mail a letter of withdrawal to the Mayor and a member of the board of directors of the tenant organization.

"(ii) Upon the election to withdraw the offer of sale, the owner shall reimburse the tenant organization for its entire share of the cost of the appraisal within 14 days of delivery pursuant to sub-subparagraph (i) of this subparagraph.

"(iii) An owner who withdraws an offer of sale in accordance with this subparagraph shall be precluded from making a subsequent offer of sale to the tenant organization without an arm's-length third party contract for 3 months from the date of the election to withdraw the offer of sale.

"(8) Within 30 days of the receipt of the appraisal conducted by an appraiser selected by the Mayor pursuant to paragraph (5)(C) of this subsection, either the tenant organization or the owner of the housing accommodation may challenge the appraisal as being in violation of the requirements of this subsection in the Superior Court of the District of Columbia for the court to take any appropriate action the court may deem necessary.

"(a-2) Notwithstanding subsection (a-1) of this section, for a tenant organization that before the effective date of the TOPA Bona Fide Offer of Sale Clarification Amendment Act of 2015, passed on 2nd reading on December 1, 2015 (Enrolled version of Bill 21-147), has registered the tenant organization with the Mayor pursuant to section 411(1) and pursuant to either section 503 or section 503a has filed a complaint concerning this section, the following shall apply, beginning January 1, 2014:

"(1) For the purposes of this subsection:

"(A) "Appraised value" means the value of a housing accommodation as of the date of the appraisal, based on an objective, independent property valuation, performed according to professional appraisal industry standards.

"(B) "Bona fide offer of sale" means an offer of sale for a housing accommodation or the interest in the housing accommodation that is either:

"(i) For a price and other material terms that are at least as favorable as those accepted by a purchaser in an arm's length third-party contract; or

"(ii) In the absence of an arm's length third-party contract, an offer of sale with a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value.

"(C) "Highest and best use" means the reasonably probable legal use of a property that is physically possible, appropriately supported, and financially feasible and that results in the highest value of the property.

"(D) "Matter-of-right" means a land use, development density, or structural dimension to which a property owner is entitled by current zoning regulations or law.

"(2) Whenever an offer of sale is made to tenants for a housing accommodation with 5 or more units that is required by subsection (a) or (a-1) of this section before the owner may issue a notice to vacate for purposes of demolition or discontinuance of housing use, and the offer is made in the absence of an arm's-length third-party contract, the following shall apply:

"(A) The sales price contained in the offer of sale shall be less than or equal to a price and other material terms comparable to that at which a willing seller and a willing buyer would sell and purchase the housing accommodation, or the appraised value of the housing accommodation as determined by this subsection.

"(B) An appraised value shall only be based on rights an owner has as a matter-of-right as of the date of the offer, including any existing right an owner may have to convert the property to another use.

"(C) Within the restrictions of subparagraph (B) of this paragraph, an appraised value may take into consideration the highest and best use of the property.

"(D) The owner of the housing accommodation shall have the burden of proof to establish that an offer of sale under this subsection is a bona fide offer of sale.

"(E)(i) A tenant organization registered according to section 411(1) may challenge the offer presented by an owner of a housing accommodation as not being a bona fide offer of sale, and request a determination of the appraised value of the housing accommodation.

"(ii) The tenant organization shall request an appraisal by delivering the request to the Mayor and the owner by hand or by certified mail within 45 days of receipt of the alleged bona fide offer of sale.

"(iii)(I) The tenant organization and owner of the housing accommodation shall jointly select an appraiser. If within 14 days after a tenant organization has requested an appraisal, the tenant organization and owner of the housing accommodation have not agreed upon an appraiser, either party may request that the Mayor select an appraiser.

"(II) A request that the Mayor select an appraiser shall be in writing and delivered by hand or by certified mail to the Mayor and to the owner or to a member of the board of the tenant organization.

"(III) The Mayor shall select the appraiser on a sole source basis within 7 days of receiving the request for an appraiser.

"(iv) The tenant organization and owner of the housing accommodation shall pay one-third and two-thirds of the cost of the appraisal, respectively.

"(v)(I) The appraiser shall hold an active license as a Certified General Real Property Real Estate Appraiser that has been issued by the District of Columbia Board of Real Estate Appraisers.

"(II) The owner shall give the appraiser full, unfettered access to the property.

"(III) The owner shall respond within 7 days to any request for information from the appraiser.

"(IV) The tenant organization may give the appraiser information relevant to the valuation of the property.

"(vi) The appraisal shall be completed expeditiously according to standard industry timeframes.

"(F) Beginning with the date of a tenant organization request for an appraisal, and for each day thereafter until the tenant organization receives the appraisal, the negotiation period described in section 411(2) shall be extended by one day.

"(G)(i) The determination of the appraised value of the housing accommodation in accordance with this subsection shall become the sales price of the bona fide offer of sale for the housing accommodation unless:

"(I) The owner and the tenant organization agree upon a different sales price of the housing accommodation; or

"(II) The owner elects to withdraw the offer of sale within 14 days of the receipt of the appraisal by the owner.

"(ii)(I) The owner shall withdraw the offer of sale by delivering by hand or by certified mail a letter of withdrawal to the Mayor and a member of the board of directors of the tenant organization.

"(II) Upon the election to withdraw the offer of sale, the owner shall reimburse the tenant organization for its entire share of the cost of the appraisal within 14 days of delivery pursuant to sub-sub-subparagraph (I) of this sub-subparagraph.

"(III) An owner who withdraws an offer of sale in accordance with this subparagraph shall be precluded from making a subsequent offer of sale to the tenant organization without an arm's-length third party contract for 3 months from the date of the election to withdraw the offer of sale.

"(H) Within 30 days of the receipt of the appraisal conducted by an appraiser selected by the Mayor pursuant to subparagraph (E)(iii) of this paragraph, either the tenant organization or the owner of the housing accommodation may challenge the appraisal as

being in violation of the requirements of this subsection, to the Superior Court of the District of Columbia for the court to take any appropriate action the court may deem necessary.".

Amend § 42-3404.11

(c) Section 411(4) (D.C. Official Code § 42-3404.11(4)) is amended by striking the phrase "the owner has not sold or contracted for the sale of the accommodation, an owner shall comply anew with the terms of this title." and inserting the phrase "the owner has not sold or contracted for the sale of the accommodation, or in the case of an offer of sale given for the purposes of demolition or discontinuance of housing use, has not issued a notice to vacate for demolition or discontinuance of housing use, pursuant to section 501(g) or (i) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(g) or (i)), the owner shall comply anew with the terms of this title; provided, that if the negotiation period has been extended pursuant to section 402(a-1)(6) or (a-2)(2)(F), the 360-day limit described in this paragraph may be extended by one day for each day of the extension." in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l-206.02(c)(l)), and publication in the District of Columbia Register.

AN ACT

Bill 21-179
Act 21-229 effective December 17, 2015

Not Codified

To order the closing of a portion of the public alley system in Square 70, bounded by 22nd Street, N.W., N Street, N.W., 21st Street, N.W., New Hampshire Avenue, N.W., and M Street, N.W., in Ward 2.

Closing of a Public Alley in Square 70, S.O. 15-23283, Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 70, S.O. 15-23283, Act of 2015".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council finds the portion of the public alley system in Square 70, as shown on the Surveyor's plat filed in S.O. 15-23283, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this alley closing is contingent upon:

(1) The recordation of a covenant establishing new portions of the alley system by easement over the surface of the closed alley, to a height of 16 feet and width of 30 feet, as shown on the Surveyor's plat in S.O. 15-23283 that includes an agreement by the owner of the property encumbered by the easement to maintain the new portions of the alley system; and

(2) The satisfaction of all conditions in the official file for S.O. 15-23283 before the recordation of the alley closing.

Sec. 3. Transmittal.

The Council shall transmit copies of this act, upon its adoption, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-254
Act 21-230 effective December 17, 2015

Not Codified

To order the closing of a portion of Washington Avenue, S.W., and portions of Ramps 5A and 5B to Interstate 395, and to approve the transfer of jurisdiction of the closed portions of Washington Avenue, S.W., and Ramps 5A and 5B to Interstate 395, and of portions of U.S. Reservation 729.

Closing of a Portion of Washington Avenue, S.W., and Portions of Ramps 5A and 5B to Interstate 395, and Transfer of Jurisdiction of the Closed Portions of Washington Avenue, S.W., and Ramps 5A and 5B to Interstate 395, and of Portions of U.S. Reservation 729, S.O. 14-16582A and 14-16582B, Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of Washington Avenue, S.W., and Portions of Ramps 5A and 5B to Interstate 395, and Transfer of Jurisdiction of the Closed Portions of Washington Avenue, S.W., and Ramps 5A and 5B to Interstate 395, and of Portions of U.S. Reservation 729, S.O. 14-16582A and 14-16582B, Act of 2015".

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01 *et seq.*), the Council finds the portion of Washington Avenue, S.W., and the portions of Ramps 5A and 5B to Interstate 395, as shown on the Surveyor's plat filed in S.O. 14-16582B, are unnecessary for street purposes and orders them closed, with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. Pursuant to section 1 of An Act To authorize the transfer of jurisdiction over public land in the District of Columbia, approved May 20, 1932 (47 Stat. 161; D.C. Official Code § 10-111), the Council approves the following transfers of jurisdiction, as shown on the Surveyor's plat filed in S.O. 14-16582A:

(a) From the District of Columbia to the National Park Service of the United States Department of the Interior, jurisdiction over the closed portions of Washington Avenue, S.W., and Ramps 5A and 5B to Interstate 395 for park purposes; provided, that the District of Columbia shall retain administrative jurisdiction over the subsurface area of these portions for the tunnel, walls, footings, and related facilities; and

(b) From the National Park Service of the United States Department of the Interior to the District of Columbia, jurisdiction over portions of U.S. Reservation 729 for highway purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor, the Office of the Recorder of Deeds, the Executive Director of the National Capital Planning Commission, the Speaker of the United States House of Representatives, and the President Pro Tempore of the United States Senate.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-271
Act 21-231 effective December 17, 2015

To amend the Day Care Policy Act of 1979 to establish a pilot community-based Quality Improvement Network that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family-support engagement services, including educational, health, nutritional, behavioral, and family support services.

Codification District of Columbia Official Code 2001 Edition

Early Learning Quality Improvement Network Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Early Learning Quality Improvement Network Amendment Act of 2015".

Sec. 2. The Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-401 *et seq.*), is amended by adding a new section 15a to read as follows:

New § 4-415

"Sec. 15a. Comprehensive child development programs.

"(a) Notwithstanding sections 3 through 11, the Office of the State Superintendent of Education ("OSSE") shall establish a pilot community-based Quality Improvement Network ("QIN") composed of:

"(1) Child development hubs, selected through a competitive process, that will provide quality improvement technical assistance and comprehensive services to licensed child development centers and licensed child development homes selected by OSSE to be partners and that agree to meet federal Early Head Start Program Performance Standards for program participation; and

"(2) Child development centers and child development homes, selected through a competitive process, to provide low-income infants and toddlers high-quality, full-day, full-year comprehensive early learning and development services and continuum of care.

"(b) Child development centers and child development homes within the QIN shall receive technical assistance from child development hubs to achieve the following within 18 months of being selected by OSSE to participate in the QIN:

"(1) Child development centers and child development homes within the QIN shall have adult-to-child ratios and group sizes that meet or exceed federal Early Head Start standards for all children from birth to 3 years of age in child development centers, or as otherwise approved by OSSE.

"(2) Child development centers and child development homes within the QIN shall have a comprehensive curriculum or program that is aligned with federal Head Start Program Performance Standards and the District's early learning and development standards for serving infants, toddlers, and their families.

"(3) Staff who have direct supervision of infants and toddlers at child development centers and child development homes within the QIN shall, at a minimum, meet or exceed Early Head Start Standards for staff qualifications or credentials.

"(4) Child development centers and child development homes within the QIN shall partner with child development hubs to develop and implement a quality improvement plan, including aligning program policies and procedures to support on-site coaching, professional development, and teacher planning time.

"(5) Child development centers and child development homes within the QIN shall provide child-, family-, and program-level data to OSSE and the child development hubs as requested.

"(6) Child development centers and child development homes within the QIN shall participate in ongoing, on-site, and desktop monitoring activities to ensure compliance with program requirements and Head Start Program Performance Standards required to remain in good standing with OSSE, the child development hubs, and the U.S. Department of Health and Human Services, Office of Head Start, if applicable.

"(7) Child development centers and child development homes within the QIN shall support comprehensive services for children and families by the child development hubs, including implementation of individualized family service plans.

"(8) Child development centers and child development homes within the QIN shall participate in the Child and Adult Care Food Program.

"(9) Child development centers and child development homes within the QIN shall facilitate children's and families' transitions to Pre-K or Head Start programs.

"(c) OSSE may set payment rates and develop policies and procedures for high-quality early learning and development services set under the authority of this section.

"(d) To be eligible for infant and toddler child development services provided by child-care partners in the QIN, a child shall be a resident of the District of Columbia and between birth and 3 years of age; provided, that a child who turns 3 years old during a program year may continue to receive services for the duration of the program year before transitioning into a pre-kindergarten or Head Start preschool program.

"(e) To the extent possible, priority enrollment shall be given to children between birth and 3 years of age whose families are living at or below the federal poverty level, who are homeless or in the foster care system, or who live with a grandparent, godparent, or relative who is receiving a grandparent caregiver subsidy pursuant to Title I of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq.)*.

"(f) OSSE shall monitor the child development hubs and partner participants in the QIN for adherence to policies and procedures set under the authority of this act.

"(g) OSSE may terminate, in whole or in part, the grant provided to a child development hub or partner participant at any time if OSSE determines that the hub or partner participant has:

"(1) Substantially failed to comply with, or meet the objectives and terms of, the grant award; or

"(2) Failed to comply with applicable federal or District laws or regulations.

"(h) OSSE shall continue on-site monitoring for health and safety licensing compliance of child-care partners participating in the QIN; provided, that OSSE may delegate to the child development hubs on-site monitoring of the compliance of participating child development centers and homes with federal Head Start Program Performance Standards; provided, that relevant data collected by child development hubs is regularly reported to OSSE.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register

AN ACT

Bill 21-336
Act 21-232
effective December 17, 2015

Not Codified

To order the closing of portions of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128 in Ward 5.

Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Act of 2015".

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council of the District of Columbia finds that public streets in Square 3128, as shown by the hatch-marks on the Surveyor's plat in S.O. 13-09432, are unnecessary for street purposes and orders them closed with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-340
Act 21-233
effective December 17, 2015

To amend the Street and Alley Closing and Acquisition Procedures Act of 1982 to allow for the temporary naming of an adopted or sponsored Department of Parks and Recreation athletic field in honor of a current or former professional sports player; and to amend the Recreation Act of 1994 to clarify that certain entities, including a nonprofit organization, may adopt or sponsor a Department of Parks and Recreation program, site, facility, field, or operation.

Codification District of Columbia Official Code 2001 Edition

Athletic Field Naming and Sponsorship Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Athletic Field Naming and Sponsorship Amendment Act of 2015".

Sec. 2. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), is amended as follows:

Amend § 9-204.05

(a) Section 405 (D.C. Official Code § 9-204.05) is amended by striking the phrase "No public space" and inserting the phrase "Except as provided in section 410, no public space" in its place.

New § 9-204.10

(b) A new section 410 is added to read as follows:

"Sec. 410. Naming of sponsored recreation facilities.

"(a) Notwithstanding section 401, the Mayor may name in honor of a person a Department of Parks and Recreation athletic field that is adopted or sponsored pursuant to section 5 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-304); provided, that:

"(1) The naming is detailed in an agreement between the Mayor and the entity adopting or sponsoring the field;

"(2) The agreement requires the financial adoption or sponsorship of the field;

"(3) The name is that of a current or former professional sports player who may be living or deceased less than 2 years; and

"(4) The naming is not permanent.

"(b) The District may display the logo of an entity sponsoring or adopting a field on signage at the field; provided, that the display of the logo be less prominent than the name of the person for whom the field is named, and that the display be consistent with the terms of the agreement required by subsection (a)(1) of this section.

Amend § 10-304

Sec. 3. Section 5(a) of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-304(a)) is amended by striking the phrase "neighborhood and civic groups or other governmental entities may adopt or sponsor Departmental programs, sites, or operations" and inserting the phrase "neighborhood and civic groups, nonprofit organizations,

or other governmental entities may adopt or sponsor Departmental programs, sites, facilities, fields, or operations" in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-353
Act 21-236 effective December 17, 2015

To amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide an abatement of real property taxes on real property leased by The Advisory Board Company and located at Lots 25, 39, 41, 800, 825, 830, 831, and 832, Square 450.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Jobs and Tax Incentive Act of 2015".

Local Jobs and Tax Incentive Act of 2015

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding new section designations to read as follows:

"47-4665.01. The Advisory Board Company – definitions.
"47-4665.02. The Advisory Board Company – tax abatement.
"47-4665.03. The Advisory Board Company – compliance.
"47-4665.04. The Advisory Board Company – community benefits.
"47-4665.05. The Advisory Board Company – certification by Mayor.

(b) New sections 47-4665.01 through 47-4665.05 are added to read as follows:

"§ 47-4665.01. The Advisory Board Company - definitions.

New § 47-4665.01

"For the purposes of §§ 47-4665.02 through 47-4665.05, the term:

"(1) "Abatement period" means October 1, 2020, through September 30, 2030, the time during which the incentive will be applied.

"(2) "Accumulated New District Resident Hires" is the goal for Net New District FTE Hires pursuant to the incentive agreement.

"(3) "Annual reporting date" means September 30 preceding every tax year of the Abatement Period.

"(4) "Company" means The Advisory Board Company.

"(5) "Community Benefits Agreement" means the agreement entered into between the Mayor and the Company pursuant to § 47-4665.04.

"(6) "District resident" means an FTE whose principal place of residence is located within the District and who is on the annual reporting date subject to District personal income tax.

"(7) "FTE" means an employee of the Company, or one of its subsidiaries or affiliates, who is eligible for the full employee healthcare benefits of the Company, or its applicable subsidiary or affiliate, in accordance with its standard policies.

"(8) "Incentive agreement" means the agreement entered into between the Mayor and the Company outlining the Company's incentive requirement, which shall include incentives for hiring 1,000 Net New District FTE Hires.

"(9) "Lease commencement" means the date on which the Company occupies the Property with its employees.

"(10) "Lease execution" means the date on which the Company signs the lease for the Property.

"(11) "Net New District FTE Hires" means the aggregate number of District residents whose primary workplace is located in the District in excess of the resident employment baseline.

"(12) "Project" means the initial tenant improvements to the premises located on the Property undertaken by the Company or its contractor to construct the space for initial occupancy.

"(13) "Property" means Lots 25, 39, 41, 800, 825, 830, 831, and 832, Square 450.

"(14) "Resident employment baseline" means the total number of District residents whose primary workplace is located in the District, as established in the incentive agreement, as of the date of the lease execution.

"(15) "Total employment baseline" means the total number of FTEs, whose primary workplace is located in the District, as established in the incentive agreement, as of the date of the lease execution.

"§ 47-4665.02. The Advisory Board Company - tax abatement. **New § 47-4665.02**

"(a) Subject to subsections (c) and (d) of this section and §§ 47-4665.03 and 47-4665.04, the real property taxes imposed by Chapter 8 of this title with respect to the Property shall be abated in an amount not to exceed $6 million per tax year during the abatement period. The abatement shall be apportioned equally between each tax year's installment billing. The abatement shall be non-refundable and shall not be credited to other tax years.

"(b) The amount of the abatement authorized in subsection (a) of this section shall be determined as follows:

"(1) If the Company exceeds the total employment baseline and meets the annual requirements for the Accumulated New District Resident Hires, as measured on the annual reporting date, then the abatement for each such tax year shall equal $6 million;

"(2) If the Company's annual total of Net New District FTE Hires is less than the requirements for the Accumulated New District Resident Hires for the same period, but the Company exceeds the total employment baseline, then the abatement for each such tax year shall be calculated based on the ratio of actual Net New District FTE Hires to the requirement for Accumulated New District Resident Hires as of the annual reporting date; or

"(3) If there are fewer FTEs than the total employment baseline as of the annual reporting date, then the abatement for each such tax year shall be zero.

"(c) The Property shall be eligible for the abatement authorized in subsection (a) of this section each year of the abatement period as long as the Company:

"(1) Maintains a lease for the premises located on the Property that meets the requirements in subsection (d) of this section;

"(2) Maintains the total employment baseline;

"(3) Fulfills the requirements of the Community Benefits Agreement; and

"(4) Complies with §§ 47-4665.02 through 47-4665.05, including the requirements of the incentive agreement.

"(d) The terms of the Company's lease for the Property shall meet the following requirements:

"(1) The premises subject to the lease shall be located in the District;

"(2) The lease execution shall occur on or before December 31, 2015;

"(3) The premises leased by the Company shall include at least 425,000 square feet of net rentable area; and

"(4) The term of the initial lease term shall be at least 15 years.

"(e) During the abatement period, the Property shall not be eligible for the abatement authorized under § 47-811.03.

"§ 47-4665.03. The Advisory Board Company - compliance. **New § 47-4665.03**

"(a) If the Mayor, pursuant to § 2-219.03a, determines that the Company is in compliance with the hiring requirements of §§ 47-4665.01 through 47-4665.05 and the incentive agreement, the Company shall be deemed to be in compliance with the provisions of part A of subchapter X of Chapter 2 of Title 2 of the District of Columbia Official Code.

"(b) On or before October 31, the Company shall provide the Mayor with the following information pertaining to the previous tax year:

"(1) A detailed report as of the annual reporting date that identifies the:

"(A) Number of employees whose primary workplace is located in the District;

"(B) Number of District resident employees;

"(C) Median salary of the District resident employees;

"(D) Median tenure of District resident employees; and

"(E) Total employment baseline; and

"(2) A certification of compliance with the Community Benefits Agreement.

"(c) The Company shall comply with the requirements contained in § 2-218.46, with regard to the Project.

"§ 47-4665.04. The Advisory Board Company - community benefits. **New § 47-4665.04**

"Within 30 days of the effective date of the Local Jobs and Tax Incentive Act of 2015, passed on 2nd reading on December 1, 2015 (Enrolled version of Bill 21-353), the Company shall enter into a community benefits agreement with the Mayor that shall include requirements for training, employment, and youth development and free services to underserved communities in the District.

New
§ 47-4665.05

"§ 47-4665.05. The Advisory Board Company - certification by the Mayor.

"(a) In each year of the abatement period, the Mayor shall certify to the Office of Tax and Revenue the Property's eligibility for the abatement set forth in § 47-4665.02. The Mayor's certification shall include:

"(1) The Company's taxpayer identification number and the identity of any related entity that is occupying all or part of the eligible premises, including the entity's taxpayer identification number;

"(2) A description of the eligible property, by street address and square, lot, parcel, or reservation number, and a description of the eligible premises, including the floor, or floors, location, and square footage;

"(3) The date of lease commencement and the term of the lease; and

"(4) Any other information that the Mayor considers necessary or appropriate.

"(b) Upon receiving the verifying documents from the Company, as required by subsection (a) of this section, the Mayor shall certify to the Office of Tax and Revenue by December 1 following each annual reporting date the Property's eligibility to receive an abatement pursuant to § 47-4665.02. The Office of Tax and Revenue shall process the abatement before the first semi-annual billing of the tax year.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(l)), and publication in the District of Columbia Register.

D.C. Law 21-72, effective February 27, 2016
[Delayed Applicability]

AN ACT

Bill 21-171
Act 21-247
effective December 29, 2015

Codification District of Columbia Official Code 2001 Edition

To amend Chapter 22 of Title 21 of the District of Columbia Official Code to create a MOST Form to capture patients' wishes for medical intervention, to establish a MOST Advisory Committee to assist the Department of Health with the development of a MOST Form, to encourage use of MOST Forms by the medical community, to establish a process for completing, executing, and complying with a MOST Form, and to determine the feasibility of creating an electronic registry for MOST Forms; and to repeal the Emergency Medical Services Non-Resuscitation Procedures Act of 2000 when the MOST Form has been made available.

Health-Care Decisions Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health-Care Decisions Amendment Act of 2015".

Sec. 2. Chapter 22 of Title 21 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended as follows:

(1) Designate section designations 21-2201 through 21-2213 as "Subchapter I. Durable Power of Attorney.".

(2) A new Subchapter II is added to read as follows:

"Subchapter II. MOST Form.

"21-2221.01. Definitions.
"21-2221.02. Creation of a MOST Form.
"21-2221.03. MOST Advisory Committee.
"21-2221.04. MOST Form.
"21.2221.05. Completion and execution of the MOST Form.
"21-2221.06. Revocation of a MOST Form.
"21-2221.07. Compliance with a MOST Form.
"21-2221.08. Comfort care.
"21-2221.09. Reciprocity.
"21-2221.10. Relationship with other legal documents.
"21-2221.11. Liability.
"21-2221.12. Penalties.
"21-2221.13. Insurance.
"21-2221.14. Study of electronic registry.
"21-2221.15. Rules.".

(b) Designate sections 21-2201 through 21-2213 as "Subchapter I. Durable Power of Attorney.".

(c) The newly designated subchapter I is amended as follows:

(1) Section 21-2201 is amended by striking the word "chapter" and inserting the word "subchapter" in its place. **Amend § 21-2201**

(2) Section 21-2202 is amended as follows: **Amend § 21-2202**

(A) The lead-in language is amended by striking the word "chapter" and inserting the word "subchapter" in its place.

(B) Paragraph (1) is amended by striking the word "chapter" and inserting the word "subchapter" in its place.

(C) Paragraph (3) is amended as follows:

(i) Subparagraph (A) is amended by striking the word "chapter" and inserting the word "subchapter" in its place.

(ii) Subparagraph (B) is amended by striking the word "chapter" and inserting the word "subchapter" in its place.

(3) Section 21-2205(e) is amended by striking the word "chapter" and inserting the word "subchapter" in its place. **Amend § 21-2205**

(4) Section 21-2206(d) is amended by striking the word "chapter" and inserting the word "subchapter" in its place. **Amend § 21-2206**

(5) Section 21-2209(b) is amended by striking the word "chapter" and inserting the word "subchapter" in its place. **Amend § 21-2209**

(6) Section 21-2212 is amended as follows: **Amend § 21-2212**

(A) The section heading is amended by striking the word "chapter" and inserting the word "subchapter" in its place.

(B) Subsection (a) is amended by striking the word "chapter" and inserting the word "subchapter" in its place.

(C) Subsection (b) is amended by striking the word "chapter" and inserting the word "subchapter" in its place.

(7) Section 21-2213 is amended by striking the word "chapter" and inserting the word "subchapter" in its place. **Amend § 21-2213**

(d) A new Subchapter II is added to read as follows:

"Subchapter II. MOST Form.

"§ 21-2201.01. Definitions. **New § 21-2221.01**

"For the purposes of this subchapter, the term:

"(1) "Advanced life support" means endotracheal intubation, defibrillation, or administration of cardiopulmonary resuscitation medications.

"(2) "Advanced practice nurse" means a licensed registered nurse engaged in the practice of advanced practice registered nursing, as defined in § 3-1201.02(2)).

"(3) "Authorized representative" means a person who is authorized to make a health-care decision on behalf of an incapacitated individual or minor in accordance with § 21-2205 and § 21-2210.

"(4) "Authorized health care professional" means a licensed physician or advanced practice nurse who has responsibility for the medical care of a patient.

"(5) "Cardiopulmonary resuscitation" means chest compression or artificial ventilation.

"(6) "DOH" means the Department of Health.

"(7) "Emergency medical service" or "EMS" means a medical service provided in response to a person's need for immediate medical care and is intended to prevent loss of life, the aggravation of a physiological illness or injury, or the aggravation of a psychological illness. The term "emergency medical service" or "EMS" includes any service recognized in the District as first response, basic life support, advanced life support, specialized life support, patient transportation, medical control, or rescue.

"(8) "EMS agency" means a government department or agency, person, firm, corporation, or organization authorized to provide emergency medical service.

"(9) "EMS personnel" means an emergency medical responder, emergency medical technician, emergency medical technician/intermediate, advanced emergency medical technician, or paramedic who is certified to provide emergency medical services in the District.

"(10) "Health care institution" means a hospital, maternity center, nursing home, community residence facility, group home for persons with intellectual disabilities, hospice, home care agency, ambulatory surgical facility, or renal dialysis facility, as those terms are defined in § 44-501, or an acute care hospital, skilled nursing facility, or long term care facility.

"(11) "Health care professional" means a person who has graduated from an accredited program for physicians, registered nurses, advanced practice nurses, physician assistants, clinical social workers, clinical psychologists, or professional counselors, and is licensed to practice in the District.

"(12) "Incapacitated individual" shall have the same meaning as provided in § 21-2202(5).

"(13) "Minor" means a person who is less than 18 years of age.

"(14) "Medical Orders for Scope of Treatment Form" or "MOST Form" means a set of portable, medical orders on a form issued by DOH that results from a patient's or a patient's authorized representative's informed decision-making with a health care professional.

"(15) "Patient" means a person who has been determined by an authorized health care professional to be approaching the end stage of a serious, life-limiting illness or frailty such that the person's life expectancy is 12 months or less.

"(16) "Resuscitate" means the administration of cardiopulmonary resuscitation or advanced life support.

"§ 21-2221.02. Creation of a MOST Form.

New
§ 21-2221.02

"(a)(1) Within 9 months after the effective date of this subchapter, DOH shall develop, and make available online, a MOST Form and instructions for health care institutions, health care professionals, and patients and authorized representatives completing and using the MOST Form.

"(2) DOH shall evaluate the design and use of a MOST Form, including compliance or non-compliance with a MOST Form by EMS personnel and health care professionals, at least every 3 years.

"(b)(1) DOH shall require, and provide for, ongoing training of health care professionals and EMS personnel about best practices regarding the use of a MOST Form.

"(2) The training shall include, at a minimum:

"(A) The importance of talking to each patient or the patient's authorized representative about the patient's prognosis, the likely course of illness, and personal goals of care;

"(B) Methods for presenting choices for care that elicit information concerning each patient's preferences and respecting those preferences without directing patients toward a particular care option;

"(C) The importance of fully informing patients about the benefits and risks of an immediately effective MOST Form;

"(D) Awareness of factors that may affect the use of a MOST Form, including race, ethnicity, age, gender, socioeconomic position, immigrant status, sexual orientation, language disability, homelessness, mental illness, and geographic area of residence; and

"(E) Procedures for properly completing and effectuating a MOST Form.

"§ 21-2221.03. MOST Advisory Committee. **New § 21-2221.03**

"(a)(1) DOH shall establish the MOST Advisory Committee.

"(2) DOH shall appoint the 11 members of the MOST Advisory Committee. Except as provided in paragraph (3) of this subsection, members of the advisory committee shall be appointed for terms of 6 years.

"(3) Of the members initially appointed under this section, 3 shall be appointed for a term of 2 years, 4 shall be appointed for a term of 4 years, and 4 shall be appointed for a term of 6 years. The terms of the members first appointed shall begin on the date that a majority of the first members are sworn in, which shall become the anniversary date for all subsequent appointments.

"(4) The MOST Advisory Committee shall include:

"(A) One representative from an EMS agency;

"(B) One commercial EMS representative;

"(C) One pediatric health care professional;

"(D) Two physicians, advanced practice nurses, or other health care professionals involved in treating patients;

"(E) One representative of a long-term care facility;

"(F) One representative of a skilled nursing facility;

"(G) One representative of an acute care hospital;

"(H) Two representatives of a disability advocacy group; and

"(I) One representative of a patient advocacy group.

"(b) The MOST Advisory Committee shall:

"(1) Assist DOH in the development and periodic review of the MOST Form;

"(2) Promote public awareness about the option to complete a MOST Form; and

"(3) Provide recommendations to DOH for ongoing training of health care professionals and EMS personnel about best practices regarding the use of a MOST Form and the nature and development of related medical protocols.

"§ 21-2221.04. MOST Form. **New § 21-2221.04**

"(a) The MOST Form shall be designed to provide the following information regarding the patient's care and medical condition:

"(1) The orders of an authorized health care professional regarding cardiopulmonary resuscitation and level of medical intervention in accordance with the choices, goals, and preferences of a patient or the patient's authorized representative;

"(2) The signature of the authorized health care professional;

"(3) Whether the patient has an authorized representative;

"(4) The signature of the patient or the authorized representative acknowledging agreement with the orders of the authorized health care professional; and

"(5) The date and location of the initial authorization of the MOST Form and the date, location, and outcome of any subsequent revisions to the MOST Form.

"(b) Upon execution, a hard copy of a patient's operative MOST Form shall be provided to the patient or the patient's authorized representative.

"(c) An executed MOST Form shall be kept in a prominent manner in a patient's printed and electronic medical records in a health care institution or private medical practice, and a copy shall be transferred with the patient whenever the patient is transferred to another health care institution or private medical practice, or to the patient's residence.

"(d) A copy of a MOST Form shall be as effective as an original.

"§ 21-2221.05. Completion and execution of the MOST Form. **New § 21-2221.05**

"(a) A patient shall be given the option to complete a MOST Form, but no patient shall be required to complete or execute a MOST Form.

"(b)(1) Only an authorized health care professional treating a patient may complete a MOST Form for that patient.

"(2) The authorized health care professional shall complete the MOST Form in accordance with the instructions of the patient or the patient's authorized representative.

"(c)(1) Only the following persons may execute a MOST Form:

"(A) Any patient who is 18 years of age or older, on behalf of himself or herself; or

"(B) An authorized representative.

"(2) Execution of a MOST Form shall be evidenced by the patient's or the authorized representative's signature.

"(d) The MOST Form shall be reviewed by an authorized health care professional with the patient or with the patient's authorized representative at least once per year and:

"(1) Whenever the patient's condition changes significantly; or

"(2) At the patient's or the patient's authorized representative's request.

"(e)(1) If a patient with a MOST Form is transferred from one health care institution to another, the health care institution transferring the patient shall communicate the existence of the MOST Form to the receiving health care institution before the transfer.

"(2) The MOST Form shall accompany the patient to the receiving health care institution and remain in effect.

"(3) Within 72 hours after a patient is transferred, the MOST Form shall be reviewed by an authorized health care professional and the patient, provided that the patient is not incapacitated, or the patient's authorized representative, if present.

New § 21-2221.06

"§ 21-2221.06. Revocation of a MOST Form.

"(a) A patient or the patient's authorized representative may revoke a MOST Form at any time by:

"(1) Directing the authorized health care professional who issued the MOST Form to cancel the MOST Form; or

"(2) Communicating the patient's or the patient's authorized representative's intent to revoke the MOST Form to the treating EMS personnel or health care professional.

"(b) If a patient or the patient's authorized representative revokes a MOST Form pursuant to subsection (a)(2) of this section, the treating EMS personnel or health care professional shall record the circumstances in which the MOST Form was revoked.

New § 21-2221.07

"§ 21-2221.07. Compliance with a MOST Form.

"(a)(1) If an EMS personnel or health care professional encounters a person who is in possession of a MOST Form, the EMS personnel or health care professional shall determine whether the person is the subject of the MOST Form and whether the MOST Form has been revoked.

"(2) If there is uncertainty as to whether the MOST Form has been revoked, the EMS personnel or health care professional shall act as if there were no MOST Form and resuscitate the patient.

"(b) If an EMS personnel or health care professional encounters a patient in an emergency medical circumstance with a MOST Form that is unreadable, the EMS personnel or health care professional shall proceed as if there were no MOST Form.

"(c) If the EMS personnel does not resuscitate the patient on the basis of applicable treatment instructions on a MOST Form, EMS personnel shall record the do-not-resuscitate response in the run report and report the do-not-resuscitate response to DOH within 5 business days after the incident.

"(d) On a biannual basis, DOH shall provide the Mayor with data on do-not-resuscitate responses.

New § 21-2221.08

"§ 21-2221.08. Comfort care.

"Regardless of the treatment orders on the MOST Form, EMS personnel and other health care professionals may provide the following interventions, as needed, to a patient for comfort or to alleviate pain:

"(1) Clear the airway, without the use of artificial ventilation, esophageal obturator airway, or endotracheal intubation;

"(2) Administer suction;

"(3) Provide oxygen, without the use of artificial ventilation, esophageal obturator airway, or endotracheal intubation;

"(4) Provide pain medication;

"(5) Control bleeding; or

"(6) Make any other necessary adjustments.

"§ 21-2221.09. Reciprocity. **New § 21-2221.09**

"EMS personnel and other health care professionals shall recognize a MOST Form or similar instrument executed in another state as if the instrument were executed in accordance with the laws of that state.

"§ 21-2221.10. Relationship with other legal documents. **New § 21-2221.10**

"If a patient has a durable power of attorney for health care under subchapter I, or a comparable statute in any other jurisdiction, or another legal document with a substantially equivalent purpose to a durable power of attorney or a MOST Form, the most recent document to have been executed shall govern if any conflict exists between the directives in that legal document and the directives in the patient's MOST Form.

"§ 21-2221.11. Liability. **New § 21-2221.11**

"This subchapter shall not be construed to create a private right of action, including a private right of action based on the failure act in accordance with a MOST Form if the failure to act is based solely on religious beliefs.

"§ 21-2221.12. Penalties. **New § 21-2221.12**

"(a) A person who, without authorization by the patient or the patient's authorized representative, willfully alters, forges, conceals, or destroys a MOST Form, an amendment or revocation of a MOST Form, or any other evidence or document reflecting the patient's desires and interests, with the intent or effect of causing a withholding or withdrawal of life-sustaining procedures or of artificially administered nutrition and hydration that hastens the death of the patient commits a Class A felony.

"(b) Except as provided in subsection (a) of this section, a person who, without authorization by the patient or the patient's authorized representative, willfully alters, forges, conceals, or destroys a MOST Form, an amendment or revocation of a MOST Form, or any other evidence or document reflecting the patient's desires and interests, with the intent or effect of impacting any decision regarding the provision of a health care service, treatment, or procedure shall be fined not more than the amount set forth in § 22-3571.01, or imprisoned for not more than 180 days, or both.

"§ 21-2221.13. Insurance. **New § 21-2221.13**

"(a) The execution of a MOST Form shall not alter an insurance policy or annuity contract, unless the insurance policy or contract states otherwise.

"(b) Adherence to the medical orders in a MOST form shall not constitute suicide or assisted suicide.

"(c) The execution of a MOST form cannot be used as a condition for being insured, receiving health care services, or receiving other employment benefits.

New § 21-2221.14

"§ 21-2221.14. Study of electronic registry.

"(a) DOH shall conduct a study regarding the feasibility of implementing an electronic registry for MOST Forms in the District while preserving the privacy of patient's records.

"(b) If an electronic registry is determined to be feasible upon the conclusion of the DOH's review, DOH shall implement an electronic registry.

"(c) DOH shall make a determination regarding the feasibility of an electronic registry within 180 days after the effective date of this subchapter.

New § 21-2221.

"§ 21-2221.15. Rules.

"The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), shall issue rules to implement the provisions of this subchapter.".

Sec. 3. Repealer.

Repeal §§ 7-651.01 – 7-651.16

The Emergency Medical Services Non-Resuscitation Procedures Act of 2000, effective April 3, 2001 (D.C. Law 13-224; D.C. Official Code § 7-651.01 *et seq.*), is repealed as of the date that the Department of Health develops, and makes available, the MOST Form in accordance with § 21-2221.02.

Sec. 4. Applicability.

Delayed Applicability

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-245
Act 21-249
effective December 29, 2015

To enact the Uniform Interstate Family Support Act, as revised with amendments officially adopted by the National Conference of Commissioners on Uniform State Laws, to implement the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance.

Codification District of Columbia Official Code 2001 Edition

Uniform Interstate Family Support Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Uniform Interstate Family Support Act of 2015".

New Subchapter I, New Chapter 3A, Title 46,

TITLE 1. GENERAL PROVISIONS.

Sec. 101. Short title.

This act may be cited as the Uniform Interstate Family Support Act.

New § 46-351.02

Sec. 102. Definitions.

In this act:

(1) "Child" means an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the beneficiary of a support order directed to the parent.

(2) "Child-support order" means a support order for a child, including a child who has attained the age of majority under the law of the issuing state or foreign country.

(3) "Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007.

(4) "District" means the District of Columbia.

(5) "Duty of support" means an obligation imposed or imposable by law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.

(6) "Foreign country" means a country, including a political subdivision thereof, other than the United States, that authorizes the issuance of support orders and:

(A) Which has been declared under the law of the United States to be a foreign reciprocating country;

(B) Which has established a reciprocal arrangement for child support with the District as provided in section 308;

(C) Which has enacted a law or established procedures for the issuance and enforcement of support orders which are substantially similar to the procedures under this act; or

(D) In which the Convention is in force with respect to the United States.

(7) "Foreign support order" means a support order of a foreign tribunal.

(8) "Foreign tribunal" means a court, administrative agency, or quasi-judicial entity of a foreign country which is authorized to establish, enforce, or modify support orders or to determine parentage of a child. The term includes a competent authority under the Convention.

(9) "Home state" means the state or foreign country in which a child lived with a parent or a person acting as parent for at least 6 consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than six months old, the state or foreign country in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

(10) "Income" includes earnings or other periodic entitlements to money from any source and any other property subject to withholding for support under the law of the District.

(11) "Income-withholding order" means an order or other legal process directed to an obligor's holder, as defined by section 2(11) of the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6–166; D.C. Official Code § 46-201(11)), to withhold support from the income of the obligor.

(12) "Initiating tribunal" means the tribunal of a state or foreign country from which a petition or comparable pleading is forwarded or in which a petition or comparable pleading is filed for forwarding to another state or foreign country.

(13) "Issuing foreign country" means the foreign country in which a tribunal issues a support order or a judgment determining parentage of a child.

(14) "Issuing state" means the state in which a tribunal issues a support order or a judgment determining parentage of a child.

(15) "Issuing tribunal" means the tribunal of a state or foreign country that issues a support order or a judgment determining parentage of a child.

(16) "Law" includes decisional and statutory law and rules and regulations having the force of law.

(17) "Mayor" means the Mayor of the District of Columbia.

(18) "Obligee" means:

(A) An individual to whom a duty of support is or is alleged to be owed or in whose favor a support order or a judgment determining parentage of a child has been issued;

(B) A foreign country, state, or political subdivision of a state to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee in place of child support;

(C) An individual seeking a judgment determining parentage of the individual's child; or

(D) A person that is a creditor in a proceeding under Title 7.

(19) "Obligor" means an individual, or the estate of a decedent that:

(A) Owes or is alleged to owe a duty of support;

(B) Is alleged but has not been adjudicated to be a parent of a child;

(C) Is liable under a support order; or

(D) Is a debtor in a proceeding under Title 7.

(20) "Office of the Attorney General" means the Office of the Attorney General for the District of Columbia.

(21) "Outside the District" means a location in another state or a country other than the United States, whether or not the country is a foreign country.

(22) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(23) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(24) "Register" means to file in a tribunal of the District a support order or judgment determining parentage of a child issued in another state or a foreign country.

(25) "Registering tribunal" means a tribunal in which a support order or judgment determining parentage of a child is registered.

(26) "Responding state" means a state in which a petition or comparable pleading for support or to determine parentage of a child is filed or to which a petition or comparable pleading is forwarded for filing from another state or a foreign country.

(27) "Responding tribunal" means the authorized tribunal in a responding state or foreign country.

(28) "Spousal-support order" means a support order for a spouse or former spouse of the obligor.

(29) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession under the jurisdiction of the United States. The term includes an Indian nation or tribe.

(30) "Support enforcement agency" means a public official, governmental entity, or private agency authorized to:

(A) Seek enforcement of support orders or laws relating to the duty of support;

(B) Seek establishment or modification of child support;

(C) Request determination of parentage of a child;

(D) Attempt to locate obligors or their assets; or

(E) Request determination of the controlling child-support order.

(31) "Support order" means a judgment, decree, order, decision, or directive, whether temporary, final, or subject to modification, issued in a state or foreign country for the benefit of a child, a spouse, or a former spouse, which provides for monetary support, health care, arrearages, retroactive support, or reimbursement for financial assistance provided to an individual obligee in place of child support. The term may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney's fees, and other relief.

(32) "Tribunal" means a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage of a child.

Sec. 103. Tribunal and support enforcement agency of the District. **New § 46-351.03**

(a) The Family Division of the Superior Court of the District of Columbia is the tribunal of the District.

(b) The Office of the Attorney General is the support enforcement agency of the District.

Sec. 104. Remedies cumulative. **New § 46-351.04**

(a) Remedies provided by this act are cumulative and do not affect the availability of remedies under other law or the recognition of a foreign support order on the basis of comity.

(b) This act does not:

(1) Provide the exclusive method of establishing or enforcing a support order under the law of the District; or

(2) Grant a tribunal of the District jurisdiction to render judgment or issue an order relating to child custody or visitation in a proceeding under this act.

Sec. 105. Application of act to resident of foreign country and foreign support proceeding. **New § 46-351.05**

(a) A tribunal of the District shall apply Titles 1 through 6 and, as applicable, Title 7, to a support proceeding involving:

(1) A foreign support order;

(2) A foreign tribunal; or

(3) An obligee, obligor, or child residing in a foreign country.

(b) A tribunal of the District that is requested to recognize and enforce a support order on the basis of comity may apply the procedural and substantive provisions of Titles 1 through 6.

(c) Title 7 applies only to a support proceeding under the Convention. In such a proceeding, if a provision of Title 7 is inconsistent with Titles 1 through 6, Title 7 controls.

TITLE 2. JURISDICTION.

Sec. 201. Bases for jurisdiction over nonresident. **New Subchapter II New § 46-352.01**

(a) In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of the District may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if:

(1) The individual is personally served with notice within the District;

(2) The individual submits to the jurisdiction of the District by consent in a record, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction;

(3) The individual resided with the child in the District;

(4) The individual resided in the District and provided prenatal expenses or support for the child;

(5) The child resides in the District as a result of the acts or directives of the individual;

(6) The individual engaged in sexual intercourse in the District and the child may have been conceived by that act of intercourse; or

(7) There is any other basis consistent with the laws of the District and the Constitution of the United States for the exercise of personal jurisdiction.

(b) The bases of personal jurisdiction set forth in subsection (a) of this section or in any other law of the District may not be used to acquire personal jurisdiction for a tribunal of the District to modify a child-support order of another state unless the requirements of section 611 are met, or, in the case of a foreign support order, unless the requirements of section 615 are met.

Sec. 202. Duration of personal jurisdiction. **New § 46-352.02**

Personal jurisdiction acquired by a tribunal of the District in a proceeding under this act or other law of the District relating to a support order continues as long as a tribunal of the District has continuing, exclusive jurisdiction to modify its order or continuing jurisdiction to enforce its order as provided by sections 205, 206, and 211.

Sec. 203. Initiating and responding tribunal of state. **New § 46-352.03**

Under this act, a tribunal of the District may serve as an initiating tribunal to forward proceedings to a tribunal of another state, and as a responding tribunal for proceedings initiated in another state or a foreign country.

Sec. 204. Simultaneous proceedings. **New § 46-352.04**

(a) A tribunal of the District may exercise jurisdiction to establish a support order if the petition or comparable pleading is filed after a pleading is filed in another state or a foreign country only if:

(1) The petition or comparable pleading in the District is filed before the expiration of the time allowed in the other state or the foreign country for filing a responsive pleading challenging the exercise of jurisdiction by the other state or the foreign country;

(2) The contesting party timely challenges the exercise of jurisdiction in the other state or the foreign country; and

(3) If relevant, the District is the home state of the child.

(b) A tribunal of the District may not exercise jurisdiction to establish a support order if the petition or comparable pleading is filed before a petition or comparable pleading is filed in another state or a foreign country if:

(1) The petition or comparable pleading in the other state or foreign country is filed before the expiration of the time allowed in the District for filing a responsive pleading challenging the exercise of jurisdiction by the District;

(2) The contesting party timely challenges the exercise of jurisdiction in the District; and

(3) If relevant, the other state or foreign country is the home state of the child.

Sec. 205. Continuing, exclusive jurisdiction to modify child-support order. **New § 46-352.05**

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District, has and shall exercise continuing, exclusive jurisdiction to modify its child-support order if the order is the controlling order and:

(1) At the time of the filing of a request for modification the District is the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued; or

(2) Even if the District is not the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued, the parties consent in a record or in open court that the tribunal of the District may continue to exercise jurisdiction to modify its order.

(b) A tribunal of the District that has issued a child-support order consistent with the law of the District, may not exercise continuing, exclusive jurisdiction to modify the order if:

(1) All of the parties who are individuals file consent in a record with the tribunal of the District that a tribunal of another state that has jurisdiction over at least one of the parties who is an individual or that is located in the state of residence of the child may modify the order and assume continuing, exclusive jurisdiction; or

(2) Its order is not the controlling order.

(c) If a tribunal of another state has issued a child-support order pursuant to the Uniform Interstate Family Support Act or a law substantially similar to that Act which modifies a child-support order of a tribunal of the District, a tribunal of the District shall recognize the continuing, exclusive jurisdiction of the tribunal of the other state.

(d) A tribunal of the District that lacks continuing, exclusive jurisdiction to modify a child-support order, may serve as an initiating tribunal to request a tribunal of another state to modify a support order issued in that state.

(e) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

Sec. 206. Continuing jurisdiction to enforce child-support order. **New § 46-352.06**

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District, may serve as an initiating tribunal to request a tribunal of another state to enforce:

(1) The order if the order is the controlling order and has not been modified by a tribunal of another state that assumed jurisdiction pursuant to the Uniform Interstate Family Support Act; or

(2) A money judgment for arrears of support and interest on the order accrued before a determination that an order of a tribunal of another state is the controlling order.

(b) A tribunal of the District having continuing jurisdiction over a support order may act as a responding tribunal to enforce the order.

New § 46-352.07

Sec. 207. Determination of controlling child-support order.

(a) If a proceeding is brought under this act and only one tribunal has issued a child-support order, the order of that tribunal controls and must be recognized.

(b) If a proceeding is brought under this act, and 2 or more child-support orders have been issued by tribunals of the District, of another state, or a foreign country with regard to the same obligor and same child, a tribunal of the District having personal jurisdiction over both the obligor and individual obligee shall apply the following rules and by order shall determine which order controls and must be recognized:

(1) If only one of the tribunals would have continuing, exclusive jurisdiction under this act, the order of that tribunal controls.

(2) If more than one of the tribunals would have continuing, exclusive jurisdiction under this act:

(A) An order issued by a tribunal in the current home state of the child controls; or

(B) If an order has not been issued in the current home state of the child, the order most recently issued controls.

(3) If none of the tribunals would have continuing, exclusive jurisdiction under this act, the tribunal of the District shall issue a child-support order, which controls.

(c) If 2 or more child-support orders have been issued for the same obligor and same child, upon request of a party who is an individual or that is a support enforcement agency, a tribunal of the District having personal jurisdiction over both the obligor and the obligee who is an individual shall determine which order controls under subsection (b) of this section. The request may be filed with a registration for enforcement or registration for modification pursuant to Title 6, or may be filed as a separate proceeding.

(d) A request to determine which is the controlling order must be accompanied by a copy of every child-support order in effect and the applicable record of payments. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(e) The tribunal that issued the controlling order under subsection (a), (b), or (c) of this section has continuing jurisdiction to the extent provided in section 205 or 206.

(f) A tribunal of the District that determines by order which is the controlling order under subsection (b)(1) or (2) or (c) of this section, or that issues a new controlling order under subsection (b)(3) of this section, shall state in that order:

(1) The basis upon which the tribunal made its determination;

(2) The amount of prospective support, if any; and

(3) The total amount of consolidated arrears and accrued interest, if any, under all of the orders after all payments made are credited as provided by section 209.

(g) Within 30 days after issuance of an order determining which is the controlling order, the party obtaining the order shall file a certified copy of it in each tribunal that issued or registered an earlier order of child support. A party or support enforcement agency obtaining the order that fails to file a certified copy is subject to appropriate sanctions by a tribunal in which

the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order.

(h) An order that has been determined to be the controlling order, or a judgment for consolidated arrears of support and interest, if any, made pursuant to this section must be recognized in proceedings under this act.

Sec. 208. Child-support orders for 2 or more obligees. **New § 46-352.08**

In responding to registrations or petitions for enforcement of 2 or more child-support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state or a foreign country, a tribunal of the District shall enforce those orders in the same manner as if the orders had been issued by a tribunal of the District.

Sec. 209. Credit for payments. **New § 46-352.09**

A tribunal of the District shall credit amounts collected for a particular period pursuant to any child-support order against the amounts owed for the same period under any other child-support order for support of the same child issued by a tribunal of the District, another state, or a foreign country.

Sec. 210. Application of act to nonresident subject to personal jurisdiction. **New § 46-352.10**

A tribunal of the District exercising personal jurisdiction over a nonresident in a proceeding under this act, under other law of the District relating to a support order, or recognizing a foreign support order, may receive evidence from outside the District pursuant to section 316, communicate with a tribunal outside the District pursuant to section 317, and obtain discovery through a tribunal outside the District pursuant to section 318. In all other respects, Titles 3 through 6 do not apply, and the tribunal shall apply the procedural and substantive law of the District.

Sec. 211. Continuing, exclusive jurisdiction to modify spousal-support order. **New § 46-352.11**

(a) A tribunal of the District issuing a spousal-support order consistent with the law of the District has continuing, exclusive jurisdiction to modify the spousal-support order throughout the existence of the support obligation.

(b) A tribunal of the District may not modify a spousal-support order issued by a tribunal of another state or a foreign country having continuing, exclusive jurisdiction over that order under the law of that state or foreign country.

(c) A tribunal of the District that has continuing, exclusive jurisdiction over a spousal-support order, may serve as:

(1) An initiating tribunal to request a tribunal of another state to enforce the spousal-support order issued in the District; or

(2) A responding tribunal to enforce or modify its own spousal-support order.

TITLE 3. CIVIL PROVISIONS OF GENERAL APPLICATION.

New Subchapter III

Sec. 301. Proceedings under act.

New § 46-353.01

(a) Except as otherwise provided in this act, this title applies to all proceedings under this act.

(b) An individual petitioner or a support enforcement agency may initiate a proceeding authorized under this act by filing a petition in an initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable pleading directly in a tribunal of another state or a foreign country which has or can obtain personal jurisdiction over the respondent.

Sec. 302. Proceeding by minor parent.

New § 46-353.02

A minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child.

Sec. 303. Application of law of the District.

New § 46-353.03

Except as otherwise provided in this act, a responding tribunal of the District shall:

(1) Apply the procedural and substantive law generally applicable to similar proceedings originating in the District and may exercise all powers and provide all remedies available in those proceedings; and

(2) Determine the duty of support and the amount payable in accordance with the law and support guidelines of the District.

Sec. 304. Duties of initiating tribunal.

New § 46-353.04

(a) Upon the filing of a petition authorized by this act, an initiating tribunal of the District shall forward the petition and its accompanying documents:

(1) To the responding tribunal or appropriate support enforcement agency in the responding state; or

(2) If the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

(b) If requested by the responding tribunal, a tribunal of the District shall issue a certificate or other document and make findings required by the law of the responding state. If the responding tribunal is in a foreign country, upon request the tribunal of the District shall specify the amount of support sought, convert that amount into the equivalent amount in the foreign currency under the applicable official or market exchange rate as publicly reported, and provide any other documents necessary to satisfy the requirements of the responding foreign tribunal.

Sec. 305. Duties and powers of responding tribunal. **New § 46-353.05**

(a) When a responding tribunal of the District receives a petition or comparable pleading from an initiating tribunal or directly pursuant to section 301(b), it shall cause the petition or pleading to be filed and notify the petitioner where and when it was filed.

(b) A responding tribunal of the District, to the extent not prohibited by other law, may do one or more of the following:

(1) Establish or enforce a support order, modify a child-support order, determine the controlling child-support order, or determine parentage of a child;

(2) Order an obligor to comply with a support order, specifying the amount and the manner of compliance;

(3) Order income withholding;

(4) Determine the amount of any arrearages, and specify a method of payment;

(5) Enforce orders by civil or criminal contempt, or both;

(6) Set aside property for satisfaction of the support order;

(7) Place liens and order execution on the obligor's property;

(8) Order an obligor to keep the tribunal informed of the obligor's current residential address, electronic-mail address, telephone number, employer, address of employment, and telephone number at the place of employment;

(9) Issue a bench warrant for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant in any local and state computer systems for criminal warrants;

(10) Order the obligor to seek appropriate employment by specified methods;

(11) Award reasonable attorney's fees and other fees and costs; and

(12) Grant any other available remedy.

(c) A responding tribunal of the District shall include in a support order issued under this act, or in the documents accompanying the order, the calculations on which the support order is based.

(d) A responding tribunal of the District may not condition the payment of a support order issued under this act upon compliance by a party with provisions for visitation.

(e) If a responding tribunal of the District issues an order under this act, the tribunal shall send a copy of the order to the petitioner and the respondent and to the initiating tribunal, if any.

(f) If requested to enforce a support order, arrears, or judgment or modify a support order stated in a foreign currency, a responding tribunal of the District shall convert the amount stated in the foreign currency to the equivalent amount in dollars under the applicable official or market exchange rate as publicly reported.

Sec. 306. Inappropriate tribunal. **New § 46-353.06**

If a petition or comparable pleading is received by an inappropriate tribunal of the District, the tribunal shall forward the pleading and accompanying documents to an appropriate tribunal of the District or of another state and notify the petitioner where and when the pleading was sent.

New § 46-353.07

Sec. 307. Duties of support enforcement agency.

(a) In a proceeding under this act, a support enforcement agency of the District, upon request:

(1) Shall provide services to a petitioner residing in a state;

(2) Shall provide services to a petitioner requesting services through a central authority of a foreign country as described in section 102(6)(A) or (D); and

(3) May provide services to a petitioner who is an individual not residing in a state.

(b) A support enforcement agency of the District that is providing services to the petitioner shall:

(1) Take all steps necessary to enable an appropriate tribunal of the District, another state, or a foreign country to obtain jurisdiction over the respondent;

(2) Request an appropriate tribunal to set a date, time, and place for a hearing;

(3) Make a reasonable effort to obtain all relevant information, including information as to income and property of the parties;

(4) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of notice in a record from an initiating, responding, or registering tribunal, send a copy of the notice to the petitioner;

(5) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of communication in a record from the respondent or the respondent's attorney, send a copy of the communication to the petitioner; and

(6) Notify the petitioner if jurisdiction over the respondent cannot be obtained.

(c) A support enforcement agency of the District that requests registration of a child-support order in the District for enforcement or for modification shall make reasonable efforts:

(1) To ensure that the order to be registered is the controlling order; or

(2) If 2 or more child-support orders exist and the identity of the controlling order has not been determined, to ensure that a request for such a determination is made in a tribunal having jurisdiction to do so.

(d) A support enforcement agency of the District that requests registration and enforcement of a support order, arrears, or judgment stated in a foreign currency shall convert the amounts stated in the foreign currency into the equivalent amounts in dollars under the applicable official or market exchange rate as publicly reported.

(e) A support enforcement agency of the District shall issue or request a tribunal of the District to issue a child-support order and an income-withholding order that redirect payment of current support, arrears, and interest if requested to do so by a support enforcement agency of another state pursuant to section 319.

(f) This act does not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Sec. 308. Duty of Office of the Attorney General. **New § 46-353.08**

The Office of the Attorney General may determine that a foreign country has established a reciprocal arrangement for child support with the District and take appropriate action for notification of the determination.

Sec. 309. Private counsel. **New § 46-353.09**

An individual may employ private counsel to represent the individual in proceedings authorized by this act.

Sec. 310. Duties of Office of the Attorney General as state information agency. **New § 46-353.10**

(a) The Office of the Attorney General is the state information agency under this act.

(b) The state information agency shall:

(1) Compile and maintain a current list, including addresses, of the tribunals in the District which have jurisdiction under this act and any support enforcement agencies in the District and transmit a copy to the state information agency of every other state;

(2) Maintain a register of names and addresses of tribunals and support enforcement agencies received from other states;

(3) Forward to the appropriate tribunal in the District all documents concerning a proceeding under this act received from another state or a foreign country; and

(4) Obtain information concerning the location of the obligor and the obligor's property within the District not exempt from execution, by such means as postal verification and federal or state locator services, examination of telephone directories, requests for the obligor's address from employers, and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses, and social security.

Sec. 311. Pleadings and accompanying documents. **New § 46-353.11**

(a) In a proceeding under this act, a petitioner seeking to establish a support order, to determine parentage of a child, or to register and modify a support order of a tribunal of another state or a foreign country must file a petition. Unless otherwise ordered under section 312, the petition or accompanying documents must provide, so far as known, the name, residential address, and social security numbers of the obligor and the obligee or the parent and alleged parent, and the name, sex, residential address, social security number, and date of birth of each child for whose benefit support is sought or whose parentage is to be determined. Unless filed at the time of registration, the petition must be accompanied by a copy of any support order known to have been issued by another tribunal. The petition may include any other information that may assist in locating or identifying the respondent.

(b) The petition must specify the relief sought. The petition and accompanying documents must conform substantially with the requirements imposed by the forms mandated by federal law for use in cases filed by a support enforcement agency.

Sec. 312. Nondisclosure of information in exceptional circumstances. **New § 46-353.12**

If a party alleges in an affidavit or a pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by disclosure of specific identifying information, that information must be sealed and may not be disclosed to the other party or the public. After a hearing in which a tribunal takes into consideration the health, safety, or liberty of the party or child, the tribunal may order disclosure of information that the tribunal determines to be in the interest of justice.

Sec. 313. Costs and fees. **New § 46-353.13**

(a) The petitioner may not be required to pay a filing fee or other costs.

(b) If an obligee prevails, a responding tribunal of the District may assess against an obligor filing fees, reasonable attorney's fees, other costs, and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs, or expenses against the obligee or the support enforcement agency of either the initiating or responding state or foreign country, except as provided by other law. Attorney's fees may be taxed as costs, and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs, and expenses.

(c) The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that a hearing was requested primarily for delay. In a proceeding under Title 6, a hearing is presumed to have been requested primarily for delay if a registered support order is confirmed or enforced without change.

Sec. 314. Limited immunity of petitioner. **New § 46-353.14**

(a) Participation by a petitioner in a proceeding under this act before a responding tribunal, whether in person, by private attorney, or through services provided by the support enforcement agency, does not confer personal jurisdiction over the petitioner in another proceeding.

(b) A petitioner is not amenable to service of civil process while physically present in the District to participate in a proceeding under this act.

(c) The immunity granted by this section does not extend to civil litigation based on acts unrelated to a proceeding under this act committed by a party while physically present in the District to participate in the proceeding.

Sec. 315. Nonparentage as defense. **New § 46-353.15**

A party whose parentage of a child has been previously determined by or pursuant to law may not plead nonparentage as a defense to a proceeding under this act.

Sec. 316. Special rules of evidence and procedure. **New § 46-353.16**

(a) The physical presence of a nonresident party who is an individual in a tribunal of the District is not required for the establishment, enforcement, or modification of a support order or the rendition of a judgment determining parentage of a child.

(b) An affidavit, a document substantially complying with federally mandated forms, or a document incorporated by reference in any of them, which would not be excluded under the hearsay rule if given in person, is admissible in evidence if given under penalty of perjury by a party or witness residing outside the District.

(c) A copy of the record of child-support payments certified as a true copy of the original by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made.

(d) Copies of bills for testing for parentage of a child, and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least 10 days before trial, are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary, and customary.

(e) Documentary evidence transmitted from outside the District to a tribunal of the District by telephone, telecopier, or other electronic means that do not provide an original record may not be excluded from evidence on an objection based on the means of transmission.

(f) In a proceeding under this act, a tribunal of the District shall permit a party or witness residing outside the District to be deposed or to testify under penalty of perjury by telephone, audiovisual means, or other electronic means at a designated tribunal or other location. A tribunal of the District shall cooperate with other tribunals in designating an appropriate location for the deposition or testimony.

(g) If a party called to testify at a civil hearing refuses to answer on the ground that the testimony may be self-incriminating, the trier of fact may draw an adverse inference from the refusal.

(h) A privilege against disclosure of communications between spouses does not apply in a proceeding under this act.

(i) The defense of immunity based on the relationship of husband and wife or parent and child does not apply in a proceeding under this act.

(j) A voluntary acknowledgment of paternity, certified as a true copy, is admissible to establish parentage of the child.

Sec. 317. Communications between tribunals. **New § 46-353.17**

A tribunal of the District may communicate with a tribunal outside the District in a record or by telephone, electronic mail, or other means, to obtain information concerning the laws, the legal effect of a judgment, decree, or order of that tribunal, and the status of a proceeding. A tribunal of the District may furnish similar information by similar means to a tribunal outside the District.

New § 46-353.18

Sec. 318. Assistance with discovery.

A tribunal of the District may:

(1) Request a tribunal outside the District to assist in obtaining discovery; and

(2) Upon request, compel a person over which it has jurisdiction to respond to a discovery order issued by a tribunal outside the District.

New § 46-353.19

Sec. 319. Receipt and disbursement of payments.

(a) A support enforcement agency or tribunal of the District shall disburse promptly any amounts received pursuant to a support order, as directed by the order. The agency or tribunal shall furnish to a requesting party or tribunal of another state or a foreign country a certified statement by the custodian of the record of the amounts and dates of all payments received.

(b) If neither the obligor, nor the obligee who is an individual, nor the child resides in the District, upon request from the support enforcement agency of the District or another state, the support enforcement agency of the District or a tribunal of the District shall:

(1) Direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services; and

(2) Issue and send to the obligor's employer a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments.

(c) The support enforcement agency of the District receiving redirected payments from another state pursuant to a law similar to subsection (b) of this section shall furnish to a requesting party or tribunal of the other state a certified statement by the custodian of the record of the amount and dates of all payments received.

New Subchapter IV

TITLE 4. ESTABLISHMENT OF SUPPORT ORDER OR DETERMINATION OF PARENTAGE.

New § 46-354.01

Sec. 401. Establishment of support order.

(a) If a support order entitled to recognition under this act has not been issued, a responding tribunal of the District with personal jurisdiction over the parties may issue a support order if:

(1) The individual seeking the order resides outside the District; or

(2) The support enforcement agency seeking the order is located outside the District.

(b) The tribunal may issue a temporary child-support order if the tribunal determines that such an order is appropriate and the individual ordered to pay is:

(1) A presumed father of the child;

(2) Petitioning to have his paternity adjudicated;

(3) Identified as the father of the child through genetic testing;

(4) An alleged father who has declined to submit to genetic testing;

(5) Shown by clear and convincing evidence to be the father of the child;

(6) An acknowledged father as provided by D.C. Official Code §§ 16-909.01 to 16-909.05;

(7) The mother of the child; or

(8) An individual who has been ordered to pay child support in a previous proceeding and the order has not been reversed or vacated.

(c) Upon finding, after notice and opportunity to be heard, that an obligor owes a duty of support, the tribunal shall issue a support order directed to the obligor and may issue other orders pursuant to section 305.

New § 46-354.02

Sec. 402. Proceeding to determine parentage.

A tribunal of the District authorized to determine parentage of a child may serve as a responding tribunal in a proceeding to determine parentage of a child brought under this act or a law or procedure substantially similar to this act.

New Subchapter V

TITLE 5. ENFORCEMENT OF SUPPORT ORDER WITHOUT REGISTRATION.

New § 46-355.01

Sec. 501. Employer's receipt of income-withholding order of another state.

An income-withholding order issued in another state may be sent by or on behalf of the obligee, or by the support enforcement agency, to the person defined as the obligor's employer under the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6–166; D.C. Official Code § 46-201 *et seq*.) without first filing a petition or comparable pleading or registering the order with a tribunal of the District.

New § 46-355.02

Sec. 502. Employer's compliance with income-withholding order of another state.

(a) Upon receipt of an income-withholding order, the obligor's employer shall immediately provide a copy of the order to the obligor.

(b) The employer shall treat an income-withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of the District.

(c) Except as otherwise provided in subsection (d) of this section and section 503, the employer shall withhold and distribute the funds as directed in the withholding order by complying with terms of the order which specify:

(1) The duration and amount of periodic payments of current child support, stated as a sum certain;

(2) The person designated to receive payments and the address to which the payments are to be forwarded;

(3) Medical support, whether in the form of periodic cash payment, stated as a sum certain, or ordering the obligor to provide health insurance coverage for the child under a policy available through the obligor's employment;

(4) The amount of periodic payments of fees and costs for a support enforcement agency, the issuing tribunal, and the obligee's attorney, stated as sums certain; and

(5) The amount of periodic payments of arrearages and interest on arrearages, stated as sums certain.

(d) An employer shall comply with the law of the state of the obligor's principal place of employment for withholding from income with respect to:

(1) The employer's fee for processing an income-withholding order;

(2) The maximum amount permitted to be withheld from the obligor's income; and

(3) The times within which the employer must implement the withholding order and forward the child-support payment.

Sec. 503. Employer's compliance with 2 or more income-withholding orders. **New § 46-355.03**

If an obligor's employer receives 2 or more income-withholding orders with respect to the earnings of the same obligor, the employer satisfies the terms of the orders if the employer complies with the law of the state of the obligor's principal place of employment to establish the priorities for withholding and allocating income withheld for 2 or more child-support obligees.

Sec. 504. Immunity from civil liability. **New § 46-355.04**

An employer that complies with an income-withholding order issued in another state in accordance with this title is not subject to civil liability to an individual or agency with regard to the employer's withholding of child support from the obligor's income.

Sec. 505. Penalties for noncompliance. **New § 46-355.05**

An employer that willfully fails to comply with an income-withholding order issued in another state and received for enforcement is subject to the same penalties that may be imposed for noncompliance with an order issued by a tribunal of the District.

Sec. 506. Contest by obligor. **New § 46-355.06**

(a) An obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in the District by registering the order in a tribunal of the District and filing a contest to that order as provided in Title 6, or otherwise contesting the order in the same manner as if the order had been issued by a tribunal of the District.

(b) The obligor shall give notice of the contest to:

(1) A support enforcement agency providing services to the obligee;

(2) Each employer that has directly received an income-withholding order relating to the obligor; and

(3) The person designated to receive payments in the income-withholding order or, if no person is designated, to the obligee.

Sec. 507. Administrative enforcement of orders. **New § 46-355.07**

(a) A party or support enforcement agency seeking to enforce a support order or an income-withholding order, or both, issued in another state or a foreign support order may send the documents required for registering the order to a support enforcement agency of the District.

(b) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure

authorized by the law of the District to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to this act.

New Subchapter VI New Part A

TITLE 6. REGISTRATION, ENFORCEMENT, AND MODIFICATION OF SUPPORT ORDER.

SUBTITLE A. REGISTRATION FOR ENFORCEMENT OF SUPPORT ORDER.

New § 46-356.01

Sec. 601. Registration of order for enforcement.

A support order or income-withholding order issued in another state or a foreign support order may be registered in the District for enforcement.

New § 46-356.02

Sec. 602. Procedure to register order for enforcement.

(a) Except as otherwise provided in section 706, a support order or income-withholding order of another state or a foreign support order may be registered in the District by sending the following records to the Superior Court of the District of Columbia:

(1) A letter of transmittal to the tribunal requesting registration and enforcement;

(2) Two copies, including one certified copy, of the order to be registered, including any modification of the order;

(3) A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage;

(4) The name of the obligor and, if known:

(A) The obligor's address and social security number;

(B) The name and address of the obligor's employer and any other source of income of the obligor; and

(C) A description and the location of property of the obligor in the District not exempt from execution; and

(5) Except as otherwise provided in section 312, the name and address of the obligee and, if applicable, the person to whom support payments are to be remitted.

(b) On receipt of a request for registration, the registering tribunal shall cause the order to be filed as an order of a tribunal of another state or a foreign support order, together with one copy of the documents and information, regardless of their form.

(c) A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of the District may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

(d) If two or more orders are in effect, the person requesting registration shall:

(1) Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;

(2) Specify the order alleged to be the controlling order, if any; and

(3) Specify the amount of consolidated arrears, if any.

(e) A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

Sec. 603. Effect of registration for enforcement. **New § 46-356.03**

(a) A support order or income-withholding order issued in another state or a foreign support order is registered when the order is filed in the registering tribunal of the District.

(b) A registered support order issued in another state or a foreign country is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of the District.

(c) Except as otherwise provided in this act, a tribunal of the District shall recognize and enforce, but may not modify, a registered support order if the issuing tribunal had jurisdiction.

Sec. 604. Choice of law. **New § 46-356.04**

(a) Except as otherwise provided in subsection (d) of this section, the law of the issuing state or foreign country governs:

(1) The nature, extent, amount, and duration of current payments under a registered support order;

(2) The computation and payment of arrearages and accrual of interest on the arrearages under the support order; and

(3) The existence and satisfaction of other obligations under the support order.

(b) In a proceeding for arrears under a registered support order, the statute of limitation of the District, or of the issuing state or foreign country, whichever is longer, applies.

(c) A responding tribunal of the District shall apply the procedures and remedies of the District to enforce current support and collect arrears and interest due on a support order of another state or a foreign country registered in the District.

(d) After a tribunal of the District or another state determines which is the controlling order and issues an order consolidating arrears, if any, a tribunal of the District shall prospectively apply the law of the state or foreign country issuing the controlling order, including its law on interest on arrears, on current and future support, and on consolidated arrears.

SUBTITLE B. CONTEST OF VALIDITY OR ENFORCEMENT. **New Part B**

Sec. 605. Notice of registration of order. **New § 46-356.05**

(a) When a support order or income-withholding order issued in another state or a foreign support order is registered, the registering tribunal of the District shall notify the nonregistering party. The notice must be accompanied by a copy of the registered order and the documents and relevant information accompanying the order.

(b) A notice must inform the nonregistering party:

(1) That a registered support order is enforceable as of the date of registration in the same manner as an order issued by a tribunal of the District;

(2) That a hearing to contest the validity or enforcement of the registered order must be requested within 20 days after notice unless the registered order is under section 707;

(3) That failure to contest the validity or enforcement of the registered order in a timely manner will result in confirmation of the order and enforcement of the order and the alleged arrearages; and

(4) Of the amount of any alleged arrearages.

(c) If the registering party asserts that 2 or more orders are in effect, a notice must also:

(1) Identify the 2 or more orders and the order alleged by the registering party to be the controlling order and the consolidated arrears, if any;

(2) Notify the nonregistering party of the right to a determination of which is the controlling order;

(3) State that the procedures provided in subsection (b) of this section apply to the determination of which is the controlling order; and

(4) State that failure to contest the validity or enforcement of the order alleged to be the controlling order in a timely manner may result in confirmation that the order is the controlling order.

(d) Upon registration of an income-withholding order for enforcement, the support enforcement agency or the registering tribunal shall notify the obligor's employer pursuant to the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6–166; D.C. Official Code § 46-201 *et seq*.).

Sec. 606. Procedure to contest validity or enforcement of registered support order. **New § 46-356.06**

(a) A nonregistering party seeking to contest the validity or enforcement of a registered support order in the District shall request a hearing within the time required by section 605. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 607.

(b) If the nonregistering party fails to contest the validity or enforcement of the registered support order in a timely manner, the order is confirmed by operation of law.

(c) If a nonregistering party requests a hearing to contest the validity or enforcement of the registered support order, the registering tribunal shall schedule the matter for hearing and give notice to the parties of the date, time, and place of the hearing.

Sec. 607. Contest of registration or enforcement. **New § 46-356.07**

(a) A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) The issuing tribunal lacked personal jurisdiction over the contesting party;

(2) The order was obtained by fraud;

(3) The order has been vacated, suspended, or modified by a later order;

(4) The issuing tribunal has stayed the order pending appeal;

(5) There is a defense under the law of the District to the remedy sought;

(6) Full or partial payment has been made;

(7) The statute of limitation under section 604 precludes enforcement of some or all of the alleged arrearages; or

(8) The alleged controlling order is not the controlling order.

(b) If a party presents evidence establishing a full or partial defense under subsection (a) of this section, a tribunal may stay enforcement of a registered support order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered support order may be enforced by all remedies available under the law of the District.

(c) If the contesting party does not establish a defense under subsection (a) of this section to the validity or enforcement of a registered support order, the registering tribunal shall issue an order confirming the order.

Sec. 608. Confirmed order. **New § 46-356.08**

Confirmation of a registered support order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

SUBTITLE C. REGISTRATION AND MODIFICATION OF CHILD-SUPPORT ORDER OF ANOTHER STATE. **New Part C**

Sec. 609. Procedure to register child-support order of another state for modification. **New § 46-356.09**

A party or support enforcement agency seeking to modify, or to modify and enforce, a child-support order issued in another state shall register that order in the District in the same manner provided in sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or later. The pleading must specify the grounds for modification.

Sec. 610. Effect of registration for modification. **New § 46-356.10**

A tribunal of the District may enforce a child-support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of the District, but the registered support order may be modified only if the requirements of section 611 or 613 have been met.

Sec. 611. Modification of child-support order of another state. **New § 46-356.11**

(a) If section 613 does not apply, upon petition a tribunal of the District may modify a child-support order issued in another state which is registered in the District if, after notice and hearing, the tribunal finds that:

(1) The following requirements are met:

(A) Neither the child, nor the obligee who is an individual, nor the obligor resides in the issuing state;

(B) A petitioner who is a nonresident of the District seeks modification; and

(C) The respondent is subject to the personal jurisdiction of the tribunal of the District; or

(2) The District is the residence of the child, or a party who is an individual is subject to the personal jurisdiction of the tribunal of the District, and all of the parties who are individuals have filed consents in a record in the issuing tribunal for a tribunal of the District to modify the support order and assume continuing, exclusive jurisdiction.

(b) Modification of a registered child-support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by a tribunal of the District and the order may be enforced and satisfied in the same manner.

(c) A tribunal of the District may not modify any aspect of a child-support order that may not be modified under the law of the issuing state, including the duration of the obligation of support. If 2 or more tribunals have issued child-support orders for the same obligor and same child, the order that controls and must be so recognized under section 207 establishes the aspects of the support order which are nonmodifiable.

(d) In a proceeding to modify a child-support order, the law of the state that is determined to have issued the initial controlling order governs the duration of the obligation of support. The obligor's fulfillment of the duty of support established by that order precludes imposition of a further obligation of support by a tribunal of the District.

(e) On the issuance of an order by a tribunal of the District modifying a child-support order issued in another state, the tribunal of the District becomes the tribunal having continuing, exclusive jurisdiction.

(f) Notwithstanding subsections (a) through (e) of this section and section 201(b), a tribunal of the District retains jurisdiction to modify an order issued by a tribunal of the District if:

(1) One party resides in another state; and

(2) The other party resides outside the United States.

Sec. 612. Recognition of order modified in another state. **New § 46-356.12**

If a child-support order issued by a tribunal of the District is modified by a tribunal of another state which assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of the District:

(1) May enforce its order that was modified only as to arrears and interest accruing before the modification;

(2) May provide appropriate relief for violations of its order which occurred before the effective date of the modification; and

(3) Shall recognize the modifying order of the other state, upon registration, for the purpose of enforcement.

Sec. 613. Jurisdiction to modify child-support order of another state when individual parties reside in the District. **New § 46-356.13**

(a) If all of the parties who are individuals reside in the District and the child does not reside in the issuing state, a tribunal of the District has jurisdiction to enforce and to modify the issuing state's child-support order in a proceeding to register that order.

(b) A tribunal of the District exercising jurisdiction under this section shall apply the provisions of Titles 1 and 2, this title, and the procedural and substantive law of the District to the proceeding for enforcement or modification. Titles 3, 4, 5, 7, and 8 do not apply.

Sec. 614. Notice to issuing tribunal of modification. **New § 46-356.14**

Within 30 days after issuance of a modified child-support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal that had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows the earlier order has been registered. A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction.

SUBTITLE D. REGISTRATION AND MODIFICATION OF FOREIGN CHILD-SUPPORT ORDER. **New Part D**

Sec. 615. Jurisdiction to modify child-support order of foreign country. **New § 46-356.15**

(a) Except as otherwise provided in section 711, if a foreign country lacks or refuses to exercise jurisdiction to modify its child-support order pursuant to its laws, a tribunal of the District may assume jurisdiction to modify the child-support order and bind all individuals subject to the personal jurisdiction of the tribunal whether the consent to modification of a child-support order otherwise required of the individual pursuant to section 611 has been given or whether the individual seeking modification is a resident of the District or of the foreign country.

(b) An order issued by a tribunal of the District modifying a foreign child-support order pursuant to this section is the controlling order.

Sec. 616. Procedure to register child-support order of foreign country for modification. **New § 46-356.16**

A party or support enforcement agency seeking to modify, or to modify and enforce, a foreign child-support order not under the Convention may register that order in the District under sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or at another time. The petition must specify the grounds for modification.

TITLE 7. SUPPORT PROCEEDING UNDER CONVENTION.

New Subchapter VII

Sec. 701. Definitions.

New § 46-357.01

In this title:

(1) "Application" means a request under the Convention by an obligee or obligor, or on behalf of a child, made through a central authority for assistance from another central authority.

(2) "Central authority" means the entity designated by the United States or a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(3) "Convention support order" means a support order of a tribunal of a foreign country described in section 102(6)(D).

(4) "Direct request" means a petition filed by an individual in a tribunal of the District in a proceeding involving an obligee, obligor, or child residing outside the United States.

(5) "Foreign central authority" means the entity designated by a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(6) "Foreign support agreement":

(A) Means an agreement for support in a record that:

(i) Is enforceable as a support order in the country of origin;

(ii) Has been:

(I) Formally drawn up or registered as an authentic instrument by a foreign tribunal; or

(II) Authenticated by, or concluded, registered, or filed with a foreign tribunal; and

(iii) May be reviewed and modified by a foreign tribunal; and

(B) Includes a maintenance arrangement or authentic instrument under the Convention.

(7) "United States central authority" means the Secretary of the United States Department of Health and Human Services.

Sec. 702. Applicability.

New § 46-357.02

This title applies only to a support proceeding under the Convention. In such a proceeding, if a provision of this title is inconsistent with Titles 1 through 6, this title controls.

Sec. 703. Relationship of Office of the Attorney General to United States central authority.

New § 46-357.03

The Office of the Attorney General is recognized as the agency designated by the United States central authority to perform specific functions under the Convention.

Sec. 704. Initiation by Office of the Attorney General of support proceeding under Convention.

New § 46-357.04

(a) In a support proceeding under this title, the Office of the Attorney General shall:

(1) Transmit and receive applications; and

(2) Initiate or facilitate the institution of a proceeding regarding an application in a tribunal of the District.

(b) The following support proceedings are available to an obligee under the Convention:

(1) Recognition or recognition and enforcement of a foreign support order;

(2) Enforcement of a support order issued or recognized in the District;

(3) Establishment of a support order if there is no existing order, including, if necessary, determination of parentage of a child;

(4) Establishment of a support order if recognition of a foreign support order is refused under section 708(b)(2), (4), or (9);

(5) Modification of a support order of a tribunal of the District; and

(6) Modification of a support order of a tribunal of another state or a foreign country.

(c) The following support proceedings are available under the Convention to an obligor against which there is an existing support order:

(1) Recognition of an order suspending or limiting enforcement of an existing support order of a tribunal of the District;

(2) Modification of a support order of a tribunal of the District; and

(3) Modification of a support order of a tribunal of another state or a foreign country.

(d) A tribunal of the District may not require security, bond, or deposit, however described, to guarantee the payment of costs and expenses in proceedings under the Convention.

Sec. 705. Direct request.

New § 46-357.05

(a) A petitioner may file a direct request seeking establishment or modification of a support order or determination of parentage of a child. In the proceeding, the law of the District applies.

(b) A petitioner may file a direct request seeking recognition and enforcement of a support order or support agreement. In the proceeding, sections 706 through 713 apply.

(c) In a direct request for recognition and enforcement of a Convention support order or foreign support agreement:

(1) A security, bond, or deposit is not required to guarantee the payment of costs and expenses; and

(2) An obligee or obligor that in the issuing country has benefited from free legal assistance is entitled to benefit, at least to the same extent, from any free legal assistance provided for by the law of the District under the same circumstances.

(d) A petitioner filing a direct request is not entitled to assistance from the Office of the Attorney General.

(e) This title does not prevent the application of laws of the District that provide simplified, more expeditious rules regarding a direct request for recognition and enforcement of a foreign support order or foreign support agreement.

Sec. 706. Registration of Convention support order. **New § 46-357.06**

(a) Except as otherwise provided in this title, a party who is an individual or a support enforcement agency seeking recognition of a Convention support order shall register the order in the District as provided in Title 6.

(b) Notwithstanding sections 311 and 602(a), a request for registration of a Convention support order must be accompanied by:

(1) A complete text of the support order or an abstract or extract of the support order drawn up by the issuing foreign tribunal, which may be in the form recommended by the Hague Conference on Private International Law;

(2) A record stating that the support order is enforceable in the issuing country;

(3) If the respondent did not appear and was not represented in the proceedings in the issuing country, a record attesting, as appropriate, either that the respondent had proper notice of the proceedings and an opportunity to be heard or that the respondent had proper notice of the support order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal;

(4) A record showing the amount of arrears, if any, and the date the amount was calculated;

(5) A record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations; and

(6) If necessary, a record showing the extent to which the applicant received free legal assistance in the issuing country.

(c) A request for registration of a Convention support order may seek recognition and partial enforcement of the order.

(d) A tribunal of the District may vacate the registration of a Convention support order without the filing of a contest under section 707 only if, acting on its own motion, the tribunal finds that recognition and enforcement of the order would be manifestly incompatible with public policy.

(e) The tribunal shall promptly notify the parties of the registration or the order vacating the registration of a Convention support order.

Sec. 707. Contest of registered convention support order. **New § 46-357.07**

(a) Except as otherwise provided in this title, sections 605 through 608 apply to a contest of a registered Convention support order.

(b) A party contesting a registered Convention support order shall file a contest not later than 30 days after notice of the registration, but if the contesting party does not reside in the United States, the contest must be filed not later than 60 days after notice of the registration.

(c) If the nonregistering party fails to contest the registered Convention support order by the time specified in subsection (b) of this section, the order is enforceable.

(d) A contest of a registered Convention support order may be based only on grounds set forth in section 708. The contesting party bears the burden of proof.

(e) In a contest of a registered Convention support order, a tribunal of the District:

(1) Is bound by the findings of fact on which the foreign tribunal based its jurisdiction; and

(2) May not review the merits of the order.

(f) A tribunal of the District deciding a contest of a registered Convention support order shall promptly notify the parties of its decision.

(g) A challenge or appeal, if any, does not stay the enforcement of a Convention support order unless there are exceptional circumstances.

Sec. 708. Recognition and enforcement of registered convention support order. **New § 46-357.08**

(a) Except as otherwise provided in subsection (b) of this section, a tribunal of the District shall recognize and enforce a registered Convention support order.

(b) The following grounds are the only grounds on which a tribunal of the District may refuse recognition and enforcement of a registered Convention support order:

(1) Recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard;

(2) The issuing tribunal lacked personal jurisdiction consistent with section 201;

(3) The order is not enforceable in the issuing country;

(4) The order was obtained by fraud in connection with a matter of procedure;

(5) A record transmitted in accordance with section 706 lacks authenticity or integrity;

(6) A proceeding between the same parties and having the same purpose is pending before a tribunal of the District and that proceeding was the first to be filed;

(7) The order is incompatible with a more recent support order involving the same parties and having the same purpose if the more recent support order is entitled to recognition and enforcement under this act in the District;

(8) Payment, to the extent alleged arrears have been paid in whole or in part;

(9) In a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(A) If the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or

(B) If the law of that country does not provide for prior notice of the proceedings, the respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or

(10) The order was made in violation of section 711.

(c) If a tribunal of the District does not recognize a Convention support order under subsection (b)(2), (4), or (9) of this section:

(1) The tribunal may not dismiss the proceeding without allowing a reasonable time for a party to request the establishment of a new Convention support order; and

(2) The Office of the Attorney General shall take all appropriate measures to request a child-support order for the obligee if the application for recognition and enforcement was received under section 704.

Sec. 709. Partial enforcement. **New § 46-357.09**

If a tribunal of the District does not recognize and enforce a Convention support order in its entirety, it shall enforce any severable part of the order. An application or direct request may seek recognition and partial enforcement of a Convention support order.

Sec. 710. Foreign support agreement. **New § 46-357.10**

(a) Except as otherwise provided in subsections (c) and (d) of this section, a tribunal of the District shall recognize and enforce a foreign support agreement registered in the District.

(b) An application or direct request for recognition and enforcement of a foreign support agreement must be accompanied by:

(1) A complete text of the foreign support agreement; and

(2) A record stating that the foreign support agreement is enforceable as an order of support in the issuing country.

(c) A tribunal of the District may vacate the registration of a foreign support agreement only if, acting on its own motion, the tribunal finds that recognition and enforcement would be manifestly incompatible with public policy.

(d) In a contest of a foreign support agreement, a tribunal of the District may refuse recognition and enforcement of the agreement if it finds:

(1) Recognition and enforcement of the agreement is manifestly incompatible with public policy;

(2) The agreement was obtained by fraud or falsification;

(3) The agreement is incompatible with a support order involving the same parties and having the same purpose in the District, another state, or a foreign country if the support order is entitled to recognition and enforcement under this act in the District; or

(4) The record submitted under subsection (b) of this section lacks authenticity or integrity.

(e) A proceeding for recognition and enforcement of a foreign support agreement must be suspended during the pendency of a challenge to or appeal of the agreement before a tribunal of another state or a foreign country.

Sec. 711. Modification of convention child-support order. **New § 46-357.11**

(a) A tribunal of the District may not modify a Convention child-support order if the obligee remains a resident of the foreign country where the support order was issued unless:

(1) The obligee submits to the jurisdiction of a tribunal of the District, either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity; or

(2) The foreign tribunal lacks or refuses to exercise jurisdiction to modify its support order or issue a new support order.

(b) If a tribunal of the District does not modify a Convention child-support order because the order is not recognized in the District, section 708(c) applies.

Sec. 712. Personal information; limit on use. **New § 46-357.12**

Personal information gathered or transmitted under this title may be used only for the purposes for which it was gathered or transmitted.

Sec. 713. Record in original language; English translation. **New § 46-357.13**

A record filed with a tribunal of the District under this title must be in the original language and, if not in English, must be accompanied by an English translation.

TITLE 8. INTERSTATE RENDITION **New Subchapter VIII**

Sec. 801. Grounds for rendition. **New § 46-358.01**

(a) For purposes of this title, "governor" includes an individual performing the functions of governor or the executive authority of a state covered by this act.

(b) The Mayor may:

(1) Demand that the governor of another state surrender an individual found in the other state who is charged criminally in the District with having failed to provide for the support of an obligee; or

(2) On the demand of the governor of another state, surrender an individual found in the District who is charged criminally in the other state with having failed to provide for the support of an obligee.

(c) A provision for extradition of individuals not inconsistent with this act applies to the demand even if the individual whose surrender is demanded was not in the demanding state when the crime was allegedly committed and has not fled therefrom.

Sec. 802. Conditions of rendition. **New § 46-358.02**

(a) Before making a demand that the governor of another state surrender an individual charged criminally in the District with having failed to provide for the support of an obligee, the Mayor may require a prosecutor of the District to demonstrate that at least 60 days previously the obligee had initiated proceedings for support pursuant to this act or that the proceeding would be of no avail.

(b) If, under this act or a law substantially similar to this act, the governor of another state makes a demand that the Mayor surrender an individual charged criminally in that state with having failed to provide for the support of a child or other individual to whom a duty of support is owed, the Mayor may require a prosecutor to investigate the demand and report whether a proceeding for support has been initiated or would be effective. If it appears that a proceeding would be effective but has not been initiated, the Mayor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(c) If a proceeding for support has been initiated and the individual whose rendition is demanded prevails, the Mayor may decline to honor the demand. If the petitioner prevails and the individual whose rendition is demanded is subject to a support order, the governor may decline to honor the demand if the individual is complying with the support order.

TITLE 9. MISCELLANEOUS PROVISIONS

New Subchapter IX New § 46-359.01

Sec. 901. Uniformity of application and construction.

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Reserve, § 46-359.02 Repeal §§ 46-301.01 – 46-309.01

Sec. 902. Repealer.

The Uniform Interstate Family Support Act of 1995, effective February 9, 1996 (D.C. Law 11-81; D.C. Official Code § 46-301.01 *et seq.*), is repealed.

New § 46-359.03

Sec. 903. Applicability.

This act applies to proceedings begun on or after the effective date of this act to establish a support order or determine parentage of a child or to register, recognize, enforce, or modify a prior support order, determination, or agreement, whenever issued or entered.

Sec. 904. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 905. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-295
Act 21-250 effective December 29, 2015

To amend the Education Licensure Commission Act of 1976 to change the name of the Education Licensure Commission to the Higher Education Licensure Commission, to extend authority to the commission to require institutions physically located outside the District of Columbia offering postsecondary degree-granting or non-degree-granting online programs or courses to District of Columbia residents physically in the District to be licensed in the District, to permit members of the commission to serve in a hold-over capacity for no more than 180 days after expiration of their second full consecutive term, to provide the commission with the authority to enter into reciprocity agreements with regards to online courses, and to authorize the commission to impose alternative sanctions for violations of provisions of the act or regulations promulgated under the authority of the act; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the annual compensation of members of the Higher Education Licensure Commission from $4,000 to $8,000; to amend the State Education Office Establishment Act of 2000 to designate the Office of the State Superintendent of Education the state portal agency for state authorization reciprocity; and to amend the Office of Administrative Hearings Establishment Act of 2001 to make a conforming amendment.

Codification District of Columbia Official Code 2001 Edition

Higher Education Licensure Commission Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Higher Education Licensure Commission Amendment Act of 2015”.

Sec. 2. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

Amend § 38-1302

(a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

(1) Paragraph (7) is amended by striking the phrase "by personal attendance or correspondence" and inserting the phrase "by personal attendance, online instruction, or by other means" in its place.

(2) Paragraph (10) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase “Higher Education Licensure Commission” in its place.

(3) New paragraphs (15) and (16) are added to read as follows:

“(15)(A) "Online instruction" means education, whether known as virtual class, correspondence course, distance learning, or other like term, where the learner and instructor are not physically in the same place at the same time, that is delivered through an electronic medium such as the Internet, Web-based form, or real time or recorded video or digital form, and that is offered or provided by an educational institution to District residents who are physically present in the District.

“(B) The education provided pursuant to subparagraph (A) of this paragraph shall be deemed delivered through an online presence in the District.

"(16) "Online presence" means the delivery of online instruction by an educational institution.".

Amend § 38-1303

(b) Section 3 (D.C. Official Code § 38-1303) is amended by striking the phrase "Education Licensure Commission" wherever it appears and inserting the phrase "Higher Education Licensure Commission" in its place.

Amend § 38-1304

(c) Section 4 (D.C. Official Code § 38-1304) is amended as follows:

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Subsection (b) is amended by striking the phrase "2 consecutive terms" and inserting the phrase "2 consecutive terms; provided, that a member may serve in a hold-over capacity for no more than 180 days after the expiration of the member's second full consecutive term" in its place.

Amend § 38-1305

(d) The section heading for section 5 (D.C. Official Code § 38-1305) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

Amend § 38-1306

(e) Section 6 (D.C. Official Code § 38-1306) is amended as follows:

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) A new subsection (b-1) is added to read as follows:

"(b-1) An educational institution licensed by the Commission shall be subject to the laws and regulations that govern degree-granting and non-degree-granting institutions in the District, including those governing the complaint process.".

(3) Subsection (e)(2) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

Amend § 38-1307

(f) Section 7 (D.C. Official Code § 38-1307) is amended as follows:

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Paragraph (3)(C) is amended by striking the word "and".

(3) Paragraph (4) is amended by striking the period and inserting a semicolon in its place.

(4) New paragraphs (5) and (6) are added to read as follows:

"(5) Have the authority to enter into agreements with other jurisdictions as it relates to the licensing of postsecondary educational institutions that provide degree-granting or non-degree-granting instruction to residents of the District; and

"(6) Have the authority to enter into agreements with degree-granting educational institutions operating in the District of Columbia that are otherwise conditionally exempt pursuant to section 10 for the purpose of ensuring consistent consumer protection in interstate distance education delivery of higher education.".

Amend § 38-1309

(g) Section 9 (D.C. Official Code § 38-1309) is amended as follows:

(1) Subsection (a)(2) is amended by striking the phrase "pursuant to section 99 of the District of Columbia Business Corporation Act, approved June 8, 1954 (68 Stat. 219; D.C. Official Code § 29-101.99), or section 64 of the District of Columbia Nonprofit Corporation Act, approved August 6, 1962 (76 Stat. 290; D.C. Official Code § 29-301.64)," and inserting the phrase "pursuant to Chapter 1 of Title 29 of the District of Columbia Official Code" in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1) An educational institution that is providing degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District and shall be licensed by the Commission.".

(3) Subsection (c-1)(1) is amended by striking the phrase "Education Licensure Commission ("Commission")" and inserting the word "Commission" in its place.

(4) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "; and" and inserting a period in its place.

(B) Paragraph (2) is repealed.

(5) Subsection (e) is amended by striking the phrase "done by correspondence." and inserting the phrase "done solely through online instruction." in its place.

(h) Section 12 (D.C. Official Code § 38-1312) is amended as follows: **Amend § 38-1312**

(1) A new subsection (a-1) is added to read as follows:

"(a-1) The Commission may impose civil fines and penalties as alternative sanctions for violations of the provisions of this act or of rules promulgated under the authority of this act, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Enforcement and adjudication of a violation shall be pursuant to the Civil Infractions Act.".

(2) Subsection (c) is amended by striking the phrase "Corporation Counsel of" and inserting the phrase "Office of the Attorney General for" in its place.

(i) Section 12a (D.C. Official Code § 38-1313) is amended as follows: **Amend § 38-1313**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission." in its place.

(2) Subsection (a) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(3) Subsection (b) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

Sec. 3. Section 1108(c-2)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(2)), is amended as follows: **Amend § 1-611.08**

(a) Strike the phrase "Education Licensure Commission" and insert the phrase "Higher Education Licensure Commission" in its place.

(b) Strike the phrase "$4,000" and insert the phrase "$8,000" in its place.

Sec. 4. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), is amended as follows:

Amend § 38-2602

(a) Section 3(b)(6) (D.C. Official Code § 38-2602(b)(6)) is amended to read as follows:

"(6) Oversee the functions and activities of the Higher Education Licensure Commission, established by section 3 of the Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1303), including acting as the state portal agency for the purposes of state authorization reciprocity;".

Amend § 38-2607

(b) Section 7a (D.C. Official Code § 38-2607) is amended as follows:

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Subsection (a) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(3) Subsection (b) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission ("Commission")" in its place.

(4) Subsection (c) is amended by striking the phrase "Education Licensure".

Amend § 2-1831.03

Sec. 5. Section 6 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by adding a new subsection (b-9) to read as follows:

"(b-9) In addition to those cases described in subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-6), (b-7), and (b-8), this act shall apply to adjudicated cases involving a civil fine or penalty imposed by the Higher Education Licensure Commission under section 12(a-1) of the Education Licensure Commission Act of 1976, effective March 16, 1989 (D.C. Law 7-217; D.C. Official Code § 38-1312(a-1)).".

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-352
Act 21-251 effective December 29, 2015

To amend the Homeless Services Reform Act of 2005 to authorize the Mayor to place a family that does not have a safe-housing alternative in a temporary interim eligibility placement pending a determination of eligibility for shelter and an assessment of the supportive services necessary to assist the family in obtaining sustainable permanent housing, to authorize the Mayor to provide shelter to a family in a private room meeting certain minimum standards and constructed for the purpose of closing the District of Columbia General Family Shelter, to add an expedited appeals process for a family that is denied eligibility for shelter following an interim eligibility placement, and to provide that a family may continue in an interim eligibility placement pending the outcome of an appeal of a denial of eligibility for shelter.

Codification District of Columbia Official Code 2001 Edition

Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015".

Amend § 4-751.01

Sec. 2. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 4-751.01) is amended as follows:

(1) A new paragraph (11A) is added to read as follows:

"(11A) "DC General Family Shelter replacement unit" means a private room that includes space to store and refrigerate food and is constructed by or at the request of the District for the purpose of sheltering a homeless family.".

(2) Paragraph (25A) is redesignated as paragraph (25B).

(3) A new paragraph (25A) is added to read as follows:

"(25A) "Interim eligibility placement" means a short-term shelter placement for a family, for the purpose of conducting an in-depth assessment to facilitate an eligibility determination for shelter and appropriate supportive services pursuant to section 8(a).".

(4) A new paragraph (28A) is added to read as follows:

"(28A) "Private room" means a part or division of a building that has:

"(A) Four non-portable walls that meet the ceiling and floor at the edges so as to be continuous and uninterrupted; provided, that the room may contain a window if the window comes with an opaque covering, such as blinds or shades;

"(B) A door that locks from both the inside and outside as its main point of access;

"(C) Sufficient insulation from sound so that family members sheltered in the room may have a conversation at a normal volume and not be heard from the exterior;

"(D) Lighting within the room that the occupants can turn on or off as desired; and

"(E) Access to on-site bathroom facilities, including a toilet, sink, and shower.".

Amend § 4-753.01

(b) Section 7(d) (D.C. Official Code § 4-753.01(d)) is amended to read as follows:

"(d)(1) Except as provided in paragraph (2) of this subsection, when the Mayor places a family in shelter pursuant to this act, the shelter shall be one or more apartment-style units, or one or more DC General Family Shelter replacement units.

"(2) If an apartment-style unit or a DC General Family Shelter replacement unit is not available when the Mayor places a family in shelter pursuant to this act, the Mayor may place that family in one or more private rooms that are not apartment-style units or DC General Family Shelter replacement units.

"(3) Buildings composed of DC General Family Shelter replacement units shall include, at minimum:

"(A) A private bathroom, including a toilet, sink, and bathtub or shower, in at least 10% of the DC General Family Shelter replacement units;

"(B) For every 5 DC General Family Shelter replacement units, one private, lockable bathroom that includes a toilet, sink, and bathtub and shall be accessible to all residents; and

"(C) At least 2 multi-fixture bathrooms per floor that shall include multiple toilets, sinks, and showers.

"(4) The Mayor shall maintain within the District's shelter inventory a minimum of 121 apartment-style units.

"(5) Once constructed, the Mayor shall maintain within the District's shelter inventory a minimum of 280 DC General Family Shelter replacement units.".

Amend § 4-753.02

(c) Section 8 (D.C. Official Code § 4-753.02) is amended by adding a new subsection (c-1) to read as follows:

"(c-1)(1) If eligibility for a family seeking shelter cannot be determined pursuant to subsection (a) of this section on the business day on which the family applies for shelter, the Mayor may place the family in an interim eligibility placement for a period not to exceed 3 days.

"(2) The Mayor may extend an interim eligibility placement no more than 3 times; provided, that an interim eligibility placement shall not exceed a period of 12 days, except as otherwise provided in paragraph (6) of this subsection and section 9(a)(20).

"(3) The Mayor shall issue an eligibility determination pursuant to subsection (a) of this section to a family placed in an interim eligibility placement within 12 days of the start of the interim eligibility placement.

"(4) If the Mayor does not issue an eligibility determination within 12 days of the start of an interim eligibility placement, the interim eligibility placement shall conclude and the family shall be considered eligible for shelter.

"(5) If the Mayor determines that a family in an interim eligibility placement is eligible for shelter, the Mayor shall place that family in shelter, subject to the requirements of section 7(d).

"(6) If the Mayor determines that a family in an interim eligibility placement is ineligible for shelter pursuant to subsection (a) of this section, because the Mayor determines that the family has access to safe housing or for another reason, the interim eligibility placement shall conclude on the date indicated in the written notice issued pursuant to section 19(b-1), unless the family has filed a timely fair hearing request pursuant to section 26.

"(7) The Mayor may consider a family that was placed in an interim eligibility placement, but was determined to be ineligible for shelter because the family has access to other safe housing, for the same housing and case management services offered by the Department to family shelter residents.

"(8) If the Mayor determines that a family placed in an interim eligibility placement is ineligible for shelter because the family has access to safe housing, and the family subsequently loses access to that safe housing within 14 days of the Mayor's determination, the Mayor shall place the family in shelter if the Mayor determines that:

"(A) The family is participating in prevention and diversion services; and

"(B) The family has no access to other safe housing that complies with paragraph (9) of this subsection.

"(9) For purposes of determining the eligibility of a family in an interim eligibility placement for shelter pursuant to subsection (a) of this section, safe housing, in addition to meeting the definition of "safe housing" set forth in section 2(32A), shall satisfy the following criteria:

"(A) The family shall be expected to have access to the safe housing for at least 14 days; and

"(B) To the best of the provider's knowledge, the family's presence in the safe housing shall not imminently jeopardize the tenancy of any household already occupying the safe housing.

"(10) Other than during a hypothermia alert, no provision under this subsection shall be construed to require the Mayor to provide shelter to a family if there is no existing capacity in the shelter system or if the Department has exhausted its appropriation for family shelter services.".

Amend § 4-754.11

(d) Section 9 (D.C. Official Code § 4-754.11) is amended as follows:

(1) Paragraph (18) is amended by striking the phrase "suspension or termination; and" and inserting the phrase "suspension or termination;" in its place.

(2) Paragraph (19)(F) is amended by striking the phrase "expression." and inserting the phrase "expression; and" in its place.

(3) A new paragraph (20) is added to read as follows:

"(20) Continuation of a family's interim eligibility placement, pending the outcome of a fair hearing requested pursuant to section 26, if the family requests a fair hearing within 48 hours or before the close of the next business day, whichever occurs later, following

receipt of written notice provided pursuant to section 19(b-1) of a denial of an application for shelter following an interim eligibility placement.".

(e) Section 19 (D.C. Official Code § 4-754.33) is amended as follows: **Amend § 4-754.33**

(1) A new subsection (b-1) is added to read as follows:

"(b-1) All providers shall give to any client in an interim eligibility placement prompt oral and written notice that the Mayor has denied eligibility for shelter placement and that the interim eligibility placement will end 48 hours or at the close of the next business day, whichever occurs later, following the client's receipt of the written notice.".

(2) A new subsection (d-1) is added to read as follows:

"(d-1) Any written notice issued pursuant to subsection (b-1) of this section must be served upon the client and shall include:

"(1) A clear statement of the denial;

"(2) A clear and detailed statement of the factual basis for the denial, including the date or dates on which the basis or bases for the denial occurred;

"(3) A reference to the statute, regulation, policy, or Program Rule pursuant to which the denial is being implemented;

"(4) A clear and complete statement of the client's right to appeal the denial through fair hearing proceedings pursuant to section 26 and administrative review proceedings pursuant to section 27, including the appropriate deadlines for instituting the appeal; and

"(5) A statement of the client's right, if any, to continuation of an interim eligibility placement pending the outcome of any appeal, pursuant to section 9(20).".

(f) Section 26 (D.C. Official Code § 4-754.41) is amended as follows: **Amend § 4-754.41**

(1) Subsection (b)(2) is amended as follows:

(A) Subparagraph (C) is amended by striking the word "or".

(B) A new subparagraph (E) is added to read as follows:

"(E) Deny eligibility for shelter following an interim eligibility placement; or".

(2) A new subsection (d-1) is added to read as follows:

"(d-1) In accordance with section 9(20), any client in an interim eligibility placement who requests a fair hearing within 48 hours or before the close of the next business day, whichever occurs later, of receipt of written notice of a denial of eligibility for shelter placement shall continue in that interim eligibility placement pending a final decision from the fair hearing proceedings.".

(3) Subsection (f) is amended as follows:

(A) Paragraph (2) is amended by striking the word "and".

(B) Paragraph (3) is amended as follows:

(i) Subparagraph (B) is amended by striking the word "and" at the end.

(ii) Subparagraph (C) is amended to read as follows:

"(C) Except as provided in subparagraph (D) of this paragraph, the Administrative Law Judge shall issue a final decision within 15 days following the completion of the hearing; and".

(iii) A new subparagraph (D) is added to read as follows:

"(D) The Administrative Law Judge shall issue a final decision in a review requested pursuant to subsection (b)(2)(E) of this section within 96 hours, not including weekends or holidays, following the completion of the hearing; and".

(C) A new paragraph (4) is added to read as follows:

"(4) For a fair hearing requested from the Office of Administrative Hearings pursuant to subsection (b)(2)(E) of this section, the following additional requirements shall apply:

"(A) The fair hearing shall be held no later than 4 business days after the Office of Administrative Hearings receives an administrative review decision issued pursuant to section 27; and

"(B) If a party fails to appear, the Administrative Law Judge designated to conduct the hearing may enter a default decision in favor of the party present; provided, that the default decision may be set aside only for good cause shown, and upon equitable terms and conditions.".

Amend § 4-754.42

(g) Section 27 (D.C. Official Code § 4-754.42) is amended as follows:

(1) A new subsection (b-1) is added to read as follows:

"(b-1) An administrative review of a denial of an application for shelter following an interim eligibility placement, conducted pursuant to subsection (a) of this section, shall be completed and a decision rendered no later than 4 business days following receipt of the administrative review request, except upon a showing of good cause as to why such deadline cannot be met. If good cause is shown, a decision shall be rendered as soon as possible thereafter. If an extension of time for review is required for good cause, written notice of the extension shall be provided to the client or client representative prior to the commencement of the extension.".

(2) A new subsection (c-1) is added to read as follows:

"(c-1) The administrative review of a denial of an application for shelter following an interim eligibility placement conducted in accordance with subsection (b-1) shall not be waived; provided, that the Office of Administrative Hearings may grant a fair hearing prior to the completion of the administrative review, on proper notice to all parties, to decide if a notice required by section 19, other than a notice of an emergency action, has not been given or is invalid on its face.".

(3) A new subsection (e) is added to read as follows:

"(e) Each administrative review decision shall be in writing and shall contain a detailed statement of the basis for the decision. It shall include a comprehensive evaluation of the issues and clearly delineate the legal basis, if the decision upholds denial of shelter placement.".

New § 4-756.04

(h) A new section 31b is added to read as follows:

"Sec. 31b. Interim eligibility reporting requirement.

"The Department, no later than February 1 of each year, shall provide a report to the Council of the District of Columbia and the Interagency Council on Homelessness that shall include the following information:

"(1) Number of families placed in an interim eligibility placement;

"(2) Average length of stay in an interim eligibility placement;

"(3) Number of eligibility denials during and subsequent to an interim eligibility placement;

"(4) Number of appeals of eligibility determinations during and subsequent to an interim eligibility placement;

"(5) Number of interim eligibility appeals resolved via administrative review;

"(6) Average time for issuance of decision for review of interim eligibility appeal via administrative review;

"(7) Number of interim eligibility appeals brought to the Office of Administrative Hearings;

"(8) Average time for issuance of decision for review of interim eligibility appeal via the Office of Administrative Hearings; and

"(9) Final placement outcome for each family placed into an interim eligibility placement.".

Amend §§ 4-751.01, 4-753.01, 4-754.11, 4-755.01

Sec. 3. The Dignity for Homeless Families Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-212; 62 DCR 4483), is repealed.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-77, effective March 9, 2016
[Delayed Applicability]

AN ACT

Bill 21-5
Act 21-259 effective January 12, 2016

To amend the Student Access to Treatment Act of 2007 to authorize public schools to possess and administer epinephrine injectors and to require the Office of the State Superintendent of Education to establish and administer an undesignated epinephrine auto-injector plan; and to amend the District of Columbia Health Occupations Revision Act of 1985 and the State Education Office Establishment Act of 2000 to make conforming amendments.

Codification District of Columbia Official Code 2001 Edition

Access to Emergency Epinephrine in Schools Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Access to Emergency Epinephrine in Schools Amendment Act of 2015".

Sec. 2. The Student Access to Treatment Act of 2007, effective February 2, 2008 (D.C. Law 17-107; D.C. Official Code § 38-651.01 *et seq.*), is amended as follows:

Amend § 38-651.01

(a) Section 2 (D.C. Official Code § 38-651.01) is amended as follows:

(1) New paragraphs (3A) and (3B) are added to read as follows:

"(3A) "OSSE" means the Office of the State Superintendent of Education established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601).

"(3B) "Public school" means a District of Columbia Public Schools school or a public charter school. The term "public school" excludes any parochial school or private school in the District.".

(2) New paragraphs (6) and (7) are added to read as follows:

"(6) "Undesignated epinephrine auto-injector" means a disposable drug delivery system with a spring-activated needle, which is obtained without a prescription for a particular person, that is designed for the emergency administration of epinephrine to a person suffering an episode of anaphylaxis.

"(7) "UEA plan" means the undesignated epinephrine auto-injector plan established pursuant to section 5a.".

Amend § 38-651.03

(b) Section 4(a)(1)(B) (D.C. Official Code § 38-651.03(a)(1)(B)) is amended by striking the phrase "responsible person" and inserting the phrase "responsible person, or, if the student is 18 years of age or older, another adult suitable to serve as an emergency contact" in its place.

New § 38-651.04a

(c) A new section 5a is added to read as follows:

"Sec. 5a. Student access to epinephrine.

"(a) OSSE shall establish and administer an undesignated epinephrine auto-injector plan that authorizes a public school to possess and administer undesignated epinephrine auto-injectors.

"(b)(1) By June 1, 2016, the Department of Health shall obtain a standing order signed by at least one practicing physician, physician assistant, or advanced practice nurse licensed in the District to permit public schools to use undesignated epinephrine auto-injectors in emergency circumstances.

"(2) By July 1, 2016, OSSE shall develop and implement an epinephrine administration training program, which shall provide training and certification of employees and agents of a public school on the storage and emergency use of an undesignated epinephrine auto-injector on a person suffering an episode of anaphylaxis.

"(3) Upon implementation of the UEA plan, each public school shall ensure that it has at least 2 employees or agents certified in the use of an undesignated epinephrine auto-injector who are available to administer epinephrine during all hours of the school day.

"(4) For the purposes of this subsection, the term "certified" means an individual who has obtained a certificate of completion of the epinephrine administration training that is developed and implemented by OSSE and approved by the Mayor.

"(c)(1) Under the UEA plan, OSSE shall:

"(A) Implement the UEA plan, with guidance from the Department of Health;

"(B) Procure and distribute undesignated epinephrine auto-injectors to public schools for use in emergency circumstances;

"(C) Monitor the supply of undesignated epinephrine auto-injectors, including ensuring that the supply is restocked as auto-injectors are used;

"(D) Ensure the destruction of expired undesignated epinephrine auto-injectors at public schools; and

"(E) Maintain records regarding the procurement, distribution, and disposition of undesignated epinephrine auto-injectors for 3 years.

"(2)(A) A public school shall store undesignated epinephrine auto-injectors in a secure but easily accessible location in accordance with the manufacturer's instructions.

"(B) Each public school shall maintain, at all times, no fewer than 2 unexpired undesignated epinephrine auto-injectors of each dosage available through the UEA plan.

"(d)(1) An employee or agent of a public school who is certified pursuant to this section may administer an undesignated epinephrine auto-injector to a student who the employee or agent believes in good faith to be suffering or about to suffer an anaphylactic episode.

"(2) Undesignated epinephrine auto-injectors may be used on public school property, including the school building, playground, and school bus, as well as during field trips or sanctioned excursions away from public school property. The certified employee or agent of the public school may carry an appropriate supply of the public school's undesignated epinephrine auto-injectors on field trips or excursions.

"(3) Within 24 hours of the administration of an undesignated epinephrine auto-injector, the public school shall notify OSSE and the physician, physician assistant, or

advance practice nurse who provided the standing order for the undesignated epinephrine auto-injector of its use.

"(4) As soon as practicable following the administration of medication pursuant to this section, the public school shall inform the student's responsible person that the medication was administered.".

Amend § 38-651.06

(d) Section 7(d) (D.C. Official Code § 38-651.06(d)) is amended by striking the phrase "a minor" and inserting the word "the" in its place.

Amend § 38-651.09

(e) Section 10(a) (D.C. Official Code § 38-651.09(a)) is amended as follows:

(1) Strike the phrase "A school" and insert the phrase "Except as provided in section 5a, a school" in its place.

(2) Strike the phrase ", anaphylaxis,".

Amend § 38-651.11

(f) Section 12 (D.C Official Code § 38-651.11) is amended by striking the phrase "The District, a school, or an employee or agent of a school" and inserting the phrase "The District, a school, an employee or agent of a school, or the practicing physician, physician assistant, or advanced practice nurse who has issued the standing order pursuant to this act" in its place.

Amend § 38-651.12

(g) Section 13 (D.C. Official Code § 38-651.12) is amended by adding a new subsection (d) to read as follows:

"(d) By August 1, 2016, pursuant to the authority granted by section 3(b)(11) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(11)), OSSE, in consultation with the Department of Health, shall issue rules to implement the provisions of section 5a, including establishing a protocol for record keeping whenever epinephrine is administered pursuant to section 5a.".

Sec. 3. Conforming amendments.

Amend § 3-1201.02

(a) Section 102(11)(B)(iii) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.02(11)(B)(iii)), is amended by striking the phrase "of the person for whom" and inserting the phrase "of the person for whom or, with respect to auto-injectable epinephrine, the school to which" in its place.

Amend § 38-2602

(b) Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows

(1) Paragraph (22) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) Paragraph (23) is amended by striking the period at the end and inserting the phrase "; and" in its place.

(3) A new paragraph (24) is added to read as follows:

"(24) Procure, distribute, and maintain the undesignated epinephrine auto-injector supply and fulfill its other responsibilities as required by the Student Access to Treatment Act of 2007, effective February 2, 2008 (D.C. Law 17-107; D.C. Official Code § 38-651.01 *et seq.*).".

Delayed Applicability

Sec. 4. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-70
Act 21-260 effective January 12, 2016

To amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to clarify that the posting requirement in section 5a is satisfied by posting the initial vacant or blight determination.

Codification District of Columbia Official Code 2001 Edition

Nuisance Abatement Notice Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nuisance Abatement Notice Amendment Act of 2015".

Amend § 42-3131.05a

Sec. 2. Section 5a of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective August 15, 2008 (D.C. Law 17-216; D.C. Official Code § 42–3131.05a), is amended by striking the phrase "Notice shall also be posted on the vacant building" and inserting the phrase "Notice of the initial vacant or blighted property determination shall also be posted on the vacant building" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

AN ACT

Bill 21-113
Act 21-261
effective January 12, 2016

To amend the Vending Regulation Act of 2009 to clarify that the Mayor may establish exemptions from licensure requirements, and to maintain criminal penalties provisions for a violation of the act or a vending regulation.

Codification District of Columbia Official Code 2001 Edition

Vending Regulations Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vending Regulations Amendment Act of 2015".

Sec. 2. The Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.01 *et seq*.), is amended as follows:

Amend § 37-131.02

(a) Section 3 (D.C. Official Code § 37-131.02) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended by striking the word "and"

(B) Paragraph (3) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new paragraph (4) is added to read as follows:

"(4) A person or entity authorized to vend from public space without a license pursuant to subsection (d) of this section.".

(2) A new subsection (d) is added to read as follows:

"(d) The Mayor may establish by regulation exemptions from the licensure requirement for a person, entity, or categories of persons or entities to vend from public space without a basic business license when the public interest would be served by establishing such an exemption.".

Amend § 37-131.08

(b) Section 9 (D.C. Official Code § 37-131.08) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b) Any person who violates any of the provisions of this act or any regulations issued pursuant to this act shall, upon conviction, be subject to a fine not to exceed the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), imprisonment not to exceed 90 days, or both, for each violation.".

DCMR

Sec. 3. Chapter 5 of Title 24 of the District of Columbia Municipal Regulations is amended as follows:

(a) A new section 573.8 is added to read as follows:

"573.8 No person shall sell or offer to sell any ticket from the sidewalks, streets, or public spaces anywhere in the District of Columbia for any excursion, musical or theatrical performance, opera, sporting event, circus, or any entertainment of any kind; provided, that sales of tickets on public space for sightseeing bus excursions shall comply with the provisions of §§ 573.5, 573.6, and 573.7.".

(b) A new section 573A is added to read as follows:

"573A Vending: Ticket Sales

"573A.1 Notwithstanding § 573, the DCRA Director in consultation with the Metropolitan Police Department and after consultation with any associated entertainment venue may establish a Ticket Resale Zone (TRZ) on a sidewalk, street, or other public space within which the sale of tickets may be authorized by the DCRA Director after approval from DDOT pursuant to § 501.2(b). A TRZ shall not be established within 1000 feet of an entertainment venue if the establishment thereof is objected to by the venue operator.

"573A.2 The Director of DCRA shall establish a TRZ by publishing a notice in the *D.C. Register* setting forth the location of the TRZ. The notice shall be published at least seven (7) days before the zone will be used for ticket sales.

"573A.3 The Director of DCRA may rescind the designation of an area as a TRZ by publishing a notice of rescission in the *D.C. Register*; provided, that the DDOT Director may rescind the designation of an area as a TRZ before publication of such a notice by posting notices of rescission at the TRZ.

"573A.4 DCRA may issue Vending Site Permits authorizing persons holding Class D Vending Licenses for ticket sales to sell tickets in a TRZ according to the provisions of this chapter.

"573A.5 A Vending Site Permit authorizing the sale of tickets from a TRZ shall specify the:

"(a) Date(s) on which ticket sales are authorized;

"(b) Time(s) during which ticket sales are authorized; and

"(c) Ticket Resale Zone at which ticket sales are authorized.

"573A.6 In order to obtain a Vending Site Permit, a person holding a Class D Vending License for ticket sales shall, by the fifteenth (15th) day of any calendar month, submit, on a form prescribed by the Director of DCRA, a request for any dates that the person desires Vending Site Permits to sell tickets in a TRZ for the following month.

"573A.7 If requests from licensees for Vending Site Permits exceed the number of available permits for a TRZ for a particular date and time, DCRA shall assign the available spaces through a lottery. DCRA shall publish the results of the lottery on the DCRA website.

"573A.8 The venue associated with a TRZ shall, upon request, be granted one (1) Vending Site Permit for any requested event if the request is submitted by the fifteenth (15th) day of the previous calendar month or at the discretion of DCRA.

"573A.9 A person may sell or offer to sell tickets from a TRZ if:

"(a) The person holds a Class D Vending License for ticket sales or is the venue associated with the TRZ;

"(b) The person conspicuously displays his or her Vending Site Permit and Class D Vending License for ticket sales or an identification card provided to a venue by DCRA;

"(c) The person has been issued a Vending Site Permit by DCRA authorizing him or her to sell tickets from the TRZ;

"(d) The person is buying, selling, or offering to buy or sell tickets pursuant to the terms of the Vending Site Permit; and

"(e) The person is buying, selling, or offering to buy or sell tickets for an event scheduled to begin within six (6) hours of the time of sale.

"573A.10 To conduct a sale in a TRZ, a ticket sale licensee must, in addition to operating in compliance with § 573A.9, provide a receipt to the non-licensee on a form prescribed by the Director of DCRA. If both the buyer and seller are licensees, each shall provide a receipt to the other party.

"573A.11 An unlicensed person may sell tickets to a license holder who is operating in a TRZ in accordance with this chapter.

"573A.12 Subject to the hearing provisions of § 573A.13, the Director of DCRA may summarily suspend the Vending Site Permit of a person who violates §§ 573A.9 or 573A.10, and may further determine, in his or her reasonable discretion after providing notice to the person and an opportunity to be heard, that the person whose Vending Site Permit has been suspended shall for up to two (2) years be ineligible for a Vending Site Permit or any similar successor license or permit.

"573A.13 A licensee may appeal a suspension of a Vending Site Permit pursuant to § 573A.12 by:

"(a) Requesting a review from the Director of DCRA or his or her designate, which shall be provided within three (3) business days of receipt of a hearing request. The licensee may appeal any decision reached by DCRA in the review to the Office of Administrative Hearings; or

"(b) Requesting a hearing with the Office of Administrative Hearings, which shall be provided within three (3) business days of receipt of a hearing request.

"573A.14 This section shall expire 90 days after the effective date of the Vending Regulations Amendment Act of 2015, passed on 2nd reading on December 15, 2015 (Enrolled version of Bill 21-113).".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December24,

1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

AN ACT

Bill 21-137
Act 21-262
effective January 12, 2016

To amend the Workforce Job Development Grant-Making Authority Act of 2012 to authorize the Director of the Department of Employment Services to issue grants from funds appropriated to or received by the Department of Employment Services for job development purposes on a continuing basis in accordance with applicable federal and District law, and to repeal the sunset provision.

Codification District of Columbia Official Code 2001 Edition

Workforce Job Development Grant-Making Reauthorization Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Workforce Job Development Grant-Making Reauthorization Amendment Act of 2015".

Sec. 2. The Workforce Job Development Grant-Making Authority Act of 2012, effective April 23, 2013 (D.C. Law 19-269; D.C. Official Code § 1-328.05 *et seq*.), is amended as follows:

Amend § 1-328.05

(a) Section 2(a) (D.C. Official Code § 1-328.05(a)) is amended by striking the phrase "issue competitive grants to" and inserting the phrase "issue grants in accordance with applicable federal and District law to" in its place.

Note, § 1-328.05

(b) Section 3 (D.C. Official Code § 1-328.05, note) is repealed.

Sec. 3. Fiscal impact statement

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-206
Act 21-263
effective January 12, 2016

To amend the Film DC Economic Incentive Act of 2006 to modify the incentives provided to qualified film, television, and entertainment businesses to work in the District of Columbia.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Film DC Economic Incentive Amendment Act of 2015".

Film DC Economic Incentive Amendment Act of 2015

Sec. 2. The Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 2-1204.11 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-1204.11) is amended as follows:

Amend § 2-1204.11

(1) The section heading is amended by striking the phrase "DC Film Incentive Fund" and inserting the phrase "Film, Television and Entertainment Rebate Fund" in its place.

(2) Subsection (a)(1) is amended to read as follows:

"(1)(A) There is established as a special fund the Film, Television and Entertainment Rebate Fund ("Fund"). The Fund shall appear as a separate program line within the budget of the Office of Cable Television, Film, Music, and Entertainment. The Fund shall be funded by annual appropriations.".

(3) Subsection (b) is amended as follows:

(A) The lead-in text is amended as follows:

(i) Strike the phrase "Subject to section 2a" and insert the phrase "Subject to sections 2a, 2b, 2c, 2d, 2e, and 3" in its place.

(ii) Strike the word "equal" and insert the word "up" in its place.

(B) Paragraph (1) is amended by striking the figure "42%" and inserting the figure "35%" in its place.

(C) Paragraph (3) is amended by striking the word "expenditures" and inserting the phrase "expenditures that are subject to taxation in the District" in its place.

(D) A new paragraph (3A) is added to read as follows:

"(3A) The sum of 10% of the company's qualified personnel expenditures that are not subject to taxation in the District;".

(4) Subsection (c) is amended by striking the figure "25%" both times it appears and inserting the phrase "up to 25%" in its place.

(b) Section 2a (D.C. Official Code § 2-1204.11a) is amended as follows:

Amend § 2-1204.11a

(1) Subsection (a) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "development,".

(B) Paragraph (3) is amended by striking the phrase "incentive agreement" and inserting the phrase "rebate agreement" in its place.

(C) Paragraph (4) is amended by striking the word "and".

(D) Paragraph (5) is amended by striking the period and inserting the phrase "; and" in its place.

(E) A new paragraph (6) is added to read as follows:

"(6) Agree to contain a 5-second long "Filmed in the District of Columbia" credit and logo provided by the Mayor in the final production and a link to the District of Columbia on the project's web page, or an alternative recognition agreed upon by the Mayor that offers equal or greater promotional value to the District.".

(2) Subsection (c) is amended by striking the phrase "incentive agreement" both times it appears and inserting the phrase "rebate agreement" in its place.

(3) Subsection (d) is amended by striking the phrase "incentive agreement" and inserting the phrase "rebate agreement" in its place.

Amend § 2-1204.11b

(c) Section 2b (D.C. Official Code § 2-1204.11b) is amended as follows:

(1) Subsection (c) is amended by striking the phrase "incentive agreement" both times it appears and inserting the phrase "rebate agreement" in its place.

(2) Subsection (d) is amended by striking the phrase "incentive agreement" and inserting the phrase "rebate agreement" in its place.

Amend § 2-1204.11c

(d) Section 2c (D.C. Official Code § 2-1204.11c) is amended as follows:

(1) Paragraph (1) is redesignated as paragraph (1A).

(2) A new paragraph (1) is added to read as follows:

"(1) "Above-the-line crew" means a person employed by an eligible production company for a qualified production, such as a producer, director, writer, or actor, who is not otherwise identified as below-the-line crew, as defined in paragraph (2) of this section.".

(3) The newly designated paragraph (1A) is amended by striking the phrase "including fabrication" and inserting the phrase "including renovation, rehabilitation, fabrication," in its place.

(4) Paragraph (4) is amended by striking the phrase "advertising, marketing, distribution,".

(5) Paragraph (7) is repealed.

(6) Paragraph (8) is amended to read as follows:

"(8) "Qualified personnel expenditure" means an expenditure made in the District directly attributable to the preproduction, production, or postproduction of a qualified production and is a payment of wages, benefits, or fees to above-the-line or below-the-line crew members and includes a payment to a personal services corporation or professional employer organization for the services of qualified personnel as above-the-line or below-the-line crew members. The term "qualified personnel expenditure" does not include salary, wages, and other compensation for personal services of above-the-line crew members that when combined exceed $500,000 in salary, wages, or other compensation for personal services in connection with any qualified production activity.".

(7) Paragraph (9) is amended as follows:

(A) The lead-in text is amended by striking the phrase "qualified production." and inserting the phrase "qualified production. The term "qualified production" includes a music, sporting, interactive gaming, or other entertainment special event if it is determined that the event would not otherwise be produced in the District of Columbia without a production rebate." in its place.

(B) Subparagraph (A)(ii) is amended by striking the phrase "event;" and inserting the phrase "event that would likely be staged in the District of Columbia without a production rebate;" in its place.

(8) Paragraph (10) is amended to read as follows:

"(10)(A) "Qualified production expenditure" means the preproduction, production, and postproduction expenditures in the District directly related to the qualified production, including:

"(i) Set construction and operation;

"(ii) Wardrobes, makeup, accessories, and related services;

"(iii) Photography and sound synchronization, lighting, and related services and materials;

"(iv) Editing and related services, including film processing, transfers of film to tape or digital format, sound mixing, computer graphic services, special effects services, and animation services;

"(v) Rental of facilities in the District and equipment used in the District;

"(vi) Establishment of office space in the District;

"(vii) Leasing of vehicles;

"(viii) Food and lodging;

"(ix) Music, if performed, composed, or recorded by a District musician or published by a person or company domiciled in the District; and

"(x) Any other production expense incurred in the District that is approved by the Mayor.

"(B) For goods with a purchase price of $25,000 or more, the amount included in qualifying as a qualified production expenditure is the purchase price less the fair market value of the good at the time the production is completed.

"(C) The term "qualified production expenditure" does not include:

"(i) Qualified personnel expenditures;

"(ii) Marketing and distribution expenditures; or

"(iii) Non-production related overhead.".

(e) Section 2e(b) (D.C. Official Code § 1-1204.11e(b)) is amended as follows: **Amend § 2-1204.11e**

(1) Paragraph (2) is amended by striking the phase "Office of Motion Picture and Television Development" and inserting the phrase "Office of Cable Television, Film, Music, and Entertainment" in its place.

(2) Paragraph (3) is amended by striking the phase "Office of Motion Picture and Television Development" and inserting the phrase "Office of Cable Television, Film, Music, and Entertainment" in its place.

(f) A new section 3a is added to read as follows: **New § 2-1204.13**

"Sec. 3a. References.

"All references in statutes, regulations, rules, orders, and other official documents to the "Film DC Economic Incentive Fund," "Incentive Awardee," and "incentive agreement" shall be deemed to refer, respectively, to the "Film, Television and Entertainment Rebate Fund," "Rebate Awardee" and "rebate agreement".".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-241
Act 21-264
effective January 12, 2016

To amend the Retail Electric Competition and Consumer Protection Act of 1999 and the Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004 to prohibit an electric company or a gas company from disconnecting residential electric or gas service when there is a forecast of extreme temperature.

Codification District of Columbia Official Code 2001 Edition

Extreme Temperature Safety Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extreme Temperature Safety Amendment Act of 2015".

Sec. 2. The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq*.), is amended by adding a new section 106a to read as follows:

New § 34-1506.01

"Sec. 106a. Disconnection of service in extreme temperature prohibited.

"(a) For the purposes of this section, the term "forecast of extreme temperature" means a National Weather Service forecast for the District of Columbia of 95 degrees Fahrenheit or above during any time of a day or of 32 degrees Fahrenheit or below during any time of a day.

"(b) An electric company shall not disconnect residential electric service during the day preceding and the day of a forecast of extreme temperature or if the forecast of extreme temperature precedes a holiday or weekend day, on any day during the holiday or weekend.".

Sec. 3. The Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.01 *et seq.)*, is amended by adding a new section 7a to read as follows:

New § 34-1671.06a

"Sec. 7a. Disconnection of service in extreme temperature prohibited.

"(a) For the purposes of this section, the term "forecast of extreme temperature" means a National Weather Service forecast for the District of Columbia of 32 degrees Fahrenheit or below during any time of a day.

"(b) A gas company shall not disconnect residential gas service during the day preceding and the day of a forecast of extreme temperature or if the forecast of extreme temperature precedes a holiday or weekend day, on any day during the holiday or weekend.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-83, effective March 9, 2016

AN ACT

Bill 21-351
Act 21-265 effective January 12, 2016

To amend Title II of the District of Columbia Administrative Procedure Act to allow public access to certain body-worn camera recordings recorded by the Metropolitan Police Department; to amend the Fiscal Year 2016 Budget Support Act of 2015 to require the Mayor to collect additional data; to establish the Metropolitan Police Department Body-Worn Camera Fund; and to adopt regulations governing the Metropolitan Police Department's Body-Worn Camera Program.

Codification District of Columbia Official Code 2001 Edition

Body-Worn Camera Program Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Body-Worn Camera Program Amendment Act of 2015".

Sec. 2. Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), is amended as follows:

Amend § 2-532

(a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

(1) Subsection (b) is amending by striking the phrase "A public body may establish and collect fees not to exceed the actual cost of searching for, reviewing, and making copies of records." and inserting the phrase "A public body may establish and collect fees not to exceed the actual cost of searching for, reviewing, redacting, and making copies of records." in its place.

(2) Subsection (c) is amended as follows:

(A) The existing text is designated as paragraph (1).

(B) The newly designated paragraph (1) is amended by striking the phrase "A public body" and inserting the phrase "Except as provided in paragraph (2) of this subsection, a public body" in its place.

(C) A new paragraph (2) is added to read as follows:

"(2)(A) If the public record requested is a body-worn camera recording recorded by the Metropolitan Police Department, the Metropolitan Police Department, upon request reasonably describing the recording, shall within 25 days (except Saturdays, Sundays, and legal public holidays) of the receipt of any such request either make the requested recording accessible or notify the person making such request of its determination not to make the requested recording or any part thereof accessible and the reasons therefor.

"(B) A request for a body-worn camera recording may only be submitted to the Metropolitan Police Department.".

(3) Subsection (d) is amended to read as follows:

"(d)(1) In unusual circumstances, the time limits prescribed in subsection (c)(1) and (c)(2) of this section may be extended by written notice to the person making such request setting forth the reasons for extension and expected date for determination. Such extension shall not

exceed 10 days (except Saturdays, Sundays, and legal public holidays) for records requested under subsection (c)(1) of this section and 15 days (except Saturdays, Sundays, and legal public holidays) for records requested under subsection (c)(2) of this section.

"(2) For the purposes of this subsection, and only to the extent necessary for processing of the particular request, "unusual circumstances" are limited to:

"(A) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request;

"(B) The need for consultation, which shall be conducted with all practicable speed, with another public body having a substantial interest in the determination of the request or among 2 or more components of a public body having substantial subject-matter interest therein; or

"(C) For body-worn camera recordings covered by subsection (c)(2) of this section, the inability to procure a vendor that is able to perform the redactions within the 25-day time period provided under subsection (c)(2) of this section.".

Amend § 2-534

(b) Section 204(a) (D.C. Official Code § 2-534(a)) is amended by adding a new paragraph (2A) to read as follows:

"(2A) Any body-worn camera recordings recorded by the Metropolitan Police Department:

"(A) Inside a personal residence; or

"(B) Related to an incident involving domestic violence as defined in section 3032(1) of the Domestic Violence Hotline Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 4-551(1)), stalking as defined in section 503 of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-3133), or sexual assault as defined in D.C. Official Code § 23-1907(a)(7).".

Amend § 5-116.33

Sec. 3. Section 3004(a) of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Paragraph (6) is amended by striking the word "and" at the end.

(b) Paragraph (7) is amended to read as follows:

"(7) How many Freedom of Information Act requests the Metropolitan Police Department received for body-worn camera recordings during the reporting period, the outcome of each request, including any reasons for denial, and the cost to the department for complying with each request, including redaction; and".

(c) A new paragraph (8) is added to read as follows:

"(8) How many recordings were assigned to each body-worn camera recording category.".

New Part 2, Subchapter VIII-B, Chapter 1, Title 5

New § 5-116.51

Sec. 4. Metropolitan Police Department Body-Worn Camera Fund.

(a) There is established as a special fund the Metropolitan Police Department Body-Worn Camera Fund ("Fund"), which shall be administered by the Metropolitan Police Department.

(b) Funds from the following sources shall be deposited into the Fund:

(1) All fees that are paid as part of Freedom of Information Act requests for body-worn camera recordings recorded by the Metropolitan Police Department;

(2) All monies appropriated to the Fund;

(3) Federal grants to the Fund; and

(4) Private monies donated to the Fund.

(c) Money in the Fund shall be used for the purpose of procuring a vendor to perform any necessary redactions of body-worn camera recordings.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

DCMR

Sec. 5. Title 24 of the District of Columbia Municipal Regulations is amended by adding a new Chapter 39 to read as follows:

"3900 GENERAL PROVISONS

"3900.1. The purposes of this chapter are to establish rules for the Metropolitan Police Department's Body-Worn Camera Program ("BWC Program") and to implement section 3003 of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905).

"3900.2. The intent of the BWC Program is to promote accountability and transparency, foster improved police-community relations, and ensure the safety of both MPD members ("members") and the public.

"3900.3. In addition to these regulations, the Chief of Police of MPD may issue policy directives to members; those policy directives shall be published on the Department's website at http://mpdc.dc.gov/page/written-directives-general-orders.

"3900.4. Members shall successfully complete MPD-offered or approved BWC training before being issued a BWC.

"3900.5. When practicable, members shall inform contact subjects that they are being recorded at the beginning of the contact and shall provide language access services to all limited and non-English proficient persons in a timely and effective manner.

"3900.6. Members may record First Amendment assemblies for the purpose of documenting violations of law and police actions, as an aid to future coordination and deployment of law enforcement units, and for training purposes; provided, that recording First Amendment assemblies shall not be conducted for the purpose of identifying and recording the presence of participants who are engaged in lawful conduct.

"3900.7. Members shall not create BWC recordings when they are at a school and are engaged in non-critical contacts with students or mediating minor incidents involving students. For the purposes of this subsection, "school" means a facility devoted to primary or secondary education.

"3900.8. When reviewing BWC recordings, members shall immediately notify Department officials upon observing, or becoming aware of, an alleged violation of Department policies, laws, rules, regulations, or directives.

"3900.9. Members may review their BWC recordings or BWC recordings that have been shared with them to assist in initial report writing, except in cases involving a police shooting.

"3900.10. The Mayor may, on a case-by-case basis in matters of significant public interest and after consultation with the Chief of Police, the United States Attorney's Office for the District of Columbia, and the Office of the Attorney General, release BWC recordings that would otherwise not be releasable pursuant to a FOIA request. Examples of matters of significant public interest include officer-involved shootings, serious use of force by an officer, and assaults on an officer requiring hospitalization.

"3901 RETENTION OF BODY-WORN CAMERA RECORDINGS

"3901.1. Unless subject to the requirements of § 3901.2, a BWC recording shall be retained by the Department for not more than ninety (90) calendar days from the date the recording was created. All metadata shall be retained by the Department for not less than five (5) years.

"3901.2. The Department shall, through a policy directive, establish and make available on its website retention schedules for BWC recordings that contain the following:

"(a) Recordings related to a criminal investigation;

"(b) Recordings involving conduct by a member or civilian employee that is under investigation or the subject of a complaint;

"(c) Recordings related to a death investigation;

"(d) Recordings that the Department has actual or constructive knowledge may be:

"(1) Subject to a civil litigation hold;

"(2) Subject to a FOIA request; or

"(3) Used for training purposes by the Department; and

"(e) Any other category of recordings that the Chief of Police determines should be retained.

"3902. ACCESS TO BODY-WORN CAMERA VIDEO.

"3902.1. The Department shall make unredacted BWC recordings available to the United States Attorney's Office for the District of Columbia, the Office of the Attorney General, and the Office of Police Complaints.

"3902.2. The Department shall make BWC recordings available to law enforcement or investigatory agencies, such as the Office of the Inspector General and the Office of the District of Columbia Auditor, pursuant to the officers' or agencies' official duties. Nothing in this subsection shall be construed to limit those entities' authority under existing law. The cost of any required redactions shall be borne by the Department.

"3902.3. A FOIA request for a BWC recording shall only be submitted to MPD.

"3902.4. The Department shall make unredacted BWC recordings available to the appropriate oversight committee or committees of the Council of the District of Columbia upon request of the committee or committees. BWC recordings in the possession of the Council shall not be publicly disclosed.

"3902.5. (a) Pursuant to policy directives adopted under the authority of § 3900.3, the Department shall schedule a time for any subject of a BWC recording, the subject's legal representative, and the subject's parent or legal guardian if the subject is a minor, to view the BWC recording at the police station in the police district where the incident occurred; provided, that:

"(1) Neither the subject, the subject's legal representative, nor the subject's parent or legal guardian if the subject is a minor shall make a copy of the BWC recording;

"(2) Access to the unredacted BWC recording would not violate the individual privacy rights of any other subject; and

"(3) Access to the unredacted BWC recording would not jeopardize the safety of any other subject.

"(b)(1) To receive a copy of a BWC recording viewed pursuant to paragraph (a) of this subsection, an individual shall file a FOIA request with the Department; provided, that there shall be no cost to the individual for the production of the BWC recording.

"(2) Upon receipt of the copy of the BWC recording, the individual may further copy or distribute the BWC recording.

"3902.6. An individual seeking to obtain a copy of a BWC recording not covered by § 3902.5 may submit a FOIA request to the Department for a copy of the BWC recording.

"3902.7. The Department shall engage academic institutions and organizations to analyze the BWC Program; provided, that any such relationships shall require the protection of any information or unredacted BWC recordings.

"3902.8. The Department shall, through a policy directive, develop procedures to implement this section and District law.

"3903 BODY-WORN CAMERA AUDITS AND DATA PROTECTION

"3903.1. The Department shall conduct audits of the BWC Program to assess the following, at a minimum:

"(a) Member compliance with these regulations and any policy directives issued by the Department;

"(b) The impact of the BWC Program on reports submitted by members;

"(c) Member training and equipment needs;

"(d) The proper protection of individuals' privacy rights;

"(e) The impact of BWCs on the number and type of citizen complaints filed with the Department;

"(f) The impact of BWCs on the number of use-of-force incidents;

"(g) The total number of contacts between members and the public; and

"(h) The maintenance of proper and secure access to shared or retained BWC recordings.

"3903.2. The Department shall regularly monitor the business practices of any third-party entity providing services to the BWC Program to ensure that individuals' privacy rights are protected.

"3903.3. The Department may enter into agreements with other government agencies to provide access to BWC recordings; provided, that any such agreements shall require the other agencies to adhere to the individual privacy protections contained in these regulations or any policy directives issued by the Department.

"3903.4. The Department shall strictly control access to BWC recordings and shall identify each member who accesses BWC recordings. The Department shall perform quarterly audits of member access to BWC recordings.

"3903.5. A member who makes a BWC recording shall not have access to delete that recording.

"3903.6. The deletion of any BWC recording shall be tightly restricted and shall require written justification for the deletion.

"3903.7. If it is discovered through review, audit, or inspection that a member did not record a required event, the Department shall require the member to provide written justification for the failure to record.

"3903.8. The Department shall regularly monitor its BWC recordings data protection policies.

"3999. DEFINITIONS.

"3999.1. When used in this chapter, the following terms and phrases shall have the meanings ascribed:

"Body-worn camera or "BWC"– means a camera system with secured internal memory for storage of recorded audio and video that is designed to be worn on the clothing of or otherwise secured to a person.

"Department" or "MPD" – means the Metropolitan Police Department.

"FOIA" – means Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq*.).

"Metadata – means descriptors that identify the time, date, location, badge number linked to the creation of the record, and officer interaction/offense categorization of BWC recordings.

"Subject – means an individual who is not an on-duty law enforcement officer at the time of the BWC recording and who has been recorded by a BWC.

"Use of force – means any physical contact used to effect, influence, or persuade an individual to comply with an order from an officer. The term shall not include unresisted handcuffing or hand control procedures that do not result in injury.".

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-401
Act 21-266 effective January 12, 2016

Codification District of Columbia Official Code 2001 Edition

To amend Title 25 of the District of Columbia Official Code to clarify that an unincorporated association can be issued a festival license, the penalties for the failure of a restaurant or hotel to keep records, and that a holder of a class A or class B manufacturer license is eligible to obtain an entertainment endorsement to provide entertainment between the hours of 8:00 a.m. and 12:00 a.m., to modify the hours that a class A or class B manufacturer holding an on-site sales and consumption permit may conduct operations on a sidewalk café or summer garden, and the hours that class A and class B manufacturers may offer tastings, to clarify the violations for which the Alcoholic Beverage Control Board may suspend, revoke, or deny renewal of a manager's license, to modify the hours that class A and class B manufacturers may utilize an on-site sales and consumption permit, to clarify the types of alcoholic beverages that may be sold by a manufacturer at a private event, to establish a new farmer's market license, to allow a class A or class B manufacturer to sell its products at a location holding a farmer's market license, to provide for passive Council approval for Board-created moratoria regulations, to establish an exception to the prohibition against liquor licenses in residential-use districts when an off-premises retailer's license previously existed at the same location within the previous 2 years, to clarify that it is a primary tier violation for a person to knowingly alter a document or application submitted to the Alcoholic Beverage Control Board for the purpose of deceiving the board, to clarify when an employee or agent of a manufacturer or wholesaler may work or serve alcoholic beverages at a licensed establishment, to clarify to whom a manufacturer or wholesaler may donate alcoholic beverages, that the holder of a retailer's license is required to maintain specified records for 3 years, that it is a violation for a person to willfully remove, obliterate, or deface a suspension placard posted by the Chief of Police, and to clarify the fine schedule for primary and secondary tier violations, sale to minor violations, and the failure to ascertain the legal drinking age violations; and to amend Chapter 3 of Title 24 of the District of Columbia Municipal Regulations to provide that a holder of a sidewalk café permit that is adjacent to a brewery, winery, or distillery may conduct operations between the hours of 8:00 a.m. and 12:00 a.m., 7 days a week.

Omnibus Alcoholic Beverage Regulation Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Omnibus Alcoholic Beverage Regulation Amendment Act of 2015".

Sec. 2. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Chapter 1 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

"25-128. Farmer's market license.".

Amend § 25-101

(2) Section 25-101 is amended as follows:

(A) A new paragraph (2A) is added to read as follows:

"(2A) "Administrative review" means the proceeding (known in regulation as a roll call hearing), specified in a placard posted at an applicant's premises, at which the applicant and the protestant are introduced to each other and to the Board and the grounds for objection to the license application are read to the public.".

(B) A new paragraph (21C) is added to read as follows:

"(21C) "Farmer's market" means a food venue comprised of vendors who make, bake, grow, or raise the products they sell or of farmers, producers, and other vendors selling fresh produce, healthy foods, or baked goods.".

(C) Paragraph 47 is amended by striking the phrase "the protestants." and inserting the phrase "the protestants (known in regulation as a mediation)." in its place.

Amend § 25-104

(3) Section 25-104 is amended as follows:

(A) Subsection (b) is amended by striking the phrase "a temporary license" and inserting the phrase "a festival license or a temporary license" in its place.

(B) Subsection (f) is amended by striking the phrase "a temporary license" and inserting the phrase "a festival license or a temporary license" in its place.

Amend § 25-113

(4) Section 25-113(j)(3)(C) is amended to read as follows:

"(C) The failure of a licensee under a license class C/R, D/R, C/H, or D/H to keep and maintain records as required by this section shall be subject to the penalties set forth in § 25-830(c).".

Amend § 25-113a

(5) Section 25-113a is amended as follows:

(A) Subsection (b) is amended to read as follows:

"(b)(1) The licensee under a manufacturer's license, class A or B, holding an on-site sales and consumption permit or a license, class C/R, D/R, C/H, D/H, C/T, and D/T, shall obtain an entertainment endorsement from the Board to be eligible to have entertainment, a cover charge, or offer facilities for dancing.

"(2) The licensee under a manufacturer's license, class A or B, holding an on-site sales and consumption permit shall only provide entertainment between the hours of 8:00 a.m. and 12:00 a.m., 7 days a week.".

(B) Subsection (c) is amended by striking the phrase "1:00 p.m. and 9:00 p.m." and inserting the phrase "8:00 a.m. and 12:00 a.m." in its place.

Amend § 25-118

(6) Section 25-118(e) is amended by striking the phrase "1:00 p.m. and 9:00 p.m." and inserting the phrase "8:00 a.m. and 12:00 a.m." in its place.

Amend § 25-119

(7) Section 25-119(d) is amended by striking the phrase "by the licensee." and inserting the phrase "by the licensee and the canceled permit maintained for 3 years." in its place.

Amend § 25-120

(8) Section 25-120 is amended as follows:

(A) Subsections (e), (f), and (g) are repealed.

(B) A new subsection (i) is added to read as follows:

"(i)(A) The Board may suspend, revoke, or not renew the manager's license of a manager who within the prior 2 years has:

"(i) Directly sold an alcoholic beverage to a minor on 2 or more dates;

"(ii) Directly interfered with an ABRA or Metropolitan Police Department investigation;

"(iii) Made false or misleading statements during or after a regulatory inspection or investigation;

"(iv) Aided, abetted, or conspired with a licensed or unlicensed person to evade compliance with the requirements of this title; or

"(v) Allowed the manager's license to be used by an unlicensed person.

"(B) The Board shall provide notice to the holder of the manager's license pursuant to the requirements set forth in § 25-447(c) before suspending or revoking a manager's license pursuant to this subsection.

"(C) A subsequent manager's license application for the person whose license was suspended or revoked or renewal denied shall not be considered within 2 years of a previous Board suspension, revocation, or denial.".

Amend § 25-126

(9) Section 25-126 is amended as follows:

(A) Subsection (b) is amended by striking the phrase "1 p.m. and 9 p.m." and inserting the phrase "8:00 a.m. and 12:00 a.m." in its place.

(B) A new subsection (e-1) is added to read as follows:

"(e-1) The holder of a manufacturer's license class A or B that holds an on-site sales and consumption permit may sell or serve beer, wine, and spirits purchased from a licensed wholesaler or licensed manufacturer at private events not open to the public for on-premises consumption.".

New § 25-128

(10) A new section 25-128 is added to read as follows:

"§ 25-128. Farmer's market license.

"(a) A farmer's market license shall authorize the licensee to permit the holder of a manufacturer's license, class A or B, or brew pub permit, wine pub permit, or distillery pub permit to conduct tastings and sell beer, wine, and spirits manufactured by the licensee in the District at a farmer's market for off-premises consumption.

"(b)(1) The holder of a farmer's market license shall not charge for tastings.

"(2) Tastings shall be limited to the sample sizes set forth in § 25-118(c). The tasting of alcoholic beverages shall be conducted at the vendor's table or booth. Patrons shall not be permitted to walk around the farmer's market with alcoholic beverage samples.

"(3) The hours of alcoholic beverage tastings and off-premise sales shall only occur between 8 a.m. and 9 p.m.

"(c) A farmer's market license shall be valid for 6 months.

"(d) To qualify for a farmer's market license, the market shall:

"(1) Have at least 6 vendors who produce, grow, or raise the products they sell;

"(2) Operate at least 2 hours per market day but no more than 7 hours per market day;

"(3) Operate a minimum of 6 farmer's markets in a 6-month period, but no more than twice per week; and

"(4) Be registered with the Office of Tax and Revenue to make retail sales in the District.

"(e)(1) The issuance of a farmer's market license shall be solely at the discretion of the Board.

"(2) The Board may deny the license application if the applicant has failed to control the environment of a previous farmer's market event or has sustained community complaints or police action.

"(f)(1) There shall be 2 classes of farmer's market licenses:

"(A) Class J (beer and wine); and

"(B) Class K (spirits, beer, and wine).

"(2) The minimum annual fee for a class J license shall be $300. The minimum annual fee for a class K license shall be $500.

"(g) The licensed vendor shall be permitted to receive deliveries from a manufacturer or wholesaler for up to 48 hours before a farmer's market event occurring on a Saturday, Sunday, or a legal District or federal holiday; provided, that the alcoholic beverages delivered pursuant to this subsection shall not be consumed until the date and time of the farmer's market event and shall be stored at a secure location before the event.

"(h) The holder of a manufacturer's license class A or B or brew pub permit, wine pub permit, or distillery pub permit shall be permitted to conduct free tastings and to sell bottles or other closed containers of alcoholic beverages manufactured by the licensee in the District at a location holding a farmer's market license for off-premises consumption.

"(i) An applicant for a farmer's market license shall submit to the Board an initial list of all vendors licensed under this title that will conduct free tastings and sell alcoholic beverages for off-premises consumption a minimum of 15 days before the first farmer's market event. An applicant for a farmer's market license may add additional vendors licensed under this title by submitting to the Board an updated list of vendors a minimum of 15 days before the farmer's market event date that the additional vendors intend to participate.".

Amend § 25-211

(b) Section 25-211(b)(2) is amended by striking the phrase "deemed disapproved" and inserting the phrase "deemed disapproved; except, that upon the expiration of the 90-day review period, regulations issued pursuant to § 25-351 shall be deemed approved" in its place.

Amend § 25-336

(c) Section 25-336 is amended by adding a new subsection (f) to read as follows:

"(f) Notwithstanding the restriction in subsection (a) of this section, an off-premises retailer's license may be applied for and approved by the Board in a residential-use district if an off-premises retailer's license previously existed at the same location within the previous 2 years.".

Amend § 25-401

(d) Section 25-401 is amended by adding a new subsection (d) to read as follows:

"(d) It shall be a primary tier violation for a person to knowingly submit an altered document or application to the Board for the purpose of deceiving the Board. The submission of an altered document intended to deceive the Board, may, at the discretion of the Board, constitute sufficient cause for denial of the application or revocation of the license.".

(e) Chapter 7 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

"25-773. Recordkeeping.".

Amend § 25-735

(2) Section 25-735 is amended by adding new subsections (e) and (f) to read as follows:

"(e) Notwithstanding subsections (a), (b), and (c) of this section, employees or agents of a manufacturer, whether licensed by this title or not, may work or serve alcoholic beverages at a licensed establishment during an event promoting alcoholic beverages manufactured by the manufacturer without Board approval.

"(f) Notwithstanding subsections (a), (b), and (c) of this section, a manufacturer, whether licensed by this title or not, may donate alcoholic beverages to the holder of a temporary license or a festival license or a nonprofit organization that does not hold a retailer's license without Board approval.".

Amend § 25-736

(3) Section 25-736 is amended by adding new subsections (e) and (f) to read as follows:

"(e) Notwithstanding subsections (a), (b), and (c) of this section, employees or agents of a wholesaler, whether licensed by this title or not, may work or serve alcoholic beverages at a licensed establishment during an event promoting alcoholic beverages sold by the wholesaler without Board approval.

"(f) Notwithstanding subsections (a), (b), and (c) of this section, a wholesaler, whether licensed by this title or not, may donate alcoholic beverages to the holder of a temporary license or a festival license or a nonprofit organization that does not hold a retailers license without Board approval.".

New § 25-773

(4) A new section 25-773 is added to read as follows:

"§ 25-773. Recordkeeping.

"(a) As required by subsection (b) of this section, each holder of a retailer's license shall maintain upon the licensed premises, either physically or electronically, records of canceled importation permits and of invoices and delivery slips that, as determined by ABRA, fully show the purchases made by and deliveries made to the licensee of all alcoholic beverages except beer, including:

"(1) The quantity, in gallons, of each kind of alcoholic beverage in each purchase;

"(2) The date of each purchase;

"(3) The name and business address of the person from whom the alcoholic beverage was purchased, including the license number of the vendor, if licensed under this title;

"(4) The price of each kind of alcoholic beverage purchased and the total price for the quantity purchased; and

"(5) The character, brand, and quantity, in gallons, of all alcoholic beverages acquired other than by purchase.

"(b) All invoices and delivery slips required to be maintained by this section and importation permits after cancellation, as required by § 25-119, shall be systematically filed and maintained for 3 years from the date of receipt and shall show a true, accurate, and complete

statement of terms and conditions on which each purchase was made.".

(5) Section 25-781(f) is amended as follows: **Amend § 25-781**

(A) The lead-in language is amended by striking the phrase "4 years:" and inserting the phrase "4 years, the penalties shall be the following:" in its place.

(B) Paragraph (4) is amended by striking the phrase "4th violation," and inserting the phrase "4th or subsequent violation," in its place.

(6) Section 25-783(c) is amended as follows: **Amend § 25-783**

(A) The lead-in language is amended by striking the phrase "4 years:" and inserting the phrase "4 years, the penalties shall be the following:" in its place.

(B) Paragraph (4) is amended by striking the phrase "fourth violation," and inserting the phrase "fourth or subsequent violation," in its place.

(C) Paragraph (5) is repealed.

(f) Chapter 8 is amended as follows:

(1) Section 25-827 is amended by adding a new subsection (e) to read as follows: **Amend § 25-827**

"(e) The Chief of Police may post suspension placards at a closed establishment for up to 96 hours. Any person willfully removing, obliterating, or defacing a suspension placard before the expiration of the 96-hour closure period shall be guilty of a violation of this chapter.".

(2) Section 25-830 is amended as follows: **Amend § 25-830**

(A) Subsection (c) is amended as follows:

(i) Paragraph (1) is amended as follows:

(I) Subparagraph (B) is amended by striking the word "and".

(II) New subparagraphs (D) and (E) are added to read as follows:

"(D) For the fourth violation within 4 years, the Board shall revoke the licensee's license or fine the licensee no less than $30,000 and suspend the licensee's license for 30 consecutive days; and

"(E) For the fifth violation within 4 years, the Board shall revoke the licensee's license.".

(ii) Paragraphs (2), (3), and (4) are repealed.

(B) Subsection (d) is amended as follows:

(i) Paragraph (1) is amended by adding new subparagraphs (D), (E), and (F) to read as follows:

"(D) For the fourth violation within 4 years, no less than $1,000.

"(E) For the fifth violation within 4 years, no less than $2,000.

"(F) For the sixth or subsequent violation within 4 years, no less than $4,000.".

(ii) Paragraph (2) is repealed.

Sec. 3. Section 301 of Title 24 of the District of Columbia Municipal Regulations is amended by adding a new subsection 301.6 to read as follows: **DCMR**

"301.6 The holder of a Sidewalk Café Permit adjacent to a brewery, winery, or distillery may conduct business operations on a sidewalk café between the hours of 8:00 a.m. and 12:00 a.m., 7 days a week.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-47, effective January 9, 2016 (Expiration date August 21, 2016)
(Related Emergency Legislation is Act 21-161, 21 DCSTAT 2198)

AN ACT

Bill 21-392
Act 21-175
effective October 22, 2015

To amend, on a temporary basis, Title 47 of the District of Columbia Official Code to establish a qualified ABLE Program, to be known as the ABLE Program Trust, pursuant to the requirements of the federal Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014 to exempt from income taxation the earnings on deposits made to an ABLE Program Trust by an eligible individual to assist the individual with certain expenses related to the individual's blindness or disability.

Codification District of Columbia Official Code 2001 Edition

ABLE Program Trust Establishment Temporary Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "ABLE Program Trust Establishment Temporary Act of 2015".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new chapter designation to read as follows:

"49. ABLE Program.".

(b) A new Chapter 49 is added to read as follows:

"CHAPTER 49. ABLE PROGRAM.

"Sec.

"47-4901. Definitions.

"47-4902. ABLE Program Trust.

"§ 47-4901. Definitions.

Note, New § 47-4901

"For the purposes of this chapter, the term:

"(1) "ABLE account" means an account established by an eligible individual, owned by the eligible individual, and maintained under a qualified ABLE program, as defined in the Federal ABLE Act.

"(2) "ABLE Account Savings Agreement" means the terms, conditions, and provisions considered necessary or appropriate by the Chief Financial Officer, as set forth in regulations issued pursuant to this section, governing the deposits to and withdrawals from an ABLE account.

"(3) "ABLE Program Trust" or "Trust" means the trust established in § 47-4902.

"(4) "Chief Financial Officer" or "CFO" means the Chief Financial Officer of the District of Columbia, established by § 1-204.24a(a)).

"(5) "Designated beneficiary" means an eligible individual who has established an ABLE account and is the owner of the account, as defined in the Federal ABLE Act.

"(6) "Eligible individual" means an individual who during the taxable year is entitled to benefits based on blindness or disability under Title II of the Social Security Act,

approved August 14, 1935 (49 Stat 620; 42 U.S.C. § 401 *et seq.*), or Title XVI of the Social Security Act, approved October 30, 1972 (86 Stat. 1465; 42 U.S.C. § 1381 *et seq.*), and such blindness or disability occurred before the date on which the individual attained 26 years of age, or a disability certification with respect to such individual is filed with the CFO for such taxable year, as defined in subsection (e)(1) of the Federal ABLE Act.

"(7) " Federal ABLE Act" means the Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A).

"(8) "Qualified disability expense" means expenses related to the eligible individual's blindness or disability that are made for the benefit of an eligible individual who is the designated beneficiary, including expenses for:

"(A) Education;
"(B) Housing;
"(C) Transportation;
"(D) Employment training and support;
"(E) Assistive technology and personal support services;
"(F) Health, prevention and wellness;
"(G) Financial management and administrative services;
"(H) Legal fees;
"(I) Expenses for oversight and monitoring;
"(J) Funeral and burial expenses; and
"(K) Other expenses that are consistent with the purposes of § 47-4902 and the Federal ABLE Act and approved by the CFO.

"§ 47-4902. ABLE Program Trust.

Note, New § 47-4902

"(a)(1) In accordance with the Federal ABLE Act, there is established a qualified ABLE program, to be known as the ABLE Program Trust, that shall be established as a trust, which shall authorize an eligible individual to create an ABLE account to enable the eligible individual to benefit from the tax incentives provided under the Federal ABLE Act.

"(2)(A) The Chief Financial Officer, or the CFO's designee, shall serve as the trustee of the Trust.

"(B) The Trust shall receive and hold all payments and contributions received from any public or private source, and the earnings on those payments and contributions, including:

"(i) Gifts;
"(ii) Bequests;
"(iii) Endowments;
"(iv) Federal and local grants; and
"(v) Any other funds intended for the Trust.

"(C) All deposits, and earnings on those deposits, held in the Trust shall constitute assets of the Trust and shall not be commingled with or revert to the General Fund of

the District of Columbia or any special, emergency, or temporary fund of the District of Columbia at the end of any fiscal year or at any other time.

"(D) The Trust shall continue in existence as long as it holds any payments, contributions, or other funds or has any obligations and until its existence is terminated by law.

"(b) An eligible individual who seeks to save money for the payment of qualified disability expenses of a designated beneficiary may establish an ABLE account and shall enter into an ABLE Account Savings Agreement with the Trust.

"(c) The Chief Financial Officer shall take the action necessary to implement the ABLE Program Trust, promulgate regulations, and enter into ABLE Account Savings Agreements.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § l-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-48, effective January 9, 2016 (Expiration date August 21, 2016)
(Related Emergency Legislation is Act 21-153, 21 DCSTAT 2176)

AN ACT

Bill 21-344
Act 21-171
effective October 22, 2015

Not Codified

To adjust, on a temporary basis, certain allocations requested in the Fiscal Year 2015 Budget Request Act of 2014 pursuant to the Omnibus Appropriations Act, 2009; to authorize that available Fiscal Year 2015 funds be retained as fund balance and carried over into Fiscal Year 2016; and to adjust certain allocations requested in the Fiscal Year 2016 Budget Request Act of 2015 pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2015 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II – DISTRICT OF COLUMBIA FUNDS – SUMMARY OF EXPENSES

$57,612,000 is added from local funds; to be allocated as follows:

Financing and Other

The appropriation for Financing and Other is increased by $57,612,000 in local funds; to be allocated as follows:

(1) Emergency and Contingency Reserve Funds. - $57,612,000 is added to be available in local funds.

Sec. 3. In accordance with Title II – Summary of Expenses of the Fiscal Year 2015 Budget Request Act of 2014 allowing General Funds to be increased by proceeds from one-time transactions, the Council authorizes budget authority to expend $17,700,000 of unallocated, one-time funds received by the Office of Tax and Revenue related to the settlement payment in the *District of Columbia v. Expedia, Inc., et al*. (Nos. 14-CV-308, 14-CV-309) case. These funds shall be spent in accordance with section 5.

Sec. 4. Remaining Fiscal Year 2015 unexpended revenue of $28,287,881 shall be carried over into Fiscal Year 2016 as fund balance. This revenue shall be spent in accordance with section 5.

Sec. 5. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2016 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II – DISTRICT OF COLUMBIA FUNDS – SUMMARY OF EXPENSES

$28,288,000 is added from local funds; and $5,000,000 is increased in enterprise and other funds; to be allocated as follows:

Economic Development and Regulation

The appropriation for Economic Development and Regulation is increased by $4,492,000 in local funds; to be allocated as follows:

(1) Department of Employment Services. - $4,492,000 is added to be available from local funds.

Public Safety and Justice

The appropriation for Public Safety and Justice is increased by $14,214,000 in local funds; to be allocated as follows:

(1) Metropolitan Police Department. - $5,864,000 is added to be available from local funds;

(2) Department of Forensic Sciences. - $8,024,000 is added to be available from local funds; and

(3) Office of the Chief Medical Examiner. - $326,000 is added to be available from local funds.

Human Support Services

The appropriation for Human Support Services is increased by $3,776,000 in local funds; to be allocated as follows:

(1) Department of Parks and Recreation. - $2,526,000 is added to be available from local funds; and

(2) Children and Youth Investment Trust Corporation. - $1,250,000 is added to be available from local funds.

Public Works

The appropriation for Public Works is increased by $806,000 in local funds; to be allocated as follows:

(1) Department of Public Works. - $806,000 is added to be available from local funds.

Financing and Other

The appropriation for Financing and Other is increased by $5,000,000 in local funds; to be allocated as follows:

(1) Convention Center Transfer – Dedicated Taxes. - $5,000,000 is added to be available from local funds.

Enterprise and Other Funds

The appropriation for Enterprise and Other Funds is increased by $5,000,000 in local funds; to be allocated as follows:

(1) Washington Convention and Sports Authority. - $5,000,000 is added to be available from local funds.

Sec. 6. Metropolitan Police Department body-worn cameras funded by any funds made available in Fiscal Year 2016 shall not be worn until rules are approved by the Council pursuant to section 3003 of the Fiscal Year 2016 Budget Support Act of 2015, enacted on August 11, 2015 (D.C. Act 21-148; 62 DCR 10905), or by an act of the Council.

Sec. 7. Funds to incentivize a neighborhood camera initiative to encourage businesses, property owners, and churches to install security cameras made available in Fiscal Year 2016 shall not be issued until parameters governing the initiative are approved by an act of the Council.

Sec. 8. Program evaluation.

The Office of Performance Management within the Office of the City Administrator shall conduct, in consultation with the Department of Employment Services, a rigorous, high-quality evaluation of both the Career Connection Program and the LEAP Academy. The Office of Performance Management shall issue a report to the Council detailing the study design for this evaluation by October 9, 2015. The report shall include plans for continuous monitoring and oversight of program activities, a list of outcome metrics to be collected, how the data will be collected, how existing administrative data from across the government will be incorporated, and how the evaluation will be built into the startup of the program.

Sec. 9. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 10. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review

as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-49, effective January 9, 2016 (Expiration date August 21, 2016)
(Related Emergency Legislation is Act 21-160, 21 DCSTAT 2195)

AN ACT

Bill 21-390
Act 21-174
effective October 22, 2015

To amend, on a temporary basis, the Rental Housing Act of 1985 to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, and to require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.

Codification District of Columbia Official Code 2001 Edition

Rent Control Hardship Petition Limitation Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rent Control Hardship Petition Limitation Temporary Amendment Act of 2015".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3500 *et seq.*), is amended as follows:

Note, § 42-3502.06

(a) Section 206(c) (D.C. Official Code § 42-3502.06(c)) is amended to read as follows:

"(c)(1) At the housing provider's election, instead of any adjustment authorized by subsection (b) of this section, the rent charged for an accommodation may be adjusted through a hardship petition under section 212. The petition shall be clearly identified as an election instead of the general adjustments authorized by subsection (b) of this section. The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this subsection as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent

Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

(b) Section 212(c) (D.C. Official Code § 42-3502.12(c)) is amended to read as follows: **Note, § 42-3502.12**

"(c)(1) At the housing provider's election, instead of any adjustment authorized by section 206(b), the rent charged for an accommodation may be adjusted through a hardship petition under this section. The petition shall be clearly identified as an election instead of the general adjustments authorized by section 206(b). The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this subsection as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of

Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-50, effective January 9, 2016 (Expiration date August 21, 2016)
(Related Emergency Legislation is Act 21-159, 21 DCSTAT 2194)

AN ACT

Bill 21-355
Act 21-173 effective October 22, 2015

To amend, on a temporary basis, the Sexual Assault Victims' Rights Act of 2014 to extend the date by which the Sexual Assault Victim Rights Task Force shall submit its report to the Council and the Sexual Assault Response Team.

Codification District of Columbia Official Code 2001 Edition

Sexual Assault Victim Rights Task Force Report Extension Temporary Amendment Act of 2015

Note, § 4-561.15

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sexual Assault Victim Rights Task Force Report Extension Temporary Amendment Act of 2015".

Sec. 2. Section 215(c)(1) of the Sexual Assault Victims' Rights Act of 2014, effective November 20, 2014 (D.C. Law 20-139; D.C. Official Code § 4-561.15(c)(1)), is amended by striking the phrase "September 30, 2015" and inserting the phrase "January 31, 2016" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-51, effective January 9, 2016 (Expiration date August 21, 2016)
(Related Emergency Legislation is Act 21-158, 21 DCSTAT 2190)

AN ACT

Bill 21-349
Act 21-172
effective October 22, 2015

To amend, on a temporary basis, the Education Licensure Commission Act of 1976 to change the name of the Education Licensure Commission to the Higher Education Licensure Commission, to extend authority to the commission to require institutions physically located outside the District of Columbia offering postsecondary degree-granting or non-degree-granting online programs or courses to District of Columbia residents physically in the District to be licensed in the District, to permit members of the commission to serve in a hold-over capacity for no more than 180 days after expiration of their second full consecutive term, to provide the commission with the authority to enter into reciprocity agreements with regards to online courses, and to authorize the commission to impose alternative sanctions for violations of provisions of the act or regulations promulgated under the authority of the act; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the annual compensation of members of the Higher Education Licensure Commission from $4,000 to $8,000; to amend the State Education Office Establishment Act of 2000 to designate the Office of the State Superintendent of Education the state portal agency for state authorization reciprocity; and to amend the Office of Administrative Hearings Establishment Act of 2001 to make a conforming amendment.

Codification District of Columbia Official Code 2001 Edition

Higher Education Licensure Commission Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Higher Education Licensure Commission Temporary Amendment Act of 2015”.

Sec. 2. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

Note, § 38-1302

(a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

(1) Paragraph (7) is amended by striking the phrase "by personal attendance or correspondence" and inserting the phrase "by personal attendance, online instruction, or by other means" in its place.

(2) Paragraph (10) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase “Higher Education Licensure Commission” in its place.

(3) New paragraphs (15) and (16) are added to read as follows:

“(15)(A) "Online instruction" means education, whether known as virtual class, correspondence course, distance learning, or other like term, where the learner and instructor are not physically in the same place at the same time, that is delivered through an electronic medium such as the Internet, Web-based form, or real time or recorded video or digital form, and that is offered or provided by an educational institution to District residents who are physically present in the District.

“(B) The education provided pursuant to subparagraph (A) of this paragraph shall be deemed delivered through an online presence in the District.

"(16) "Online presence" means the delivery of online instruction by an educational institution.".

(b) Section 3 (D.C. Official Code § 38-1303) is amended by striking the phrase "Education Licensure Commission" wherever it appears and inserting the phrase "Higher Education Licensure Commission" in its place. **Note, § 38-1303**

(c) Section 4 (D.C. Official Code § 38-1304) is amended as follows: **Note, § 38-1304**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Subsection (b) is amended by striking the phrase "2 consecutive terms" and inserting the phrase "2 consecutive terms; provided, that a member may serve in a hold-over capacity for no more than 180 days after the expiration of the member's second full consecutive term" in its place.

(d) The section heading for section 5 (D.C. Official Code § 38-1305) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place. **Note, § 38-1305**

(e) Section 6 (D.C. Official Code § 38-1306) is amended as follows: **Note, § 38-1306**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) A new subsection (b-1) is added to read as follows:

"(b-1) An educational institution licensed by the Commission shall be subject to the laws and regulations that govern degree-granting and non-degree-granting institutions in the District, including those governing the complaint process.".

(3) Subsection (e)(2) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(f) Section 7 (D.C. Official Code § 38-1307) is amended as follows: **Note, § 38-1307**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Paragraph (3)(C) is amended by striking the word "and".

(3) Paragraph (4) is amended by striking the period and inserting a semicolon in its place.

(4) New paragraphs (5) and (6) are added to read as follows:

"(5) Have the authority to enter into agreements with other jurisdictions as it relates to the licensing of postsecondary educational institutions that provide degree-granting or non-degree-granting instruction to residents of the District; and

"(6) Have the authority to enter into agreements with degree-granting educational institutions operating in the District of Columbia that are otherwise conditionally exempt pursuant to section 10 for the purpose of ensuring consistent consumer protection in interstate distance education delivery of higher education.".

(g) Section 9 (D.C. Official Code § 38-1309) is amended as follows: **Note, § 38-1309**

(1) Subsection (a)(2) is amended by striking the phrase "§ 29-101.99, or § 29-301.64," and inserting the phrase "§ 29-101.01 *et seq.*," in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1) An educational institution that is providing degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District and shall be licensed by the Commission.".

(3) Subsection (c-1)(1) is amended by striking the phrase "Education Licensure Commission ("Commission")" and inserting the phrase "Commission" in its place.

(4) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "; and" and inserting a period in its place.

(B) Paragraph (2) is repealed.

(5) Subsection (e) is amended by striking the phrase "done by correspondence." and inserting the phrase "done solely through online instruction." in its place.

(h) Section 12 (D.C. Official Code § 38-1312) is amended as follows: **Note, § 38-1312**

(1) A new subsection (a-1) is added to read as follows:

"(a-1) The Commission may impose civil fines and penalties as alternative sanctions for violations of the provisions of this act or of rules promulgated under the authority of this act, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Enforcement and adjudication of a violation shall be pursuant to the Civil Infractions Act.".

(2) Subsection (c) is amended by striking the phrase "Corporation Counsel of" and inserting the phrase "Office of the Attorney General for" in its place.

(i) Section 12a (D.C. Official Code § 38-1313) is amended as follows: **Note, § 38-1313**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission." in its place.

(2) Subsection (a) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(3) Subsection (b) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

Sec. 3. Section 1108(c-2)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(2)), is amended as follows: **Note, § 1-611.08**

(a) Strike the phrase "Education Licensure Commission" and insert the phrase "Higher Education Licensure Commission" in its place.

(b) Strike the phrase "$4,000" and insert the phrase "$8,000" in its place.

Sec. 4. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), is amended as follows:

(a) Section 3(b)(6) (D.C. Official Code § 38-2602(b)(6)) is amended to read as follows: **Note, § 38-2602**

"(6) Oversee the functions and activities of the Higher Education Licensure Commission, established by section 3, including acting as the state portal agency for the purposes of state authorization reciprocity;".

(b) Section 7a (D.C. Official Code § 38-2607) is amended as follows: **Note, § 38-2607**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Subsection (a) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(3) Subsection (b) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission ("Commission")" in its place.

(4) Subsection (c) is amended by striking the phrase "Education Licensure".

Sec. 5. Section 6 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by adding a new subsection (b-9) to read as follows: **Note, § 2-1831.03**

"(b-9) In addition to those cases described in subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-6), (b-7), and (b-8), this act shall apply to adjudicated cases involving a civil fine or penalty imposed by the Higher Education Licensure Commission under section 12(a-1) of the Education Licensure Commission Act of 1976, effective March 16, 1989 (D.C. Law 7-217; D.C. Official Code § 38-1312(a-1)).".

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-52, effective January 30, 2016 (Expiration date September 11, 2016)
(Related Emergency Legislation is Act 21-184, 21 DCSTAT 2221)

AN ACT

Bill 21-406
Act 21-204
effective November 23, 2015

To amend, on a temporary basis, the Day Care Policy Act of 1979 to establish a pilot, community-based Quality Improvement Network that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family-support engagement services, including educational, health, nutritional, behavioral, and family-support services.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Early Learning Quality Improvement Network Temporary Amendment Act of 2015".

Early Learning Quality Improvement Network Temporary Amendment Act of 2015

Sec. 2. The Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-401 *et seq.*), is amended by adding a new section 15a to read as follows:

Note, New § 4-415

"Sec. 15a. Comprehensive child development programs.

"(a) Notwithstanding sections 3 through 11, the Office of the State Superintendent of Education ("OSSE") shall establish a pilot, community-based Quality Improvement Network ("QIN") composed of:

"(1) Child development hubs, selected through a competitive process, that will provide quality improvement technical assistance and comprehensive services to licensed child development centers and licensed child development homes selected by OSSE to be partners and that agree to meet federal Early Head Start Program Performance Standards for program participation; and

"(2) Child development centers and child development homes, selected through a competitive process, to provide low-income infants and toddlers high-quality, full-day, full-year comprehensive early learning and development services and continuum of care.

"(b) Child development centers and child development homes within the QIN shall receive technical assistance from child development hubs to achieve the following within 18 months of being selected by OSSE to participate in the QIN:

"(1) Child development centers and child development homes within the QIN shall have adult-to-child ratios and group sizes that meet or exceed federal Early Head Start standards for all children from birth to 3 years of age in child development centers, or as otherwise approved by OSSE.

"(2) Child development centers and child development homes within the QIN shall have a comprehensive curriculum or program that is aligned with federal Head Start Program Performance Standards and the District's early learning and development standards for serving infants, toddlers, and their families.

"(3) Staff who have direct supervision of infants and toddlers at child development centers and child development homes within the QIN shall, at a minimum, meet or exceed Early Head Start Standards for staff qualifications or credentials.

"(4) Child development centers and child development homes within the QIN shall partner with child development hubs to develop and implement a quality improvement plan, including aligning program policies and procedures to support on-site coaching, professional development, and teacher planning time.

"(5) Child development centers and child development homes within the QIN shall provide child-, family-, and program-level data to OSSE and the child development hubs as requested.

"(6) Child development centers and child development homes within the QIN shall participate in ongoing, on-site and desktop monitoring activities to ensure compliance with program requirements and Head Start Program Performance Standards required to remain in good standing with OSSE, the child development hubs, and the U.S. Department of Health and Human Services, Office of Head Start, if applicable.

"(7) Child development centers and child development homes within the QIN shall support comprehensive services for children and families by the child development hubs, including implementation of individualized family service plans.

"(8) Child development centers and child development homes within the QIN shall participate in the Child and Adult Care Food Program.

"(9) Child development centers and child development homes within the QIN shall facilitate children's and families' transitions to Pre-K or Head Start programs.

"(c) OSSE shall have authority to set payment rates and to develop policies and procedures for high-quality early learning and development services set under the authority of this section.

"(d) To be eligible for infant and toddler child development services provided by child-care partners in the QIN, a child shall be a resident of the District of Columbia and between birth and 3 years of age; provided, that a child who turns 3 years old during a program year may continue to receive services for the duration of the program year before transitioning into a pre-kindergarten or Head Start preschool program.

"(e) To the extent possible, priority enrollment shall be given to children between birth and 3 years of age whose families are living at or below the federal poverty level, who are homeless or in the foster care system, or who live with a grandparent, godparent, or relative who is receiving a grandparent caregiver subsidy pursuant to Title I of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq.)*.

"(f) OSSE shall monitor the child development hubs and partner participants in the QIN for adherence to policies and procedures set under the authority of this act.

"(g) OSSE may, in whole or in part, terminate the grant provided to a hub or partner participant at any time if OSSE determines that a hub or partner participant has:

"(1) Substantially failed to comply with, or meet the objectives and terms of, the grant award; or

"(2) Failed to comply with applicable federal or District laws or regulations.

"(h) OSSE shall continue on-site monitoring for health and safety licensing compliance of child-care partners participating in the QIN; provided, that OSSE may delegate to the child development hubs on-site monitoring of the compliance of participating child development centers and homes with federal Head Start Program Performance Standards; provided, that relevant data collected by child development hubs is regularly reported to OSSE.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1 206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-53, effective January 30, 2016 (Expiration date September 11, 2016)
(Related Emergency Legislation is Act 21-185, 21 DCSTAT 2224)

AN ACT

Bill 21-408
Act 21-205
effective November 23, 2015

To amend, on a temporary basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater.

Codification District of Columbia Official Code 2001 Edition

Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2015".

Note, § 10-801

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-6) to read as follows:

"(d-6) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of the property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater, for which disposition was approved by the Council pursuant to the Strand Theater Disposition Approval Resolution of 2009, effective October 6, 2009 (Res. 18-0263; 56 DCR 8410), and extended by the Strand Theater Disposition Extension Approval Resolution of 2011, effective September 20, 2011 (Res. 19-246; 58 DCR 8477), is extended to October 6, 2016.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-54, effective January 30, 2016 (Expiration date September 11, 2016)
(Related Emergency Legislation is Act 21-177, 21 DCSTAT 2212)

AN ACT

Bill 21-410
Act 21-206 effective November 23, 2015

To establish, on a temporary basis, that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

Codification District of Columbia Official Code 2001 Edition

Grocery Store Restrictive Covenant Prohibition Temporary Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grocery Store Restrictive Covenant Prohibition Temporary Act of 2015".

Note, § 2-1212.21

Sec. 2. (a) It shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction in a contract for the sale, or other transfer, or lease of real property being used as a grocery store that prohibits the subsequent use of the real property as a grocery store.

(b) Any contract, including a private agreement, that includes a restrictive land covenant or use restriction on real property as described in subsection (a) of this section shall be void and unenforceable.

(c) The prohibition imposed by this section shall not apply to an owner or operator of a grocery store or food retail store that terminates operations at a site for purposes of relocating the grocery or food retail store into a comparable or larger store located within the District of Columbia within one-half mile of the site where the prior operation was terminated; provided, that relocation and commencement of the operation of the new grocery store or food retail store at the new site occurs within 2 years of the sale, transfer, or lease of the prior site, and the restrictive covenant imposed on the prior site does not have a term in excess of 3 years. If the new grocery store or food retail store is not relocated within the District within one-half mile of the prior site within 2 years, the restrictive land covenant or use restriction shall not be enforceable.

(d) For the purposes of this act, the term:

(1) "Grocery store" means a retail establishment with a primary business of selling grocery products and includes a selling area that is used for a general line of food and nonfood grocery products.

(2) "Private agreement" means a mutually agreed upon and entered into exchange of promises.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-55, effective January 30, 2016 (Expiration date September 11, 2016)
(Related Emergency Legislation is Act 21-154, 21 DCSTAT 2180)

AN ACT

Bill 21-426
Act 21-207
effective November 23, 2015

To amend, on a temporary basis, An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, to authorize the Fire and Emergency Medical Services Department to contract with third parties to provide supplemental pre-hospital medical care and transportation for Basic Life Support calls for service, to require that third-party contracts preclude the District from liability and contain an indemnification provision, to set forth reporting requirements for third-party contractors, the Fire and Emergency Medical Services Department, and the Office of Unified Communications, and to extend the public duty doctrine to claims against the District for actions of a third-party contractor.

Codification District of Columbia Official Code 2001 Edition

Emergency Medical Services Contract Authority Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emergency Medical Services Contract Authority Temporary Amendment Act of 2015".

Note, § 5-401

Sec. 2. Section 1 of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Designate the existing text as paragraph (1).

(2) New paragraphs (2) and (3) are added to read as follows:

"(2) Notwithstanding paragraph (1) of this subsection, the Department may contract with third parties to provide supplemental pre-hospital medical care and transportation to persons requiring Basic Life Support.

"(3) A contract entered into pursuant to paragraph (2) of this subsection shall include a provision that precludes the District from liability for any claims arising out of the actions of the third-party contractor and also provides full indemnification to ensure that the District shall not be responsible for any amounts owed to others as a result of the third-party contractor's action or inaction under the contract.".

(b) New subsections (d), (e), (f), (g), (h), and (i) are added to read as follows:

"(d) Each third-party contractor that enters into a contract pursuant to subsection (b)(2) of this section shall provide a quarterly report to the Department and to the Council that includes the following information:

"(1) The number of transports performed;

"(2) The location where the third-party contractor meets each patient and the name and location of the healthcare facility to which the patient is transported;

"(3) The average time between the dispatch of the third-party contractor by the Department and the third-party contractor's arrival to the patient;

"(4) The average time that the third-party contractor remains out of service while waiting to transfer the care of a patient to a healthcare facility;

"(5) The number of third-party contractor ambulances available on a daily basis for Department use;

"(6) The length of the third-party contractor's personnel shifts; and

"(7) The number of employees hired by the third-party contractor, including the number of District residents.

"(e) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Department shall submit a report to the Council that includes the following information:

"(1) Activity by the Department to educate the public on the proper use of emergency requests for service;

"(2) The number of employees hired after the contract award and their residency;

"(3) Evaluation of pre-hospital medical care and transportation fees considering the reasonableness of the fees, the public interest, and the persons required to pay the fee;

"(4) The number of ambulances added to the Department's frontline and reserve fleet after the date of the contract award, including whether added ambulances replace or supplement the current fleet;

"(5) The number of emergency medical services personnel training hours provided; and

"(6) The number of patients who used the Department's transport services twice or more within the reporting period, including the number of times the patient used transport services during the previous 12 months.

"(f) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Office of Unified Communications shall submit a report to the Council that includes the following information:

"(1) The number of calls dispatched and the average dispatch time; and

"(2) The protocol to reroute non-emergency calls.

"(g) Within one year after the date of a contract award pursuant to subsection (b)(2) of this section, the Department shall submit a report to the Council that evaluates performance under the contract and includes the following information:

"(1) The impact on the Department's unit availability;

"(2) The impact on the Department's fleet, including the ability to conduct preventative maintenance and the number of operational and reserve units available;

"(3) The impact on the Department's training schedule;

"(4) The impact on the Department's response times and quality of patient care;

"(5) An assessment of the number of units, the number of personnel, the amount of training, and associated costs required to provide pre-hospital medical care and transportation without the use of third parties; and

"(6) Recommendations for implementing any additional units, personnel, and training identified in paragraph (5) of this subsection.

"(h) The Council ratifies the interpretation and application of the public duty doctrine by the District of Columbia Court of Appeals up through the decision of September 25, 2014, in *Allen v. District of Columbia*, No. 10-CV-1425, and extends the public duty doctrine to claims against the District for the actions of contractors and their employees providing services under this section to the same extent as it applies to the District and its employees.

"(i) For the purposes of this section, the term "Basic Life Support" means a level of medical care provided by pre-hospital emergency medical services at the basic emergency response technician level and in accordance with the national scope of practice for a basic level provider.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-56, effective January 30, 2016 (Expiration date September 11, 2016)
(Related Emergency Legislation is Act 21-180, 21 DCSTAT 2216)

AN ACT

Bill 21-432
Act 21-208 effective November 23, 2015

To amend, on a temporary basis, An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify that, for purposes of determining whether the referral of a minor student 14 years of age through 17 years of age to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section for the accrual of 15 unexcused absences during School Year 2015-2016 is required, the term unexcused absence may mean an unexcused full school day absence.

Codification District of Columbia Official Code 2001 Edition

Truancy Referral Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Truancy Referral Temporary Amendment Act of 2015".

Note, § 38-208

Sec. 2. Section 7(c)(1)(B) of Article II of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, effective September 19, 2013 (D.C. Law 20-17; D.C. Official Code § 38-208(c)(1)(B)), is amended by striking the period and inserting the phrase ". For purposes of this subparagraph, for School Year 2015-2016, an educational institution may construe the term unexcused absences to mean unexcused full school day absences." in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-57, effective January 30, 2016 (Expiration date September 11, 2016)
(Related Emergency Legislation is Act 21-188, 21 DCSTAT 2229)

AN ACT

Bill 21-434
Act 21-209
effective November 23, 2015

Codification District of Columbia Official Code 2001 Edition

To amend, on a temporary basis, An Act To provide for the payment and collection of wages in the District of Columbia to clarify who may bring an action on behalf of an employee and when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, to revise criminal penalties for violations of the act, and to authorize the Mayor to issue rules to implement the provisions of the act; to amend the Minimum Wage Act Revision Act of 1992 to clarify the time period for retention of payroll records, when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, and how the Mayor shall make certain information available to employers; and to amend the Wage Theft Prevention Amendment Act of 2014 to repeal a retroactive applicability provision.

Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2015".

Sec. 2. An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is amended as follows:

Note, § 32-1303

(a) Section 3 (D.C. Official Code § 32-1303) is amended as follows:

(1) Paragraph (5) is amended as follows:

(A) Strike the word "alleged" and insert the word "found" in its place.

(B) Strike the phrase "Act." and insert the phrase "Act, except as otherwise provided in a contract between the contractor and subcontractor in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

(2) Paragraph (6) is amended by striking the phrase "District." and inserting the phrase "District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

Note, § 32-1307

(b) Section 7(a) (D.C. Official Code § 32-1307(a)) is amended to read as follows:

"(a)(1) Any employer who negligently fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:

"(A) For the first offense, an amount per affected employee of not more than $2,500;

"(B) For any subsequent offense, an amount per affected employee of not more than $5,000.

"(2) Any employer who willfully fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall:

"(A) For the first offense, be fined not more than $5,000, or imprisoned not more than 30 days, or both; or

"(B) For any subsequent offense, be fined not more than $10,000, or imprisoned not more than 90 days, or both.

"(3) The fines set forth in paragraphs (1) and (2) of this subsection shall not be limited by section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).".

Note, § 32-1308

(c) Section 8(a) (D.C. Official Code § 32-1308(a)) is amended by striking the phrase ", or any entity a member of which is aggrieved by a violation of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act".

Note, New § 32-1312

(d) A new section 10b is added to read as follows:

"Sec. 10b. Rules.

"The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1068 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.".

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

Note, § 32-1008

(a) Section 9(a)(1) (D.C. Official Code § 32-1008(a)(1)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1009

(b) Section 10(c) (D.C. Official Code § 32-1009(c)) is amended to read as follows:

"(c) The Mayor shall make copies or summaries of this act publicly available on the District government's website or by some other appropriate method within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157). An employer shall not be liable for failure to post notice if the Mayor has failed to provide to the employer the notice required by this section.".

Note, § 32-1011

(c) Section 12(d)(1)(C) (D.C. Official Code § 32-1011(d)(1)(C)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1012

(d) Section 13 (D.C. Official Code § 32-1012) is amended as follows:

(1) Subsection (c) is amended by striking the phrase "act." and inserting the phrase "act, except as otherwise provided in a contract between the contract and subcontractor in

effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157).” in its place.

(2) Subsection (f) is amended by striking the phrase “District.” and inserting the phrase “District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157).” in its place.

Sec. 4. Section 7 of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157), is repealed.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Note, §§ 32-1301 32-1303 32-1304 32-1306 32-1307 32-1307.01 32-1308 32-1308.01 32-1311 32-1002 32-1005 32-1008 32-1008.01 32-1009 32-1010 32-1011 32-1011.01 32-1012 32-1012.01 32-1013 32-131.06 32-131.08 32-131.10a 32-131.12 47-2862 DCMR

D.C. Law 21-58, effective January 30, 2016 (Expiration date September 11, 2016)
(Related Emergency Legislation is Act 21-189, 21 DCSTAT 2232)

AN ACT

Bill 21-436
Act 21-210
effective November 23, 2015

To establish, on a temporary basis, a moratorium on the issuance of permits for the construction or operation of automobile paint spray booths in Ward 5; provided, that the moratorium shall not apply to permits for automobile paint spray booths that meet certain conditions.

Codification District of Columbia Official Code 2001 Edition

Ward 5 Paint Spray Booth Conditional Moratorium Temporary Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ward 5 Paint Spray Booth Conditional Moratorium Temporary Act of 2015".

Note, § 8-233.01

Sec. 2. Paint spray booth moratorium.

(a) The Mayor shall not issue a permit for the construction or operation of an automobile paint spray booth in Ward 5.

(b) The Mayor shall not issue a renewal permit for the operation of an automobile paint spray booth in Ward 5.

(c) For the purposes of this act, the term "automobile paint spray booth" means a facility related to an auto body paint shop for which the applicant must obtain a minor source air pollutant permit from the District Department of the Environment.

Sec. 3. Applicability.

(a) Section 2 shall not apply to a permit for the construction of or the operation of, or a renewal permit for the operation of, an automobile paint spray booth that contains conditions at least as restrictive as the following:

(1) Automobile coating for motor vehicle and mobile equipment non-assembly line refinishing and recoating, as applied, shall not contain volatile organic compounds in excess of the specified limit for each of the following coating types:

(A) Adhesion promoters: 540 grams per liter (4.5 pounds per gallon);

(B) Automotive pretreatment coating: 660 grams per liter (5.5 pounds per gallon);

(C) Automotive primer: 250 grams per liter (2.1 pounds per gallon);

(D) Clear coating: 250 grams per liter (2.1 pounds per gallon);

(E) Color coating, including metallic/iridescent color coating: 420 grams per liter (3.5 pounds per gallon);

(F) Multicolor coating: 680 grams per liter (5.7 pounds per gallon);

(G) Other automotive coating type: 250 grams per liter (2.1 pounds per gallon);

(H) Single-stage coating, including single-stage metallic/iridescent coating: 340 grams per liter (2.8 pounds per gallon);

(I) Temporary protective coating: 60 grams per liter (0.50 pounds per gallon);

(J) Truck bed liner coating: 200 grams per liter (1.7 pounds per gallon); and

(K) Underbody coating: 430 grams per liter (3.6 pounds per gallon); and

(2) Cleaning solvent used shall not exceed a volatile organic compound content of 25 grams per liter (0.21 pounds per gallon) except for:

(A) Cleaning solvent used as a bug and tar remover; provided, that the volatile organic compound content of the cleaning solvent shall not exceed 350 grams per liter (2.9 pounds per gallon), and usage shall be limited as follows:

(i) No more than 20 gallons in any consecutive 12-month period for facilities and operations using 400 gallons or more of coating during the 12-month period ending at the end of the previous calendar month;

(ii) No more than 15 gallons in any consecutive 12-month period for facilities and operations using 150 gallons or more, but less than 400 gallons, of coating during the 12-month period ending at the end of the previous calendar month; or

(iii) No more than 10 gallons in any consecutive 12-month period for facilities and operations using less than 150 gallons of coating during the 12-month period ending at the end of the previous calendar month.

(B) Cleaning solvent used to clean plastic parts immediately before coating or for the removal of wax and grease; provided, that:

(i) Non-aerosol, hand-held spray bottles are used to apply the cleaning solvent;

(ii) The volatile organic compound content of the cleaning solvent shall not exceed 780 grams per liter (6.51 pounds per gallon); and

(iii) No more than 20 gallons of the cleaning solvent are used in any consecutive 12-month period in any one business location;

(C) Aerosol cleaning solvent; provided, that 160 ounces or less are used per day per business location; or

(D) Cleaning solvent with a volatile organic compound content no greater than 350 grams per liter (2.92 pounds per gallon), used at a volume equal to or less than 2.5% of the preceding calendar year's annual coating usage, up to a maximum of 15 gallons per calendar year.

(b) The limits in subsection (a)(1) of this section shall represent the weight of volatile organic compound per volume of coating, prepared to the manufacturer's recommended

maximum volatile organic compound content, exclusive of water and non-volatile organic compound solvents.

(c) The Mayor shall refer to the Ozone Transport Commission's "Model Rule 2009-12-Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations Alternate Technical Revisions" for calculation methodologies and definitions.

Sec. 4. Repealer.

The Ward 5 Paint Spray Booth Moratorium Temporary Act of 2015, effective October 21, 2015 (D.C. Law 21-35; 62 DCR 10903), is repealed.

Sec. 5. Sunset.

Note, § 8-233.01

This act shall expire upon the promulgation of rules by the Mayor that revise section 718 of Chapter 20 of the District of Columbia Municipal Regulations (20 DCMR § 718).

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by he Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-59, effective January 30, 2016 (Expiration date September 11, 2016)
(Related Emergency Legislation is Act 21-191, 21 DCSTAT 2236)

AN ACT

Bill 21-440
Act 21-211
effective November 23, 2015

To amend, on a temporary basis, section 47-1086 of the District of Columbia Official Code to clarify the exemption from the tenant opportunity to purchase requirements of the property owned by N Street Village, Inc., located at 1301 14th Street, N.W.; and to amend the N Street Village, Inc. Tax and TOPA Exemption Act of 2014 to make a conforming amendment.

Codification District of Columbia Official Code 2001 Edition

N Street Village, Inc. Tax and TOPA Exemption Clarification Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "N Street Village, Inc. Tax and TOPA Exemption Clarification Temporary Amendment Act of 2015".

Note, § 47-1096

Sec. 2. Section 47-1096 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Subparagraph (A) is amended by adding the word "and" at the end.

(2) Subparagraph (B) is amended by striking the phrase "; and" and inserting a period in its place.

(3) Subparagraph (C) is repealed.

(b) A new subsection (c) is added to read as follows:

"(c) So long as N Street Village, Inc., Lot 93, or any lots created out of Lot 93, Square 242 located at 1301 14th Street, N.W. ("Property"), continues to be used for affordable housing as described in § 47-1005.02(a)(1), for supportive services for tenants of the affordable housing and other people of low income, and for offices and parking on the Property, and is not used for commercial purposes, the conveyance of the Property by a deed to an owner that meets the foregoing requirements shall be exempt from Chapter 34 of Title 42.".

Note, § 47-1096

Sec. 3. Section 3(a) of the N Street Village, Inc. Tax and TOPA Exemption Act of 2014, effective March 11, 2015 (D.C. Law 20-229; 62 DCR 276), is amended by striking the phrase "This act" and inserting the phrase "The amendatory subsections (a) and (b) of section 2(b)" in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-60, effective January 30, 2016 (Expiration date September 11, 2016)
(Related Emergency Legislation is Act 21-190, 21 DCSTAT 2235)

AN ACT

Bill 21-438
Act 21-212
effective November 24, 2015

To amend, on a temporary basis, the Retail Services Station Act of 1976 to provide that certain prohibitions to discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015 and August 1, 2015.

Codification District of Columbia Official Code 2001 Edition

Gas Station Advisory Board Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Gas Station Advisory Board Temporary Amendment Act of 2015".

Note, § 36-304.01

Sec. 2. Section 5-301(b) of the Retail Services Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-304.01(b)), is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) The newly designated paragraph (1) is amended by striking the phrase "No retail station" and inserting the phrase "Except as provided in paragraph (2) of this subsection, no retail station" in its place.

(c) A new paragraph (2) is added to read as follows:

"(2) This subsection shall not apply to any retail service station for which an application was on file with the Zoning Commission between the effective date of the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884), and August 1, 2015.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-69, effective February 26, 2016 (Expiration date October 8, 2016)
(Related Emergency Legislation is Act 21-214, 21 DCSTAT 2251)

AN ACT

Bill 21-339
Act 21-234
effective
November 23, 2015

Not Codified

To approve, on a temporary basis, the amended proposal for the property designated as Lot 25 in Square 526, which was previously conveyed to Golden Rule Plaza, Inc.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Plaza West Disposition Restatement Temporary Act of 2015".

Plaza West Disposition Restatement Temporary Act of 2015

Sec. 2. (a) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), and subject to the conditions set forth in subsection (c) of this section, the Council approves the amended development proposal ("Amended Proposal") offered by Golden Rule Plaza, Inc. and its successors or assigns, as approved by the Mayor ("Developer") for the following property conveyed via special warranty deed to Golden Rule Plaza, Inc. from the District in 2005 pursuant to section 2 of the Approval of the Negotiated Disposition of the "Golden Rule Property" to Golden Rule Plaza, Inc., and Reorganization Plan No. 8 of 1996 for the Business of Public Management Disapproval Resolution of 1996, effective November 7, 1996 (Res. 11-569; 43 DCR 6219): Lot 25 in Square 526, which is bounded by 4th Street, N.W., the Center Leg Freeway, and K Street, N.W., as shown on a plat of subdivision recorded by Golden Rule Plaza, Inc. in the Office of the Surveyor for the District of Columbia in Subdivision Book 208 at Page 168.

(b) The Amended Proposal includes approximately 223 units of affordable housing, with supportive services, outdoor space, parking, and any ancillary uses allowed under applicable law.

(c) The Amended Proposal is subject to the following conditions:

(1) Developer shall construct residential units that shall be affordable for a minimum of 40 years at the following affordability levels:

(A) Approximately 35 units shall be reserved for households earning at or below 30% of Area Median Income;

(B) Approximately 26 units shall be reserved for households earning at or below 40% of Area Median Income;

(C) Approximately 82 units shall be reserved for households earning at or below 50% of Area Median Income; and

(D) Approximately 80 units shall be reserved for households earning at or below 60% of Area Median Income;

(2) Developer shall enter into an agreement governing its obligations under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) ("CBE Act"), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a); and

(3) Developer shall enter into an agreement with the District governing its obligations pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983) regarding job creation and employment generated as a result of the Amended Proposal.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-70, effective February 26, 2016 (Expiration date October 8, 2016)
(Related Emergency Legislation is Act 21-199, 21 DCSTAT 2240)

AN ACT

Bill 21-452
Act 21-235
effective December 17, 2015

To amend, on a temporary basis, the Day Care Policy Act of 1979 to extend eligibility for subsidized child care to foster parents who may no longer be working but have some form of verifiable income, teen parents under 21 years of age who themselves are in foster care or wards of the District, and foster parents who are not working but who are enrolled in a verified job training or education program.

Codification District of Columbia Official Code 2001 Edition

Foster Care Extended Eligibility Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Foster Care Extended Eligibility Temporary Amendment Act of 2015".

Note, § 4-404.01

Sec. 2. Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code § 4-404.01(a)), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase “services; and” and inserting the phrase “services;” in its place.

(b) Paragraph (5) is amended by striking the phrase “child.” and inserting the phrase “child;” in its place.

(c) New paragraphs (6), (7), and (8) are added to read as follows:

“(6) Children of a teen parent under 21 years of age who is either in foster care or a ward of the District and is either working or enrolled in a verified job training or education program;

“(7) Children in foster care placement when the foster care provider is not working but receives some form of verifiable income, such as social security or disability, and the child care services are in the best interest of the child; and

“(8) Children in foster care placement when the foster care provider is not working but enrolled in a verified job training or education program, and the child care services are in the best interest of the child.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,

1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-76, effective February 27, 2016 (Expiration date October 9, 2016)
(Related Emergency Legislation is Act 21-164, 21 DCSTAT 2206 and 21-202, 21 DCSTAT 2247)

AN ACT

Bill 21-396
Act 21-252
effective December 29, 2015

To amend, on a temporary basis, the Fiscal Year 2016 Budget Support Act of 2015 and various other acts to clarify provisions supporting the Fiscal Year 2016 budget; and to amend the Firearms Control Regulations Act of 1975 to clarify the descriptions of the boundaries around the White House and the U.S. Naval Observatory within which a concealed pistol licensee is prohibited from carrying a pistol.

Codification District of Columbia Official Code 2001 Edition

Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015".

Sec. 2. The Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Section 6004 is repealed.

(b) Section 7024(d) is repealed.

(c) Section 8042(g) is amended by striking the phrase "Notwithstanding any other provision in this act" and inserting the phrase "Notwithstanding any other provision of this act, and excluding any Master Lease/Equipment (fund Detail 0302) funds" in its place.

Note, Repeal § 50-2636 Note, § 1-325.311 Note, § 1-325.156

Sec. 3. Section 4a(a)(1) of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(a)(1)), is amended by striking the word "permanent".

Note, § 1-301.47a

Sec. 4. Section 7154 of the IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.311), is amended to read as follows:

Note, § 1-325.311

"Sec. 7154. WMATA Operations Support Fund.

"(a) There is established as a special fund the WMATA Operations Support Fund ("Fund"), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

"(b) Upon affirmance of the trial court's summary-judgment rulings by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc., et al*., Nos. 14-CV-308, 14-CV-309, the full amount the District obtains pursuant to the consent judgments entered by the trial

court, to include any additional amounts in taxes and interest paid by defendants or accrued during the pendency of that litigation, minus the amounts designated for other purposes in sections 7152 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015, effective October 6, 2015 (D.C. Act 21-153; 62 DCR 13178), and the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, enacted on October 22, 2015 (D.C. Act 21-171; 62 DCR 13979), shall be deposited in the Fund.

"(c) The monies in the Fund shall be available to fund extraordinary or unanticipated operating or capital needs of the Washington Metropolitan Area Transit Authority ("WMATA") that arise outside of WMATA's regular inter-jurisdictional subsidy allocation formulae.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

Note, § 7-2509.07

Sec. 5. Section 907 of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.07), is amended as follows:

(a) Subsection (a)(11) and (12) are amended to read as follows:

"(11) The White House Complex and its grounds up to and including to the curb of the adjacent sidewalks touching the roadways of the area bounded by Constitution Avenue, N.W., 15th Street, N.W., H Street N.W., and 17th Street, N.W.;

"(12) The U.S. Naval Observatory and its fence line, including the area from the perimeter of its fence up to and including to the curb of the adjacent sidewalks touching the roadway of Observatory Circle, from Calvert Street, N.W., to Massachusetts Avenue, N.W., and around Observatory Circle to the far corner of Observatory Lane;".

(b) Subsection (d)(1) is amended by striking the phrase "While he or she is traveling along a public street, road, or highway, including an adjacent public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this section" and inserting the phrase "While he or she is traveling along a public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this section, except for the areas designated in subsection (a)(11) and (a)(12), or along a public street, roadway, or highway" in its place.

Note, § 8-1031.03

Sec. 6. Section 401 of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; 62 DCR 3600), is repealed.

Note, § 10-1103.07

Sec. 7. Section 308(d)(1) of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1160; D.C. Official Code § 10-1103.07(d)(1)), is amended by striking the phrase "For periods beginning after June 30, 2015, interest on unpaid vault rent" and inserting the phrase "Beginning September 15, 2015, interest on any unpaid vault rent for any vault year" in its place.

Note, § 32-131.01

Sec. 8. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01), is amended as follows:

(a) Paragraph (2) is amended as follows:

(1) Subparagraph (E) is amended by striking the word "or".

(2) Subparagraph (F) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new subparagraph (G) is added to read as follows:

"(G) A substitute teacher or a substitute aide who is employed by District of Columbia Public Schools for a period of 30 or fewer consecutive work days.".

(b) New paragraphs (9) and (10) are added to read as follows:

"(9) "Substitute aide" means an individual who is employed by District of Columbia Public Schools to provide instructional assistance (general, specialized, or concentrated) to students on a temporary basis when the regular instructional aide is unavailable. The term "substitute aide" does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.

"(10) "Substitute teacher" means an individual who is employed by District of Columbia Public Schools to work as a classroom teacher on a temporary basis when the regular teacher is unavailable. The term "substitute teacher" does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.".

Note, § 32-152

Sec. 9. Section 502(d) of the Sustainable DC Omnibus Act of 2014, effective December 17, 2014 (D.C. Law 20-142; 62 DCR 1243), is amended to read as follows:

"(d) Title III, Subtitle A, section 302(b) shall apply as of October 1, 2015.".

Note, § 32-241

Sec. 10. Section 2(g) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(g)), is amended as follows:

(a) Paragraph (4) is amended by striking the word "outcomes" and inserting the phrase "outcomes as of December 31, 2015," in its place.

(b) A new paragraph (5) is added to read as follows:

"(5) In Fiscal Year 2016, the District of Columbia Auditor shall conduct an evaluation of multiple years of the summer youth jobs program to assess whether the program has met and is meeting program objectives.".

Sec. 11. Section 2(h)(2)(A) of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(h)(2)(A)), is amended by striking the phrase "Under 22 years of age" and inserting the phrase "A resident of the District of Columbia under 22 years of age" in its place. **Note, § 35-233**

Sec. 12. Section 47-355.07 of the District of Columbia Official Code is amended as follows: **Note, § 47-355.07**

(a) Subsection (c)(1) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "serve at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(2) Subparagraph (B) is amended by striking the phrase "serves at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(3) Subparagraph (D) is amended by striking the phrase "serves at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(b) Subsection (d)(3)(D) is amended by striking the phrase "taken or proposed to be taken" and inserting the word "recommended" in its place.

(c) New subsections (d-1), (d-2), and (d-3) are added to read as follows:

"(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of an alleged violation.

"(2) In investigating a report of an alleged violation, the Review Board may:

"(A) Request assistance from the Office of the Chief Financial Officer, the Office of the Inspector General, and the Office of the Attorney General; and

"(B) Consult with the Office of the Attorney General for the purposes of obtaining legal advice.

"(d-2) The Review Board:

"(1) Shall have access, subject to any privileges or confidentiality requirements as provided by law, to all facilities, files, and databases of the District government, including all files, electronic paper records, reports, documents, and other materials that may relate to the investigation;

"(2) May request information or assistance from any District, federal, state, or local government agency as may be necessary for carrying out the investigation; and

"(3) May seek information from parties outside the District government, including government contractors, that may be relevant to the investigation.

"(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of boards, commissions, and councils of the District government shall cooperate in an investigation by

the Review Board and shall provide documents, materials, and information to the Review Board upon request.

"(2) Subject to any applicable privileges, officers, employees, and members of boards, commissions, and councils of the District government shall respond truthfully to all questions posed by the Review Board, and shall not prevent or prohibit the Review Board from initiating, carrying out, or completing an investigation within its jurisdiction.

"(3) The Review Board:

"(A) May require any officer, employee, or member of a board, commission, or council of the District government, including the subject of an allegation, to appear before the Review Board; and

"(B) Shall provide any officer, employee, or member of a board, commission, or council of the District who is potentially subject to disciplinary action an opportunity to appear before the Review Board.

"(4) The Review Board may recommend an appropriate disciplinary action with respect to any officer, employee, or member of a board, commission, or council of the District government who fails to cooperate fully with a Review Board investigation.".

Sec. 13. Chapter 13A of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1341 is amended as follows: **Note, § 47-1341**

(1) Subsection (a)(1) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service,".

(2) Subsection (b-1)(1) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service,".

(b) Section 47-1353.01(a) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service to the last known address of the owner" and inserting the phrase "to the person who last appears as the owner of the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405" in its place. **Note, § 47-1353.01**

Sec. 14. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "Tax haven updates." and inserting the phrase "Tax haven updates. (Repealed)." in its place.

(b) Section 47-1801.04(49) is amended as follows: **Note, § 47-1801.04**

(1) Subparagraph (A) is amended by striking the phrase "means the jurisdictions listed in subparagraph (B-i) of this paragraph and any jurisdiction that" and inserting the phrase "means a jurisdiction that" in its place.

(2) Subparagraph (B-i) is repealed.

(c) Section 47-1810.09 is repealed.

Note, Repeal § 47-1810.09

Sec. 15. Section 47-1801.04(11) of the District of Columbia Official Code is amended as follows:

Note, § 47-1801.04

(a) Subparagraph (A) is amended by striking the phrase "calendar year beginning January 1, 2011" wherever it appears and inserting the phrase "base year" in its place.

(b) A new subparagraph (C) is added to read as follows:

"(C) For the purposes of this paragraph, the term "base year" shall mean the calendar year beginning January 1, 2011, or the calendar year beginning one calendar year before the calendar year in which the new dollar amount of a deduction or exemption shall become effective, whichever is later.".

Sec. 16. Section 47-1806.02(h-1)(1) of the District of Columbia Official Code is amended to read as follows:

Note, § 47-1806.02

"(h-1)(1) For taxable years beginning after December 31, 2014, the amount of the personal exemption otherwise allowable for the taxable year in the case of an individual whose adjusted gross income exceeds $150,000 shall be reduced by 2% for every $2,500 (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year exceeds $150,000.".

Sec. 17. Section 6(b) of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C Law 20-191; 62 DCR 3820), is amended to read as follows:

Note, § 48-314 [implement section]

"(b) Section 5 shall apply as of October 1, 2015.".

Sec. 18. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended by striking the phrase "shall be a violation of" and inserting the phrase "shall be a violation, to be adjudicated pursuant to" in its place.

Note, § 50-2637

Sec. 19. Section 2404 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2404) is amended as follows:

DCMR

(a) Subsection 2404.15 is amended to read as follows:

"2404.15 Except as provided in § 2424, the rates for parking meters in the "Premium Demand Parking Meter Rate Zones" shall be as follows:

"(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

"(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.".

(b) Subsection 2404.17 is amended to read as follows:

"2404.17 Except as provided in § 2424, the rates for parking meters in the "Normal Demand Parking Meter Rate Zones" shall be as follows:

"(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

"(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.".

Not Codified

Sec. 20. Section 8052 of the Fiscal Year 2016 Capital Rescission Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Strike the phrase "YY105C" in the tabular array and insert the phrase "YY159C" in its place.

(b) Strike the phrase "PROSPECT ES MODERNIZATION/RENOVATION" in the tabular array and insert the phrase "ELLINGTON MODERNIZATION/RENOVATION" in its place.

Note, § 1-1001.05 st al.

Sec. 21. Section 5 of the Primary Date Alteration Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-273; 62 DCR 1938), is repealed.

DCMR

Sec. 22. Applicability.

Section 19 shall apply as of June 1, 2016.

Sec. 23. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 24. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-85, effective March 9, 2016 (Expiration date October 20, 2016)
(Related Emergency Legislation is Act 21-240, 21 DCSTAT 2308)

AN ACT

Bill 21-495
Act 21-267 effective January 12, 2016

To amend, on a temporary basis, the Prevention of Child Abuse and Neglect Act of 1977 to encourage foster children to have connections with individuals who would have been considered siblings but for the termination of parental rights or death of a parent.

Codification District of Columbia Official Code 2001 Edition

Encouraging Foster Children to Have Connections with Siblings Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Encouraging Foster Children to Have Connections with Siblings Temporary Amendment Act of 2015".

Sec. 2. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

(a) Section 102(3)(F)(ii) (D.C. Official Code § 4–1301.02(3)(F)(ii)) is amended by striking the phrase "separation of siblings" and inserting the phrase "separation of siblings, including individuals who would have been considered siblings of the child but for the termination of parental rights or death of a parent," in its place.

Note, § 4-1301.02

(b) Section 303(a-1)(5) (D.C. Official Code § 4-1303.03(a-1)(5)) is amended by striking the phrase "siblings," and inserting the phrase "siblings, including individuals who would have been considered siblings of the child but for the termination of parental rights or death of a parent," in its place.

Note, § 4-1303.03

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-86, effective March 9, 2016 (Expiration date October 20, 2016)
(Related Emergency Legislation is Act 21-225, 21 DCSTAT 2299)

AN ACT

Bill 21-501
Act 21-268
effective January 12, 2016

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to provide that costs associated with the payment of compensation, benefits and other expenses to injured District government employees may be paid from the Employees' Compensation Fund.

Codification District of Columbia Official Code 2001 Edition

Employees' Compensation Fund Clarification Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Employees' Compensation Fund Clarification Temporary Amendment Act of 2015".

Note, § 1-623.42

Sec. 2. Section 2342 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-623.42), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraph (1) is repealed.

(2) Paragraph (2) is amended by striking the phrase "expenses, except administrative expenses, authorized by this title or any extension or application thereof, except as otherwise provided by this subtitle or other statute." and inserting the phrase "expenses that are necessary to implement the provisions of this title." in its place.

(3) Paragraph (3) is repealed.

(b) Subsection (b) is repealed.

(c) A new subsection (c) is added to read as follows:

"(c) This section shall apply to payments made from the Fund on or after October 1, 2008.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-87, effective March 9, 2016 (Expiration date October 20, 2016)
(Related Emergency Legislation is Act 21-241, 21 DCSTAT 2309)

AN ACT

Bill 21-504
Act 21-269 effective January 12, 2016

To amend, on a temporary basis, Chapter 46 of Title 47 of the District of Columbia Official Code to clarify the real property tax abatement for Lot 72 in Square 5041 and Lot 811 in Square 5056.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2015".

Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2015

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "47-4658. Parkside Parcel E and J Mixed-Income Apartments; Lot 808, Square 5041 and Lot 811, Square 5056." and inserting the phrase "47-4658. Lot 72, Square 5041 and Lot 811, Square 5056." in its place.

(b) Section 47-4658 is amended as follows:

Note, § 47-4658

(1) The heading is amended to read as follows:

"§ 47-4658. Lot 72, Square 5041 and Lot 811, Square 5056.".

(2) Subsection (a) is amended to read as follows:

"(a) Subject to subsection (b) of this section, the real property described as Lot 72 in Square 5041 and Lot 811 in Square 5056 shall be allowed an annual real property tax abatement equal to the amount of the real property taxes assessed and imposed by Chapter 8 of this title of up to a total maximum amount for each lot of $300,000 per year for 10 property tax years commencing for Lot 72 and Lot 811 at the beginning of the first month following the date that specific lot is issued a final certificate of occupancy ("commencement date") and ending for each lot at the end of the 10th full real property tax year following the lot's commencement date.".

(3) Subsections (c) and (d) are amended to read as follows:

"(c) Notwithstanding any other provision of law and provided that the final certificate of occupancy is issued on or before September 20, 2018, upon the issuance of a final certificate for Lot 72 or Lot 811, any fees or deposits charged to and paid by the owner of that specific lot for the development of Lot 72 or Lot 811, including private space or building permit fees or public space permit fees ("related fees"), shall be refunded and any prospective related fees forgiven.

"(d) The tax abatements and fees and deposits exemptions provided pursuant to this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the development of Lot 72 or Lot 811.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-88, effective March 9, 2016 (Expiration date October 20, 2016)
(Related Emergency Legislation is Act 21-226, 21 DCSTAT 2301)

AN ACT

Bill 21-517
Act 21-270 effective January 12, 2016

Codification District of Columbia Official Code 2001 Edition

Classroom Animal for Educational Purposes Temporary Amendment Act of 2015

Note, § 8-1808

To amend, on a temporary basis, the Animal Control Act of 1979 to clarify that an educational institution may have animals for educational and instructional purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Classroom Animal for Educational Purposes Temporary Amendment Act of 2015".

Sec. 2. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to read as follows:

"(6) Paragraph (1) of this subsection shall not apply to educational institutions that possess animals for educational and instructional purposes and that otherwise comply with humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law 17-281; D.C. Official Code § 8-1851.02).".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-89, effective March 9, 2016 (Expiration date October 20, 2016)
(Related Emergency Legislation is Act 21-227, 21 DCSTAT 2303)

AN ACT

Bill 21-519
Act 21-271
effective January 21, 2016

To amend, on a temporary basis, the Business Improvement Districts Act of 1996 to clarify that the business improvement district shall submit a plan to the Mayor to request to extend its operations for a period of 5 years.

Codification District of Columbia Official Code 2001 Edition

Business Improvement Districts Charter Renewal Temporary Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Business Improvement Districts Charter Renewal Temporary Amendment Act of 2015".

Note, § 2-1215.18

Sec. 2. Section 19(a)(1)(B) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.18(a)(1)(B)), is amended by striking the phrase "The Board and membership approve a BID plan for the next 5 years of BID operations and submit that plan to the Mayor; and" and inserting the phrase "The BID submits a plan for the next 5 years of BID operations to the Mayor; and" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-90 effective March 9, 2016 (Expiration date October 20, 2016)
(Related Emergency Legislation is Act 21-243, 21 DCSTAT 2313)

AN ACT

Bill 21-521
Act 21-272 effective January 12, 2016

Not Codified

To authorize, on a temporary basis, the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Temporary Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Temporary Act of 2015".

Sec. 2. Findings.

The Council finds that:

(1) The District of Columbia Water and Sewer Authority ("DC Water") currently operates a site south of N Place, S.E., north of the Anacostia River and between 1st and Canal Streets, S.E. ("DC Water Site").

(2) Pursuant to the Anacostia Waterfront Framework Plan, the District of Columbia plans to dispose of and develop a portion of the DC Water Site so as to leverage other large-scale District investments in the Capitol Riverfront/Near Southeast neighborhood, such as the South Capitol Street Bridge project and Nationals Park, thereby serving to accelerate and promote economic vitality as well as enhance economic development in the District of Columbia.

(3) For the planned disposition and development to proceed, it is necessary for DC Water to relocate the functions currently at the DC Water Site.

(4) The District of Columbia and DC Water have entered into a Memorandum of Understanding for DC Water to relocate a portion of the uses from the DC Water Site to a site in Prince Georges County, Maryland.

(5) The District desires to relocate the current DC Water Site uses not being relocated to the Prince Georges County site, including customer care and sewer service operations, to Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 ("W Street Site").

(6) The W Street Site is currently occupied by a private trash transfer station.

(7) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(8) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin, and have complained that there is an increased incidence of health concerns.

(9) The W Street Site trash transfer station continues to operate as an open air trash transfer station, which allows its pungent odors to reach much farther than they would if the facility were closed.

(10) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

(11) The W Street Site will provide an opportunity to construct and establish an updated customer care and sewer service operation for DC Water that is more centrally located within the District of Columbia.

(12) The relocation of DC Water to the W Street Site shall not be considered as a permanent solution to the future use of the site. The permanent future use of the W Street Site should include sustainable economic development and be made in consultation with the surrounding community.

Sec. 3. Exercise of eminent domain.

The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots 36, 41 and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in section 2.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-91, effective March 23, 2016 (Expiration date November 3, 2016)
(Related Emergency Legislation is Act 21-254, 21 DCSTAT 2706)

AN ACT

Bill 21-525
Act 21-275
effective January 21, 2016

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to require the Attorney General for the District of Columbia to issue personnel rules for employees of that office; and to amend the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010 to require the Attorney General for the District of Columbia to issue rules to govern procurement conducted by that office.

Codification District of Columbia Official Code 2001 Edition

Office of the Attorney General Personnel and Procurement Clarification Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office of the Attorney General Personnel and Procurement Clarification Temporary Amendment Act of 2016".

Note, § 1-604.04

Sec. 2. Section 404 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.04), is amended by adding a new subsection (a-1) to read as follows:

"(a-1)(1) The Attorney General shall issue rules and regulations to implement the provisions of titles VII, VIII, IX, IX-A, XI, XII, XIII, XIII-A, XIV-A, XVI-A, XVII, XIX, XXIV, XXVII, and XXXI of this act for employees under the jurisdiction of the Attorney General.

"(2) The rules and regulations promulgated pursuant to subsection (a) of this section shall apply to employees under the jurisdiction of the Attorney General unless the Attorney General has issued a superseding rule or regulation.".

DCMR

Sec. 3. Section 108b of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Designate the existing text as subsection (a).

(b) A new subsection (b) is added to read as follows:

"(b)(1) The Attorney General shall issue rules to govern the procurement of goods and services for the Office of the Attorney General.

"(2) The rules promulgated pursuant to section 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 1-371; D.C. Official Code § 2-361.06), shall apply to procurement of goods and services for the Office of the Attorney General unless the Attorney General has issued a superseding rule or regulation.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-92, effective March 23, 2016 (Expiration date November 3, 2016)
(Related Emergency Legislation is Act 21-256, 21 DCSTAT 2712)

AN ACT

Bill 21-534
Act 21-276 effective January 21, 2016

To amend, on a temporary basis, the Washington Metropolitan Area Transit Authority Safety Regulation Act of 1997 to authorize the Mayor to transfer funds to the Metropolitan Washington Council of Governments for the formation of an independent interstate entity to replace the joint state oversight agency responsible for the regulation of Washington Metropolitan Area Transit Authority rail safety, and to require any proposal or agreement to form an independent interstate legal entity to be approved by the Council.

Codification District of Columbia Official Code 2001 Edition

Washington Metropolitan Area Transit Authority Safety Regulation Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Metropolitan Area Transit Authority Safety Regulation Temporary Amendment Act of 2016".

Note, New § 9-1109.08

Sec. 2. The Washington Metropolitan Area Transit Authority Safety Regulation Act of 1997, effective September 23, 1997 (D.C. Law 12-20; D.C. Official Code § 9-1109.01 *et seq.*), is amended by adding a new section 8a to read as follows:

"Sec. 8a. Formation of a replacement independent interstate legal entity.

"(a) Notwithstanding any other provision of law and pursuant to the authority and requirements set forth in section 20021(a) of the Moving Ahead for Progress in the 21st Century Act, approved July 6, 2012 (126 Stat. 709; 49 U.S.C. § 5329), to enable the Metropolitan Washington Council of Governments ("COG") to assist the District in the formation of an independent interstate legal entity to replace the Tristate Oversight Committee as the joint state oversight agency authorized by this act, the Mayor is authorized to transfer funds by contract, grant, sub-grant, or other available means to COG. The authority under this section shall include the transfer of federal funds received by the District for expenses related to the formation of the replacement independent interstate legal entity, and any matching funds required from the District to receive and spend such federal funds.

"(b) Any agreement or proposal to form an independent interstate legal entity to replace the joint state oversight agency authorized by this act shall be submitted to the Council for approval.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-93, effective March 23, 2016 (Expiration date November 3, 2016)
(Related Emergency Legislation is Act 21-257, 21 DCSTAT 2714)

AN ACT

Bill 21-537
Act 21-277
effective January 21, 2016

To amend, on a temporary basis, the Firearms Control Regulations Act of 1975 to extend to January 1, 2018, the date for implementation of the microstamping requirement for semiautomatic pistols.

Codification District of Columbia Official Code 2001 Edition

Microstamping Implementation Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Microstamping Implementation Temporary Amendment Act of 2016".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the date "January 1, 2016" wherever it appears and inserting the date "January 1, 2018" in its place.

Note, § 7-2504.08

(b) Section 503 (D.C. Official Code § 7-2505.03) is amended as follows:

Note, § 7-2505.03

(1) Subsection (b) is amended as follows:

(A) The lead-in language is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(B) Paragraph (2) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(C) Paragraph (3) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(2) Subsection (c)(1) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(3) The lead-in language of subsection (e) is amended by striking the date "January 1, 2016" both times it appears and inserting the date "January 1, 2018" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Act 21-254, effective January 6, 2016 (Expiration date April 5, 2016)

AN ACT

Bill 21-524

Emergency Declaration Res. 21-340 21 DCStat 2866

Codification District of Columbia Official Code 2001 Edition

Office of the Attorney General Personnel and Procurement Clarification Emergency Amendment Act of 2015

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to require the Attorney General for the District of Columbia to issue personnel rules for employees of that office; and to amend the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010 to require the Attorney General for the District of Columbia to issue rules to govern procurement conducted by that office.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office of the Attorney General Personnel and Procurement Clarification Emergency Amendment Act of 2015".

Note, § 1-604.04

Sec. 2. Section 404 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.04), is amended by adding a new subsection (a-1) to read as follows:

"(a-1)(1) The Attorney General shall issue rules and regulations to implement the provisions of titles VII, VIII, IX, IX-A, XI, XII, XIII, XIII-A, XIV-A, XVI-A, XVII, XIX, XXIV, XXVII, and XXXI of this act for employees under the jurisdiction of the Attorney General.

"(2) The rules and regulations promulgated pursuant to subsection (a) of this section shall apply to employees under the jurisdiction of the Attorney General unless the Attorney General has issued a superseding rule or regulation.".

Note, § 1-301.88b

Sec. 3. Section 108b of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Designate the existing text as subsection (a).

(b) A new subsection (b) is added to read as follows:

"(b)(1) The Attorney General shall issue rules to govern the procurement of goods and services for the Office of the Attorney General.

"(2) The rules promulgated pursuant to section 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 1-371; D.C. Official Code § 2-361.06), shall apply to procurement of goods and services for the Office of the Attorney General unless the Attorney General has issued a superseding rule or regulation.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-255, effective January 6, 2016 (Expiration date April 5, 2016)

AN ACT

Bill 21-532

Emergency Declaration Res. 21-338 21 DCStat 2864

To amend, on an emergency basis, the Vending Regulation Act of 2009 to clarify that the Mayor may establish exemptions from licensure requirements, and to maintain criminal penalties provisions for a violation of the act or a vending regulation.

Codification District of Columbia Official Code 2001 Edition

Vending Regulations Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vending Regulations Emergency Amendment Act of 2015".

Sec. 2. The Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.01 *et seq*.), is amended as follows:

Note, § 37-131.02

(a) Section 3 (D.C. Official Code § 37-131.02) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended by striking the word "and"

(B) Paragraph (3) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new paragraph (4) is added to read as follows:

"(4) A person or entity authorized to vend from public space without a license pursuant to subsection (d) of this section.".

(2) A new subsection (d) is added to read as follows:

"(d) The Mayor may establish by regulation exemptions from the licensure requirement for a person, entity, or categories of persons or entities to vend from public space without a basic business license when the public interest would be served by establishing such an exemption.".

Note, § 37-131.08

(b) Section 9 (D.C. Official Code § 37-131.08) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b) Any person who violates any of the provisions of this act or any regulations issued pursuant to this act shall, upon conviction, be subject to a fine not to exceed the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), imprisonment not to exceed 90 days, or both, for each violation.".

DCMR

Sec. 3. Chapter 5 of Title 24 of the District of Columbia Municipal Regulations is amended as follows:

(a) A new section 573.8 is added to read as follows:

"573.8 No person shall sell or offer to sell any ticket from the sidewalks, streets, or public spaces anywhere in the District of Columbia for any excursion, musical or theatrical performance, opera, sporting event, circus, or any entertainment of any kind; provided, that sales of tickets on public space for sightseeing bus excursions shall comply with the provisions of §§ 573.5, 573.6, and 573.7.".

(b) A new section 573A is added to read as follows:

"573A Vending: Ticket Sales

"573A.1 Notwithstanding § 573, the DCRA Director in consultation with the Metropolitan Police Department and after consultation with any associated entertainment venue may establish a Ticket Resale Zone (TRZ) on a sidewalk, street, or other public space within which the sale of tickets may be authorized by the DCRA Director after approval from DDOT pursuant to § 501.2(b). A TRZ shall not be established within 1000 feet of an entertainment venue if the establishment thereof is objected to by the venue operator.

"573A.2 The Director of DCRA shall establish a TRZ by publishing a notice in the *D.C. Register* setting forth the location of the TRZ. The notice shall be published at least seven (7) days before the zone will be used for ticket sales.

"573A.3 The Director of DCRA may rescind the designation of an area as a TRZ by publishing a notice of rescission in the *D.C. Register*; provided, that the DDOT Director may rescind the designation of an area as a TRZ before publication of such a notice by posting notices of rescission at the TRZ.

"573A.4 DCRA may issue Vending Site Permits authorizing persons holding Class D Vending Licenses for ticket sales to sell tickets in a TRZ according to the provisions of this chapter.

"573A.5 A Vending Site Permit authorizing the sale of tickets from a TRZ shall specify the:

"(a) Date(s) on which ticket sales are authorized;

"(b) Time(s) during which ticket sales are authorized; and

"(c) Ticket Resale Zone at which ticket sales are authorized.

"573A.6 In order to obtain a Vending Site Permit, a person holding a Class D Vending License for ticket sales shall, by the fifteenth (15th) day of any calendar month, submit, on a form prescribed by the Director of DCRA, a request for any dates that the person desires Vending Site Permits to sell tickets in a TRZ for the following month.

"573A.7 If requests from licensees for Vending Site Permits exceed the number of available permits for a TRZ for a particular date and time, DCRA shall assign the available spaces through a lottery. DCRA shall publish the results of the lottery on the DCRA website.

"573A.8 The venue associated with a TRZ shall, upon request, be granted one (1) Vending Site Permit for any requested event if the request is submitted by the fifteenth (15th) day of the previous calendar month or at the discretion of DCRA.

"573A.9 A person may sell or offer to sell tickets from a TRZ if:

"(a) The person holds a Class D Vending License for ticket sales or is the venue associated with the TRZ;

"(b) The person conspicuously displays his or her Vending Site Permit and Class D Vending License for ticket sales or an identification card provided to a venue by DCRA;

"(c) The person has been issued a Vending Site Permit by DCRA authorizing him or her to sell tickets from the TRZ;

"(d) The person is buying, selling, or offering to buy or sell tickets pursuant to the terms of the Vending Site Permit; and

"(e) The person is buying, selling, or offering to buy or sell tickets for an event scheduled to begin within six (6) hours of the time of sale.

"573A.10 To conduct a sale in a TRZ, a ticket sale licensee must, in addition to operating in compliance with § 573A.9, provide a receipt to the non-licensee on a form prescribed by the Director of DCRA. If both the buyer and seller are licensees, each shall provide a receipt to the other party.

"573A.11 An unlicensed person may sell tickets to a license holder who is operating in a TRZ in accordance with this chapter.

"573A.12 Subject to the hearing provisions of § 573A.13, the Director of DCRA may summarily suspend the Vending Site Permit of a person who violates §§ 573A.9 or 573A.10, and may further determine, in his or her reasonable discretion after providing notice to the person and an opportunity to be heard, that the person whose Vending Site Permit has been suspended shall for up to two (2) years be ineligible for a Vending Site Permit or any similar successor license or permit.

"573A.13 A licensee may appeal a suspension of a Vending Site Permit pursuant to § 573A.12 by:

"(a) Requesting a review from the Director of DCRA, or his or her delegate, which shall be provided within three (3) business days of receipt of a hearing request. The licensee may appeal any decision reached by DCRA in the review to the Office of Administrative Hearings; or

"(b) Requesting a hearing with the Office of Administrative Hearings, which shall be provided within three (3) business days of receipt of a hearing request.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Vending Regulations Amendment Act of 2015, passed on 2nd reading on December 15, 2015 (Enrolled version of Bill 21-113), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-256, effective January 6, 2016 (Expiration date April 5, 2016)

AN ACT

Bill 21-533

Emergency Declaration Res. 21-341 21 DCStat 2867

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Washington Metropolitan Area Transit Authority Safety Regulation Act of 1997 to authorize the Mayor to transfer funds to the Metropolitan Washington Council of Governments for the formation of an independent interstate entity to replace the joint state oversight agency responsible for the regulation of Washington Metropolitan Area Transit Authority rail safety, and to require any proposal or agreement to form an independent interstate legal entity to be approved by the Council.

Washington Metropolitan Area Transit Authority Safety Regulation Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Metropolitan Area Transit Authority Safety Regulation Emergency Amendment Act of 2015".

Note, New § 9-1109.08

Sec. 2. The Washington Metropolitan Area Transit Authority Safety Regulation Act of 1997, effective September 23, 1997 (D.C. Law 12-20; D.C. Official Code § 9-1109.01 *et seq.*), is amended by adding a new section 8a to read as follows:

"Sec. 8a. Formation of a replacement independent interstate legal entity.

"(a) Notwithstanding any other provision of law and pursuant to the authority and requirements set forth in section 20021(a) of the Moving Ahead for Progress in the 21st Century Act, approved July 6, 2012 (126 Stat. 709; 49 U.S.C. § 5329), to enable the Metropolitan Washington Council of Governments ("COG") to assist the District in the formation of an independent interstate legal entity to replace the Tristate Oversight Committee as the joint state oversight agency authorized by this act, the Mayor is authorized to transfer funds by contract, grant, sub-grant, or other available means to COG. The authority under this section shall include the transfer of federal funds received by the District for expenses related to the formation of the replacement independent interstate legal entity, and any matching funds required from the District to receive and spend such federal funds.

"(b) Any agreement or proposal to form an independent interstate legal entity to replace the joint state oversight agency authorized by this act shall be submitted to the Council for approval.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-535

Emergency Declaration Res. 21-335 21 DCStat 2861

Not Codified

To adjust, on an emergency basis, due to congressional review, certain allocations requested in the Fiscal Year 2015 Budget Request Act of 2014 pursuant to the Omnibus Appropriations Act, 2009; to authorize that available Fiscal Year 2015 funds be retained as fund balance and carried over into Fiscal Year 2016; and to adjust certain allocations requested in the Fiscal Year 2016 Budget Request Act of 2015 pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Congressional Review Emergency Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Congressional Review Emergency Act of 2015".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2015 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II – DISTRICT OF COLUMBIA FUNDS – SUMMARY OF EXPENSES

$57,612,000 is added from local funds; to be allocated as follows:

Financing and Other

The appropriation for Financing and Other is increased by $57,612,000 in local funds; to be allocated as follows:

(1) Emergency and Contingency Reserve Funds. - $57,612,000 is added to be available in local funds.

Sec. 3. In accordance with Title II – Summary of Expenses of the Fiscal Year 2015 Budget Request Act of 2014 allowing General Funds to be increased by proceeds from one-time transactions, the Council authorizes budget authority to expend $17,700,000 of unallocated, one-time funds received by the Office of Tax and Revenue related to the settlement payment in the *District of Columbia v. Expedia, Inc., et al*. (Nos. 14-CV-308, 14-CV-309) case. These funds shall be spent in accordance with section 5.

Sec. 4. Remaining Fiscal Year 2015 unexpended revenue of $28,287,881 shall be carried over into Fiscal Year 2016 as fund balance. This revenue shall be spent in accordance with section 5.

Sec. 5. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2016 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II – DISTRICT OF COLUMBIA FUNDS – SUMMARY OF EXPENSES

$28,288,000 is added from local funds; and $5,000,000 is increased in enterprise and other funds; to be allocated as follows:

Economic Development and Regulation

The appropriation for Economic Development and Regulation is increased by $4,492,000 in local funds; to be allocated as follows:

(1) Department of Employment Services. - $4,492,000 is added to be available from local funds.

Public Safety and Justice

The appropriation for Public Safety and Justice is increased by $14,214,000 in local funds; to be allocated as follows:

(1) Metropolitan Police Department. - $5,864,000 is added to be available from local funds;

(2) Department of Forensic Sciences. - $8,024,000 is added to be available from local funds; and

(3) Office of the Chief Medical Examiner. - $326,000 is added to be available from local funds.

Human Support Services

The appropriation for Human Support Services is increased by $3,776,000 in local funds; to be allocated as follows:

(1) Department of Parks and Recreation. - $2,526,000 is added to be available from local funds; and

(2) Children and Youth Investment Trust Corporation. - $1,250,000 is added to be available from local funds.

Public Works

The appropriation for Public Works is increased by $806,000 in local funds; to be allocated as follows:

(1) Department of Public Works. - $806,000 is added to be available from local funds.

Financing and Other

The appropriation for Financing and Other is increased by $5,000,000 in local funds; to be allocated as follows:

(1) Convention Center Transfer – Dedicated Taxes. - $5,000,000 is added to be available from local funds.

Enterprise and Other Funds

The appropriation for Enterprise and Other Funds is increased by $5,000,000 in local funds; to be allocated as follows:

(1) Washington Convention and Sports Authority. - $5,000,000 is added to be available from local funds.

Sec. 6. Metropolitan Police Department body-worn cameras funded by any funds made available in Fiscal Year 2016 shall not be worn until rules are approved by the Council pursuant to section 3003 of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), or by an act of the Council.

Sec. 7. Funds to incentivize a neighborhood camera initiative to encourage businesses, property owners, and churches to install security cameras made available in Fiscal Year 2016 shall not be issued until parameters governing the initiative are approved by an act of the Council.

Sec. 8. Program evaluation.

The Office of Performance Management within the Office of the City Administrator shall conduct, in consultation with the Department of Employment Services, a rigorous, high-quality evaluation of both the Career Connection Program and the LEAP Academy. The Office of Performance Management shall issue a report to the Council detailing the study design for this evaluation by October 9, 2015. The report shall include plans for continuous monitoring and oversight of program activities, a list of outcome metrics to be collected, how the data will be collected, how existing administrative data from across the government will be incorporated, and how the evaluation will be built into the startup of the program.

Sec. 9. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 10. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-258, effective January 6, 2016 (Expiration date March 31, 2016)

AN ACT

Bill 21-536

Emergency Declaration Res. 21-342 21 DCStat 2869

To amend, on an emergency basis, the Firearms Control Regulations Act of 1975 to extend to January 1, 2018, the date for implementation of the microstamping requirement for semiautomatic pistols.

Codification District of Columbia Official Code 2001 Edition

Microstamping Implementation Emergency Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Microstamping Implementation Emergency Amendment Act of 2015".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the phrase "January 1, 2016" wherever it appears and inserting the phrase "January 1, 2018" in its place.

Note, § 7-2504.08

(b) Section 503 (D.C. Official Code § 7-2505.03) is amended by striking the phrase "January 1, 2016" wherever it appears and inserting the phrase "January 1, 2018" in its place.

Note, § 7-2505.03

Sec. 3. Applicability.

This act shall apply as of January 1, 2016.

Retroactive applicability

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-549

Emergency Declaration Res. 21-365 21 DCStat 2900

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014; and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy, or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

Marijuana Possession Decriminalization Clarification Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marijuana Possession Decriminalization Clarification Emergency Amendment Act of 2016".

Note, § 48-911.01

Sec. 2. Section 301 of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01), is amended as follows:

(a) Subsection (a)(3) is amended to read as follows:

"(3) Any place to which the public is invited. For the purposes of this subsection, and notwithstanding any other provision of law, a private club, which includes any building, facility, or premises used or operated by an organization or association for a common avocational purpose, such as a fraternal, social, educational, or recreational purpose, is a place to which the public is invited; provided, that a private club does not include a private residence.".

(b) A new subsection (f) is added to read as follows:

"(f) No provision of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880), shall limit or be construed to limit the application of any provision of this section.".

Note, § 47-2844

Sec. 3. Section 47-2844(a-1)(1) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the phrase "Title 48; or" and inserting the phrase "Title 48;" in its place.

(b) Subparagraph (C) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) Conduct that violates section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)). In addition, the Mayor shall revoke any certificate of occupancy or permit associated with the specific address or unit, whichever is more specific, of the holder of a certificate of occupancy or permit who knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)), to occur at the specific address or unit identified in the certificate of occupancy or permit.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-204.12(a)).

D.C. Act 21-274, effective January 15, 2016 (Expiration date April 14, 2016)

AN ACT

Bill 21-497

Emergency Declaration Res. 21-366 21 DCStat 2902

Codification District of Columbia Official Code 2001 Edition

Private Security Camera Incentive Program Emergency Act of 2016

Note, § 6-751.11

To create, on an emergency basis, a rebate program for the installation and registration of a security camera system on the exterior of a building owned or leased by a resident, business, nonprofit, or religious institution and to establish a special fund to implement the rebate program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Private Security Camera Incentive Program Emergency Act of 2016".

Sec. 2. Private security camera system incentive program.

(a) Pursuant to section 7 of the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Temporary Adjustment Act of 2015, enacted on October 22, 2015 (D.C. Act 21-171; 62 DCR 13979), and section 7 of the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Congressional Review Emergency Adjustment Act of 2015, enacted on January 6, 2016 (D.C. Act 21-257; 62 DCR ____), there is established a Private Security Camera System Incentive Program ("Program"), to be administered by the Mayor, to encourage the purchase and installation of a security camera system ("system") on the exterior of a building owned or leased by a resident, business, nonprofit, or religious institution, and to require registration of the system with the Metropolitan Police Department.

(b) To be eligible for the rebate provided for in this section, a property owner or lessee shall:

(1) After September 22, 2015, purchase and install a system on the exterior of the building;

(2) Register the system with the Metropolitan Police Department;

(3) Submit a rebate claim in accordance with Program rules promulgated pursuant to subsection (d) of this section; and

(4) Meet all requirements and criteria provided for in Program rules promulgated pursuant to subsection (d) of this section.

(c) (1) Upon approval of a rebate claim, the Program shall provide a rebate as follows; provided, that the amount of the rebate shall not be more than the purchase price of the system:

(A) Up to $200 per camera installed on the exterior of a residential building, with a maximum rebate of up to $500 per residential address; or

(B) Up to $200 per camera installed on the exterior of a business, commercial, nonprofit, or religious institution, with a maximum rebate of up to $750 per address.

(2) Rebates shall be contingent upon availability of funds.

(3) No rebates shall issue until the Mayor promulgates rules pursuant to subsection (d) of this section.

(d) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), shall issue rules to implement the provisions of this section, including:

(1) Requirements for proof of purchase and system verification;

(2) Procedures for registering a system with the Metropolitan Police Department, including an agreement to be signed by the recipient providing that the recipient shall not use the system to intentionally record specific individuals conducting lawful activity; and

(3) Identification of priority areas for Program eligibility; provided, that the priority areas include at least one area in each ward identified by crime levels and other public safety indicators in the corresponding police service area.

(e) Any rebate issued under this act shall not be considered income for purposes of District of Columbia income tax.

(f) For the purposes of this section, the term "security camera system" means one or more outdoor surveillance cameras with functioning digital video recording capability.

Sec. 3. Private Security Camera Incentive Fund.

Note, § 6-751.11

(a) There is established as a special fund the Private Security Camera Incentive Fund ("Fund"), which shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Funds appropriated by the District;

(2) Grants;

(3) Donations from the public; and

(4) Donations from private entities.

(c) Money in the Fund shall be used to implement the Private Security Camera Incentive Program ("Program"), including:

(1) Providing rebates to eligible participants; and

(2) Appropriate overhead or administrative expenses related to the Program and the Fund.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-278, effective January 27, 2016 (Expiration date April 26, 2016)

AN ACT

Bill 21-539

Emergency Declaration Res. 21-356 21 DCStat 2888

Not Codified

To approve, on an emergency basis, the extension of Contract No. CFOPD-11-C-024 with Wells Fargo Bank, N.A. to continue to provide a wide variety of general banking services to the District of Columbia, and to authorize payment for the services received and to be received under the contract.

Contract No. CFOPD-11-C-024 Extension Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CFOPD-11-C-024 Extension Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the extension of Contract No. CFOPD-11-C-024 with Wells Fargo Bank, N.A. to continue to provide a wide variety of general banking services to the District of Columbia and authorizes payment in the not-to-exceed amount of $12,408,397 for services received and to be received from December 16, 2015, through December 15, 2020.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-279, effective January 27, 2016 (Expiration date April 16, 2016)

AN ACT

Bill 21-545

Emergency Declaration Res. 21-351 21 DCStat 2882

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, Title 47 of the District of Columbia Official Code to establish a qualified ABLE Program, to be known as the ABLE Program Trust, pursuant to the requirements of the federal Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014 to exempt from income taxation the earnings on deposits made to an ABLE Program Trust by an eligible individual to assist the individual with certain expenses related to the individual's blindness or disability.

ABLE Program Trust Establishment Congressional Review Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "ABLE Program Trust Establishment Congressional Review Emergency Act of 2016".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new chapter designation to read as follows:

"49. ABLE Program.".

(b) A new Chapter 49 is added to read as follows:

"CHAPTER 49. ABLE PROGRAM.

"Sec.

"47-4901. Definitions.

"47-4902. ABLE Program Trust.

"§ 47-4901. Definitions.

Note, New § 47-4901

"For the purposes of this chapter, the term:

"(1) "ABLE account" means an account established by an eligible individual, owned by the eligible individual, and maintained under a qualified ABLE program, as defined in the Federal ABLE Act.

"(2) "ABLE Account Savings Agreement" means the terms, conditions, and provisions considered necessary or appropriate by the Chief Financial Officer, as set forth in regulations issued pursuant to this section, governing the deposits to and withdrawals from an ABLE account.

"(3) "ABLE Program Trust" or "Trust" means the trust established in § 47-4902.

"(4) "Chief Financial Officer" or "CFO" means the Chief Financial Officer of the District of Columbia, established by § 1-204.24a(a)).

"(5) "Designated beneficiary" means an eligible individual who has established an ABLE account and is the owner of the account, as defined in the Federal ABLE Act.

"(6) "Eligible individual" means an individual who during the taxable year is entitled to benefits based on blindness or disability under Title II of the Social Security Act, approved August 14, 1935 (49 Stat 620; 42 U.S.C. § 401 *et seq.*), or Title XVI of the Social Security Act, approved October 30, 1972 (86 Stat. 1465; 42 U.S.C. § 1381 *et seq.*), and such blindness or disability occurred before the date on which the individual attained 26 years of age, or a disability certification with respect to such individual is filed with the CFO for such taxable year, as defined in subsection (e)(1) of the Federal ABLE Act.

"(7) " Federal ABLE Act" means the Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A).

"(8) "Qualified disability expense" means expenses related to the eligible individual's blindness or disability that are made for the benefit of an eligible individual who is the designated beneficiary, including expenses for:

"(A) Education;
"(B) Housing;
"(C) Transportation;
"(D) Employment training and support;
"(E) Assistive technology and personal support services;
"(F) Health, prevention and wellness;
"(G) Financial management and administrative services;
"(H) Legal fees;
"(I) Expenses for oversight and monitoring;
"(J) Funeral and burial expenses; and
"(K) Other expenses that are consistent with the purposes of § 47-4902 and the Federal ABLE Act and approved by the CFO.

Note, New § 47-4902

"§ 47-4902. ABLE Program Trust.

"(a)(1) In accordance with the Federal ABLE Act, there is established a qualified ABLE program, to be known as the ABLE Program Trust, that shall be established as a trust, which shall authorize an eligible individual to create an ABLE account to enable the eligible individual to benefit from the tax incentives provided under the Federal ABLE Act.

"(2)(A) The Chief Financial Officer, or the CFO's designee, shall serve as the trustee of the Trust.

"(B) The Trust shall receive and hold all payments and contributions received from any public or private source, and the earnings on those payments and contributions, including:

"(i) Gifts;
"(ii) Bequests;
"(iii) Endowments;
"(iv) Federal and local grants; and
"(v) Any other funds intended for the Trust.

"(C) All deposits, and earnings on those deposits, held in the Trust shall constitute assets of the Trust and shall not be commingled with or revert to the General Fund of

the District of Columbia or any special, emergency, or temporary fund of the District of Columbia at the end of any fiscal year or at any other time.

"(D) The Trust shall continue in existence as long as it holds any payments, contributions, or other funds or has any obligations and until its existence is terminated by law.

"(b) An eligible individual who seeks to save money for the payment of qualified disability expenses of a designated beneficiary may establish an ABLE account and shall enter into an ABLE Account Savings Agreement with the Trust.

"(c) The Chief Financial Officer shall take the action necessary to implement the ABLE Program Trust, promulgate regulations, and enter into ABLE Account Savings Agreements.".

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of January 17, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the ABLE Program Trust Establishment Act of 2015, enacted on November 23, 2015 (D.C. Act 21-203; 62 DCR 15281), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-280, effective January 29, 2016 (Expiration date April 28, 2016)

AN ACT

Bill 21-546

Emergency Declaration Res. 21-352 21 DCStat 2883

Codification District of Columbia Official Code 2001 Edition

Gas Station Advisory Board Congressional Review Emergency Amendment Act of 2016

Note, § 36-304.01

To amend, on an emergency basis, due to congressional review, the Retail Services Station Act of 1976 to provide that certain prohibitions to discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015 and August 1, 2015.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Gas Station Advisory Board Congressional Review Emergency Amendment Act of 2016".

Sec. 2. Section 5-301(b) of the Retail Services Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-304.01(b)), is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) The newly designated paragraph (1) is amended by striking the phrase "No retail station" and inserting the phrase "Except as provided in paragraph (2) of this subsection, no retail station" in its place.

(c) A new paragraph (2) is added to read as follows:

"(2) This subsection shall not apply to any retail service station for which an application was on file with the Zoning Commission between the effective date of the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884), and August 1, 2015.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-281, effective January 27, 2016 (Expiration date April 26, 2016)

AN ACT

Bill 21-547

Emergency Declaration Res. 21-353 21 DCStat 2884

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, section 47-1096 of the District of Columbia Official Code to clarify the exemption from the tenant opportunity to purchase requirements of the property owned by N Street Village, Inc., located at 1301 14th Street, N.W.; and to amend the N Street Village, Inc. Tax and TOPA Exemption Act of 2014 to make a conforming amendment.

N Street Village, Inc. Tax and TOPA Exemption Clarification Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "N Street Village, Inc. Tax and TOPA Exemption Clarification Congressional Review Emergency Amendment Act of 2016".

Note, § 47-1096

Sec. 2. Section 47-1096 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Subparagraph (A) is amended by adding the word "and" at the end.

(2) Subparagraph (B) is amended by striking the phrase "; and" and inserting a period in its place.

(3) Subparagraph (C) is repealed.

(b) A new subsection (c) is added to read as follows:

"(c) So long as N Street Village, Inc., Lot 93, or any lots created out of Lot 93, Square 242 located at 1301 14th Street, N.W. ("Property"), continues to be used for affordable housing as described in § 47-1005.02(a)(1), for supportive services for tenants of the affordable housing and other people of low income, and for offices and parking on the Property, and is not used for commercial purposes, the conveyance of the Property by a deed to an owner that meets the foregoing requirements shall be exempt from Chapter 34 of Title 42.".

Note, § 47-1096

Sec. 3. Section 3(a) of the N Street Village, Inc. Tax and TOPA Exemption Act of 2014, effective March 11, 2015 (D.C. Law 20-229; 62 DCR 276), is amended by striking the phrase "This act" and inserting the phrase "The amendatory subsections (a) and (b) of section 2(b)" in its place.

Retroactive Applicability

Sec. 4. Applicability.

This act shall apply as of January 25, 2016.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-282, effective January 27, 2016 (Expiration date April 13, 2016)

AN ACT

Bill 21-548

Emergency Declaration Res. 21-355 21 DCStat 2887

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, to authorize the Fire and Emergency Medical Services Department to contract with third parties to provide supplemental pre-hospital medical care and transportation for Basic Life Support calls for service, to require that third-party contracts preclude the District from liability and contain an indemnification provision, to set forth reporting requirements for third-party contractors, the Fire and Emergency Medical Services Department, and the Office of Unified Communications, and to extend the public duty doctrine to claims against the District for actions of a third-party contractor.

Emergency Medical Services Contract Authority Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emergency Medical Services Contract Authority Congressional Review Emergency Amendment Act of 2016".

Note, § 5-401

Sec. 2. Section 1 of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Designate the existing text as paragraph (1).

(2) New paragraphs (2) and (3) are added to read as follows:

"(2) Notwithstanding paragraph (1) of this subsection, the Department may contract with third parties to provide supplemental pre-hospital medical care and transportation to persons requiring Basic Life Support.

"(3) A contract entered into pursuant to paragraph (2) of this subsection shall include a provision that precludes the District from liability for any claims arising out of the actions of the third-party contractor and also provides full indemnification to ensure that the District shall not be responsible for any amounts owed to others as a result of the third-party contractor's action or inaction under the contract.".

(b) New subsections (d), (e), (f), (g), (h), and (i) are added to read as follows:

"(d) Each third-party contractor that enters into a contract pursuant to subsection (b)(2) of this section shall provide a quarterly report to the Department and to the Council that includes the following information:

"(1) The number of transports performed;

"(2) The location where the third-party contractor meets each patient and the name and location of the healthcare facility to which the patient is transported;

"(3) The average time between the dispatch of the third-party contractor by the Department and the third-party contractor's arrival to the patient;

"(4) The average time that the third-party contractor remains out of service while waiting to transfer the care of a patient to a healthcare facility;

"(5) The number of third-party contractor ambulances available on a daily basis for Department use;

"(6) The length of the third-party contractor's personnel shifts; and

"(7) The number of employees hired by the third-party contractor, including the number of District residents.

"(e) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Department shall submit a report to the Council that includes the following information:

"(1) Activity by the Department to educate the public on the proper use of emergency requests for service;

"(2) The number of employees hired after the contract award and their residency;

"(3) Evaluation of pre-hospital medical care and transportation fees considering the reasonableness of the fees, the public interest, and the persons required to pay the fee;

"(4) The number of ambulances added to the Department's frontline and reserve fleet after the date of the contract award, including whether added ambulances replace or supplement the current fleet;

"(5) The number of emergency medical services personnel training hours provided; and

"(6) The number of patients who used the Department's transport services twice or more within the reporting period, including the number of times the patient used transport services during the previous 12 months.

"(f) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Office of Unified Communications shall submit a report to the Council that includes the following information:

"(1) The number of calls dispatched and the average dispatch time; and

"(2) The protocol to reroute non-emergency calls.

"(g) Within one year after the date of a contract award pursuant to subsection (b)(2) of this section, the Department shall submit a report to the Council that evaluates performance under the contract and includes the following information:

"(1) The impact on the Department's unit availability;

"(2) The impact on the Department's fleet, including the ability to conduct preventative maintenance and the number of operational and reserve units available;

"(3) The impact on the Department's training schedule;

"(4) The impact on the Department's response times and quality of patient care;

"(5) An assessment of the number of units, the number of personnel, the amount of training, and associated costs required to provide pre-hospital medical care and transportation without the use of third parties; and

"(6) Recommendations for implementing any additional units, personnel, and training identified in paragraph (5) of this subsection.

"(h) The Council ratifies the interpretation and application of the public duty doctrine by the District of Columbia Court of Appeals up through the decision of September 25, 2014, in *Allen v. District of Columbia*, No. 10-CV-1425, and extends the public duty doctrine to claims against the District for the actions of contractors and their employees providing services under this section to the same extent as it applies to the District and its employees.

"(i) For the purposes of this section, the term "Basic Life Support" means a level of medical care provided by pre-hospital emergency medical services at the basic emergency response technician level and in accordance with the national scope of practice for a basic level provider.".

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of January 14, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-283, effective January 27, 2016 (Expiration date April 25, 2016)

AN ACT

Bill 21-551

Emergency Declaration Res. 21-345 21 DCStat 2871

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Day Care Policy Act of 1979 to establish a pilot, community-based Quality Improvement Network that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family-support engagement services, including educational, health, nutritional, behavioral, and family-support services.

Early Learning Quality Improvement Network Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Early Learning Quality Improvement Network Congressional Review Emergency Amendment Act of 2016".

Note, New § 4-415

Sec. 2. The Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-401 *et seq.*), is amended by adding a new section 15a to read as follows:

"Sec. 15a. Comprehensive child development programs.

"(a) Notwithstanding sections 3 through 11, the Office of the State Superintendent of Education ("OSSE") shall establish a pilot, community-based Quality Improvement Network ("QIN") composed of:

"(1) Child development hubs, selected through a competitive process, that will provide quality improvement technical assistance and comprehensive services to licensed child development centers and licensed child development homes selected by OSSE to be partners and that agree to meet federal Early Head Start Program Performance Standards for program participation; and

"(2) Child development centers and child development homes, selected through a competitive process, to provide low-income infants and toddlers high-quality, full-day, full-year comprehensive early learning and development services and continuum of care.

"(b) Child development centers and child development homes within the QIN shall receive technical assistance from child development hubs to achieve the following within 18 months of being selected by OSSE to participate in the QIN:

"(1) Child development centers and child development homes within the QIN shall have adult-to-child ratios and group sizes that meet or exceed federal Early Head Start standards for all children from birth to 3 years of age in child development centers, or as otherwise approved by OSSE.

"(2) Child development centers and child development homes within the QIN shall have a comprehensive curriculum or program that is aligned with federal Head Start

Program Performance Standards and the District's early learning and development standards for serving infants, toddlers, and their families.

"(3) Staff who have direct supervision of infants and toddlers at child development centers and child development homes within the QIN shall, at a minimum, meet or exceed Early Head Start Standards for staff qualifications or credentials.

"(4) Child development centers and child development homes within the QIN shall partner with child development hubs to develop and implement a quality improvement plan, including aligning program policies and procedures to support on-site coaching, professional development, and teacher planning time.

"(5) Child development centers and child development homes within the QIN shall provide child-, family-, and program-level data to OSSE and the child development hubs as requested.

"(6) Child development centers and child development homes within the QIN shall participate in ongoing, on-site and desktop monitoring activities to ensure compliance with program requirements and Head Start Program Performance Standards required to remain in good standing with OSSE, the child development hubs, and the U.S. Department of Health and Human Services, Office of Head Start, if applicable.

"(7) Child development centers and child development homes within the QIN shall support comprehensive services for children and families by the child development hubs, including implementation of individualized family service plans.

"(8) Child development centers and child development homes within the QIN shall participate in the Child and Adult Care Food Program.

"(9) Child development centers and child development homes within the QIN shall facilitate children's and families' transitions to Pre-K or Head Start programs.

"(c) OSSE shall have authority to set payment rates and to develop policies and procedures for high-quality early learning and development services set under the authority of this section.

"(d) To be eligible for infant and toddler child development services provided by child-care partners in the QIN, a child shall be a resident of the District of Columbia and between birth and 3 years of age; provided, that a child who turns 3 years old during a program year may continue to receive services for the duration of the program year before transitioning into a pre-kindergarten or Head Start preschool program.

"(e) To the extent possible, priority enrollment shall be given to children between birth and 3 years of age whose families are living at or below the federal poverty level, who are homeless or in the foster care system, or who live with a grandparent, godparent, or relative who is receiving a grandparent caregiver subsidy pursuant to Title I of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq.*).

"(f) OSSE shall monitor the child development hubs and partner participants in the QIN for adherence to policies and procedures set under the authority of this act.

"(g) OSSE may, in whole or in part, terminate the grant provided to a hub or partner participant at any time if OSSE determines that a hub or partner participant has:

"(1) Substantially failed to comply with, or meet the objectives and terms of, the grant award; or

"(2) Failed to comply with applicable federal or District laws or regulations.

"(h) OSSE shall continue on-site monitoring for health and safety licensing compliance of child-care partners participating in the QIN; provided, that OSSE may delegate to the child development hubs on-site monitoring of the compliance of participating child development centers and homes with federal Head Start Program Performance Standards; provided, that relevant data collected by child development hubs is regularly reported to OSSE.".

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of January 26, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-284, effective January 27, 2016 (Expiration date April 13, 2016)

AN ACT

Bill 21-552

Emergency Declaration Res. 21-346 21 DCStat 2873

Codification District of Columbia Official Code 2001 Edition

To amend, on emergency basis, due to congressional review, the Education Licensure Commission Act of 1976 to change the name of the Education Licensure Commission to the Higher Education Licensure Commission, to extend authority to the commission to require institutions physically located outside the District of Columbia offering postsecondary degree-granting or non-degree-granting online programs or courses to District of Columbia residents physically in the District to be licensed in the District, to permit members of the commission to serve in a hold-over capacity for no more than 180 days after expiration of their second full consecutive term, to provide the commission with the authority to enter into reciprocity agreements with regards to online courses, and to authorize the commission to impose alternative sanctions for violations of provisions of the act or regulations promulgated under the authority of the act; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the annual compensation of members of the Higher Education Licensure Commission from $4,000 to $8,000; to amend the State Education Office Establishment Act of 2000 to designate the Office of the State Superintendent of Education the state portal agency for state authorization reciprocity; and to amend the Office of Administrative Hearings Establishment Act of 2001 to make a conforming amendment.

Higher Education Licensure Commission Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Higher Education Licensure Commission Congressional Review Emergency Amendment Act of 2016".

Sec. 2. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

Note, § 38-1302

(a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

(1) Paragraph (7) is amended by striking the phrase "by personal attendance or correspondence" and inserting the phrase "by personal attendance, online instruction, or by other means" in its place.

(2) Paragraph (10) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(3) New paragraphs (15) and (16) are added to read as follows:

"(15)(A) "Online instruction" means education, whether known as virtual class, correspondence course, distance learning, or other like term, where the learner and instructor are not physically in the same place at the same time, that is delivered through an electronic medium such as the Internet, Web-based form, or real time or recorded video or digital form, and that is offered or provided by an educational institution to District residents who are physically present in the District.

"(B) The education provided pursuant to subparagraph (A) of this paragraph shall be deemed delivered through an online presence in the District.

"(16) "Online presence" means the delivery of online instruction by an educational institution.".

(b) Section 3 (D.C. Official Code § 38-1303) is amended by striking the phrase "Education Licensure Commission" wherever it appears and inserting the phrase "Higher Education Licensure Commission" in its place. **Note, § 38-1303**

(c) Section 4 (D.C. Official Code § 38-1304) is amended as follows: **Note, § 38-1304**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Subsection (b) is amended by striking the phrase "2 consecutive terms" and inserting the phrase "2 consecutive terms; provided, that a member may serve in a hold-over capacity for no more than 180 days after the expiration of the member's second full consecutive term" in its place.

(d) The section heading for section 5 (D.C. Official Code § 38-1305) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place. **Note, § 38-1305**

(e) Section 6 (D.C. Official Code § 38-1306) is amended as follows: **Note, § 38-1306**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) A new subsection (b-1) is added to read as follows:

"(b-1) An educational institution licensed by the Commission shall be subject to the laws and regulations that govern degree-granting and non-degree-granting institutions in the District, including those governing the complaint process.".

(3) Subsection (e)(2) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(f) Section 7 (D.C. Official Code § 38-1307) is amended as follows: **Note, § 38-1307**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Paragraph (3)(C) is amended by striking the word "and".

(3) Paragraph (4) is amended by striking the period and inserting a semicolon in its place.

(4) New paragraphs (5) and (6) are added to read as follows:

"(5) Have the authority to enter into agreements with other jurisdictions as it relates to the licensing of postsecondary educational institutions that provide degree-granting or non-degree-granting instruction to residents of the District; and

"(6) Have the authority to enter into agreements with degree-granting educational institutions operating in the District that are otherwise conditionally exempt pursuant to section 10 for the purpose of ensuring consistent consumer protection in interstate distance education delivery of higher education.".

(g) Section 9 (D.C. Official Code § 38-1309) is amended as follows: **Note, § 38-1309**

(1) Subsection (a)(2) is amended by striking the phrase "pursuant to section 99 of the District of Columbia Business Corporation Act, approved June 8, 1954 (68 Stat. 219; D.C. Official Code § 29-101.99), or section 64 of the District of Columbia Nonprofit Corporation Act, approved August 6, 1962 (76 Stat. 290; D.C. Official Code § 29-301.64)," and inserting the phrase "pursuant to Chapter 1 of Title 29 of the District of Columbia Official Code" in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1) An educational institution that is providing degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District and shall be licensed by the Commission.".

(3) Subsection (c-1)(1) is amended by striking the phrase "Education Licensure Commission ("Commission")" and inserting the word "Commission" in its place.

(4) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "; and" and inserting a period in its place.

(B) Paragraph (2) is repealed.

(5) Subsection (e) is amended by striking the phrase "done by correspondence." and inserting the phrase "done solely through online instruction." in its place.

(h) Section 12 (D.C. Official Code § 38-1312) is amended as follows: **Note, § 38-1312**

(1) A new subsection (a-1) is added to read as follows:

"(a-1) The Commission may impose civil fines and penalties as alternative sanctions for violations of the provisions of this act or of rules promulgated under the authority of this act, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Enforcement and adjudication of a violation shall be pursuant to the Civil Infractions Act.".

(2) Subsection (c) is amended by striking the phrase "Corporation Counsel of" and inserting the phrase "Office of the Attorney General for" in its place.

(i) Section 12a (D.C. Official Code § 38-1313) is amended as follows: **Note, § 38-1313**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission." in its place.

(2) Subsection (a) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(3) Subsection (b) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

Sec. 3. Section 1108(c-2)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(2)), is amended as follows: **Note, § 1-611.08**

(a) Strike the phrase "Education Licensure Commission" and insert the phrase "Higher Education Licensure Commission" in its place.

(b) Strike the phrase "$4,000" and insert the phrase "$8,000" in its place.

Sec. 4. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), is amended as follows:

(a) Section 3(b)(6) (D.C. Official Code § 38-2602(b)(6)) is amended to read as follows: **Note, § 38-2602**

"(6) Oversee the functions and activities of the Higher Education Licensure Commission, established by section 3 of the Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1303), including acting as the state portal agency for the purposes of state authorization reciprocity;".

(b) Section 7a (D.C. Official Code § 38-2607) is amended as follows: **Note, § 38-2607**

(1) The section heading is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(2) Subsection (a) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission" in its place.

(3) Subsection (b) is amended by striking the phrase "Education Licensure Commission" and inserting the phrase "Higher Education Licensure Commission ("Commission")" in its place.

(4) Subsection (c) is amended by striking the phrase "Education Licensure".

Sec. 5. Section 6 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by adding a new subsection (b-9) to read as follows: **Note, § 2-1831.03**

"(b-9) In addition to those cases described in subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-6), (b-7), and (b-8), this act shall apply to adjudicated cases involving a civil fine or penalty imposed by the Higher Education Licensure Commission under section 12(a-1) of the Education Licensure Commission Act of 1976, effective March 16, 1989 (D.C. Law 7-217; D.C. Official Code § 38-1312(a-1)).".

Sec. 6. Applicability. **Retroactive Applicability**

This act shall apply as of January 14, 2016.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-285, effective January 27, 2016 (Expiration date April 19, 2016)

AN ACT

Bill 21-553

Emergency Declaration Res. 21-347 21 DCStat 2875

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify that, for purposes of determining whether the referral of a minor student 14 years of age through 17 years of age to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section for the accrual of 15 unexcused absences during School Year 2015-2016 is required, the term unexcused absence may mean an unexcused full school day absence.

Truancy Referral Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Truancy Referral Congressional Review Emergency Amendment Act of 2016".

Note, § 38-208

Sec. 2. Section 7(c)(1)(B) of Article II of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, effective September 19, 2013 (D.C. Law 20-17; D.C. Official Code § 38-208(c)(1)(B)), is amended by striking the period and inserting the phrase ". For purposes of this subparagraph, for School Year 2015-2016, an educational institution may construe the term unexcused absences to mean unexcused full school day absences." in its place.

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of January 20, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-286, effective January 27, 2016 (Expiration date April 24, 2016)

AN ACT

Bill 21-554

Emergency Declaration Res. 21-354 21 DCStat 2885

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494; and to amend the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009 to make a conforming amendment.

Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Congressional Review Emergency Amendment Act of 2016".

Note, § 10-801

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-7) to read as follows:

"(d-7) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of District-owned real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494, for the construction of a mixed-use development, which was approved by the Council pursuant to the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799), as extended by the Fourth/Sixth and E Streets, S.W., Property Disposition Extension Approval Resolution of 2011, effective July 12, 2011 (Res. 19-170; 58 DCR 6589), is extended to November 3, 2017.".

Sec. 3. Section 3(a) of the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799), is amended by adding a new paragraph (4) to read as follows:

"(4) The Lessee will comply with the requirements of section 1(a-3) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-3)).".

Retroactive Applicability

Sec. 4. Applicability.

This act shall apply as of January 25, 2016.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Amendment Act of 2015, enacted on November 30, 2015 (D.C. Act 21-213; 62 DCR 15612), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-287, effective January 27, 2016 (Expiration date April 24, 2016)

AN ACT

Bill 21-555

Emergency Declaration Res. 21-348 21 DCStat 2877

Codification District of Columbia Official Code 2001 Edition

To establish, on an emergency basis, due to congressional review, a moratorium on the issuance of permits for the construction or operation of automobile paint spray booths in Ward 5; provided, that the moratorium shall not apply to permits for automobile paint spray booths that meet certain conditions.

Ward 5 Paint Spray Booth Conditional Moratorium Congressional Review Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ward 5 Paint Spray Booth Conditional Moratorium Congressional Review Emergency Act of 2016".

Note, § 8-233.01

Sec. 2. Paint spray booth moratorium.

(a) The Mayor shall not issue a permit for the construction or operation of an automobile paint spray booth in Ward 5.

(b) The Mayor shall not issue a renewal permit for the operation of an automobile paint spray booth in Ward 5.

(c) For the purposes of this act, the term "automobile paint spray booth" means a facility related to an auto body paint shop for which the applicant must obtain a minor source air pollutant permit from the District Department of the Environment.

Note, § 8-233.01

Sec. 3. Scope.

(a) Section 2 shall not apply to a permit for the construction of or the operation of, or a renewal permit for the operation of, an automobile paint spray booth that contains conditions at least as restrictive as the following:

(1) Automobile coating for motor vehicle and mobile equipment non-assembly line refinishing and recoating, as applied, shall not contain volatile organic compounds in excess of the specified limit for each of the following coating types:

(A) Adhesion promoters: 540 grams per liter (4.5 pounds per gallon);

(B) Automotive pretreatment coating: 660 grams per liter (5.5 pounds per gallon);

(C) Automotive primer: 250 grams per liter (2.1 pounds per gallon);

(D) Clear coating: 250 grams per liter (2.1 pounds per gallon);

(E) Color coating, including metallic/iridescent color coating: 420 grams per liter (3.5 pounds per gallon);

(F) Multicolor coating: 680 grams per liter (5.7 pounds per gallon);

(G) Other automotive coating type: 250 grams per liter (2.1 pounds per gallon);

(H) Single-stage coating, including single-stage metallic/iridescent coating: 340 grams per liter (2.8 pounds per gallon);

(I) Temporary protective coating: 60 grams per liter (0.50 pounds per gallon);

(J) Truck bed liner coating: 200 grams per liter (1.7 pounds per gallon);

(K) Underbody coating: 430 grams per liter (3.6 pounds per gallon); and

(2) Cleaning solvent used shall not exceed a volatile organic compound content of 25 grams per liter (0.21 pounds per gallon) except for:

(A) Cleaning solvent used as a bug and tar remover; provided, that the volatile organic compound content of the cleaning solvent shall not exceed 350 grams per liter (2.9 pounds per gallon), and usage shall be limited as follows:

(i) No more than 20 gallons in any consecutive 12-month period for facilities and operations using 400 gallons or more of coating during the 12-month period ending at the end of the previous calendar month;

(ii) No more than 15 gallons in any consecutive 12-month period for facilities and operations using 150 gallons or more, but less than 400 gallons, of coating during the 12-month period ending at the end of the previous calendar month; or

(iii) No more than 10 gallons in any consecutive 12-month period for facilities and operations using less than 150 gallons of coating during the 12-month period ending at the end of the previous calendar month.

(B) Cleaning solvent used to clean plastic parts immediately before coating or for the removal of wax and grease; provided, that

(i) Non-aerosol, hand-held spray bottles are used to apply the cleaning solvent;

(ii) The volatile organic compound content of the cleaning solvent shall not exceed 780 grams per liter (6.51 pounds per gallon); and

(iii) No more than 20 gallons of the cleaning solvent are used in any consecutive 12-month period in any one business location;

(C) Aerosol cleaning solvent; provided, that 160 ounces or less are used per day per business location; or

(D) Cleaning solvent with a volatile organic compound content no greater than 350 grams per liter (2.92 pounds per gallon), used at a volume equal to or less than 2.5% of the preceding calendar year's annual coating usage, up to a maximum of 15 gallons per calendar year.

(b) The limits in subsection (a)(1) of this section shall represent the weight of volatile organic compound per volume of coating, prepared to the manufacturer's recommended maximum volatile organic compound content, exclusive of water and non-volatile organic compound solvents.

(c) The Mayor shall refer to the Ozone Transport Commission's "Model Rule 2009-12-Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations Alternate Technical Revisions" for calculation methodologies and definitions.

Sec. 4. Repealer.

The Ward 5 Paint Spray Booth Moratorium Temporary Act of 2015, effective October 21, 2015 (D.C. Law 21-35; 62 DCR 10903), is repealed.

Sec. 5. Sunset.

This act shall expire upon the promulgation of rules by the Mayor that revise section 718 of Chapter 20 of the District of Columbia Municipal Regulations (20 DCMR § 718).

Retroactive Applicability

Sec. 6. Applicability.

This act shall apply as of January 25, 2016.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code 1-204.12(a)).

D.C. Act 21-288, effective January 27, 2016 (Expiration date April 15, 2016)

AN ACT

Bill 21-556

Emergency Declaration Res. 21-349 21 DCStat 2879

Codification District of Columbia Official Code 2001 Edition

Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Act of 2016

Note, § 2-1212.21

To establish, on an emergency basis, due to congressional review, that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Act of 2016".

Sec. 2. (a) It shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction in a contract for the sale, or other transfer, or lease of real property being used as a grocery store that prohibits the subsequent use of the real property as a grocery store.

(b) Any contract, including a private agreement, that includes a restrictive land covenant or use restriction on real property as described in subsection (a) of this section shall be void and unenforceable.

(c) The prohibition imposed by this section shall not apply to an owner or operator of a grocery store or food retail store that terminates operations at a site for purposes of relocating the grocery or food retail store into a comparable or larger store located within the District of Columbia within one-half mile of the site where the prior operation was terminated; provided, that relocation and commencement of the operation of the new grocery store or food retail store at the new site occurs within 2 years of the sale, transfer, or lease of the prior site, and the restrictive covenant imposed on the prior site does not have a term in excess of 3 years. If the new grocery store or food retail store is not relocated within the District within one-half mile of the prior site within 2 years, the restrictive land covenant or use restriction shall not be enforceable.

(d) For the purposes of this act, the term:

(1) "Grocery store" means a retail establishment with a primary business of selling grocery products and includes a selling area that is used for a general line of food and nonfood grocery products.

(2) "Private agreement" means a mutually agreed upon and entered into exchange of promises.

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of January 16, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-289, effective January 27, 2016 (Expiration date April 26, 2016)

AN ACT

Bill 21-557

Emergency Declaration Res. 21-360 21 DCStat 2894

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify that a District government attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals with the Department of Human Resources by December 15 of each year, to allow an attorney employed by the Council of the District of Columbia to file a Certificate of Good Standing with the Office of the Secretary to the Council of the District of Columbia, to allow the Director of the Department of Human Resources or the Secretary to the Council of the District of Columbia to verify good standing through electronic means, to clarify that the Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the Certificate of Good Standing filing requirement, and to authorize the Secretary to the Council of the District of Columbia to issue policy directives regarding timing, waiver, and notice of the Certificate of Good Standing filing requirement.

Certificate of Good Standing Filing Requirement Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Certificate of Good Standing Filing Requirement Emergency Amendment Act of 2016".

Note, § 1-608.81

Sec. 2. Section 881 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective July 25, 2002 (D.C. Law 14-182; D.C. Official Code § 1-608.81), is amended as follows:

(a) Subsection (a) is amended to read as follows:

"(a) Except as provided by the rules for temporary waiver of this requirement, each attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment, employed by the Mayor, the Office of the Attorney General, the Office of the Chief Financial Officer, or by any independent agency, shall file with the Department of Human Resources a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals by December 15 of each year; provided, that an attorney employed by the Council of the District of Columbia who is required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificate of Good Standing with the Office of the Secretary to the Council of the District of Columbia by December 15 of each year.".

(b) A new subsection (a-1) is added to read as follows:

"(a-1) The Director of the Department of Human Resources or the Secretary to the Council of the District of Columbia may verify the good standing of an attorney, hearing officer, or administrative law judge subject to the requirement in subsection (a) of this section through electronic means with the Committee on Admissions of the District of Columbia Court of Appeals.".

(c) Subsection (b) is amended to read as follows:

"(b) The Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the filing requirement of subsection (a) of this section.".

(d) Subsection (c) is amended as follows:

(1) The lead-in language is amended by striking the phrase "Director of Personnel" and inserting the phrase "Director of the Department of Human Resources" in its place.

(2) Paragraph (3) is amended by striking the word "attorneys" and inserting the phrase "attorneys, hearing officers, or administrative law judges" in its place.

(e) A new subsection (c-1) is added to read as follows:

"(c-1) The Secretary to the Council of the District of Columbia may issue policy directives concerning:

"(1) The timing for filing the Certificate of Good Standing and associated procedures;

"(2) The standards governing when a temporary waiver of the filing requirement may be granted by the personnel authority for the Council of the District of Columbia attorney; and

"(3) The procedures by which attorneys shall be notified of the filing requirement and whether they are in compliance with the requirement.".

(f) Subsection (e) is amended by striking the phrase "an attorney" and inserting the phrase "an attorney, a hearing officer, or an administrative law judge" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-290, effective January 27, 2016 (Expiration date April 26, 2016)

AN ACT

Bill 21-559

Emergency Declaration Res. 21-359 21 DCStat 2893

Codification District of Columbia Official Code 2001 Edition

Presidential Primary Ballot Access Emergency Amendment Act of 2016

Note, § 1-1001.05

To amend, on an emergency basis, the District of Columbia Election Code of 1955 to change the procedures for the presidential primary ballot access.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Presidential Primary Ballot Access Emergency Amendment Act of 2016".

Sec. 2. Section 5(b)(2) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 700; D.C. Official Code § 1-1001.05(b)(2)), is amended to read as follows:

"(2) No person shall be listed on the ballot as a candidate for nomination for President in such primary unless:

"(A) No later than March 16 of each presidential election year, there shall have been filed with the Board a petition on behalf of the person signed by at least 1,000, or 1%, whichever is less, of the qualified electors of the District of Columbia who are registered under section 7, and are of the same political party as the nominee; or

"(B) The person has complied with the rules of the political party to be listed on the ballot, and if the party rules provide for candidate qualification by means other than gathering petition signatures as described in subparagraph (A) of this paragraph, the political party shall certify to the Board no later than March 16 of each presidential election year the names of candidates for nomination who have qualified by such means.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-291, effective January 27, 2016 (Expiration date April 26, 2016)

AN ACT

Bill 21-561

Emergency Declaration Res. 21-358 21 DCStat 2891

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Accrued Sick and Safe Leave Act of 2008 to clarify that employees in the building and construction industry covered by a bona fide collective bargaining agreement shall be exempted from the paid leave requirements of the act only if the agreement expressly waives those requirements; to amend the Minimum Wage Act Revision Act of 1992 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees, to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer knows that second language to be the employee's primary language or the employee requests notice in that second language, and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month; provided, that the employer pays wages to such employees at least once per month.

Wage Theft Prevention Clarification Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Clarification Emergency Amendment Act of 2016".

Note, § 32-131.06

Sec. 2. Section 7(b) of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.06(b)) is amended by striking the phrase "agreement." and inserting the phrase "agreement that expressly waives the requirements in clear and unambiguous terms." in its place.

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq*.), is amended as follows:

Note, § 32-1008

(a) Section 9 (D.C. Official Code § 32-1008) is amended as follows:

(1) Subsection (a)(1)(D) is amended to read as follows:

"(D) The precise time worked each day and each workweek by each employee, except for employees who are exempt from the minimum wage and overtime requirements under section 5(a); and".

(2) Subsection (c) is amended by striking the phrase "shall furnish to each employee at the time of hiring a written notice, both in English and in the employee's primary

language, containing the following information:" and inserting the phrase "shall furnish to each employee at the time of hiring a written notice in English in the form made available by the Mayor pursuant to subsection (e) of this section. If, pursuant to subsection (e) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to the employee in that second language. The notice shall contain the following information:" in its place.

(3) Subsection (e) is amended to read as follows:

"(e) The Mayor shall make available for employers a sample template of the notice required by subsection (c) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1008.01

(b) Section 9a is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase "containing the information required by section 9(c)" and inserting the phrase "containing the information required by section 9(c) and in the form of the sample template made available by the Mayor pursuant to section 9(e). The notice shall be provided in English and if, pursuant to section 9(e), the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in that second language." in its place.

(2) Subsection (b) is amended to read as follows:

"(b)(1) When a temporary staffing firm assigns an employee to perform work at, or provide services for, another organization, the temporary staffing firm shall furnish the employee a written notice in English, in the form of the sample template made available by the Mayor pursuant to subsection (c) of this section, of:

"(A) The specific designated payday for the particular assignment;

"(B) The actual rate of pay for the assignment and the benefits, if any, to be provided;

"(C) The overtime rate of pay the employee will receive or, if applicable, inform the employee that the position is exempt from additional overtime compensation and the basis for the overtime exemption;

"(D) The location and name of the client employer and the temporary staffing firm;

"(E) The anticipated length of the assignment;

"(F) Whether training or safety equipment is required and who is obligated to provide and pay for the equipment;

"(G) The legal entity responsible for workers' compensation should the employee be injured on the job; and

"(H) Information about how to contact the designated enforcement agency for concerns about safety, wage and hour, or discrimination.

"(2) If, pursuant to subsection (c) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in the second language.".

(3) Subsection (c) is amended to read as follows:

"(c) The Mayor shall make available for temporary staffing firms a sample template of the notice required by subsection (b) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1302

Sec. 4. Section 2 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1302), is amended by striking the phrase "Every employer shall pay all wages earned to his employees at least twice during each calendar month, on regular paydays designated in advance by the employer;" and inserting the phrase "Every employer shall pay all wages earned to his employees on regular paydays designated in advance by the employer and at least twice during each calendar month, except that all bona fide administrative, executive, and professional employees (those employees employed in a bona fide administrative, executive, or professional capacity, as defined in 7 DCMR § 999.1) shall be paid at least once per month;" in its place.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-292, effective January 27, 2016 (Expiration date March 30, 2016)

AN ACT

Bill 21-567

Emergency Declaration Res. 21-357 21 DCStat 2889

To amend, on an emergency basis, the Fiscal Year 2016 Budget Support Act of 2015, various other acts, and Title 47 of the District of Columbia Official Code to clarify provisions supporting the Fiscal Year 2016 budget.

Codification District of Columbia Official Code 2001 Edition

Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2016".

Note, § 1-325.311

Sec. 2. Section 7024(d) of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is repealed.

Sec. 3. Section 7154 of the IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.311), is amended to read as follows:

Note, § 1-325.311

"Sec. 7154. WMATA Operations Support Fund.

"(a) There is established as a special fund the WMATA Operations Support Fund ("Fund"), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

"(b) Upon affirmance of the trial court's summary-judgment rulings by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc., et al*., Nos. 14-CV-308, 14-CV-309, the full amount the District obtains pursuant to the consent judgments entered by the trial court, to include any additional amounts in taxes and interest paid by defendants or accrued during the pendency of that litigation, minus the amounts designated for other purposes in sections 7152 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015, effective October 6, 2015 (D.C. Act 21-153; 62 DCR 13178), and the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, enacted on October 22, 2015 (D.C. Act 21-171; 62 DCR 13979), shall be deposited in the Fund.

"(c) The monies in the Fund shall be available to fund extraordinary or unanticipated operating or capital needs of the Washington Metropolitan Area Transit Authority ("WMATA") that arise outside of WMATA's regular inter-jurisdictional subsidy allocation formulae.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

Sec. 4. Section 401 of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; 62 DCR 3600), is repealed. **Note, § 8-1031.03**

Sec. 5. Section 308(d)(1) of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1160; D.C. Official Code § 10-1103.07(d)(1)), is amended by striking the phrase "For periods beginning after June 30, 2015, interest on unpaid vault rent" and inserting the phrase "Beginning September 15, 2015, interest on any unpaid vault rent for any vault year" in its place. **Note, § 10-1103.07**

Sec. 6. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01), is amended as follows: **Note, § 32-131.01**

(a) Paragraph (2) is amended as follows:

(1) Subparagraph (E) is amended by striking the word "or".

(2) Subparagraph (F) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new subparagraph (G) is added to read as follows:

"(G) A substitute teacher or a substitute aide who is employed by District of Columbia Public Schools for a period of 30 or fewer consecutive work days.".

(b) New paragraphs (9) and (10) are added to read as follows:

"(9) "Substitute aide" means an individual who is employed by District of Columbia Public Schools to provide instructional assistance (general, specialized, or concentrated) to students on a temporary basis when the regular instructional aide is unavailable. The term "substitute aide" does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.

"(10) "Substitute teacher" means an individual who is employed by District of Columbia Public Schools to work as a classroom teacher on a temporary basis when the regular teacher is unavailable. The term "substitute teacher" does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.".

Sec. 7. Section 502(d) of the Sustainable DC Omnibus Act of 2014, effective December 17, 2014 (D.C. Law 20-142; 62 DCR 1243), is amended to read as follows: **Note, § 32-152**

"(d) Title III, Subtitle A, section 302(b) shall apply as of October 1, 2015.".

Sec. 8. Section 2(g) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(g)), is amended as follows: **Note, § 32-241**

(a) Paragraph (4) is amended by striking the word "outcomes" and inserting the phrase "outcomes as of December 31, 2015," in its place.

(b) A new paragraph (5) is added to read as follows:

"(5) In Fiscal Year 2016, the District of Columbia Auditor shall conduct an evaluation of multiple years of the summer youth jobs program to assess whether the program has met and is meeting program objectives.".

Note, § 35-233

Sec. 9. Section 2(h)(2)(A) of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(h)(2)(A)), is amended by striking the phrase "Under 22 years of age" and inserting the phrase "A resident of the District of Columbia under 22 years of age" in its place.

Sec. 10. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 13A is amended as follows:

Note, § 47-1341

(1) Section 47-1341 is amended as follows:

(A) Subsection (a)(1) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service,".

(B) Subsection (b-1)(1) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service,".

(2) Section 47-1353.01(a) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service to the last known address of the owner" and inserting the phrase "to the person who last appears as the owner of the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405" in its place.

Note, § 47-1807.02

(b) Section 47-1807.02(a)(6) is amended by striking the phrase "9%" and inserting the phrase "9.2%, 9%" in its place.

Note, § 47-1808.03

(c) Section 47-1808.03(a)(6) is amended by striking the phrase "9%" and inserting the phrase "9.2%, 9%" in its place.

Note, § 48-314

Sec. 11. Section 6(b) of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C Law 20-191; 62 DCR 3820), is amended to read as follows:

"(b) Section 5 shall apply as of October 1, 2015.".

Retroactive Applicability

Sec. 12. Applicability.

This act shall apply as of December 31, 2015.

Sec. 13. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 14. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-293, effective January 27, 2016 (Expiration date April 21, 2016)

AN ACT

Bill 21-568

Emergency Declaration Res. 21-350 21 DCStat 2881

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, An Act To provide for the payment and collection of wages in the District of Columbia to clarify who may bring an action on behalf of an employee and when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, to revise criminal penalties for violations of the act, and to authorize the Mayor to issue rules to implement the provisions of the act; to amend the Minimum Wage Act Revision Act of 1992 to clarify the time period for retention of payroll records, when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, and how the Mayor shall make certain information available to employers; and to amend the Wage Theft Prevention Amendment Act of 2014 to repeal a retroactive applicability provision.

Wage Theft Prevention Correction and Clarification Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Correction and Clarification Congressional Review Emergency Amendment Act of 2016".

Sec. 2. An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is amended as follows:

Note, § 32-1303

(a) Section 3 (D.C. Official Code § 32-1303) is amended as follows:

(1) Paragraph (5) is amended as follows:

(A) Strike the word "alleged" and insert the word "found" in its place.

(B) Strike the phrase "Act." and insert the phrase "Act, except as otherwise provided in a contract between the contractor and subcontractor in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

(2) Paragraph (6) is amended by striking the phrase "District." and inserting the phrase "District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

Note, § 32-1307

(b) Section 7(a) (D.C. Official Code § 32-1307(a)) is amended to read as follows:

"(a)(1) Any employer who negligently fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:

"(A) For the first offense, an amount per affected employee of not more than $2,500;

"(B) For any subsequent offense, an amount per affected employee of not more than $5,000.

"(2) Any employer who willfully fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall:

"(A) For the first offense, be fined not more than $5,000, or imprisoned not more than 30 days, or both; or

"(B) For any subsequent offense, be fined not more than $10,000, or imprisoned not more than 90 days, or both.

"(3) The fines set forth in paragraphs (1) and (2) of this subsection shall not be limited by section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).".

Note, § 32-1308

(c) Section 8(a) (D.C. Official Code § 32-1308(a)) is amended by striking the phrase ", or any entity a member of which is aggrieved by a violation of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act".

Note, New § 32-1312

(d) A new section 10b is added to read as follows:

"Sec. 10b. Rules.

"The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1068 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.".

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

Note, § 32-1008

(a) Section 9(a)(1) (D.C. Official Code § 32-1008(a)(1)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1009

(b) Section 10(c) (D.C. Official Code § 32-1009(c)) is amended to read as follows:

"(c) The Mayor shall make copies or summaries of this act publicly available on the District government's website or by some other appropriate method within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157). An employer shall not be liable for failure to post notice if the Mayor has failed to provide to the employer the notice required by this section.".

Note, § 32-1011

(c) Section 12(d)(1)(C) (D.C. Official Code § 32-1011(d)(1)(C)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1012

(d) Section 13 (D.C. Official Code § 32-1012) is amended as follows:

(1) Subsection (c) is amended by striking the phrase "act." and inserting the phrase "act, except as otherwise provided in a contract between the contract and subcontractor in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

(2) Subsection (f) is amended by striking the phrase "District." and inserting the phrase "District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

Sec. 4. Section 7 of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157), is repealed.

Sec. 5. Applicability.

This act shall apply as of January 22, 2016.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Note, §§ 32-1301 32-1303 32-1304 32-1306 32-1307 32-1307.01 32-1308 32-1308.01 32-1311 32-1002 32-1005 32-1008 32-1008.01 32-1009 32-1010 32-1011 32-1011.01 32-1012 32-1012.01 32-1013 32-0131.06 32-0131.08 32-0131.10a 32-0131.12 47-2862 DCMR

Retroactive Applicability

D.C. Act 21-294, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-523

Emergency Declaration Res. 21-405 21 DCStat 2963

Not Codified

To approve, on an emergency basis, Modification No. 00002 and proposed Modification No. 00003 to Human Care Agreement No. DCJM-2013-H-0007-02 with St. John's Community Services to continue to provide residential habilitation, supported living, and host home services for persons with intellectual and developmental disabilities, and to authorize payment for the services received and to be received under the contract modifications.

Modifications 00002 and 00003 to Human Care Agreement No. DCJM-2013-H-0007-02 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications 00002 and 00003 to Human Care Agreement No. DCJM-2013-H-0007-02 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 00002 and 00003 to Contract No. DCJM-2013-H-0007-02 with St. John's Community Services, and authorizes payment in the total amount of $2,260,670.61 for services received and to be received under the contract modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-295, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-542

Emergency Declaration Res. 21-390 21 DCStat 2941

Not Codified

To approve, on an emergency basis, Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A with Chiaramonte Construction Services for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of $1,200,000.00 for the goods and services received and to be received under the modifications.

Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A with Chiaramonte Construction Company for snow and ice removal and pre-treatment services, and authorizes payment in the aggregate amount of $1,200,000.00 for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-296, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-544

Emergency Declaration Res. 21-391 21 DCStat 2943

Not Codified

To approve, on an emergency basis, Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B with Community Bridge, Inc. for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of $1,200,000.00 for the goods and services received and to be received under the modifications.

Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B with Community Bridge, Inc. for snow and ice removal and pre-treatment services, and authorizes payment in the aggregate amount of $1,200,000.00 for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-297, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-569

Emergency Declaration Res. 21-392 21 DCStat 2945

Not Codified

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001A with Blue Skye Construction, LLC for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001A Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001A Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001A with Blue Skye Construction LLC for DCPS and DPR small construction projects, and authorizes payment in the not-to-exceed amount of $10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-298, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-570

Emergency Declaration Res. 21-393 21 DCStat 2946

Not Codified

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001E with HRGM Corporation for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001E Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001E Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001E with HRGM Corporation for DCPS and DPR small construction projects, and authorizes payment in the not-to-exceed amount of $10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-299, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-572

Emergency Declaration Res. 21-394 21 DCStat 2947

Not Codified

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001G with Paige Industrial Services, Inc. for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10,000,000.00 for goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001G Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001G Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001G with Paige Industrial Services, Inc., and authorizes payment in the not-to-exceed amount of $10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-300, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-575

Emergency Declaration Res. 21-404 21 DCStat 2962

Not Codified

To approve, on an emergency basis, the extension of Contract No. CFOPD-11-C-023 with Citibank, N.A. for it to continue to provide a wide variety of general banking services to the District of Columbia, and to authorize payment for the services received and to be received under the contract.

Contract No. CFOPD-11-C-023 Extension Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CFOPD-11-C-023 Extension Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-0371; D.C. Official Code § 2-352.02), the Council approves the extension of Contract No. CFOPD-11-C-023 with Citibank, N.A. for it to continue to provide a wide variety of general banking services to the District of Columbia and authorizes payment in the not-to-exceed amount of $6.7 million for services received and to be received from January 20, 2016, through January 19, 2021.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-587

Emergency Declaration Res. 21-372 21 DCStat 2911

Codification District of Columbia Official Code 2001 Edition

To enact, on an emergency basis, due to congressional review, the Uniform Interstate Family Support Act, as revised with amendments officially adopted by the National Conference of Commissioners on Uniform State Laws, to implement the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance.

Uniform Interstate Family Support Congressional Review Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Uniform Interstate Family Support Congressional Review Emergency Act of 2016".

TITLE 1. GENERAL PROVISIONS.

Note, New § 46-351.01

Sec. 101. Short title.

This act may be cited as the "Uniform Interstate Family Support Congressional Review Emergency Act".

Note, New § 46-351.02

Sec. 102. Definitions.

In this act:

(1) "Child" means an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the beneficiary of a support order directed to the parent.

(2) "Child-support order" means a support order for a child, including a child who has attained the age of majority under the law of the issuing state or foreign country.

(3) "Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007.

(4) "District" means the District of Columbia.

(5) "Duty of support" means an obligation imposed or imposable by law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.

(6) "Foreign country" means a country, including a political subdivision thereof, other than the United States, that authorizes the issuance of support orders and:

(A) Which has been declared under the law of the United States to be a foreign reciprocating country;

(B) Which has established a reciprocal arrangement for child support with the District as provided in section 308;

(C) Which has enacted a law or established procedures for the issuance and enforcement of support orders which are substantially similar to the procedures under this act; or

(D) In which the Convention is in force with respect to the United States.

(7) "Foreign support order" means a support order of a foreign tribunal.

(8) "Foreign tribunal" means a court, administrative agency, or quasi-judicial entity of a foreign country which is authorized to establish, enforce, or modify support orders or to determine parentage of a child. The term includes a competent authority under the Convention.

(9) "Home state" means the state or foreign country in which a child lived with a parent or a person acting as parent for at least 6 consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than six months old, the state or foreign country in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

(10) "Income" includes earnings or other periodic entitlements to money from any source and any other property subject to withholding for support under the law of the District.

(11) "Income-withholding order" means an order or other legal process directed to an obligor's holder, as defined by section 2(11) of the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6–166; D.C. Official Code § 46-201(11)), to withhold support from the income of the obligor.

(12) "Initiating tribunal" means the tribunal of a state or foreign country from which a petition or comparable pleading is forwarded or in which a petition or comparable pleading is filed for forwarding to another state or foreign country.

(13) "Issuing foreign country" means the foreign country in which a tribunal issues a support order or a judgment determining parentage of a child.

(14) "Issuing state" means the state in which a tribunal issues a support order or a judgment determining parentage of a child.

(15) "Issuing tribunal" means the tribunal of a state or foreign country that issues a support order or a judgment determining parentage of a child.

(16) "Law" includes decisional and statutory law and rules and regulations having the force of law.

(17) "Mayor" means the Mayor of the District of Columbia.

(18) "Obligee" means:

(A) An individual to whom a duty of support is or is alleged to be owed or in whose favor a support order or a judgment determining parentage of a child has been issued;

(B) A foreign country, state, or political subdivision of a state to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee in place of child support;

(C) An individual seeking a judgment determining parentage of the individual's child; or

(D) A person that is a creditor in a proceeding under Title 7.

(19) "Obligor" means an individual, or the estate of a decedent that:

(A) Owes or is alleged to owe a duty of support;

(B) Is alleged but has not been adjudicated to be a parent of a child;

(C) Is liable under a support order; or

(D) Is a debtor in a proceeding under Title 7.

(20) "Office of the Attorney General" means the Office of the Attorney General for the District of Columbia.

(21) "Outside the District" means a location in another state or a country other than the United States, whether or not the country is a foreign country.

(22) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(23) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(24) "Register" means to file in a tribunal of the District a support order or judgment determining parentage of a child issued in another state or a foreign country.

(25) "Registering tribunal" means a tribunal in which a support order or judgment determining parentage of a child is registered.

(26) "Responding state" means a state in which a petition or comparable pleading for support or to determine parentage of a child is filed or to which a petition or comparable pleading is forwarded for filing from another state or a foreign country.

(27) "Responding tribunal" means the authorized tribunal in a responding state or foreign country.

(28) "Spousal-support order" means a support order for a spouse or former spouse of the obligor.

(29) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession under the jurisdiction of the United States. The term includes an Indian nation or tribe.

(30) "Support enforcement agency" means a public official, governmental entity, or private agency authorized to:

(A) Seek enforcement of support orders or laws relating to the duty of support;

(B) Seek establishment or modification of child support;

(C) Request determination of parentage of a child;

(D) Attempt to locate obligors or their assets; or

(E) Request determination of the controlling child-support order.

(31) "Support order" means a judgment, decree, order, decision, or directive, whether temporary, final, or subject to modification, issued in a state or foreign country for the benefit of a child, a spouse, or a former spouse, which provides for monetary support, health care, arrearages, retroactive support, or reimbursement for financial assistance provided to an

individual obligee in place of child support. The term may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney's fees, and other relief.

(32) "Tribunal" means a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage of a child.

Sec. 103. Tribunal and support enforcement agency of the District. **Note, New § 46-351.03**

(a) The Family Division of the Superior Court of the District of Columbia is the tribunal of the District.

(b) The Office of the Attorney General is the support enforcement agency of the District.

Sec. 104. Remedies cumulative. **Note, New § 46-351.04**

(a) Remedies provided by this act are cumulative and do not affect the availability of remedies under other law or the recognition of a foreign support order on the basis of comity.

(b) This act does not:

(1) Provide the exclusive method of establishing or enforcing a support order under the law of the District; or

(2) Grant a tribunal of the District jurisdiction to render judgment or issue an order relating to child custody or visitation in a proceeding under this act.

Sec. 105. Application of act to resident of foreign country and foreign support proceeding. **Note, New § 46-351.05**

(a) A tribunal of the District shall apply Titles 1 through 6 and, as applicable, Title 7, to a support proceeding involving:

(1) A foreign support order;

(2) A foreign tribunal; or

(3) An obligee, obligor, or child residing in a foreign country.

(b) A tribunal of the District that is requested to recognize and enforce a support order on the basis of comity may apply the procedural and substantive provisions of Titles 1 through 6.

(c) Title 7 applies only to a support proceeding under the Convention. In such a proceeding, if a provision of Title 7 is inconsistent with Titles 1 through 6, Title 7 controls.

TITLE 2. JURISDICTION.

Sec. 201. Bases for jurisdiction over nonresident. **Note, New § 46-352.01**

(a) In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of the District may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if:

(1) The individual is personally served with notice within the District;

(2) The individual submits to the jurisdiction of the District by consent in a record, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction;

(3) The individual resided with the child in the District;

(4) The individual resided in the District and provided prenatal expenses or support for the child;

(5) The child resides in the District as a result of the acts or directives of the individual;

(6) The individual engaged in sexual intercourse in the District and the child may have been conceived by that act of intercourse; or

(7) There is any other basis consistent with the laws of the District and the Constitution of the United States for the exercise of personal jurisdiction.

(b) The bases of personal jurisdiction set forth in subsection (a) of this section or in any other law of the District may not be used to acquire personal jurisdiction for a tribunal of the District to modify a child-support order of another state unless the requirements of section 611 are met, or, in the case of a foreign support order, unless the requirements of section 615 are met.

Sec. 202. Duration of personal jurisdiction. **Note, New § 46-352.02**

Personal jurisdiction acquired by a tribunal of the District in a proceeding under this act or other law of the District relating to a support order continues as long as a tribunal of the District has continuing, exclusive jurisdiction to modify its order or continuing jurisdiction to enforce its order as provided by sections 205, 206, and 211.

Sec. 203. Initiating and responding tribunal of state. **Note, New § 46-352.03**

Under this act, a tribunal of the District may serve as an initiating tribunal to forward proceedings to a tribunal of another state, and as a responding tribunal for proceedings initiated in another state or a foreign country.

Sec. 204. Simultaneous proceedings. **Note, New § 46-352.04**

(a) A tribunal of the District may exercise jurisdiction to establish a support order if the petition or comparable pleading is filed after a pleading is filed in another state or a foreign country only if:

(1) The petition or comparable pleading in the District is filed before the expiration of the time allowed in the other state or the foreign country for filing a responsive pleading challenging the exercise of jurisdiction by the other state or the foreign country;

(2) The contesting party timely challenges the exercise of jurisdiction in the other state or the foreign country; and

(3) If relevant, the District is the home state of the child.

(b) A tribunal of the District may not exercise jurisdiction to establish a support order if the petition or comparable pleading is filed before a petition or comparable pleading is filed in another state or a foreign country if:

(1) The petition or comparable pleading in the other state or foreign country is filed before the expiration of the time allowed in the District for filing a responsive pleading challenging the exercise of jurisdiction by the District;

(2) The contesting party timely challenges the exercise of jurisdiction in the District; and

(3) If relevant, the other state or foreign country is the home state of the child.

Sec. 205. Continuing, exclusive jurisdiction to modify child-support order. **Note, New § 46-352.05**

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District, has and shall exercise continuing, exclusive jurisdiction to modify its child-support order if the order is the controlling order and:

(1) At the time of the filing of a request for modification the District is the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued; or

(2) Even if the District is not the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued, the parties consent in a record or in open court that the tribunal of the District may continue to exercise jurisdiction to modify its order.

(b) A tribunal of the District that has issued a child-support order consistent with the law of the District, may not exercise continuing, exclusive jurisdiction to modify the order if:

(1) All of the parties who are individuals file consent in a record with the tribunal of the District that a tribunal of another state that has jurisdiction over at least one of the parties who is an individual or that is located in the state of residence of the child may modify the order and assume continuing, exclusive jurisdiction; or

(2) Its order is not the controlling order.

(c) If a tribunal of another state has issued a child-support order pursuant to the Uniform Interstate Family Support Act or a law substantially similar to that Act which modifies a child-support order of a tribunal of the District, a tribunal of the District shall recognize the continuing, exclusive jurisdiction of the tribunal of the other state.

(d) A tribunal of the District that lacks continuing, exclusive jurisdiction to modify a child-support order, may serve as an initiating tribunal to request a tribunal of another state to modify a support order issued in that state.

(e) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

Sec. 206. Continuing jurisdiction to enforce child-support order. **Note, New § 46-352.06**

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District, may serve as an initiating tribunal to request a tribunal of another state to enforce:

(1) The order if the order is the controlling order and has not been modified by a tribunal of another state that assumed jurisdiction pursuant to the Uniform Interstate Family Support Act; or

(2) A money judgment for arrears of support and interest on the order accrued before a determination that an order of a tribunal of another state is the controlling order.

(b) A tribunal of the District having continuing jurisdiction over a support order may act as a responding tribunal to enforce the order.

Sec. 207. Determination of controlling child-support order.

Note, New § 46-352.07

(a) If a proceeding is brought under this act and only one tribunal has issued a child-support order, the order of that tribunal controls and must be recognized.

(b) If a proceeding is brought under this act and 2 or more child-support orders have been issued by tribunals of the District, of another state, or a foreign country with regard to the same obligor and same child, a tribunal of the District having personal jurisdiction over both the obligor and individual obligee shall apply the following rules and by order shall determine which order controls and must be recognized:

(1) If only one of the tribunals would have continuing, exclusive jurisdiction under this act, the order of that tribunal controls.

(2) If more than one of the tribunals would have continuing, exclusive jurisdiction under this act:

(A) An order issued by a tribunal in the current home state of the child controls; or

(B) If an order has not been issued in the current home state of the child, the order most recently issued controls.

(3) If none of the tribunals would have continuing, exclusive jurisdiction under this act, the tribunal of the District shall issue a child-support order, which controls.

(c) If 2 or more child-support orders have been issued for the same obligor and same child, upon request of a party who is an individual or that is a support enforcement agency, a tribunal of the District having personal jurisdiction over both the obligor and the obligee who is an individual, shall determine which order controls under subsection (b) of this section. The request may be filed with a registration for enforcement or registration for modification pursuant to Title 6, or may be filed as a separate proceeding.

(d) A request to determine which is the controlling order must be accompanied by a copy of every child-support order in effect and the applicable record of payments. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(e) The tribunal that issued the controlling order under subsection (a), (b), or (c) of this section has continuing jurisdiction to the extent provided in section 205 or 206.

(f) A tribunal of the District that determines by order which is the controlling order under subsection (b)(1) or (2) or (c) of this section, or that issues a new controlling order under subsection (b)(3) of this section, shall state in that order:

(1) The basis upon which the tribunal made its determination;

(2) The amount of prospective support, if any; and

(3) The total amount of consolidated arrears and accrued interest, if any, under all of the orders after all payments made are credited as provided by section 209.

(g) Within 30 days after issuance of an order determining which is the controlling order, the party obtaining the order shall file a certified copy of it in each tribunal that issued or registered an earlier order of child support. A party or support enforcement agency obtaining the order that fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order.

(h) An order that has been determined to be the controlling order, or a judgment for consolidated arrears of support and interest, if any, made pursuant to this section must be recognized in proceedings under this act.

Sec. 208. Child-support orders for 2 or more obligees. **Note, New § 46-352.08**

In responding to registrations or petitions for enforcement of 2 or more child-support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state or a foreign country, a tribunal of the District shall enforce those orders in the same manner as if the orders had been issued by a tribunal of the District.

Sec. 209. Credit for payments. **Note, New § 46-352.09**

A tribunal of the District shall credit amounts collected for a particular period pursuant to any child-support order against the amounts owed for the same period under any other child-support order for support of the same child issued by a tribunal of the District, another state, or a foreign country.

Sec. 210. Application of act to nonresident subject to personal jurisdiction. **Note, New § 46-352.10**

A tribunal of the District exercising personal jurisdiction over a nonresident in a proceeding under this act, under other law of the District relating to a support order, or recognizing a foreign support order, may receive evidence from outside the District pursuant to section 316, communicate with a tribunal outside the District pursuant to section 317, and obtain discovery through a tribunal outside the District pursuant to section 318. In all other respects, Titles 3 through 6 do not apply, and the tribunal shall apply the procedural and substantive law of the District.

Sec. 211. Continuing, exclusive jurisdiction to modify spousal-support order. **Note, New § 46-352.11**

(a) A tribunal of the District issuing a spousal-support order consistent with the law of the District has continuing, exclusive jurisdiction to modify the spousal-support order throughout the existence of the support obligation.

(b) A tribunal of the District may not modify a spousal-support order issued by a tribunal of another state or a foreign country having continuing, exclusive jurisdiction over that order under the law of that state or foreign country.

(c) A tribunal of the District that has continuing, exclusive jurisdiction over a spousal-support order, may serve as:

(1) An initiating tribunal to request a tribunal of another state to enforce the spousal-support order issued in the District; or

(2) A responding tribunal to enforce or modify its own spousal-support order.

TITLE 3. CIVIL PROVISIONS OF GENERAL APPLICATION.

Sec. 301. Proceedings under act. **Note, New § 46-353.01**

(a) Except as otherwise provided in this act, this title applies to all proceedings under this act.

(b) An individual petitioner or a support enforcement agency may initiate a proceeding authorized under this act by filing a petition in an initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable pleading directly in a tribunal of another state or a foreign country which has or can obtain personal jurisdiction over the respondent.

Sec. 302. Proceeding by minor parent.

A minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child. **Note, New § 46-353.02**

Sec. 303. Application of law of the District. **Note, New § 46-353.03**

Except as otherwise provided in this act, a responding tribunal of the District, shall:

(1) Apply the procedural and substantive law generally applicable to similar proceedings originating in the District and may exercise all powers and provide all remedies available in those proceedings; and

(2) Determine the duty of support and the amount payable in accordance with the law and support guidelines of the District.

Sec. 304. Duties of initiating tribunal. **Note, New § 46-353.04**

(a) Upon the filing of a petition authorized by this act, an initiating tribunal of the District, shall forward the petition and its accompanying documents:

(1) To the responding tribunal or appropriate support enforcement agency in the responding state; or

(2) If the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

(b) If requested by the responding tribunal, a tribunal of the District shall issue a certificate or other document and make findings required by the law of the responding state. If the responding tribunal is in a foreign country, upon request the tribunal of the District shall specify the amount of support sought, convert that amount into the equivalent amount in the foreign currency under the applicable official or market exchange rate as publicly reported, and provide any other documents necessary to satisfy the requirements of the responding foreign tribunal.

Sec. 305. Duties and powers of responding tribunal. **Note, New § 46-353.05**

(a) When a responding tribunal of the District receives a petition or comparable pleading from an initiating tribunal or directly pursuant to section 301(b), it shall cause the petition or pleading to be filed and notify the petitioner where and when it was filed.

(b) A responding tribunal of the District, to the extent not prohibited by other law, may do one or more of the following:

(1) Establish or enforce a support order, modify a child-support order, determine the controlling child-support order, or determine parentage of a child;

(2) Order an obligor to comply with a support order, specifying the amount and the manner of compliance;

(3) Order income withholding;

(4) Determine the amount of any arrearages, and specify a method of payment;

(5) Enforce orders by civil or criminal contempt, or both;

(6) Set aside property for satisfaction of the support order;

(7) Place liens and order execution on the obligor's property;

(8) Order an obligor to keep the tribunal informed of the obligor's current residential address, electronic-mail address, telephone number, employer, address of employment, and telephone number at the place of employment;

(9) Issue a bench warrant for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant in any local and state computer systems for criminal warrants;

(10) Order the obligor to seek appropriate employment by specified methods;

(11) Award reasonable attorney's fees and other fees and costs; and

(12) Grant any other available remedy.

(c) A responding tribunal of the District shall include in a support order issued under this act, or in the documents accompanying the order, the calculations on which the support order is based.

(d) A responding tribunal of the District, may not condition the payment of a support order issued under this act upon compliance by a party with provisions for visitation.

(e) If a responding tribunal of the District issues an order under this act, the tribunal shall send a copy of the order to the petitioner and the respondent and to the initiating tribunal, if any.

(f) If requested to enforce a support order, arrears, or judgment or modify a support order stated in a foreign currency, a responding tribunal of the District, shall convert the amount stated in the foreign currency to the equivalent amount in dollars under the applicable official or market exchange rate as publicly reported.

Sec. 306. Inappropriate tribunal. **Note, New § 46-353.06**

If a petition or comparable pleading is received by an inappropriate tribunal of the District, the tribunal shall forward the pleading and accompanying documents to an appropriate

tribunal of the District or of another state and notify the petitioner where and when the pleading was sent.

Sec. 307. Duties of support enforcement agency.

Note, New § 46-353.07

(a) In a proceeding under this act a support enforcement agency of the District, upon request:

(1) Shall provide services to a petitioner residing in a state;

(2) Shall provide services to a petitioner requesting services through a central authority of a foreign country as described in section 102(6)(A) or (D); and

(3) May provide services to a petitioner who is an individual not residing in a state.

(b) A support enforcement agency of the District that is providing services to the petitioner shall:

(1) Take all steps necessary to enable an appropriate tribunal of the District, another state, or a foreign country to obtain jurisdiction over the respondent;

(2) Request an appropriate tribunal to set a date, time, and place for a hearing;

(3) Make a reasonable effort to obtain all relevant information, including information as to income and property of the parties;

(4) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of notice in a record from an initiating, responding, or registering tribunal, send a copy of the notice to the petitioner;

(5) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of communication in a record from the respondent or the respondent's attorney, send a copy of the communication to the petitioner; and

(6) Notify the petitioner if jurisdiction over the respondent cannot be obtained.

(c) A support enforcement agency of the District that requests registration of a child-support order in the District for enforcement or for modification shall make reasonable efforts:

(1) To ensure that the order to be registered is the controlling order; or

(2) If 2 or more child-support orders exist and the identity of the controlling order has not been determined, to ensure that a request for such a determination is made in a tribunal having jurisdiction to do so.

(d) A support enforcement agency of the District that requests registration and enforcement of a support order, arrears, or judgment stated in a foreign currency shall convert the amounts stated in the foreign currency into the equivalent amounts in dollars under the applicable official or market exchange rate as publicly reported.

(e) A support enforcement agency of the District shall issue or request a tribunal of the District to issue a child-support order and an income-withholding order that redirect payment of current support, arrears, and interest if requested to do so by a support enforcement agency of another state pursuant to section 319.

(f) This act does not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Sec. 308. Duty of Office of the Attorney General. **Note, New § 46-353.08**

The Office of the Attorney General may determine that a foreign country has established a reciprocal arrangement for child support with the District and take appropriate action for notification of the determination.

Sec. 309. Private counsel. **Note, New § 46-353.09**

An individual may employ private counsel to represent the individual in proceedings authorized by this act.

Sec. 310. Duties of Office of the Attorney General as state information agency. **Note, New § 46-353.10**

(a) The Office of the Attorney General is the state information agency under this act.

(b) The state information agency shall:

(1) Compile and maintain a current list, including addresses, of the tribunals in the District which have jurisdiction under this act and any support enforcement agencies in the District and transmit a copy to the state information agency of every other state;

(2) Maintain a register of names and addresses of tribunals and support enforcement agencies received from other states;

(3) Forward to the appropriate tribunal in the District all documents concerning a proceeding under this act received from another state or a foreign country; and

(4) Obtain information concerning the location of the obligor and the obligor's property within the District not exempt from execution, by such means as postal verification and federal or state locator services, examination of telephone directories, requests for the obligor's address from employers, and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses, and social security.

Sec. 311. Pleadings and accompanying documents. **Note, New § 46-353.11**

(a) In a proceeding under this act, a petitioner seeking to establish a support order, to determine parentage of a child, or to register and modify a support order of a tribunal of another state or a foreign country must file a petition. Unless otherwise ordered under section 312, the petition or accompanying documents must provide, so far as known, the name, residential address, and social security numbers of the obligor and the obligee or the parent and alleged parent, and the name, sex, residential address, social security number, and date of birth of each child for whose benefit support is sought or whose parentage is to be determined. Unless filed at the time of registration, the petition must be accompanied by a copy of any support order known to have been issued by another tribunal. The petition may include any other information that may assist in locating or identifying the respondent.

(b) The petition must specify the relief sought. The petition and accompanying documents must conform substantially with the requirements imposed by the forms mandated by federal law for use in cases filed by a support enforcement agency.

Sec. 312. Nondisclosure of information in exceptional circumstances. **Note, New § 46-353.12**

If a party alleges in an affidavit or a pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by disclosure of specific identifying information, that information must be sealed and may not be disclosed to the other party or the public. After a hearing in which a tribunal takes into consideration the health, safety, or liberty of the party or child, the tribunal may order disclosure of information that the tribunal determines to be in the interest of justice.

Sec. 313. Costs and fees. **Note, New § 46-353.13**

(a) The petitioner may not be required to pay a filing fee or other costs.

(b) If an obligee prevails, a responding tribunal of the District may assess against an obligor filing fees, reasonable attorney's fees, other costs, and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs, or expenses against the obligee or the support enforcement agency of either the initiating or responding state or foreign country, except as provided by other law. Attorney's fees may be taxed as costs, and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs, and expenses.

(c) The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that a hearing was requested primarily for delay. In a proceeding under Title 6, a hearing is presumed to have been requested primarily for delay if a registered support order is confirmed or enforced without change.

Sec. 314. Limited immunity of petitioner. **Note, New § 46-353.14**

(a) Participation by a petitioner in a proceeding under this act before a responding tribunal, whether in person, by private attorney, or through services provided by the support enforcement agency, does not confer personal jurisdiction over the petitioner in another proceeding.

(b) A petitioner is not amenable to service of civil process while physically present in the District to participate in a proceeding under this act.

(c) The immunity granted by this section does not extend to civil litigation based on acts unrelated to a proceeding under this act committed by a party while physically present in the District to participate in the proceeding.

Sec. 315. Nonparentage as defense. **Note, New § 46-353.15**

A party whose parentage of a child has been previously determined by or pursuant to law may not plead nonparentage as a defense to a proceeding under this act.

Sec. 316. Special rules of evidence and procedure.

Note, New § 46-353.16

(a) The physical presence of a nonresident party who is an individual in a tribunal of the District is not required for the establishment, enforcement, or modification of a support order or the rendition of a judgment determining parentage of a child.

(b) An affidavit, a document substantially complying with federally mandated forms, or a document incorporated by reference in any of them, which would not be excluded under the hearsay rule if given in person, is admissible in evidence if given under penalty of perjury by a party or witness residing outside the District.

(c) A copy of the record of child-support payments certified as a true copy of the original by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made.

(d) Copies of bills for testing for parentage of a child, and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least 10 days before trial, are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary, and customary.

(e) Documentary evidence transmitted from outside the District to a tribunal of the District by telephone, telecopier, or other electronic means that do not provide an original record may not be excluded from evidence on an objection based on the means of transmission.

(f) In a proceeding under this act, a tribunal of the District shall permit a party or witness residing outside the District to be deposed or to testify under penalty of perjury by telephone, audiovisual means, or other electronic means at a designated tribunal or other location. A tribunal of the District shall cooperate with other tribunals in designating an appropriate location for the deposition or testimony.

(g) If a party called to testify at a civil hearing refuses to answer on the ground that the testimony may be self-incriminating, the trier of fact may draw an adverse inference from the refusal.

(h) A privilege against disclosure of communications between spouses does not apply in a proceeding under this act.

(i) The defense of immunity based on the relationship of husband and wife or parent and child does not apply in a proceeding under this act.

(j) A voluntary acknowledgment of paternity, certified as a true copy, is admissible to establish parentage of the child.

Sec. 317. Communications between tribunals.

Note, New § 46-353.17

A tribunal of the District may communicate with a tribunal outside the District in a record or by telephone, electronic mail, or other means, to obtain information concerning the laws, the legal effect of a judgment, decree, or order of that tribunal, and the status of a proceeding. A tribunal of the District may furnish similar information by similar means to a tribunal outside the District.

Sec. 318. Assistance with discovery. **Note, New § 46-353.18**

A tribunal of the District may:

(1) Request a tribunal outside the District to assist in obtaining discovery; and

(2) Upon request, compel a person over which it has jurisdiction to respond to a discovery order issued by a tribunal outside the District.

Sec. 319. Receipt and disbursement of payments. **Note, New § 46-353.19**

(a) A support enforcement agency or tribunal of the District shall disburse promptly any amounts received pursuant to a support order, as directed by the order. The agency or tribunal shall furnish to a requesting party or tribunal of another state or a foreign country a certified statement by the custodian of the record of the amounts and dates of all payments received.

(b) If neither the obligor, nor the obligee who is an individual, nor the child resides in the District, upon request from the support enforcement agency of the District or another state, the support enforcement agency of the District or a tribunal of the District shall:

(1) Direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services; and

(2) Issue and send to the obligor's employer a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments.

(c) The support enforcement agency of the District receiving redirected payments from another state pursuant to a law similar to subsection (b) of this section shall furnish to a requesting party or tribunal of the other state a certified statement by the custodian of the record of the amount and dates of all payments received.

TITLE 4. ESTABLISHMENT OF SUPPORT ORDER OR DETERMINATION OF PARENTAGE.

Sec. 401. Establishment of support order. **Note, New § 46-354.01**

(a) If a support order entitled to recognition under this act has not been issued, a responding tribunal of the District with personal jurisdiction over the parties may issue a support order if:

(1) The individual seeking the order resides outside the District; or

(2) The support enforcement agency seeking the order is located outside the District.

(b) The tribunal may issue a temporary child-support order if the tribunal determines that such an order is appropriate and the individual ordered to pay is:

(1) A presumed father of the child;

(2) Petitioning to have his paternity adjudicated;

(3) Identified as the father of the child through genetic testing;

(4) An alleged father who has declined to submit to genetic testing;

(5) Shown by clear and convincing evidence to be the father of the child;

(6) An acknowledged father as provided by D.C. Official Code §§ 16-909.01 to 16-909.05;

(7) The mother of the child; or

(8) An individual who has been ordered to pay child support in a previous proceeding and the order has not been reversed or vacated.

(c) Upon finding, after notice and opportunity to be heard, that an obligor owes a duty of support, the tribunal shall issue a support order directed to the obligor and may issue other orders pursuant to section 305.

Sec. 402. Proceeding to determine parentage. **Note, New § 46-354.02**

A tribunal of the District authorized to determine parentage of a child may serve as a responding tribunal in a proceeding to determine parentage of a child brought under this act or a law or procedure substantially similar to this act.

TITLE 5. ENFORCEMENT OF SUPPORT ORDER WITHOUT REGISTRATION

Sec. 501. Employer's receipt of income-withholding order of another state. **Note, New § 46-355.01**

An income-withholding order issued in another state may be sent by or on behalf of the obligee, or by the support enforcement agency, to the person defined as the obligor's employer under the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6–166; D.C. Official Code § 46-201 *et seq*.) without first filing a petition or comparable pleading or registering the order with a tribunal of the District.

Sec. 502. Employer's compliance with income-withholding order of another state. **Note, New § 46-355.02**

(a) Upon receipt of an income-withholding order, the obligor's employer shall immediately provide a copy of the order to the obligor.

(b) The employer shall treat an income-withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of the District.

(c) Except as otherwise provided in subsection (d) of this section and section 503, the employer shall withhold and distribute the funds as directed in the withholding order by complying with terms of the order which specify:

(1) The duration and amount of periodic payments of current child support, stated as a sum certain;

(2) The person designated to receive payments and the address to which the payments are to be forwarded;

(3) Medical support, whether in the form of periodic cash payment, stated as a sum certain, or ordering the obligor to provide health insurance coverage for the child under a policy available through the obligor's employment;

(4) The amount of periodic payments of fees and costs for a support enforcement agency, the issuing tribunal, and the obligee's attorney, stated as sums certain; and

(5) The amount of periodic payments of arrearages and interest on arrearages, stated as sums certain.

(d) An employer shall comply with the law of the state of the obligor's principal place of employment for withholding from income with respect to:

(1) The employer's fee for processing an income-withholding order;

(2) The maximum amount permitted to be withheld from the obligor's income; and

(3) The times within which the employer must implement the withholding order and forward the child-support payment.

Sec. 503. Employer's compliance with 2 or more income-withholding orders. **Note, New § 46-355.03**

If an obligor's employer receives 2 or more income-withholding orders with respect to the earnings of the same obligor, the employer satisfies the terms of the orders if the employer complies with the law of the state of the obligor's principal place of employment to establish the priorities for withholding and allocating income withheld for 2 or more child-support obligees.

Sec. 504. Immunity from civil liability. **Note, New § 46-355.04**

An employer that complies with an income-withholding order issued in another state in accordance with this title is not subject to civil liability to an individual or agency with regard to the employer's withholding of child support from the obligor's income.

Sec. 505. Penalties for noncompliance. **Note, New § 46-355.05**

An employer that willfully fails to comply with an income-withholding order issued in another state and received for enforcement is subject to the same penalties that may be imposed for noncompliance with an order issued by a tribunal of the District.

Sec. 506. Contest by obligor. **Note, New § 46-355.06**

(a) An obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in the District by registering the order in a tribunal of the District and filing a contest to that order as provided in Title 6, or otherwise contesting the order in the same manner as if the order had been issued by a tribunal of the District.

(b) The obligor shall give notice of the contest to:

(1) A support enforcement agency providing services to the obligee;

(2) Each employer that has directly received an income-withholding order relating to the obligor; and

(3) The person designated to receive payments in the income-withholding order or, if no person is designated, to the obligee.

Sec. 507. Administrative enforcement of orders. **Note, New § 46-355.07**

(a) A party or support enforcement agency seeking to enforce a support order or an income-withholding order, or both, issued in another state or a foreign support order may send the documents required for registering the order to a support enforcement agency of the District.

(b) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of the District to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to this act.

TITLE 6. REGISTRATION, ENFORCEMENT, AND MODIFICATION OF SUPPORT ORDER.

SUBTITLE A. REGISTRATION FOR ENFORCEMENT OF SUPPORT ORDER.

Sec. 601. Registration of order for enforcement. **Note, New § 46-356.01**

A support order or income-withholding order issued in another state or a foreign support order may be registered in the District for enforcement.

Sec. 602. Procedure to register order for enforcement. **Note, New § 46-356.02**

(a) Except as otherwise provided in section 706, a support order or income-withholding order of another state or a foreign support order may be registered in the District by sending the following records to the Superior Court of the District of Columbia:

(1) A letter of transmittal to the tribunal requesting registration and enforcement;

(2) Two copies, including one certified copy, of the order to be registered, including any modification of the order;

(3) A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage;

(4) The name of the obligor and, if known:

(A) The obligor's address and social security number;

(B) The name and address of the obligor's employer and any other source of income of the obligor; and

(C) A description and the location of property of the obligor in the District not exempt from execution; and

(5) Except as otherwise provided in section 312, the name and address of the obligee and, if applicable, the person to whom support payments are to be remitted.

(b) On receipt of a request for registration, the registering tribunal shall cause the order to be filed as an order of a tribunal of another state or a foreign support order, together with one copy of the documents and information, regardless of their form.

(c) A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of the District may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

(d) If 2 or more orders are in effect, the person requesting registration shall:

(1) Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;

(2) Specify the order alleged to be the controlling order, if any; and

(3) Specify the amount of consolidated arrears, if any.

(e) A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

Sec. 603. Effect of registration for enforcement. **Note, New § 46-356.03**

(a) A support order or income-withholding order issued in another state or a foreign support order is registered when the order is filed in the registering tribunal of the District.

(b) A registered support order issued in another state or a foreign country is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of the District.

(c) Except as otherwise provided in this act, a tribunal of the District shall recognize and enforce, but may not modify, a registered support order if the issuing tribunal had jurisdiction.

Sec. 604. Choice of law. **Note, New § 46-356.04**

(a) Except as otherwise provided in subsection (d) of this section, the law of the issuing state or foreign country governs:

(1) The nature, extent, amount, and duration of current payments under a registered support order;

(2) The computation and payment of arrearages and accrual of interest on the arrearages under the support order; and

(3) The existence and satisfaction of other obligations under the support order.

(b) In a proceeding for arrears under a registered support order, the statute of limitation of the District, or of the issuing state or foreign country, whichever is longer, applies.

(c) A responding tribunal of the District shall apply the procedures and remedies of the District to enforce current support and collect arrears and interest due on a support order of another state or a foreign country registered in the District.

(d) After a tribunal of the District or another state determines which is the controlling order and issues an order consolidating arrears, if any, a tribunal of the District shall prospectively apply the law of the state or foreign country issuing the controlling order, including its law on interest on arrears, on current and future support, and on consolidated arrears.

SUBTITLE B. CONTEST OF VALIDITY OR ENFORCEMENT.

Sec. 605. Notice of registration of order. **Note, New § 46-356.05**

(a) When a support order or income-withholding order issued in another state or a foreign support order is registered, the registering tribunal of the District shall notify the nonregistering party. The notice must be accompanied by a copy of the registered order and the documents and relevant information accompanying the order.

(b) A notice must inform the nonregistering party:

(1) That a registered support order is enforceable as of the date of registration in the same manner as an order issued by a tribunal of the District;

(2) That a hearing to contest the validity or enforcement of the registered order must be requested within 20 days after notice unless the registered order is under section 707;

(3) That failure to contest the validity or enforcement of the registered order in a timely manner will result in confirmation of the order and enforcement of the order and the alleged arrearages; and

(4) Of the amount of any alleged arrearages.

(c) If the registering party asserts that 2 or more orders are in effect, a notice must also:

(1) Identify the 2 or more orders and the order alleged by the registering party to be the controlling order and the consolidated arrears, if any;

(2) Notify the nonregistering party of the right to a determination of which is the controlling order;

(3) State that the procedures provided in subsection (b) of this section apply to the determination of which is the controlling order; and

(4) State that failure to contest the validity or enforcement of the order alleged to be the controlling order in a timely manner may result in confirmation that the order is the controlling order.

(d) Upon registration of an income-withholding order for enforcement, the support enforcement agency or the registering tribunal shall notify the obligor's employer pursuant to the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6–166; D.C. Official Code § 46-201 *et seq*.).

Sec. 606. Procedure to contest validity or enforcement of registered support order. **Note, New § 46-356.06**

(a) A nonregistering party seeking to contest the validity or enforcement of a registered support order in the District shall request a hearing within the time required by section 605. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 607.

(b) If the nonregistering party fails to contest the validity or enforcement of the registered support order in a timely manner, the order is confirmed by operation of law.

(c) If a nonregistering party requests a hearing to contest the validity or enforcement of the registered support order, the registering tribunal shall schedule the matter for hearing and give notice to the parties of the date, time, and place of the hearing.

Sec. 607. Contest of registration or enforcement. **Note, New § 46-356.07**

(a) A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) The issuing tribunal lacked personal jurisdiction over the contesting party;

(2) The order was obtained by fraud;

(3) The order has been vacated, suspended, or modified by a later order;

(4) The issuing tribunal has stayed the order pending appeal;

(5) There is a defense under the law of the District to the remedy sought;

(6) Full or partial payment has been made;

(7) The statute of limitation under section 604 precludes enforcement of some or all of the alleged arrearages; or

(8) The alleged controlling order is not the controlling order.

(b) If a party presents evidence establishing a full or partial defense under subsection (a) of this section, a tribunal may stay enforcement of a registered support order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered support order may be enforced by all remedies available under the law of the District.

(c) If the contesting party does not establish a defense under subsection (a) of this section to the validity or enforcement of a registered support order, the registering tribunal shall issue an order confirming the order.

Sec. 608. Confirmed order. **Note, New § 46-356.08**

Confirmation of a registered support order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

SUBTITLE C. REGISTRATION AND MODIFICATION OF CHILD-SUPPORT ORDER OF ANOTHER STATE.

Sec. 609. Procedure to register child-support order of another state for modification. **Note, New § 46-356.09**

A party or support enforcement agency seeking to modify, or to modify and enforce, a child-support order issued in another state shall register that order in the District in the same manner provided in sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or later. The pleading must specify the grounds for modification.

Sec. 610. Effect of registration for modification. **Note, New § 46-356.10**

A tribunal of the District may enforce a child-support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of the District, but the registered support order may be modified only if the requirements of section 611 or 613 have been met.

Sec. 611. Modification of child-support order of another state. **Note, New § 46-356.11**

(a) If section 613 does not apply, upon petition a tribunal of the District may modify a child-support order issued in another state which is registered in the District if, after notice and hearing, the tribunal finds that:

(1) The following requirements are met:

(A) Neither the child, nor the obligee who is an individual, nor the obligor resides in the issuing state;

(B) A petitioner who is a nonresident of the District seeks modification; and

(C) The respondent is subject to the personal jurisdiction of the tribunal of the District; or

(2) The District is the residence of the child, or a party who is an individual is subject to the personal jurisdiction of the tribunal of the District, and all of the parties who are individuals have filed consents in a record in the issuing tribunal for a tribunal of the District to modify the support order and assume continuing, exclusive jurisdiction.

(b) Modification of a registered child-support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by a tribunal of the District and the order may be enforced and satisfied in the same manner.

(c) A tribunal of the District may not modify any aspect of a child-support order that may not be modified under the law of the issuing state, including the duration of the obligation of support. If 2 or more tribunals have issued child-support orders for the same obligor and same child, the order that controls and must be so recognized under section 207 establishes the aspects of the support order which are nonmodifiable.

(d) In a proceeding to modify a child-support order, the law of the state that is determined to have issued the initial controlling order governs the duration of the obligation of support. The obligor's fulfillment of the duty of support established by that order precludes imposition of a further obligation of support by a tribunal of the District.

(e) On the issuance of an order by a tribunal of the District modifying a child-support order issued in another state, the tribunal of the District becomes the tribunal having continuing, exclusive jurisdiction.

(f) Notwithstanding subsections (a) through (e) of this section and section 201(b), a tribunal of the District retains jurisdiction to modify an order issued by a tribunal of the District if:

(1) One party resides in another state; and

(2) The other party resides outside the United States.

Sec. 612. Recognition of order modified in another state.

Note, New § 46-356.12

If a child-support order issued by a tribunal of the District is modified by a tribunal of another state which assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of the District:

(1) May enforce its order that was modified only as to arrears and interest accruing before the modification;

(2) May provide appropriate relief for violations of its order which occurred before the effective date of the modification; and

(3) Shall recognize the modifying order of the other state, upon registration, for the purpose of enforcement.

Sec. 613. Jurisdiction to modify child-support order of another state when individual parties reside in the District. **Note, New § 46-356.13**

(a) If all of the parties who are individuals reside in the District and the child does not reside in the issuing state, a tribunal of the District has jurisdiction to enforce and to modify the issuing state's child-support order in a proceeding to register that order.

(b) A tribunal of the District exercising jurisdiction under this section shall apply the provisions of Titles 1 and 2, this title, and the procedural and substantive law of the District to the proceeding for enforcement or modification. Titles 3, 4, 5, 7, and 8 do not apply.

Sec. 614. Notice to issuing tribunal of modification. **Note, New § 46-356.14**

Within 30 days after issuance of a modified child-support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal that had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows the earlier order has been registered. A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction.

SUBTITLE D. REGISTRATION AND MODIFICATION OF FOREIGN CHILD-SUPPORT ORDER.

Sec. 615. Jurisdiction to modify child-support order of foreign country. **Note, New § 46-356.15**

(a) Except as otherwise provided in section 711, if a foreign country lacks or refuses to exercise jurisdiction to modify its child-support order pursuant to its laws, a tribunal of the District may assume jurisdiction to modify the child-support order and bind all individuals subject to the personal jurisdiction of the tribunal whether the consent to modification of a child-support order otherwise required of the individual pursuant to section 611 has been given or whether the individual seeking modification is a resident of the District or of the foreign country.

(b) An order issued by a tribunal of the District modifying a foreign child-support order pursuant to this section is the controlling order.

Sec. 616. Procedure to register child-support order of foreign country for modification. **Note, New § 46-356.16**

A party or support enforcement agency seeking to modify, or to modify and enforce, a foreign child-support order not under the Convention may register that order in the District under sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or at another time. The petition must specify the grounds for modification.

TITLE 7. SUPPORT PROCEEDING UNDER CONVENTION.

Sec. 701. Definitions. **Note, New § 46-357.01**

In this title:

(1) "Application" means a request under the Convention by an obligee or obligor, or on behalf of a child, made through a central authority for assistance from another central authority.

(2) "Central authority" means the entity designated by the United States or a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(3) "Convention support order" means a support order of a tribunal of a foreign country described in section 102(6)(D).

(4) "Direct request" means a petition filed by an individual in a tribunal of the District in a proceeding involving an obligee, obligor, or child residing outside the United States.

(5) "Foreign central authority" means the entity designated by a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(6) "Foreign support agreement":

(A) Means an agreement for support in a record that:

(i) Is enforceable as a support order in the country of origin;

(ii) Has been:

(I) Formally drawn up or registered as an authentic instrument by a foreign tribunal; or

(II) Authenticated by, or concluded, registered, or filed with a foreign tribunal; and

(iii) May be reviewed and modified by a foreign tribunal; and

(B) Includes a maintenance arrangement or authentic instrument under the Convention.

(7) "United States central authority" means the Secretary of the United States Department of Health and Human Services.

Sec. 702. Applicability. **Note, New § 46-357.02**

This title applies only to a support proceeding under the Convention. In such a proceeding, if a provision of this title is inconsistent with Titles 1 through 6, this title controls.

Sec. 703. Relationship of Office of the Attorney General to United States central authority. **Note, New § 46-357.03**

The Office of the Attorney General is recognized as the agency designated by the United States central authority to perform specific functions under the Convention.

Sec. 704. Initiation by Office of the Attorney General of support proceeding under Convention. **Note, New § 46-357.04**

(a) In a support proceeding under this title, the Office of the Attorney General shall:

(1) Transmit and receive applications; and

(2) Initiate or facilitate the institution of a proceeding regarding an application in a tribunal of the District.

(b) The following support proceedings are available to an obligee under the Convention:

(1) Recognition or recognition and enforcement of a foreign support order;

(2) Enforcement of a support order issued or recognized in the District;

(3) Establishment of a support order if there is no existing order, including, if necessary, determination of parentage of a child;

(4) Establishment of a support order if recognition of a foreign support order is refused under section 708(b)(2), (4), or (9);

(5) Modification of a support order of a tribunal of the District; and

(6) Modification of a support order of a tribunal of another state or a foreign country.

(c) The following support proceedings are available under the Convention to an obligor against which there is an existing support order:

(1) Recognition of an order suspending or limiting enforcement of an existing support order of a tribunal of the District;

(2) Modification of a support order of a tribunal of the District; and

(3) Modification of a support order of a tribunal of another state or a foreign country.

(d) A tribunal of the District may not require security, bond, or deposit, however described, to guarantee the payment of costs and expenses in proceedings under the Convention.

Sec. 705. Direct request.

Note, New § 46-357.05

(a) A petitioner may file a direct request seeking establishment or modification of a support order or determination of parentage of a child. In the proceeding, the law of the District applies.

(b) A petitioner may file a direct request seeking recognition and enforcement of a support order or support agreement. In the proceeding, sections 706 through 713 apply.

(c) In a direct request for recognition and enforcement of a Convention support order or foreign support agreement:

(1) A security, bond, or deposit is not required to guarantee the payment of costs and expenses; and

(2) An obligee or obligor that in the issuing country has benefited from free legal assistance is entitled to benefit, at least to the same extent, from any free legal assistance provided for by the law of the District under the same circumstances.

(d) A petitioner filing a direct request is not entitled to assistance from the Office of the Attorney General.

(e) This title does not prevent the application of laws of the District that provide simplified, more expeditious rules regarding a direct request for recognition and enforcement of a foreign support order or foreign support agreement.

Sec. 706. Registration of Convention support order. **Note, New § 46-357.06**

(a) Except as otherwise provided in this title, a party who is an individual or a support enforcement agency seeking recognition of a Convention support order shall register the order in the District as provided in Title 6.

(b) Notwithstanding sections 311 and 602(a), a request for registration of a Convention support order must be accompanied by:

(1) A complete text of the support order or an abstract or extract of the support order drawn up by the issuing foreign tribunal, which may be in the form recommended by the Hague Conference on Private International Law;

(2) A record stating that the support order is enforceable in the issuing country;

(3) If the respondent did not appear and was not represented in the proceedings in the issuing country, a record attesting, as appropriate, either that the respondent had proper notice of the proceedings and an opportunity to be heard or that the respondent had proper notice of the support order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal;

(4) A record showing the amount of arrears, if any, and the date the amount was calculated;

(5) A record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations; and

(6) If necessary, a record showing the extent to which the applicant received free legal assistance in the issuing country.

(c) A request for registration of a Convention support order may seek recognition and partial enforcement of the order.

(d) A tribunal of the District may vacate the registration of a Convention support order without the filing of a contest under section 707 only if, acting on its own motion, the tribunal finds that recognition and enforcement of the order would be manifestly incompatible with public policy.

(e) The tribunal shall promptly notify the parties of the registration or the order vacating the registration of a Convention support order.

Sec. 707. Contest of registered convention support order. **Note, New § 46-357.07**

(a) Except as otherwise provided in this title, sections 605 through 608 apply to a contest of a registered Convention support order.

(b) A party contesting a registered Convention support order shall file a contest not later than 30 days after notice of the registration, but if the contesting party does not reside in the United States, the contest must be filed not later than 60 days after notice of the registration.

(c) If the nonregistering party fails to contest the registered Convention support order by the time specified in subsection (b) of this section, the order is enforceable.

(d) A contest of a registered Convention support order may be based only on grounds set forth in section 708. The contesting party bears the burden of proof.

(e) In a contest of a registered Convention support order, a tribunal of the District:

(1) Is bound by the findings of fact on which the foreign tribunal based its jurisdiction; and

(2) May not review the merits of the order.

(f) A tribunal of the District deciding a contest of a registered Convention support order shall promptly notify the parties of its decision.

(g) A challenge or appeal, if any, does not stay the enforcement of a Convention support order unless there are exceptional circumstances.

Sec. 708. Recognition and enforcement of registered convention support order.

Note, New § 46-357.08

(a) Except as otherwise provided in subsection (b) of this section, a tribunal of the District shall recognize and enforce a registered Convention support order.

(b) The following grounds are the only grounds on which a tribunal of the District may refuse recognition and enforcement of a registered Convention support order:

(1) Recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard;

(2) The issuing tribunal lacked personal jurisdiction consistent with section 201;

(3) The order is not enforceable in the issuing country;

(4) The order was obtained by fraud in connection with a matter of procedure;

(5) A record transmitted in accordance with section 706 lacks authenticity or integrity;

(6) A proceeding between the same parties and having the same purpose is pending before a tribunal of the District and that proceeding was the first to be filed;

(7) The order is incompatible with a more recent support order involving the same parties and having the same purpose if the more recent support order is entitled to recognition and enforcement under this act in the District;

(8) Payment, to the extent alleged arrears have been paid in whole or in part;

(9) In a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(A) If the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or

(B) If the law of that country does not provide for prior notice of the proceedings, the respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or

(10) The order was made in violation of section 711.

(c) If a tribunal of the District does not recognize a Convention support order under subsection (b)(2), (4), or (9) of this section:

(1) The tribunal may not dismiss the proceeding without allowing a reasonable time for a party to request the establishment of a new Convention support order; and

(2) The Office of the Attorney General shall take all appropriate measures to request a child-support order for the obligee if the application for recognition and enforcement was received under section 704.

Sec. 709. Partial enforcement. **Note, New § 46-357.09**

If a tribunal of the District does not recognize and enforce a Convention support order in its entirety, it shall enforce any severable part of the order. An application or direct request may seek recognition and partial enforcement of a Convention support order.

Sec. 710. Foreign support agreement. **Note, New § 46-357.10**

(a) Except as otherwise provided in subsections (c) and (d) of this section, a tribunal of the District shall recognize and enforce a foreign support agreement registered in the District.

(b) An application or direct request for recognition and enforcement of a foreign support agreement must be accompanied by:

(1) A complete text of the foreign support agreement; and

(2) A record stating that the foreign support agreement is enforceable as an order of support in the issuing country.

(c) A tribunal of the District may vacate the registration of a foreign support agreement only if, acting on its own motion, the tribunal finds that recognition and enforcement would be manifestly incompatible with public policy.

(d) In a contest of a foreign support agreement, a tribunal of the District may refuse recognition and enforcement of the agreement if it finds:

(1) Recognition and enforcement of the agreement is manifestly incompatible with public policy;

(2) The agreement was obtained by fraud or falsification;

(3) The agreement is incompatible with a support order involving the same parties and having the same purpose in the District, another state, or a foreign country if the support order is entitled to recognition and enforcement under this act in the District; or

(4) The record submitted under subsection (b) of this section lacks authenticity or integrity.

(e) A proceeding for recognition and enforcement of a foreign support agreement must be suspended during the pendency of a challenge to or appeal of the agreement before a tribunal of another state or a foreign country.

Sec. 711. Modification of convention child-support order. **Note, New § 46-357.11**

(a) A tribunal of the District may not modify a Convention child-support order if the obligee remains a resident of the foreign country where the support order was issued unless:

(1) The obligee submits to the jurisdiction of a tribunal of the District, either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity; or

(2) The foreign tribunal lacks or refuses to exercise jurisdiction to modify its support order or issue a new support order.

(b) If a tribunal of the District does not modify a Convention child-support order because the order is not recognized in the District, section 708(c) applies.

Sec. 712. Personal information; limit on use. **Note, New § 46-357.12**

Personal information gathered or transmitted under this title may be used only for the purposes for which it was gathered or transmitted.

Sec. 713. Record in original language; English translation. **Note, New § 46-357.13**

A record filed with a tribunal of the District under this title must be in the original language and, if not in English, must be accompanied by an English translation.

TITLE 8. INTERSTATE RENDITION

Sec. 801. Grounds for rendition. **Note, New § 46-358.01**

(a) For purposes of this title, "governor" includes an individual performing the functions of governor or the executive authority of a state covered by this act.

(b) The Mayor may:

(1) Demand that the governor of another state surrender an individual found in the other state who is charged criminally in the District with having failed to provide for the support of an obligee; or

(2) On the demand of the governor of another state, surrender an individual found in the District who is charged criminally in the other state with having failed to provide for the support of an obligee.

(c) A provision for extradition of individuals not inconsistent with this act applies to the demand even if the individual whose surrender is demanded was not in the demanding state when the crime was allegedly committed and has not fled therefrom.

Sec. 802. Conditions of rendition. **Note, New § 46-358.02**

(a) Before making a demand that the governor of another state surrender an individual charged criminally in the District with having failed to provide for the support of an obligee, the Mayor may require a prosecutor of the District to demonstrate that at least 60 days previously the obligee had initiated proceedings for support pursuant to this act or that the proceeding would be of no avail.

(b) If, under this act or a law substantially similar to this act, the governor of another state makes a demand that the Mayor surrender an individual charged criminally in that state with having failed to provide for the support of a child or other individual to whom a duty of support is owed, the Mayor may require a prosecutor to investigate the demand and report whether a proceeding for support has been initiated or would be effective. If it appears that a proceeding would be effective but has not been initiated, the Mayor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(c) If a proceeding for support has been initiated and the individual whose rendition is demanded prevails, the Mayor may decline to honor the demand. If the petitioner prevails and the individual whose rendition is demanded is subject to a support order, the governor may decline to honor the demand if the individual is complying with the support order.

TITLE 9. MISCELLANEOUS PROVISIONS

Sec. 901. Uniformity of application and construction.

Note, New § 46-359.01

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Sec. 902. Repealer.

Note, Repeal §§ 46-301.01 – 46-309.01

The Uniform Interstate Family Support Act of 1995, effective February 9, 1996 (D.C. Law 11-81; D.C. Official Code § 46-301.01 *et seq.*), is repealed.

Sec. 903. Transitional provision.

Note, New § 46-359.03

This act applies to proceedings begun on or after the effective date of this act to establish a support order or determine parentage of a child or to register, recognize, enforce, or modify a prior support order, determination, or agreement, whenever issued or entered.

Sec. 904. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Uniform Interstate Family Support Act of 2015, enacted December 29, 2015 (D.C. Act 21-249; 63 DCR 222), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 905. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-302, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-588

Emergency Declaration Res. 21-367 21 DCStat 2903

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Street and Alley Closing and Acquisition Procedures Act of 1982 to allow for the temporary naming of an adopted or sponsored Department of Parks and Recreation athletic field in honor of a current or former professional sports player; and to amend the Recreation Act of 1994 to clarify that certain entities, including a nonprofit organization, may adopt or sponsor a Department of Parks and Recreation program, site, facility, field, or operation.

Athletic Field Naming and Sponsorship Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Athletic Field Naming and Sponsorship Congressional Review Emergency Amendment Act of 2016".

Note, § 9-204.05

Sec. 2. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), is amended as follows:

(a) Section 405 (D.C. Official Code § 9-204.05) is amended by striking the phrase "No public space" and inserting the phrase "Except as provided in section 410, no public space" in its place.

Note, New § 9-204.10

(b) A new section 410 is added to read as follows:

"Sec. 410. Naming of sponsored recreation facilities.

"(a) Notwithstanding section 401, the Mayor may name in honor of a person a Department of Parks and Recreation athletic field that is adopted or sponsored, pursuant to section 5 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Code § 10-304); provided, that:

"(1) The naming is detailed in an agreement between the Mayor and the entity adopting or sponsoring the field;

"(2) The agreement requires the financial adoption or sponsorship of the field;

"(3) The name is that of a current or former professional sports player who may be living or deceased less than 2 years; and

"(4) The naming is not permanent.

"(b) The District may display the logo of an entity sponsoring or adopting a field on signage at the field; provided, that the display of the logo be less prominent than the name of the person for whom the field is named, and that the display be consistent with the terms of the agreement required by subsection (a)(1) of this section.".

Sec. 3. Section 5(a) of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-304(a)), is amended by striking the phrase "neighborhood and civic groups or other governmental entities may adopt or sponsor Departmental programs, sites, or operations" and inserting the phrase "neighborhood and civic groups, nonprofit organizations, or other governmental entities may adopt or sponsor Departmental programs, sites, facilities, fields, or operations" in its place.

Note, § 10-304

Sec. 4. Applicability.

This act shall apply as of February 21, 2016.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Athletic Field Naming and Sponsorship Amendment Act of 2015, enacted on December 17, 2015 (D.C. Act 21-233; 62 DCR 16266), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-303, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-590

Emergency Declaration Res. 21-369 21 DCStat 2907

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Day Care Policy Act of 1979 to extend eligibility for subsidized child care to foster parents who may no longer be working but have some form of verifiable income, teen parents under 21 years of age who themselves are in foster care or wards of the District, and foster parents who are not working but who are enrolled in a verified job training or education program.

Foster Care Extended Eligibility Congressional Review Emergency Amendment Act of 2016

Note, § 4-404.01

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Foster Care Extended Eligibility Congressional Review Emergency Amendment Act of 2016".

Sec. 2. Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code § 4-404.01(a)), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase “services; and” and inserting the phrase “services;” in its place.

(b) Paragraph (5) is amended by striking the phrase “child.” and inserting the phrase “child;” in its place.

(c) New paragraphs (6), (7), and (8) are added to read as follows:

“(6) Children of a teen parent under 21 years of age who is either in foster care or a ward of the District and is either working or enrolled in a verified job training or education program;

“(7) Children in foster care placement when the foster care provider is not working but receives some form of verifiable income, such as social security or disability, and the child care services are in the best interest of the child; and

“(8) Children in foster care placement when the foster care provider is not working but enrolled in a verified job training or education program, and the child care services are in the best interest of the child.”.

Sec. 3. Applicability.

This act shall apply as of February 21, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-304, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-596

Emergency Declaration Res. 21-370 21 DCStat 2908

Not Codified

To order, on an emergency basis, due to congressional review, the closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Ward 5.

Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Congressional Review Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Congressional Review Emergency Act of 2016".

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council of the District of Columbia finds that public streets in Square 3128, as shown by the hatch-marks on the Surveyor's plat in S.O. 13-09432, are unnecessary for street purposes and orders them closed with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its adoption, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Applicability.

This act shall apply as of February 28, 2016.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Act of 2015, enacted on December 17, 2015 (D.C. Act 21-232; 62 DCR 16264), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-305, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-597

Emergency Declaration Res. 21-371 21 DCStat 2910

Not Codified

To approve, on an emergency basis, due to congressional review, the amended proposal for the property designated as Lot 25 in Square 526, which was previously conveyed to Golden Rule Plaza, Inc.

Plaza West Disposition Restatement Congressional Review Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Plaza West Disposition Restatement Congressional Review Emergency Act of 2016".

Sec. 2. (a) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), and subject to the conditions set forth in subsection (c) of this section, the Council approves the amended development proposal ("Amended Proposal") offered by Golden Rule Plaza, Inc. and its successors or assigns, as approved by the Mayor ("Developer") for the following property conveyed via special warranty deed to Golden Rule Plaza, Inc. from the District in 2005 pursuant to section 2 of the Approval of the Negotiated Disposition of the "Golden Rule Property" to Golden Rule Plaza, Inc., and Reorganization Plan No. 8 of 1996 for the Business of Public Management Disapproval Resolution of 1996, effective November 7, 1996 (Res. 11-569; 43 DCR 6219): Lot 25 in Square 526, which is bounded by 4th Street, N.W., the Center Leg Freeway, and K Street, N.W., as shown on a plat of subdivision recorded by Golden Rule Plaza, Inc. in the Office of the Surveyor for the District of Columbia in Subdivision Book 208 at Page 168.

(b) The Amended Proposal includes approximately 223 units of affordable housing, with supportive services, outdoor space, parking, and any ancillary uses allowed under applicable law.

(c) The Amended Proposal is subject to the following conditions:

(1) Developer shall construct residential units that shall be affordable for a minimum of 40 years at the following affordability levels:

(A) Approximately 35 units shall be reserved for households earning at or below 30% of Area Median Income;

(B) Approximately 26 units shall be reserved for households earning at or below 40% of Area Median Income;

(C) Approximately 82 units shall be reserved for households earning at or below 50% of Area Median Income; and

(D) Approximately 80 units shall be reserved for households earning at or below 60% of Area Median Income;

(2) Developer shall enter into an agreement governing its obligations under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) ("CBE Act"), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a); and

(3) Developer shall enter into an agreement with the District governing its obligations pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983) regarding job creation and employment generated as a result of the Amended Proposal.

Sec. 3. Applicability.

This act shall apply as of February 28, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-306, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-606

Emergency Declaration Res. 21-401 21 DCStat 2957

Codification District of Columbia Official Code 2001 Edition

Marion S. Barry Summer Youth Employment Expansion Emergency Amendment Act of 2016

Note, § 32-241

To amend, on an emergency basis, the Youth Employment Act of 1979 to authorize the Mayor to provide employment or work-readiness training for participants 14 through 24 years of age.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marion S. Barry Summer Youth Employment Expansion Emergency Amendment Act of 2016".

Sec. 2. Section 2(a)(1)(A) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)(A)), is amended to read as follows:

"(A)(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth. Youth shall be 14 through 21 years of age on the date of enrollment in the program; provided, that for Fiscal Year 2016 and Fiscal Year 2017, the program may provide for the employment or training each summer of no more than 1,000 youth 22 through 24 years of age on the date of enrollment in the program.

"(ii) Youth 14 or 15 years of age at the date of enrollment shall receive an hourly work readiness training rate of not less than $5.25.

"(iii) Youth 16 through 21 years of age at the date of enrollment shall be compensated at an hourly rate of $8.25 and youth 22 through 24 years of age at the date of enrollment shall be compensated at no less than the minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).".

Note, § 32-241

Delayed Applicability

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-609

Emergency Declaration Res. 21-368 21 DCStat 2905

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Fiscal Year 2016 Budget Support Act of 2015, various other acts, and Title 47 of the District of Columbia Official Code to clarify provisions supporting the Fiscal Year 2016 budget; and to amend the Firearms Control Regulations Act of 1975 to clarify the descriptions of the boundaries around the White House and the U.S. Naval Observatory within which a concealed pistol licensee is prohibited from carrying a pistol.

Fiscal Year 2016 Budget Support Clarification Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Budget Support Clarification Congressional Review Emergency Amendment Act of 2016".

Note, § 1-325.311

Sec. 2. Section 6004 of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is repealed.

Note, § 1-301.47a

Sec. 3. Section 4a(a)(1) of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(a)(1)), is amended by striking the word "permanent".

Note, § 7-2509.07

Sec. 4. Section 907 of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.07), is amended as follows:

(a) Subsection (a)(11) and (12) are amended to read as follows:

"(11) The White House Complex and its grounds up to and including to the curb of the adjacent sidewalks touching the roadways of the area bounded by Constitution Avenue, N.W., 15th Street, N.W., H Street N.W., and 17th Street, N.W.;

"(12) The U.S. Naval Observatory and its fence line, including the area from the perimeter of its fence up to and including to the curb of the adjacent sidewalks touching the roadway of Observatory Circle, from Calvert Street, N.W., to Massachusetts Avenue, N.W., and around Observatory Circle to the far corner of Observatory Lane;".

(b) Subsection (d)(1) is amended by striking the phrase "While he or she is traveling along a public street, road, or highway, including an adjacent public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this section" and inserting the phrase "While he or she is traveling along a public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this

section, except for the areas designated in subsection (a)(11) and (a)(12), or along a public street, roadway, or highway" in its place.

Sec. 5. Section 47-355.07 of the District of Columbia Official Code is amended as follows: **Note, § 47-355.07**

(a) Subsection (c)(1) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "serve at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(2) Subparagraph (B) is amended by striking the phrase "serves at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(3) Subparagraph (D) is amended by striking the phrase "serves at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(b) Subsection (d)(3)(D) is amended by striking the phrase "taken or proposed to be taken" and inserting the word "recommended" in its place.

(c) New subsections (d-1), (d-2), and (d-3) are added to read as follows:

"(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of an alleged violation.

"(2) In investigating a report of an alleged violation, the Review Board may:

"(A) Request assistance from the Office of the Chief Financial Officer, the Office of the Inspector General, and the Office of the Attorney General; and

"(B) Consult with the Office of the Attorney General for the purposes of obtaining legal advice.

"(d-2) The Review Board:

"(1) Shall have access, subject to any privileges or confidentiality requirements as provided by law, to all facilities, files, and databases of the District government, including all files, electronic paper records, reports, documents, and other materials that may relate to the investigation;

"(2) May request information or assistance from any District, federal, state, or local government agency as may be necessary for carrying out the investigation; and

"(3) May seek information from parties outside the District government, including government contractors, that may be relevant to the investigation.

"(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of boards, commissions, and councils of the District government shall cooperate in an investigation by the Review Board and shall provide documents, materials, and information to the Review Board upon request.

"(2) Subject to any applicable privileges, officers, employees, and members of boards, commissions, and councils of the District government shall respond truthfully to all questions posed by the Review Board, and shall not prevent or prohibit the Review Board from initiating, carrying out, or completing an investigation within its jurisdiction.

"(3) The Review Board:

"(A) May require any officer, employee, or member of a board, commission, or council of the District government, including the subject of an allegation, to appear before the Review Board; and

"(B) Shall provide any officer, employee, or member of a board, commission, or council of the District who is potentially subject to disciplinary action an opportunity to appear before the Review Board.

"(4) The Review Board may recommend an appropriate disciplinary action with respect to any officer, employee, or member of a board, commission, or council of the District government who fails to cooperate fully with a Review Board investigation.".

Sec. 6. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "Tax haven updates." and inserting the phrase "Tax haven updates. (Repealed)." in its place.

(b) Section 47-1801.04(49) is amended as follows: **Note, § 47-1801.04**

(1) Subparagraph (A) is amended by striking the phrase "means the jurisdictions listed in subparagraph (B-i) of this paragraph and any jurisdiction that" and inserting the phrase "means a jurisdiction that" in its place.

(2) Subparagraph (B-i) is repealed.

(c) Section 47-1810.09 is repealed. **Note, Repeal § 47-1810.09**

Sec. 7. Section 47-1801.04(11) of the District of Columbia Official Code is amended as follows: **Note, § 47-1801.04**

(a) Subparagraph (A) is amended by striking the phrase "calendar year beginning January 1, 2011" wherever it appears and inserting the phrase "base year" in its place.

(b) A new subparagraph (C) is added to read as follows:

"(C) For the purposes of this paragraph, the term "base year" shall mean the calendar year beginning January 1, 2011, or the calendar year beginning one calendar year before the calendar year in which the new dollar amount of a deduction or exemption shall become effective, whichever is later.".

Sec. 8. Section 47-1806.02(h-1)(1) of the District of Columbia Official Code is amended to read as follows: **Note, § 47-1806.02**

"(h-1)(1) For taxable years beginning after December 31, 2014, the amount of the personal exemption otherwise allowable for the taxable year in the case of an individual whose adjusted gross income exceeds $150,000 shall be reduced by 2% for every $2,500 (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year exceeds $150,000.".

Sec. 9. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended by striking the phrase "shall be a violation of" and inserting the phrase "shall be a violation, to be adjudicated pursuant to" in its place. **Note, § 50-2637**

DCMR

Sec. 10. Section 2404 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2404) is amended as follows:

(a) Subsection 2404.15 is amended to read as follows:

"2404.15 Except as provided in § 2424, the rates for parking meters in the "Premium Demand Parking Meter Rate Zones" shall be as follows:

"(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

"(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.".

(b) Subsection 2404.17 is amended to read as follows:

"2404.17 Except as provided in § 2424, the rates for parking meters in the "Normal Demand Parking Meter Rate Zones" shall be as follows:

"(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

"(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.".

Not Codified

Sec. 11. Section 8052 of the Fiscal Year 2016 Capital Rescission Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Strike the phrase "YY105C" in the tabular array and insert the phrase "YY159C" in its place.

(b) Strike the phrase "PROSPECT ES MODERNIZATION/RENOVATION" in the tabular array and insert the phrase "ELLINGTON MODERNIZATION/RENOVATION" in its place.

Sec. 12. Applicability.

Section 10 shall apply as of June 1, 2016.

Sec. 13. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 14. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-308, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-573

Emergency Declaration Res. 21-395 21 DCStat 2948

Not Codified

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001F with Keystone Plus Construction Corporation for DCPS and DPR small construction projects, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001F Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001F Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001F with Keystone Plus Construction Corporation for DCPS and DPR small construction projects, and authorizes payment in the not-to-exceed amount of $10,000,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-309, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-574

Emergency Declaration Res. 21-396 21 DCStat 2949

Not Codified

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001C with Environmental Design and Construction, LLC for DCPS and DPR small construction projects, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001C Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001C Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001C with Environmental Design and Construction, LLC for DCPS and DPR small construction projects.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (87 Stat. 813; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-310, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-583

Emergency Declaration Res. 21-397 21 DCStat 2950

Not Codified

To approve, on an emergency basis, the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096E with HRGM Corporation for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096E Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096E Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096E with HRGM Corporation for on-call construction, maintenance, and repair services, and authorizes payment in the not-to-exceed amount of $2,495,463.02 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-592

Emergency Declaration Res. 21-399 21 DCStat 2954

Not Codified

To approve, on an emergency basis, Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 with Alternative Solutions for Youth to provide family reunification home services to District youth, and to authorize payment for the goods and services received and to be received under the contract modifications.

Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 with Alternative Solutions for Youth to provide family reunification home services to District youth, and authorizes payment in the total amount of $1,609,650.00 for goods and services received and to be received under the contract modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-312, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-593

Emergency Declaration Res. 21-398 21 DCStat 2952

Not Codified

To approve, on an emergency basis, the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096D with Paige Industrial Services, Inc. for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096D Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096D Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096D with Paige Industrial Services, Inc. for on-call construction, maintenance, and repair services, and authorizes payment in the not-to-exceed amount of $2,380,000.00 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-313, effective February 18, 2016 (Expiration date April 1, 2016)

AN ACT

Bill 21-594

Emergency Declaration Res. 21-403 21 DCStat 2960

Codification District of Columbia Official Code 2001 Edition

Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Emergency Amendment Act of 2016

Note, § 1-610.52

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to revise the salary limitation for the Chancellor of the District of Columbia Public Schools and to authorize the provision of certain employment benefits to the Chancellor.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Emergency Amendment Act of 2016".

Sec. 2. Section 1052(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($284,000)," and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($292,520)," in its place.

(b) Paragraph (3) is amended as follows:

(1) Designate the existing text as subparagraph (A).

(2) The newly designated subparagraph (A) is amended by striking the phrase "; provided, that the Chancellor may be paid an additional income allowance of $12,500, for School Year 2010, in order for the parties to meet the terms and conditions of the November 1, 2010 agreement." and inserting a period in its place.

(3) A new subparagraph (B) is added to read as follows:

"(B) Notwithstanding subparagraph (A) of this paragraph, the Chancellor may be paid an additional income allowance of $12,500 for School Year 2010, in order for the parties to meet the terms and conditions of the November 1, 2010 agreement. The Chancellor may be paid a recognition and renewal bonus of 5% of her annual base salary in 2016 and a performance bonus of up to 10% of her annual base salary for goals achieved by the end of the 2015-2016 school year. In addition to such other benefits as the Chancellor may be entitled to receive under existing law or regulation, the Mayor may make a severance payment to the Chancellor of up to 24 weeks of the Chancellor's base salary if the Chancellor's contract is terminated for a reason other than criminal conduct, gross dereliction of duty, or gross misconduct, and the Mayor may make a payment to the Chancellor's executors, legal representatives, or administrators in the amount of 1/12 of the Chancellor's annual salary if the Chancellor dies during her term of employment.".

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of January 2, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-314, effective February 18, 2016 (Expiration date May 18, 2016)

AN ACT

Bill 21-604

Emergency Declaration Res. 21-402 21 DCStat 2959

To amend, on an emergency basis, the Protecting Pregnant Workers Fairness Act of 2014 to require an employer to make a reasonable accommodation for an employee whose ability to perform the functions of the employee's job are affected by a pre-birth complication.

Codification District of Columbia Official Code 2001 Edition

Protecting Pregnant Workers Fairness Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Protecting Pregnant Workers Fairness Emergency Amendment Act of 2016".

Sec. 2. The Protecting Pregnant Workers Fairness Act of 2014, effective March 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq*.), is amended as follows:

(a) Section 2(2) (D.C. Official Code § 32-1231.01(2)) is amended as follows:

Note, § 32-1231.01

(1) Subparagraph (F) is amended by striking the word "or".

(2) Subparagraph (G) is amended by striking the period and inserting the phrase "; or" in its place

(3) A new subparagraph (H) is added to read as follows:

"(H) Time off due to pre-birth complications.".

(b) Section 4 (D.C. Official Code § 32-1231.03) is amended as follows:

Note, § 32-1231.03

(1) Paragraph (4) is amended by striking the word "or" at the end.

(2) Paragraph (5) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new paragraph (6) is added to read as follows:

"(6) Take an adverse action against an employee who has been absent from work as a result of a pregnancy-related condition, including a pre-birth complication.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-616

Emergency Declaration Res. 21-406 21 DCStat 2965

Codification District of Columbia Official Code 2001 Edition

To amend on an emergency basis, due to congressional review, the Homeless Services Reform Act of 2005 to authorize the Mayor to place a family that does not have a safe-housing alternative in a temporary interim eligibility placement pending a determination of eligibility for shelter and an assessment of the supportive services necessary to assist the family in obtaining sustainable permanent housing, to authorize the Mayor to provide shelter to a family in a private room meeting certain minimum standards and constructed for the purpose of closing the District of Columbia General Family Shelter, to add an expedited appeals process for a family that is denied eligibility for shelter following an interim eligibility placement, and to provide that a family may continue in an interim eligibility placement pending the outcome of an appeal of a denial of eligibility for shelter.

Interim Eligibility and Minimum Shelter Standards Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Interim Eligibility and Minimum Shelter Standards Congressional Review Emergency Amendment Act of 2016".

Note, § 4-751.01

Sec. 2. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 4-751.01) is amended as follows:

(1) A new paragraph (11A) is added to read as follows:

"(11A) "DC General Family Shelter replacement unit" means a private room that includes space to store and refrigerate food and is constructed by or at the request of the District for the purpose of sheltering a homeless family.".

(2) Paragraph (25A) is redesignated as paragraph (25B).

(3) A new paragraph (25A) is added to read as follows:

"(25A) "Interim eligibility placement" means a short-term shelter placement for a family, for the purpose of conducting an in-depth assessment to facilitate an eligibility determination for shelter and appropriate supportive services pursuant to section 8(a).".

(4) A new paragraph (28A) is added to read as follows:

"(28A) "Private room" means a part or division of a building that has:

"(A) Four non-portable walls that meet the ceiling and floor at the edges so as to be continuous and uninterrupted; provided, that the room may contain a window if the window comes with an opaque covering, such as blinds or shades;

"(B) A door that locks from both the inside and outside as its main point of access;

"(C) Sufficient insulation from sound so that family members sheltered in the room may have a conversation at a normal volume and not be heard from the exterior;

"(D) Lighting within the room that the occupants can turn on or off as desired; and

"(E) Access to on-site bathroom facilities, including a toilet, sink, and shower.".

(b) Section 7(d) (D.C. Official Code § 4-753.01(d)) is amended to read as follows: **Note, § 4-753.01**

"(d)(1) Except as provided in paragraph (2) of this subsection, when the Mayor places a family in shelter pursuant to this act, the shelter shall be one or more apartment-style units, or one or more DC General Family Shelter replacement units.

"(2) If an apartment-style unit or a DC General Family Shelter replacement unit is not available when the Mayor places a family in shelter pursuant to this act, the Mayor may place that family in one or more private rooms that are not apartment-style units or DC General Family Shelter replacement units.

"(3) Buildings composed of DC General Family Shelter replacement units shall include, at minimum:

"(A) A private bathroom, including a toilet, sink, and bathtub or shower, in at least 10% of the DC General Family Shelter replacement units;

"(B) For every 5 DC General Family Shelter replacement units, one private, lockable bathroom that includes a toilet, sink, and bathtub and shall be accessible to all residents; and

"(C) At least 2 multi-fixture bathrooms per floor that shall include multiple toilets, sinks, and showers.

"(4) The Mayor shall maintain within the District's shelter inventory a minimum of 121 apartment-style units.

"(5) Once constructed, the Mayor shall maintain within the District's shelter inventory a minimum of 280 DC General Family Shelter replacement units.".

(c) Section 8 (D.C. Official Code § 4-753.02) is amended by adding a new subsection (c-1) to read as follows: **Note, § 4-753.02**

"(c-1)(1) If eligibility for a family seeking shelter cannot be determined pursuant to subsection (a) of this section on the business day on which the family applies for shelter, the Mayor may place the family in an interim eligibility placement for a period not to exceed 3 days.

"(2) The Mayor may extend an interim eligibility placement no more than 3 times; provided, that an interim eligibility placement shall not exceed a period of 12 days, except as otherwise provided in paragraph (6) of this subsection and section 9(a)(20).

"(3) The Mayor shall issue an eligibility determination pursuant to subsection (a) of this section to a family placed in an interim eligibility placement within 12 days of the start of the interim eligibility placement.

"(4) If the Mayor does not issue an eligibility determination within 12 days of the start of an interim eligibility placement, the interim eligibility placement shall conclude and the family shall be considered eligible for shelter.

"(5) If the Mayor determines that a family in an interim eligibility placement is eligible for shelter, the Mayor shall place that family in shelter, subject to the requirements of section 7(d).

"(6) If the Mayor determines that a family in an interim eligibility placement is ineligible for shelter pursuant to subsection (a) of this section, because the Mayor determines that the family has access to safe housing or for another reason, the interim eligibility placement shall conclude on the date indicated in the written notice issued pursuant to section 19(b-1), unless the family has filed a timely fair hearing request pursuant to section 26.

"(7) The Mayor may consider a family that was placed in an interim eligibility placement, but was determined to be ineligible for shelter because the family has access to other safe housing, for the same housing and case management services offered by the Department to family shelter residents.

"(8) If the Mayor determines that a family placed in an interim eligibility placement is ineligible for shelter because the family has access to safe housing, and the family subsequently loses access to that safe housing within 14 days of the Mayor's determination, the Mayor shall place the family in shelter if the Mayor determines that:

"(A) The family is participating in prevention and diversion services; and

"(B) The family has no access to other safe housing that complies with paragraph (9) of this subsection.

"(9) For purposes of determining the eligibility of a family in an interim eligibility placement for shelter pursuant to subsection (a) of this section, safe housing, in addition to meeting the definition of "safe housing" set forth in section 2(32A), shall satisfy the following criteria:

"(A) The family shall be expected to have access to the safe housing for at least 14 days; and

"(B) To the best of the provider's knowledge, the family's presence in the safe housing shall not imminently jeopardize the tenancy of any household already occupying the safe housing.

"(10) Other than during a hypothermia alert, no provision under this subsection shall be construed to require the Mayor to provide shelter to a family if there is no existing capacity in the shelter system or if the Department has exhausted its appropriation for family shelter services.".

(d) Section 9 (D.C. Official Code § 4-754.11) is amended as follows: **Note, § 4-754.11**

(1) Paragraph (18) is amended by striking the phrase "suspension or termination; and" and inserting the phrase "suspension or termination;" in its place.

(2) Paragraph (19)(F) is amended by striking the phrase "expression." and inserting the phrase "expression; and" in its place.

(3) A new paragraph (20) is added to read as follows:

"(20) Continuation of a family's interim eligibility placement, pending the outcome of a fair hearing requested pursuant to section 26, if the family requests a fair hearing within 48 hours or before the close of the next business day, whichever occurs later, following receipt of written notice provided pursuant to section 19(b-1) of a denial of an application for shelter following an interim eligibility placement.".

(e) Section 19 (D.C. Official Code § 4-754.33) is amended as follows: **Note, § 4-754.33**

(1) A new subsection (b-1) is added to read as follows:

"(b-1) All providers shall give to any client in an interim eligibility placement prompt oral and written notice that the Mayor has denied eligibility for shelter placement and that the interim eligibility placement will end 48 hours or at the close of the next business day, whichever occurs later, following the client's receipt of the written notice.".

(2) A new subsection (d-1) is added to read as follows:

"(d-1) Any written notice issued pursuant to subsection (b-1) of this section must be served upon the client and shall include:

"(1) A clear statement of the denial;

"(2) A clear and detailed statement of the factual basis for the denial, including the date or dates on which the basis or bases for the denial occurred;

"(3) A reference to the statute, regulation, policy, or Program Rule pursuant to which the denial is being implemented;

"(4) A clear and complete statement of the client's right to appeal the denial through fair hearing proceedings pursuant to section 26 and administrative review proceedings pursuant to section 27, including the appropriate deadlines for instituting the appeal; and

"(5) A statement of the client's right, if any, to continuation of an interim eligibility placement pending the outcome of any appeal, pursuant to section 9(20).".

(f) Section 26 (D.C. Official Code § 4-754.41) is amended as follows: **Note, § 4-754.41**

(1) Subsection (b)(2) is amended as follows:

(A) Subparagraph (C) is amended by striking the word "or".

(B) A new subparagraph (E) is added to read as follows:

"(E) Deny eligibility for shelter following an interim eligibility placement; or".

(2) A new subsection (d-1) is added to read as follows:

"(d-1) In accordance with section 9(20), any client in an interim eligibility placement who requests a fair hearing within 48 hours or before the close of the next business day, whichever occurs later, of receipt of written notice of a denial of eligibility for shelter placement shall continue in that interim eligibility placement pending a final decision from the fair hearing proceedings.".

(3) Subsection (f) is amended as follows:

(A) Paragraph (2) is amended by striking the word "and".

(B) Paragraph (3) is amended as follows:

(i) Subparagraph (B) is amended by striking the word "and" at the end.

(ii) Subparagraph (C) is amended to read as follows:

"(C) Except as provided in subparagraph (D) of this paragraph, the Administrative Law Judge shall issue a final decision within 15 days following the completion of the hearing; and".

(iii) A new subparagraph (D) is added to read as follows:

"(D) The Administrative Law Judge shall issue a final decision in a review requested pursuant to subsection (b)(2)(E) of this section within 96 hours, not including weekends or holidays, following the completion of the hearing; and".

(C) A new paragraph (4) is added to read as follows:

"(4) For a fair hearing requested from the Office of Administrative Hearings pursuant to subsection (b)(2)(E) of this section, the following additional requirements shall apply:

"(A) The fair hearing shall be held no later than 4 business days after the Office of Administrative Hearings receives an administrative review decision issued pursuant to section 27; and

"(B) If a party fails to appear, the Administrative Law Judge designated to conduct the hearing may enter a default decision in favor of the party present; provided, that the default decision may be set aside only for good cause shown, and upon equitable terms and conditions.".

(g) Section 27 (D.C. Official Code § 4-754.42) is amended as follows:

Note, § 4-754.42

(1) A new subsection (b-1) is added to read as follows:

"(b-1) An administrative review of a denial of an application for shelter following an interim eligibility placement, conducted pursuant to subsection (a) of this section, shall be completed and a decision rendered no later than 4 business days following receipt of the administrative review request, except upon a showing of good cause as to why such deadline cannot be met. If good cause is shown, a decision shall be rendered as soon as possible thereafter. If an extension of time for review is required for good cause, written notice of the extension shall be provided to the client or client representative prior to the commencement of the extension.".

(2) A new subsection (c-1) is added to read as follows:

"(c-1) The administrative review of a denial of an application for shelter following an interim eligibility placement conducted in accordance with subsection (b-1) shall not be waived; provided, that the Office of Administrative Hearings may grant a fair hearing prior to the completion of the administrative review, on proper notice to all parties, to decide if a notice required by section 19, other than a notice of an emergency action, has not been given or is invalid on its face.".

(3) A new subsection (e) is added to read as follows:

"(e) Each administrative review decision shall be in writing and shall contain a detailed statement of the basis for the decision. It shall include a comprehensive evaluation of the issues and clearly delineate the legal basis, if the decision upholds denial of shelter placement.".

(h) A new section 31b is added to read as follows: **Note, New § 4-756.04**

"Sec. 31b. Interim eligibility reporting requirement.

"The Department, no later than February 1 of each year, shall provide a report to the Council of the District of Columbia and the Interagency Council on Homelessness that shall include the following information:

"(1) Number of families placed in an interim eligibility placement;

"(2) Average length of stay in an interim eligibility placement;

"(3) Number of eligibility denials during and subsequent to an interim eligibility placement;

"(4) Number of appeals of eligibility determinations during and subsequent to an interim eligibility placement;

"(5) Number of interim eligibility appeals resolved via administrative review;

"(6) Average time for issuance of decision for review of interim eligibility appeal via administrative review;

"(7) Number of interim eligibility appeals brought to the Office of Administrative Hearings;

"(8) Average time for issuance of decision for review of interim eligibility appeal via the Office of Administrative Hearings; and

"(9) Final placement outcome for each family placed into an interim eligibility placement.".

Sec. 3. The Dignity for Homeless Families Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-212; 62 DCR 4483), is repealed. **Note, §§ 4-751.01, 4-753.01, 4-754.11, 4-755.01**

Sec. 4. Applicability.

This act shall apply as of February 28, 2016. **Retroactive Applicability**

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015, enacted on December 29, 2015 (D.C. Act 21-251; 63 DCR 257), as the fiscal impact statement required by section 4(a) of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a).

D.C. Act 21-327, effective March 3, 2016 (Expiration date June 1, 2016)

AN ACT

Bill 21-617

Emergency Declaration Res. 21-407 21 DCStat 2966

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Retired Police Officer Redeployment Amendment Act of 1992 to allow for the rehiring of retired Metropolitan Police Department officers by the Department of Forensic Sciences without jeopardy to the retirement benefits of the employee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Crime Scene Investigator Hiring Clarification Emergency Amendment Act of 2016".

Crime Scene Investigator Hiring Clarification Emergency Amendment Act of 2016

Note, § 5-761

Sec. 2. Section 2 of the Retired Police Officer Redeployment Amendment Act of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761), is amended as follows:

(a) A new subsection (a-1) is added to read as follows:

"(a-1) Except for a disability annuitant, a police officer retired from the Metropolitan Police Department shall be eligible for rehire at the discretion of the Director of the Department of Forensic Sciences as a temporary full-time or temporary part-time employee without jeopardy to the retirement benefits of the employee.".

(b) Subsection (b) is amended by striking the phrase "under this section" and inserting the phrase "under subsection (a) of this section" in its place.

(c) Subsection (d) is amended by striking the phrase "under this section" and inserting the phrase "under subsection (a) of this section" in its place.

(d) A new subsection (d-1) is added to read as follows:

"(d-1) A retired police officer who is rehired under subsection (a-1) of this section may be rehired in a supervisory or non-supervisory position and shall be paid a salary of no more than the highest grade available for the position assigned.".

(e) Subsection (e) is amended by striking the phrase "subsection (d) of this section" and inserting the phrase "subsections (d) and (d-1) of this section" in its place.

(f) Subsection (f) is amended by striking the period and inserting the phrase "and the Department of Forensic Sciences." in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-328, effective March 16, 2016 (Expiration date March 10, 2016)

AN ACT

Bill 21-644

Emergency Declaration Res. 21-408 21 DCStat 2967

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to clarify that the posting requirement in section 5a is satisfied by posting the initial vacant or blight determination.

Nuisance Abatement Notice Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nuisance Abatement Notice Congressional Review Emergency Amendment Act of 2016".

Note, § 42-3131.05a

Sec. 2. Section 5a of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective August 15, 2008 (D.C. Law 17-216; D.C. Official Code § 42–3131.05a), is amended by striking the phrase "Notice shall also be posted on the vacant building" and inserting the phrase "Notice of the initial vacant or blighted property determination shall also be posted on the vacant building" in its place.

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of December 11, 2015.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Nuisance Abatement Notice Amendment Act of 2015, enacted January 12, 2016 (D.C. Act 21-260; 63 DCR 760), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-204.12(a)).

D.C. Act 21-329, effective March 16, 2016 (Expiration date June 14, 2016)

AN ACT

Bill 21-625

Emergency Declaration Res. 21-409 21 DCStat 2969

Codification District of Columbia Official Code 2001 Edition

Microstamping Implementation Congressional Review Emergency Amendment Act of 2016

To amend, on an emergency basis, due to congressional review, the Firearms Control Regulations Act of 1975 to extend to January 1, 2018 the date for implementation of the microstamping requirement for semiautomatic pistols.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Microstamping Implementation Congressional Review Emergency Amendment Act of 2016".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the date "January 1, 2016" wherever it appears and inserting the date "January 1, 2018" in its place.

Note, § 7-2504.08

(b) Section 503 (D.C. Official Code § 7-2505.03), is amended as follows:

Note, § 7-2505.03

(1) Subsection (b) is amended as follows:

(A) The lead-in language is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(B) Paragraph (2) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(C) Paragraph (3) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(2) Subsection (c)(1) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(3) The lead-in language of subsection (e) is amended by striking the date "January 1, 2016" both times it appears and inserting the date "January 1, 2018" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-629

Emergency Declaration Res. 21-430 21 DCStat 2993

Not Codified

To approve, on an emergency basis, Modification No. 4 and proposed Modification No. 7 to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) with Center City Community Corporation to provide family reunification home services to District youth, and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 4 and proposed Modification No. 7 to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) with Center City Community Corporation to provide family reunification home services to District youth, and authorizes payment in the total amount of $1,923,352 for services received and to be received under the contract modifications for the period from June 1, 2015, through May 31, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-331, effective March 16, 2016 (Expiration date June 14, 2016)

AN ACT

Bill 21-632

Emergency Declaration Res. 21-432 21 DCStat 2995

Not Codified

To approve, on an emergency basis, Contract No. CW40436 with NCS Pearson, Inc., to provide necessary support and systems for the professional licensing operation of the Department of Consumer and Regulatory Affairs and to authorize payment for the services received and to be received under the contract.

Contract No. CW40436 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW40436 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Contract No. CW40436 with NCS Pearson, Inc., to manage and operate functions, including personnel, equipment, and supplies, and perform licensing operations for 18 non-health professional boards for the Department of Consumer and Regulatory Affairs, and authorizes payment in the amount of $1,950,000 for services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a

D.C. Act 21-332, effective March 17, 2016 (Expiration date June 15, 2016)

AN ACT

Bill 21-639

Emergency Declaration Res. 21-429 21 DCStat 2992

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 and the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000 to create incentives for the retention and recruitment of Metropolitan Police Department officers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Metropolitan Police Department Officer Retention and Recruitment Incentives Emergency Amendment Act of 2016".

Metropolitan Police Department Officer Retention and Recruitment Incentives Emergency Amendment Act of 2016

Sec. 2. Section 1103 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.03), is amended as follows:

Note, § 1-611.03

(a) Subsection (f)(1) is repealed.

(b) A new subsection (g) is added to read as follows:

"(g)(1) The Chief of Police may grant time off, to be considered FLSA-exempt, to uniformed members of the Metropolitan Police Department at the rank of Inspector and above, and the civilian equivalents, for work performed in excess of an 80-hour biweekly pay period, excluding roll call; provided, that:

"(A) FLSA-exempt time off granted to any individual employee shall not exceed a total of 80 hours in any consecutive 12-month period;

"(B) FLSA-exempt time off shall be forfeited if not used by the end of the leave year following the leave year in which it was earned; and

"(C) FLSA-exempt time off not used at the time of an employee's separation from service shall not be included in any form of leave payment.

"(2) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), shall issue rules to implement the provisions of this subsection.".

Note, § 5-107.01

Sec. 3. Section 202(e) of the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.01(e)), is amended as follows:

(a) The lead-in language is amended by striking the phrase "As of the effective date of the Metropolitan Police Department Amendment Act of 2006, passed on 2nd reading on December 5, 2006 (Enrolled version of Bill 16-586), to" and inserting the word "To" in its place.

(b) Paragraph (2) is amended by striking the phrase "3 years" and inserting the phrase "2 years" in its place.

(c) Paragraph (3) is amended by striking the phrase "5 years" and inserting the phrase "3 years" in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-333, effective March 16, 2016 (Expiration date June 14, 2016)

AN ACT

Bill 21-640

Emergency Declaration Res. 21-431 21 DCStat 2994

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Prevention of Child Abuse and Neglect Act of 1977 to include in the definition of case plan an additional requirement for children 14 years of age and older, to define the reasonable and prudent parent standard, to require that foster children receive a credit report on an annual basis beginning at 14 years of age, and to require the use of the reasonable and prudent parent standard by foster parents and group homes; and to amend section 16-2323 of the District of Columbia Official Code to require additional reporting requirements for children who have been placed in another planned permanent living arrangement.

Supporting Normalcy and Empowering Children in Foster Care Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Supporting Normalcy and Empowering Children in Foster Care Emergency Amendment Act of 2016".

Note, § 4-1301.02

Sec. 2. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 4–1301.02) is amended as follows:

(1) Paragraph (3) is amended as follows:

(A) Subparagraph (B) is amended by adding 3 new sentences to the end to read as follows:

"With respect to a child who has attained 14 years of age, the plan, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with up to 2 members of the case planning team who are chosen by the child and who are not a foster parent of, or caseworker for, the child. The agency may reject an individual selected by a child to be a member of the case planning team at any time if the agency has good cause to believe that the individual would not act in the best interests of the child. One individual selected by a child to be a member of the child's case planning team may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child.".

(B) Subparagraph (D) is amended by striking the phrase "16 years of age" and inserting the phrase "14 years of age" in its place.

(2) A new paragraph (16A) is added to read as follows:

"(16A) "Reasonable and prudent parent standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth

of the child, that should be used when determining whether to allow a child to participate in extracurricular, enrichment, cultural, and social activities.".

Note, § 4-1303.03

(b) Section 303(a)(16)(A) (D.C. Official Code § 4-1303.03(a)(16)(A)) is amended as follows:

(1) Sub-subparagraph (ii) is amended by striking the phrase "District of Columbia; or" and inserting the phrase "District of Columbia;" in its place.

(2) Sub-subparagraph (iii) is amended by striking the phrase "terminated." and inserting the phrase "terminated; or" in its place.

(3) A new sub-subparagraph (iv) is added to read as follows:

"(iv) The ward reaches 14 years of age and on an annual basis thereafter.".

Note, New § 4-1303.03f

(c) A new section 303f is added to read as follows

"Sec. 303f. Reasonable and prudent parent standard.

"(a) Foster parents and group homes for children who have been abused or neglected shall use the reasonable and prudent parent standard when determining whether to allow a ward to participate in extracurricular, enrichment, cultural, and social activities.

"(b) The Agency, foster parents, and group homes shall not be held liable for any civil damages resulting from the application or the failure to apply the reasonable and prudent parent standard, except in cases constituting gross negligence.".

Note, § 16-2323

Sec. 3. Section 16-2323(d)(4) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the word "and".

(b) A new subparagraph (D) is added to reads as follows:

"(D) For a child placed in another planned permanent living arrangement, the steps taken by the agency to ensure that the reasonable and prudent parent standard, as defined in section 102(16A) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(16A)), has been followed and that the child has opportunities to engage in age-appropriate or developmentally appropriate activities; and".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-346

Emergency Declaration Res. 21-422 21 DCStat 2982

Not Codified

To approve, on an emergency basis, Human Care Agreement No. CW39771 with BoysTown Washington D.C., Inc. to provide group home services for youth that are in the temporary custody of the Department of Youth and Rehabilitative Services as wards of the District via court order and to authorize payment for the services received and to be received under the contract.

Human Care Agreement No. CW39771 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Human Care Agreement No. CW39771 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Human Care Agreement ("HCA") No. CW39771 with BoysTown Washington D.C., Inc., to provide group home services for youth that are in the temporary custody of the Department of Youth and Rehabilitative Services as wards of the District via court order and authorizes payment in the total not-to-exceed amount of $2,194,380.00 for services received and to be received under that HCA for the period of October 1, 2015 through September 30, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a

D.C. Act 21-347, effective March 23, 2016 (Expiration date June 21, 2016)

AN ACT

Bill 21-624

Emergency Declaration Res. 21-423 21 DCStat 2983

Not Codified

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001B with Broughton Construction Company, LLC, for District of Columbia Public Schools and Department of Parks and Recreation small construction projects, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01 *et seq*.), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001B with Broughton Construction Company, LLC, for District of Columbia Public Schools Department of Parks and Recreation small construction projects, and authorizes payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-348, effective March 23, 2016 (Expiration date June 21, 2016)

AN ACT

Bill 21-626

Emergency Declaration Res. 21-426 21 DCStat 2988

Not Codified

To order, on an emergency basis, the closing of a portion of a public alley system in Square 2882, bounded by Euclid Street, N.W., to the north, 9th Street, N.W., to the east, Barry Place, N.W., to the south, and Sherman Avenue, N.W., to the west, in Ward 1.

Closing of a Portion of the Public Alley in Square 2882, S.O. 14-21729, Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of the Public Alley in Square 2882, S.O. 14-21729, Emergency Act of 2016".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq*.), the Council of the District of Columbia finds that the portion of the public alley system in Square 2882, as shown on the Surveyor's plat filed in S.O. 14-21729, is unnecessary for alley purposes and orders it closed, with title in the land to vest as shown on the Surveyor's plat.

(b) The approval by the Council of this alley closing is contingent upon the satisfaction of all conditions set forth in the official file for S.O. 14-21729 before the recordation of the alley closing plat.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of a Portion of the Public Alley in Square 2882, S.O. 14-21729, Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-424), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-349, effective March 23, 2016 (Expiration date June 21, 2016)

AN ACT

Bill 21-627

Emergency Declaration Res. 21-427 21 DCStat 2989

Codification District of Columbia Official Code 2001 Edition

To authorize, on an emergency basis, the Mayor to acquire and dispose of a portion of the former Walter Reed Army Medical Center located at 6900 Georgia Avenue, N.W., to establish the Walter Reed Reinvestment Fund into which certain funds received in connection with the site shall be deposited, to establish the Walter Reed Redevelopment Fund into which certain possessory interest tax revenues shall be deposited, and to authorize the provision of grants by the Deputy Mayor for Planning and Economic Development in connection with the redevelopment and operation of the site; and to amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to exempt the buildings on the site from vacant building registration requirements for a certain period of time.

Walter Reed Development Omnibus Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Walter Reed Development Omnibus Emergency Act of 2016".

Note, New § 2-1227.01

Sec. 2. Definitions.

For the purpose of this act, the term:

(1) “Army” means the United States Department of the Army.

(2) “Administration Payments” means those payments from the Developer and Component Developers to the District to reimburse the District for certain costs associated with the Walter Reed Redevelopment Site and the redevelopment thereof in accordance with the terms of the LDA.

(3) “Base Closure Act” means the Defense Base Closure and Realignment Act of 1990, approved November 5, 1990 (104 Stat. 1485; 10 U.S.C. §2687, note).

(4) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.).

(5) “Component Developer” means an entity approved by the Mayor pursuant to the terms of the LDA, who shall agree to construct a portion of the Vertical Development on the Walter Reed Redevelopment Site.

(6) “Developer” means TPWR Developer LLC, a joint venure comprised of Hines WR LLC, UAD Walter Reed LLC (Urban Atlantic), and Triden Development Group, LLC, and any such successor or assigns as may be approved by the Mayor.

(7) “EDC Agreement” means the agreement between the District and the Army for the Economic Development Conveyance of the Army’s fee simple interest in the Walter Reed

Redevelopment Site to the District.

(8) "First Source Agreement" means an agreement governing certain obligations of the Developer and each Component Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983), regarding job creation and employment generated as a result of the construction of the Horizontal Development and the Vertical Developments.

(9) "Horizontal Development" means development and construction of the horizontal and infrastructure work on the Walter Reed Redevelopment Site as required under the LDA.

(10) "LDA" means the Land Disposition Agreement between the District and Developer that memorializes the terms of the disposition of the Walter Reed Redevelopment Site, which shall be consistent with the Term Sheet and this act.

(11) "Legally Binding Agreement" means an agreement between the District, as the Walter Reed LRA, and a homeless assistance provider that commits the provider to implement and operate certain homeless assistance services on the Walter Reed Redevelopment Site, as approved by the U.S. Department of Housing and Urban Development.

(12) "Memorandum of Agreement" means an agreement between the District, as the Walter Reed LRA, and a public benefit provider for the potential transfer of real property on the Walter Reed Redevelopment Site.

(13) "Term Sheet" means the amended term sheet dated January 28, 2016 executed by the Developer and the Office of the Deputy Mayor for Planning and Economic Development.

(14) "Vertical Development" means the development and construction of buildings and associated improvements to the Walter Reed Development Site pursuant to the LDA.

(15) "Walter Reed Common Area Association" means the "Owners' Association" created pursuant to the terms of the LDA to manage the operations of the Walter Reed Redevelopment Site.

(16) "Walter Reed LRA" means the District of Columbia government, the local redevelopment authority created by Mayor's Order No. 2006-21 and recognized by the Office of Economic Adjustment on behalf of the Secretary of Defense.

(17) "Walter Reed Redevelopment Site" means approximately 66.27 acres of land located on a portion of the area bounded by Fern Street, N.W., and Alaska Avenue, N.W., to the north, 16th Street, N.W., to the west, Aspen Street, N.W., to the south, and Georgia Avenue, N.W., to the east, known as Parcel 0319/0004 and a portion of Parcel 0319/0005.

(18) "Walter Reed Reuse Plan" means the Walter Reed Local Redevelopment Authority Reuse Plan approved by the Council pursuant to section 4 of the Walter Reed Army Medical Center Base Realignment and Closure Homeless Assistance Submission Approval Act of 2012, effective October 16, 2012 (D.C. Law 19-175; 60 DCR 7581).

Sec. 3. Findings.

Note, New § 2-1227.02

(a) The Walter Reed Redevelopment Site has been declared surplus and closed by the Department of Defense pursuant to the procedures and authorities of the Base Closure Act.

(b) The District of Columbia government was recognized as the Walter Reed LRA by the Office of Economic Adjustment on behalf of the Secretary of Defense for developing and implementing the Walter Reed Reuse Plan.

(c) The Council approved the Walter Reed Reuse Plan and the Legally Binding Agreements pursuant to section 4 of the Walter Reed Army Medical Center Base Realignment and Closure Homeless Assistance Submission Approval Act of 2012, effective October 16, 2012 (D.C. Law 19-175; 60 DCR 7581).

(d) The Walter Reed Reuse Plan envisions a dynamic campus integrated into the existing Ward 4 community through the provision of expanded retail opportunities, preservation of open space, creative reuse of historic assets into cultural and educational uses, the creation of a range of jobs, and the development of various housing options to support the needs of District residents.

(e) The Council approved the Walter Reed Army Medical Center Small Area Plan pursuant to the Walter Reed Army Medical Center Small Area Plan Approval Resolution of 2013, effective April 30, 2013 (Res. 20-105; 16 DCR 12813), which supported the development program recommendations in the Walter Reed Reuse Plan.

(f) Pursuant to Zoning Commission Order 14-22, the Zoning Commission for the District of Columbia adopted the text and map amendments to the zoning regulations to create and implement the Walter Reed zone for the Walter Reed Redevelopment Site.

(g) The Mayor and the Secretary of Army, through their representatives, have negotiated the terms by which the Army will convey fee simple title to the Walter Reed Redevelopment Site to the District as the Walter Reed LRA, as memorialized in the EDC Agreement.

(h) After conducting a competitive and public solicitation process, the Office of the Deputy Mayor for Planning and Economic Development selected the Developer to redevelop the Walter Reed Redevelopment Site in furtherance of the Walter Reed Reuse Plan.

(i) Upon the District's acquisition of fee simple title to the Walter Reed Redevelopment Site, the Mayor intends to ground lease the Walter Reed Redevelopment Site to the Developer for master development of the site, construction of the Horizontal Development, and sublease of a portion of the site for occupancy by the selected homeless assistance providers and public benefits providers pursuant to the Legally Binding Agreements and Memoranda of Agreement, respectively, subject to the terms of the LDA. Upon termination of the Developer's ground lease, the Mayor will assume the subleases and extend the lease terms to the public benefits providers, if requested by the public benefits providers, to permit the public benefits providers to continue operating their parcels consistent with the terms of their respective Memoranda of Agreement, subject to the terms of the LDA.

(j) Subject to the conditions identified in the LDA, the District will convey fee simple title to certain portions of the Walter Reed Redevelopment Site to:

(1) Component Developers to construct the Vertical Developments;

(2) The Walter Reed Common Area Association to manage and operate the common areas on the Walter Reed Redevelopment Site;

(3) The homeless assistance providers to continue operating their premises pursuant to the terms of their respective Legally Binding Agreements; and

(4)(A) The Developer, if the Developer purchases the tenant's leasehold under the Housing Lease, as defined in the LDA; or

(B) If the Housing Lease remains in effect as of the date on which the final phase of Horizontal Development is substantially complete, to the Walter Reed Common Area Association to manage the existing lease for the buildings known as Buildings 8 and 9.

(k) The Developer and each Component Developer shall enter into a First Source Agreement with the District that shall govern certain obligations of the Developer and each Component Developer regarding job creation and employment as a result of the construction of the Horizontal Development and Vertical Developments.

(l) The Developer and each Component Developer shall enter into an agreement that shall require the Developer and each Component Developer, at a minimum, to contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Horizontal Development and each Vertical Development and shall require at least 20% equity and 20% development participation of Certified Business Enterprises.

(m) At least 20% of the residential units constructed at the Walter Reed Redevelopment Site shall be reserved, sold, or leased as affordable units pursuant to Zoning Commission Order 14-22. Each Component Developer who shall construct a Vertical Development that contains residential units shall enter into an affordable housing covenant memorializing these affordable unit requirements.

Sec. 4. EDC Agreement Approval. **Note, New § 2-1227.03**

Consistent with section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), the Mayor shall transmit the EDC Agreement to the Council for its approval.

Sec. 5. Approval of disposition of Walter Reed Redevelopment Site. **Note, New § 2-1227.04**

Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq*.), the Mayor is authorized to dispose of:

(1) The Walter Reed Redevelopment Site pursuant to the terms of the Term Sheet by ground lease for a term of less than 30 years to Developer;

(2) Portions of the Walter Reed Redevelopment Site by ground lease to the selected public benefit providers and homeless assistance providers;

(3) Portions of the Walter Reed Redevelopment Site in fee simple to Component Developers, the Walter Reed Common Area Association, and the selected homeless assistance providers; and

(4) Portions of the Walter Reed Redevelopment Site by easement to public utilities to the extent necessary for the development of the Horizontal Development and Vertical Development.

Sec. 6. Walter Reed Reinvestment Fund. **Note, New § 2-1227.05**

(a) There is established as a special fund the Walter Reed Reinvestment Fund ("Fund"), which shall be administered by the Office of the Deputy Mayor for Planning and Economic Development and used solely for the purposes set forth in subsection (c) of this section.

(b) The Chief Financial Officer shall deposit into the Fund all proceeds from the sale, lease, or equivalent use of the Walter Reed Redevelopment Site, including the Administration Payments, except for:

(1) Proceeds that are used to pay the Army consideration due under the EDC Agreement; and

(2) Funds received from the Developer to reimburse the District for payments to the Army made pursuant to the EDC Agreement.

(c) The Fund shall be used solely:

(1) To support job creation and economic development of, or related to, the Walter Reed Redevelopment Site, including to pay for road construction, transportation management facilities, storm and sanitary sewer construction, police and fire protection facilities and other public facilities, utility construction, building rehabilitation, historic property preservation, pollution protection equipment or facilities, demolition, disposal of hazardous materials and hazardous waste generated by demolition, landscaping, grading and other site or public improvements, and planning for or the marketing of the redevelopment or use of the Walter Reed Redevelopment Site;

(2) For other purposes permitted by the EDC Agreement; and

(3) To make payments due to the Army required under the EDC Agreement during the first 7 years after the date the District acquires the Walter Reed Redevelopment Site from the Army and thereafter for the purposes stated in this section and the economic development goals or activities of the District.

(d) The Office of the Deputy Mayor for Planning and Economic Development shall have the authority to make grants from the Fund to recipients in furtherance of the purposes set forth in subsection (c) of this section.

(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 7. Walter Reed Redevelopment Fund. **Note, New § 2-1227.06**

(a) There is established as a special fund the Walter Reed Redevelopment Fund ("Fund", which shall be administered by the Office of the Deputy Mayor for Planning and

Economic Development and used solely for the purposes set forth in subsection (c) of this section.

(b) The Chief Financial Officer shall deposit into the Fund all funds received pursuant to D.C. Official Code § 47-1005.01 attributable to Developer's lease of the Walter Reed Redevelopment Site for the period ending on the last day of the tax year that is 10 years after the date on which Developer commences the demolition of Building 2 on the Walter Reed Redevelopment Site in accordance with the requirements of the LDA.

(c) The Fund shall be used solely to support the maintenance, operation, and construction activities on the Walter Reed Redevelopment Site.

(d) The Office of the Deputy Mayor for Planning and Economic Development shall have the authority to make grants from the Fund to recipients in furtherance of the purposes set forth in subsection (c) of this section.

(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Note, § 42-3131.06

Sec. 8. Section 6(b) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3131.06(b)), is amended as follows:

(a) Paragraph (7) is amended by striking the word "or" at the end.

(b) Paragraph (8) is amended by striking the period and inserting the phrase "; or" in its place.

(c) A new paragraph (9) is added to read as follows:

"(9) Located on the Water Reed Redevelopment Site, for so long as the building and the land on which the building sits is subject to the ground lease to the Developer.".

Sec. 9. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Walter Reed Development Omnibus Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-474), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 10. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-350, effective March 23, 2016 (Expiration date June 21, 2016)

AN ACT

Bill 21-628

Emergency Declaration Res. 21-436 21 DCStat 3000

Not Codified

To approve, on an emergency basis, the exercise of option year 2 of Contract No. DCAM-14-CS-0001D with Hess Construction + Engineering Services, Inc. for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001D Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001D Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the exercise of option year 2 of Contract No. DCAM-14-CS-0001D with Hess Construction + Engineering Services, Inc. for DCPS and DPR small construction projects, and authorizes payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-630

Emergency Declaration Res. 21-435 21 DCStat 2998

Not Codified

To approve, on an emergency basis, the exercise of option year 2, via Change Order No. 005, of Contract No. DCAM-14-CS-0096A with The Keystone Plus Construction Corporation for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096A Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096A Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the exercise of option year 2, via Change Order No. 005, of Contract No. DCAM-14-CS-0096A with The Keystone Plus Construction Corporation for on-call construction, maintenance, and repair services, and authorizes payment in the not-to-exceed amount of $3,282,475.16 for the goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement provided by the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-352, effective March 23, 2016 (Expiration date June 21, 2016)

AN ACT

Bill 21-631

Emergency Declaration Res. 21-437 21 DCStat 3002

Not Codified

To approve, on an emergency basis, the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096C with Broughton Construction Company, LLC for on-call construction, maintenance, and repair services, and to authorize payment for the goods and serviced received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096C Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096C Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096C with Broughton Construction Company, LLC for on-call construction, maintenance, and repair services, and authorizes payment in the not-to-exceed amount of $2,494,043 for goods and services received and to be received under option year 2 of the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement provided by the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-353, effective March 23, 2016 (Expiration date April 1, 2016)

AN ACT

Bill 21-636

Emergency Declaration Res. 21-428 21 DCStat 2990

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to authorize the salary of the director of the Homeland Security and Emergency Management Agency.

Director of the Homeland Security and Emergency Management Agency Salary Approval Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Director of the Homeland Security and Emergency Management Agency Salary Approval Emergency Amendment Act of 2016".

Note, § 1-610.52

Sec. 2. Section 1052(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1999 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)(1)), is amended by adding a new paragraph (2B) to read as follows:

"(2B) Notwithstanding paragraph (1) of this subsection, the Council approves an annual salary of $215,035 for the position of Director of the Homeland Security and Emergency Management Agency Christopher Geldart.".

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of January 2, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-354, effective March 23, 2016 (Expiration date June 21, 2016)

AN ACT

Bill 21-643

Emergency Declaration Res. 21-425 21 DCStat 2987

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008 to clarify that grants from the Economic Development Special Account may be made on a non-competitive basis.

DMPED Special Account Grant-making Clarification Emergency Amendment Act of 2016

Note, § 2-1225.21

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "DMPED Special Account Grant-making Clarification Emergency Amendment Act of 2016".

Sec 2. Section 301 of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-2) to read as follows:

"(d-2) Grants made pursuant to subsection (d) of this section within 90 days of the effective date of the DMPED Special Account Grant-making Clarification Emergency Amendment Act of 2016, passed on emergency basis March 1, 2016 (Enrolled version of Bill 21-643), shall be exempt from the requirements of section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13).".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a

D.C. Resolution 21-225, effective October 6, 2015

A RESOLUTION

Proposed Resolution 21-308

To approve the negotiated compensation collective bargaining agreement submitted by the Mayor between the Department of Health, Department of Youth Rehabilitation Services, Department on Disability Services, Department of Health Care Finance, Child and Family Services Agency, and the Office of the Chief Medical Examiner and employees in Compensation Unit 13, who are represented by the District of Columbia Nurses Association.

Collective Bargaining Agreement between the District of Columbia and Compensation Unit 13, District of Columbia Nurses Association Approval Resolution of 2015

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Collective Bargaining Agreement between the District of Columbia and Compensation Unit 13, District of Columbia Nurses Association Approval Resolution of 2015".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-617.17(j)), the Council of the District of Columbia approves the compensation collective bargaining agreement between the Department of Health, Department of Youth Rehabilitative Services, Department on Disability Services, Department of Health Care Finance, Child and Family Services Agency, and the Office of the Chief Medical Examiner and employees in Compensation Unit 13, who are represented by the District of Columbia Nurses Association, which was transmitted by the Mayor to the Council on September 16, 2015.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Nurses Association and to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

D.C. Resolution 21-226, effective October 6, 2015

A RESOLUTION

Proposed Resolution 21-315

To approve the extension of the time limit for the disposition of certain District-owned real property located at 965 Florida Avenue, N.W., and known for tax and assessment purposes as Lot 1102 in Square 2873.

965 Florida Avenue, N.W. Disposition Extension Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "965 Florida Avenue, N.W. Disposition Extension Approval Resolution of 2015".

Sec. 2. (a) Pursuant to section 1(d) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(d)), the Mayor transmitted to the Council a request for approval of 2 additional years of time, amounting to 4 years total, for the disposition of certain real property located at 965 Florida Avenue, N.W., and comprising approximately 63,418 square feet of land, designated for purposes of taxation and assessment as Lot 1102 in Square 2873 ("Property"), which disposition was approved by the Council pursuant to the 965 Florida Avenue, N.W. Disposition Approval Resolution of 2015, effective September 22, 2015 (Res. 21-214; 62 DCR 13413)("Disposition Approval Resolution").

(b) The Mayor transmitted a status report on efforts made to dispose of the Property, as well as the reasons for the inability to dispose of the Property within the original 2-year time period authorized by the Disposition Approval Resolution.

(c) The Council approves the additional time requested by the Mayor to dispose of the Property and extends the time period until September 22, 2019.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-307

To approve the extension of the time limit for the disposition of certain District-owned real properties located at 2501 1st Street, N.W., formerly the McMillan Sand Filtration Site.

McMillan Townhomes Parcel, Commercial Parcel, and Multifamily Parcels Disposition Extension Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "McMillan Townhomes Parcel, Commercial Parcel, and Multifamily Parcels Disposition Extension Approval Resolution of 2015".

Sec. 2. (a) Pursuant to section 1(d) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(d)), the Mayor transmitted to the Council a request for approval of 5 additional years of time, amounting to 7 years total, for the disposition of certain real property located at 2501 1st Street, N.W., and comprising approximately 1,075,496 square feet of land, designated for taxation and assessment purposes as Lot 0800 in Square 3128 ("McMillan Site"), which the Council approved for disposition pursuant to the McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-705; 62 DCR 1091), the McMillan Commercial Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-707; 62 DCR 1097), and the McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-706; 62 DCR 1094). The Mayor also transmitted a status report on efforts made toward disposition of the McMillan Site, including an explanation of the 7-year timeline required for closing.

(b) The Council approves the additional time requested by the Mayor to dispose of the McMillan Site and extends the time period to dispose of the McMillan Site to December 2, 2021.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.
This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-402

To confirm the reappointment of Mr. Christopher Bell as a member of the Board of Trustees of the University of the District of Columbia.

Board of Trustees of the University of the District of Columbia Christopher Bell Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Trustees of the University of the District of Columbia Christopher Bell Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Christopher Bell
3102 Hawthorne Street, N.W.
Washington, D.C. 20008
(Ward 3)

as a member of the Board of Trustees of the University of the District of Columbia, established by section 201 of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1424; D.C. Official Code § 38-1202.01), for a term to end May 15, 2020.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee, the University of the District of Columbia Board of Trustees, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-422

To approve the negotiated compensation collective bargaining agreement submitted by the Mayor between the Department of Behavioral Health and employees who are represented by the District of Columbia Nurses Association.

Compensation Agreement between the Department of Behavioral Health and District of Columbia Nurses Association Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Agreement between the Department of Behavioral Health and District of Columbia Nurses Association Approval Resolution of 2015".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-617.17(j)), the Council of the District of Columbia approves the compensation collective bargaining agreement between the Department of Behavioral Health and the District of Columbia Nurses Association, which was transmitted by the Mayor to the Council on November 13, 2015.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Nurses Association and to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

D.C. Resolution 21-335, effective December 15, 2015

A RESOLUTION

Proposed Resolution 21-486

***See* Emergency D.C. Act 21-257 21 DCStat 2714**

To declare the existence of an emergency, due to congressional review, with respect to the need to adjust certain allocations requested in the Fiscal Year 2015 Budget Request Act of 2014 pursuant to the Omnibus Appropriations Act, 2009; to authorize that available Fiscal Year 2015 funds be retained as fund balance and carried over into Fiscal Year 2016; and to adjust certain allocations requested in the Fiscal Year 2016 Budget Request Act of 2015 pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Congressional Review Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Congressional Review Emergency Declaration Resolution of 2015".

Sec. 2. (a) On September 22, 2015, the Council passed Act 21-153, the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015. The act was signed by the Mayor on October 6, 2015 and will expire on January 4, 2016.

(b) On October 6, 2015, the Council passed Act 21-171, the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, a temporary version of Act 21-153. The Mayor signed that temporary legislation on October 22, 2015. Due to the congressional review period, the temporary legislation is not projected to become law until January 21, 2016.

(c) Acts 21-153 and 21-171 consist of substantial adjustments to budget authority for both Fiscal Year 2015 and Fiscal Year 2016.

(d) The congressional review period for Act 21-171 will create a funding and authority gap upon the expiration of Act 21-153. This gap must be addressed to ensure the proper implementation and balancing of both the Fiscal Year 2015 Budget and Fiscal Year 2016 Budget and Financial Plan.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Congressional Review Emergency Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-406

To confirm the reappointment of Judge Maxine E. McBean as a member of the Contract Appeals Board.

Contract Appeals Board Maxine E. McBean Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract Appeals Board Maxine E. McBean Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Judge Maxine E. McBean
955 26th Street, N.W.
Washington, D.C. 20037
(Ward 2)

as a member of the Contract Appeals Board, established by section 1001 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-360.01), for a term to end July 28, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-407

To confirm the reappointment of Judge Marc D. Loud, St. as a member and Chairperson of the Contract Appeals Board.

Contract Appeals Board Marc D. Loud Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract Appeals Board Marc D. Loud Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Judge Marc D. Loud, Sr.
1439 Holly Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a member and Chairperson of the Contract Appeals Board, established by section 1001 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-360.01), notwithstanding section 1002(a)(1) of such act, for a term to end July 28, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-484

See Emergency D.C. Act 21-255 21 DCStat 2708

To declare the existence of an emergency with respect to the need to amend the Vending Regulation Act of 2009 to clarify that the Mayor may establish exemptions from licensure requirements, and to maintain criminal penalties for a violation of the act or a vending regulation.

Vending Regulations Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Vending Regulations Emergency Declaration Resolution of 2015".

Sec. 2. (a) In 2009, the Council passed the Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.01 *et seq*.) ("Act"), which authorized the Mayor to regulate vending in the District and required any proposed rules to be submitted to the Council for review and approval.

(b) On March 8, 2013, the Vending Business License Regulation Resolution of 2013 was introduced in the Office to the Secretary by Chairman Mendelson at the request of the Mayor ("PR 20-125"). PR 20-125 was deemed disapproved. The regulations were adopted in part by the Council with the passage of the Vending Regulation Emergency Amendment Act of 2013, effective June 19, 2013 (D.C. Act 20-84; 60 DCR 9534), and the subsequent passage of the Vending Regulation Emergency Approval Act of 2013, effective June 20, 2013 (D.C. Act 20-90; 60 DCR 9551).

(c) On September 20, 2013, the Office of the City Administrator published final rules in the District of Columbia Register (60 DCR 13055).

(d) PR20-125 inadvertently removed provisions establishing criminal penalties for violations of the vending regulations.

(e) In an effort to reinstate those criminal penalties, 2 versions of emergency and temporary legislation were introduced. The first addressed the criminal penalties in the District of Columbia Official Code and is set to expire on January 11, 2016, and the second addressed the prohibition on ticket scalping in the District's Municipal Regulations and is set to expire on December 11, 2015.

(f) Permanent legislation, the Vending Regulations Amendment Act of 2015, passed on 1st reading on December 1, 2015 (Engrossed version of Bill 21-113), must complete the legislative process. While the permanent version goes through final reading and the congressional review process, another emergency is necessary.

(g) To permit complete enforcement of vending violations occurring in the District of Columbia and avoid disruption of proper vending operations, it is necessary to adopt emergency legislation to maintain the criminal penalty provisions for violations of the Act or vending regulations.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Vending Regulations Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-340, effective December 15, 2015

A RESOLUTION

Proposed Resolution 21-463

***See* Emergency D.C. Act 21-254 21 DCStat 2706**

To declare the existence of an emergency with respect to the need to grant the Attorney General for the District of Columbia personnel and procurement rulemaking authority consistent with authority previously approved by the Council.

Office of the Attorney General Personnel and Procurement Clarification Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Office of the Attorney General Personnel and Procurement Clarification Emergency Declaration Resolution of 2015".

Sec. 2. (a) There exists a need to give the Attorney General independent personnel and procurement rulemaking authority.

(b) In 2010, the Council of the District of Columbia approved the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; codified in scattered cites throughout the D.C. Official Code). Section 201(b) of this act authorized the election by the District electorate of an independent Attorney General. The committee report for this act stated that the "legislation codifies the institutional independence" of the Attorney General.

(c) Section 1032(b) of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905) ("BSA"), provides that the Attorney General shall be the personnel authority for employees of that office, and that the Attorney General shall carry out procurement independently of the Office of Contracting and Procurement.

(d) Independent rulemaking authority is necessary to fully implement these provisions consistent with the authority approved by the Council and Mayor in this year's BSA.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Office of the Attorney General Personnel and Procurement Clarification Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-341, effective December 15, 2015

A RESOLUTION

Proposed Resolution 21-485

***See* Emergency D.C. Act 21-256 21 DCStat 2712**

To declare the existence of an emergency with respect to the need to enable the District to enter into an agreement with the State of Maryland and the Commonwealth of Virginia to create a new independent interstate entity to oversee the safety of Washington Metropolitan Area Transit Authority rail operations.

Washington Metropolitan Area Transit Authority Safety Regulation Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Metropolitan Area Transit Authority Safety Regulation Emergency Declaration Resolution of 2015".

Sec. 2. (a) There is an immediate need to replace the current state safety oversight agency to address safety concerns with the rail operations of the Washington Metropolitan Area Transit Authority ("WMATA"). The emergency legislation authorizes the Mayor, in cooperation with Maryland and Virginia, to prepare needed legislation to replace the Tristate Oversight Committee ("TOC"), with a new independent interstate entity approved by the Federal Transit Administration ("FTA").

(b) In 1997, the TOC was tasked with providing safety oversight for WMATA rail operations.

(c) In 2013, based on new federal standards, the FTA determined that the TOC was non-compliant and thus ineligible for grant funding. Among the TOC's deficiencies is its lack of enforcement authority. The TOC cannot compel WMATA to take action to address critical safety issues.

(d) The federal government has provided funding, subject to District matching funds, to pay for the expenses of the formation of the replacement interstate safety oversight entity. The State of Maryland and the Commonwealth of Virginia also receive such funds.

(e) The 3 jurisdictions seek to enter into an agreement with the Metropolitan Washington Council of Governments ("COG") to transfer these combined federal and matching funds to COG for the purpose of retaining experts and consultants to assist in the preparation of legislation to create the replacement interstate safety oversight entity.

(f) The District, the FTA, and WMATA passengers have a vested interest in seeing a strong safety oversight entity established as soon as possible. The authorization granted in the emergency legislation is essential to establish that new, compliant interstate safety oversight entity.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Washington Metropolitan Area Transit Authority Safety Regulation Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-487

See Emergency D.C. Act 21-258 21 DCStat 2718

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to extend to January 1, 2018, the date for implementation of the microstamping requirement for semiautomatic pistols.

Microstamping Implementation Emergency Declaration Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Microstamping Implementation Emergency Declaration Resolution of 2015".

Sec. 2. (a) D.C. Law 17-372, the Firearms Registration Amendment Act of 2008, added to the firearms law a requirement that newly-manufactured semiautomatic pistols be "microstamp-ready."

(b) Microstamping creates microscopic markings on a cartridge after a firearm is fired that identify the make, model, and serial number of the firearm, allowing law enforcement to identify a firearm the first time it is used in a crime.

(c) In 2007, California became the first state to require microstamping on all new models sold in the state.

(d) The District's microstamping requirement was initially to be implemented in 2011, in order to incorporate best practices learned from California's experience. However, D.C. Law 18-377, the Criminal Code Amendment Act of 2010, delayed the applicability date from January 1, 2011, until January 1, 2013. At that time, California had only recently issued regulations on microstamping. Because California was only beginning to put microstamping into practice, the Council voted to delay the District's implementation in order to allow the model being developed in California to be further refined.

(e) D.C. Law 19-170, the Firearms Amendment Act of 2012, again delayed – to January 1, 2014 – implementation of microstamping in the District after the process faced further delay in California due to patents on the technology. Implementation was postponed because of the very small nature of the District's market. The view was that once California, a much larger market, implemented microstamping, implementation would become more feasible in the District.

(f) As California continues to work toward implementation of microstamping, it is again necessary to delay the implementation of the District's microstamping requirement to allow for more time for implementation to take hold in California.

(g) The law must be amended now to delay the implementation requirement from January 1, 2016 to January 1, 2018, given that the current implementation date is approaching.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Microstamping Implementation Emergency Amendment Act of 2015 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately

A RESOLUTION

Proposed Resolution 21-507

***See* Emergency D.C. Act 21-283 21 DCStat 2734**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Day Care Policy Act of 1979 to establish a pilot, community-based Quality Improvement Network that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family-support engagement services, including educational, health, nutritional, behavioral, and family-support services.

Early Learning Quality Improvement Network Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Early Learning Quality Improvement Network Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District of Columbia leads the nation in providing high-quality pre-K to 3- and 4-year olds. In order to ensure that the District's youngest children are prepared when they enter our pre-K programs, a need exists to increase the quality child care and services that our 0-3 year old population receives.

(b) Currently, 3,542 children ages 0-3 years receive child care subsidy in the District of Columbia, and of those children, 38% come from families with no income, 63% come from families whose incomes are under 100% of the federal poverty level ("FPL"), and 75% come from families whose incomes are under 130% of the FPL. These are generally the District's most vulnerable residents who need comprehensive services and a continuity of care to ensure that they are poised to succeed when they enter pre-K and kindergarten.

(c) In order to address the needs of the population discussed in subsection (b) of this section and their families, the Office of the State Superintendent of Education ("OSSE") is creating a pilot Early Learning Quality Improvement Network ("QIN") composed of child development facilities that will serve as hubs to provide quality improvement technical assistance and comprehensive services to licensed child development centers and licensed child development homes. The child development centers and child development homes will provide low-income infants and toddlers high-quality, full-day, full-year comprehensive early learning and development services, including health, mental health, nutrition, and family engagement support, and a continuum of care.

(d) The pilot QIN will allow the District to demonstrate the effectiveness of an evidence-based model of infant and toddler child care to support children's learning and development outcomes. Federal studies of use of the Early Head Start standards have shown improved cognitive skills and social development by the age of 3 years. Thus, better preparation of the District's youngest children will allow them to be more successful later in school, as well as lead to long-term positive social and educational outcomes.

(e) Under current District law, children receiving child care subsidy are not guaranteed continuity of care, as their subsidy status is linked to their guardian's employment status. Thus, if a parent loses his or her job, his or her child will lose subsidy and thus child care. This disruption is particularly detrimental to these children, as they are often the population with the greatest need for consistency and continuity. Thus, a need exists to allow the children in the pilot QIN to continue to receive child care subsidy, and therefore child care, in spite of the employment status of their guardian.

(f) In August 2014, OSSE applied for a federal Department of Health and Human Services grant to support the QIN. This federal grant requires recipients to provide continuity of care for children participating in the QIN. To date, OSSE has heard from the HHS that we are in the fundable range and thus anticipate receiving the federal grant, thereby further elevating the need for this legislation.

(g) Additionally, the federal HHS grant requires recipients to provide children enrolled in the QIN free child care and comprehensive services. Under current District law, this is not possible. While a child's family may receive subsidy to cover his or her child care, the law still requires the parent to pay for a portion of the child care based on a sliding scale adjusted for the guardian's income level. Therefore, in order to fulfill the requirement of the federal grant, as well as to ensure that the District's most vulnerable population has access to complete and comprehensive health, mental health, nutrition, and family engagement services, a need exists for the children included in the pilot QIN to be exempt from the payment requirement sections of the Day Care Policy Act of 1979.

(h) The permanent version of legislation to implement the QIN, the Early Learning Quality Improvement Network Amendment Act of 2015, enacted December 17, 2015 (D.C. Act 21-231; 62 DCR 16261), was passed by the Council on December 1, 2015 and signed by the Mayor on December 17, 2015. It awaits transmittal to Congress for a 30-day review period.

(i) As the permanent version of the legislation made its way through the legislative process, on October 6, 2015, the Council passed this legislation on an emergency and temporary basis. The emergency legislation will expire on January 25, 2016 and the temporary legislation is projected to become law on January 29, 2016.

(j) This congressional review emergency is necessary to prevent a gap in the law. There are 400 children enrolled in QIN and it is important that this program continues for those families.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Early Learning Quality Improvement Network Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-508

***See* Emergency D.C. Act 21-284 21 DCStat 2737**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Education Licensure Commission Act of 1976 to change the name of the Education Licensure Commission to the Higher Education Licensure Commission, to extend authority to the commission to require institutions physically located outside the District of Columbia offering postsecondary degree-granting or non-degree-granting online programs or courses to District of Columbia residents physically in the District to be licensed in the District, to permit members of the commission to serve in a hold-over capacity for no more than 180 days after expiration of their second full consecutive term, to provide the commission with the authority to enter into reciprocity agreements with regards to online courses, and to authorize the commission to impose alternative sanctions for violations of provisions of the act or regulations promulgated under the authority of the act; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the annual compensation of members of the Higher Education Licensure Commission from $4,000 to $8,000; to amend the State Education Office Establishment Act of 2000 to designate the Office of the State Superintendent of Education the state portal agency for state authorization reciprocity; and to amend the Office of Administrative Hearings Establishment Act of 2001 to make a conforming amendment.

Higher Education Licensure Commission Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Higher Education Licensure Commission Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District of Columbia seeks to ensure that a wide array of post-secondary learning opportunities are available for our residents. Across the country, at least 7 million students are using online technology to access post-secondary courses. Post-secondary online distance education expands learning opportunities by providing flexible, accessible methods to acquiring new skills and fulfilling degree requirements.

(b) The rapid growth of distance education has brought to the forefront the need to provide a coherent and comprehensive structure that focuses on consumer protection and security while maintaining the unique features of online distance learning. Students in online distance education programs require stronger protections because they are completing their courses and programs outside of the visibility of traditional oversight and monitoring structures. Many other states have already taken the step to protect their residents, and the District must move forward to keep up with best practices in post-secondary licensing.

(c) Since the current Education Licensure Commission law does not specifically require schools outside of the District offering online distance education programs to District residents to be licensed, District residents are left unprotected against unethical practices by false or misleading postsecondary entities. Therefore, a need exists to protect District residents who may

be unable to assess the legitimacy, quality, or legality of a post-secondary educational institution.

(d) Currently, over 100 postsecondary institutions outside of the District are already providing distance education to District residents and have inquired with the Education Licensure Commission about getting licensed. Until the changes proposed in this emergency legislation are made, there is no guidance that the Education Licensure Commission can provide to these institutions, and there are no basic standards or safeguards that the Education Licensure Commission can require of these institutions.

(e) Furthermore, District-based postsecondary institutions that are engaging in distance education in other jurisdictions must navigate multiple state licensing requirements that are both cumbersome and costly. The changes in this emergency legislation will allow the Education Licensure Commission to enter into reciprocity agreements with other jurisdictions regarding licensing online distance education programs, which would result in ensuring security and consumer protections while making the process and costs for providing distance education far less involved.

(f) The Education Licensure Commission has already entered into a State Authorization Reciprocity Agreement ("SARA"), per authority provided by the Education Licensure Commission Temporary Amendment Act of 2014, effective March 13, 2015 (D.C. Law 20-239; 62 DCR 4510) ("Temporary Act"). That Temporary Act expired on October 24, 2015, and the Council passed emergency and temporary legislation (D.C. Law 21-158 and D.C. Law 21-172) to ensure the Education Licensure Commission could maintain the SARA while the permanent legislation worked its way through the process.

(g) This emergency legislation is necessary to prevent a gap in the law as the most recent emergency legislation is set to expire on January 14, 2016, but the temporary legislation is not projected to become law until January 21, 2016.

(h) Without this emergency legislation, private and public higher education institutions in the District, including the University of the District of Columbia ("UDC"), will have to pay fees to each state to conduct online learning programs in their respective states. This is extremely expensive and burdensome for the District's institutions of higher learning. Thus, this emergency legislation, through the SARA, will save both UDC and the District's private higher education institutions in the District tens of thousands of dollars in fees in the coming months.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Higher Education Licensure Commission Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-509

See Emergency D.C. Act 21-285 21 DCStat 2741

To declare the existence of an emergency, due to congressional review, with respect to the need to amend An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify that, for purposes of determining whether the referral of a minor student 14 years of age through 17 years of age to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section for the accrual of 15 unexcused absences during School Year 2015-2016 is required, the term unexcused absence may mean an unexcused full school day absence.

Truancy Referral Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Truancy Referral Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) Over the past 5 years, the Council of the District of Columbia has passed 3 laws: the Safe Children and Safe Neighborhoods Educational Neglect Mandatory Reporting Amendment Act of 2010, effective October 26, 2010 (D.C. Law 18-242; 57 DCR 7555); the South Capitol Street Memorial Amendment Act of 2012, effective June 7, 2012 (D.C. Law 19-141; 59 DCR 3083); and the Attendance Accountability Amendment Act of 2013, effective September 19, 2013 (D.C. Law 20-17; 60 DCR 14501); with the goal of reducing chronic truancy.

(b) In particular, the Attendance Accountability Amendment Act of 2013 requires educational institutions to refer a minor student 14 through 17 years of age to the Court Social Services ("CSS") Division of the Superior Court of the District of Columbia and to the Office of the Attorney General ("OAG") Juvenile Section after the student has accrued 15 unexcused absences within a school year. The goal of this mandate was to facilitate interagency coordination and to ensure that students who continuously miss full days of school receive the services and interventions that they need.

(c) However, students who miss more than 20% of the school day, and thus are not "present," as defined by section 2199 of Title 5-A of the District of Columbia Municipal Regulations, are being counted as absent. Because many of the District's high schools operate on a block schedule, this results in a student being considered absent if he or she misses one period of the school day even though he or she may be present the rest of the school day. If this occurs on 15 or more days, the student is referred to CSS and OAG, as the statute requires a referral after 15 unexcused absences. Thus, a student may be referred to CSS or OAG even though he or she has not been chronically truant but instead has been chronically tardy. This has resulted in over-referrals to CSS, thereby saturating the system and diverting limited

resources away from those students and families that are truly in need of CSS or OAG intervention.

(d) Chronic truancy is inherently different from chronic tardiness. Chronic truancy involves continual and complete absence from school, often signaling other issues, whether they be social, emotional, mental, familial, or academic, in a child's life and thus necessitates a myriad of interventions from various District agencies. Chronic tardiness, on the other hand, may signal that a student needs aid in getting to school but does not necessitate serious intervention, such as referral to CSS and OAG.

(e) Without this immediate change, chronic truancy and chronic tardiness will continue to be conflated, thereby resulting in students who are not truly truant being identified as such and leading to their involvement with the juvenile justice system. While schools should work with youth who display a pattern of chronic tardiness, such behavior does not rise to the level of requiring a referral to the courts or to OAG. Thus, on October 6, 2015, the Council passed the Truancy Referral Emergency Amendment Act of 2015, effective October 22, 2015 (D.C. Act 21-180; 62 DCR 14004) (the "emergency legislation") to clarify that for the purposes of CSS and OAG referral, an educational institution may ignore the "80/20" rule and consider an unexcused absence to be an unexcused full school day absence.

(f) On November 3, 2015, the Council passed the Truancy Referral Temporary Amendment Act of 2015, enacted on November 23, 2015 (D.C. Act 21-208; 62 DCR 15600) (the "temporary legislation"). On December 4, 2015, the temporary legislation was transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(g) The emergency legislation will expire on January 20, 2016; however, the temporary legislation is not expected to become law until January 29, 2016. A congressional review emergency is necessary to ensure that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Truancy Referral Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-511

***See* Emergency D.C. Act 21-287 21 DCStat 2744**

To declare the existence of an emergency, due to congressional review, with respect to the need to institute a moratorium on the issuance of permits for the construction or operation of automobile paint spray booths in Ward 5; provided, that the moratorium shall not apply to permits for automobile paint spray booths that meet certain conditions.

Ward 5 Paint Spray Booth Conditional Moratorium Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Ward 5 Paint Spray Booth Conditional Moratorium Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) It is necessary to place a moratorium on the issuance of permits to construct and the issuance and renewal of permits to operate automobile paint spray booths within Ward 5 that do not meet certain standards.

(b) This emergency legislation addresses the immediate and longstanding concerns of residents who are adversely affected by the noxious and possibly injurious fumes emanating from already existing paint spray booth operators. Not all operators are in compliance with current law and even those that are, due to the low threshold of certain regulations, persistently pollute the air with such fumes.

(c) There are several pending automobile paint spray booth permit applications in Ward 5 under consideration before the District Department of the Environment. The possible granting of these permits will exacerbate the problem by adding new operators within a ward with an already high concentration of such operators.

(d) The effects of the noxious and possibly injurious fumes emanating from automobile paint spray booths have a negative impact on property values within the ward as well as the quality of life of its residents.

(e) The Council previously enacted the Air Quality Amendment Act of 2014, effective September 9, 2014 (D.C. Law 20-135; 61 DCR 9968). One of the purposes of this law is to combat toxic odors. Despite that enactment, however, the complaints from residents due to such odors caused by automobile paint spray booths remain frequent and steady.

(f) Approval of emergency legislation was necessary to avoid these unintended effects. Therefore, on October 6, 2015, the Council passed the Ward 5 Paint Spray Booth Conditional Moratorium Emergency Act of 2015, effective October 27, 2015 (D.C. Act 21-189; 62 DCR 14227) (the "emergency legislation").

(g) On November 3, 2015, the Council passed the Ward 5 Paint Spray Booth Conditional Moratorium Temporary Act of 2015, enacted November 23, 2015 (D.C. Act 21-210; 62 DCR 15605) (the "temporary legislation").

(h) The emergency legislation will expire on January 25, 2016; however, the temporary legislation is not expected to become law until January 29, 2016. A congressional review emergency is necessary to ensure that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Ward 5 Paint Spray Booth Conditional Moratorium Congressional Review Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-512

See Emergency D.C. Act 21-288 21 DCStat 2747

To declare the existence of an emergency, due to congressional review, with respect to the need to establish that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) In late 2014, it was reported that the Safeway at 4865 MacArthur Boulevard was offered for sale. In previous store and property sales, Safeway required that a purchaser of its property agree to a covenant prohibiting reuse of the property for a similar or analogous use; that is, that the property may not be used as a grocery store or retail food establishment of any kind. This type of restriction is harmful to residents. And, in the Macarthur Boulevard instance, it is harmful to the residents of the neighborhood as the next closest grocer is approximately 2.5 miles away.

(b) Restrictive covenants and other use restriction policies related to grocery stores are harmful and limit a community's access to fresh food.

(c) Maintaining a grocery store within an urban neighborhood is vital, particularly since many residents rely heavily on walking as a means of access to fresh food.

(d) Seniors and low-income residents especially rely on food retailers in close proximity to their homes as they often face mobility challenges or have limited access to vehicles.

(e) A lack of stores offering healthy food options leads to unhealthy food choices and related health problems.

(f) These restrictive covenants are contrary to the American standard of a free market and open competition.

(g) As development in the District continues and the city sees continued population increases, it is vital that every neighborhood has access to essential grocery-store services. Restrictive covenants undermine food-services competition and the advent of revitalized communities with large and small retailers, including independent butchers and bakeries.

(h) The circumstances described in this section underscore the need for the Council to act to prohibit such restrictive covenants and prevent the creation of food deserts in the District.

(i) Further, this congressional review emergency legislation is necessary to ensure that there is no gap between when the Grocery Store Restrictive Covenant Prohibition Emergency Act of 2015 expires and when the Grocery Store Restrictive Covenant Prohibition Temporary Act of 2015 becomes effective.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Grocery Store Restrictive Covenant Prohibition Congressional Review Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-517

See Emergency D.C. Act 21-293 21 DCStat 2759

Wage Theft Prevention Correction and Clarification Congressional Review Emergency Declaration Resolution of 2016

To declare the existence of an emergency, due to congressional review, with respect to the need to clarify and improve the laws prohibiting wage theft and the enforcement of those laws.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Wage Theft Prevention Correction and Clarification Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) There existed a need to amend the amendments made by the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157), to clarify when certain provisions shall take effect, clarify who may bring an action on behalf of an employee, amend criminal penalties, clarify when amounts in the Wage Theft Prevention Fund may be spent, authorize the Mayor to issue rules, and clarify how the Mayor shall make certain information available to manufacturers.

(b) In late 2015, the Council enacted the Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2015, effective October 27, 2015 (D.C. Act 21-188; 62 DCR 13764) ("emergency legislation"), which addressed the above-referenced issues. The emergency legislation expires on January 22, 2016.

(c) Temporary legislation, the Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2015, enacted on November 23, 2015 (D.C. Act 21-209; 62 DCR 15602), was transmitted to Congress on December 4, 2015, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until January 29, 2016.

(d) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Wage Theft Prevention Correction and Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-498

***See* Emergency D.C. Act 21-279 21 DCStat 2725**

To declare the existence of an emergency, due to congressional review, with respect to the need to establish a qualified ABLE Program, to be known as the ABLE Program Trust, pursuant to the requirements of the federal Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014 to exempt from income taxation the earnings on deposits made to an ABLE Program Trust by an eligible individual to assist the individual with certain expenses related to the individual's blindness or disability.

ABLE Program Trust Establishment Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "ABLE Program Trust Establishment Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) In October 2015, the Council enacted the ABLE Program Trust Establishment Emergency Act of 2015, effective October 19, 2015 (D.C. Act 21-161; 62 DCR 13725) ("emergency legislation"), and the ABLE Program Trust Establishment Temporary Act of 2015, enacted October 22, 2015 (D.C. Act 21-175; 62 DCR 13993) ("temporary legislation"), to enable District residents with a disability to establish an ABLE account of up to $100,000 in accordance with the federal Stephen Beck Jr., Achieving a Better Life Experience Act of 2014, which mandated that states provide people with disabilities and their families the opportunity to create tax-exempt savings accounts.

(b) The emergency legislation expires on January 17, 2016. The temporary legislation was transmitted to Congress on November 5, 2015, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until January 21, 2016 (and permanent legislation, which was transmitted to Congress on December 7, not until February 1, 2016).

(c) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the ABLE Program Trust Establishment Congressional Review Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-499

See Emergency D.C. Act 21-280 21 DCStat 2728

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Retail Services Station Act of 1976 to provide that certain prohibitions on discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015 and August 1, 2015.

Gas Station Advisory Board Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Gas Station Advisory Board Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) In October 2014, the Council enacted the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884) ("Act").

(b) Part 2 of Title II of the Act increased the prohibitions against conversion of a full-service retail service stations by adding the prohibition that such a station cannot be discontinued or be converted into any other use without a waiver.

(c) It is important to protect the integrity of doing business in and with the District by protecting those businesses that were in the process of converting their property or business into a non-service station enterprise before the Act became law.

(d) In October 2015, the Council enacted the Gas Station Advisory Board Emergency Amendment Act of 2015, effective October 29, 2015 (D.C. Act 21-190; 62 DCR 14230) ("emergency legislation"), and the Gas Station Advisory Board Temporary Amendment Act of 2015, enacted November 24, 2015 (D.C. Act 21-212; 62 DCR 15610) ("temporary legislation"), which addressed the issue regarding businesses in the process of converting before the effectiveness of the Act.

(e) The emergency legislation expires on January 27, 2016. The temporary legislation is not projected to become law until January 29, 2016.

(f) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Gas Station Advisory Board Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-500

***See* Emergency D.C. Act 21-281 21 DCStat 2729**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend section 47-1096 of the District of Columbia Official Code to clarify the exemption from the tenant opportunity to purchase requirements of the property owned by N Street Village, Inc., located at 1301 14th Street, N.W.; and to amend the N Street Village, Inc. Tax and TOPA Exemption Act of 2014 to make a conforming amendment.

N Street Village, Inc. Tax and TOPA Exemption Clarification Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "N Street Village, Inc. Tax and TOPA Exemption Clarification Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) In October 2014, the Council enacted the N Street Village, Inc. Tax and TOPA Exemption Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-229; 62 DCR 4500) ("Act").

(b) The applicability clause in the Act inadvertently included the entire bill, but the TOPA exemption did not need to be subject to funding.

(c) In October 2015, the Council enacted the N Street Village, Inc. Tax and TOPA Exemption Clarification Emergency Amendment Act of 2015, effective October 27, 2015 (D.C. Act 21-191; 62 DCR 14232) ("emergency legislation"), and the N Street Village, Inc. Tax and TOPA Exemption Clarification Temporary Amendment Act of 2015, enacted on November 23, 2015 (D.C. Act 21-211; 62 DCR 15608) ("temporary legislation"), which remedied the above-referenced issue.

(d) The emergency legislation expires on January 25, 2016. The temporary legislation is not projected to become law until January 29, 2016.

(e) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the N Street Village, Inc. Tax and TOPA Exemption Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-510

See Emergency D.C. Act 21-286 21 DCStat 2742

To declare the existence of an emergency, due to congressional review, with respect to the need to amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494, and to make conforming amendments to the Fourth/Sixth and E Streets, S.W., Property Disposition Resolution of 2009.

Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District owns real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494 ("Property") being used for the construction of a mixed-use development, which was approved by the Council pursuant to the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799).

(b) E Street Development Group, LLC, a joint venture led by Potomac Investment Properties and CityPartners ("Developer") was selected in 2009, through a competitive RFP process, to redevelop property located at 4th and E Streets, S.W., and 6th and E Streets, S.W.

(c) The redevelopment was planned to include building a new fire station (the "Fire Station") for Engine Company 13 within a mixed-use building and a new mixed-use commercial project on the site of the existing fire station.

(d) Phase 1 of the project is under construction and slated to deliver by early 2016. However, due to permit and weather delays, the Fire Station did not achieve Final Completion (Phase 2) as planned before the Mayor's authority to dispose of the property expired on November 3, 2015.

(e) Approval of emergency legislation was necessary to extend the time to dispose of the property and to avoid the expiration of the Council's approval of the disposition. Therefore, on October 6, 2015, the Council passed the Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Emergency Amendment Act of 2015, effective October 27, 2015 (D.C. Act 21-181; 62 DCR 14209) (the "emergency legislation").

(f) On November 3, 2015, the Council passed the Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Amendment Act of 2015, enacted on November 30, 2015 (D.C. Act 21-213; 62 DCR 15612) (the "permanent legislation").

(g) The emergency legislation will expire on January 25, 2016; however, the permanent legislation is not expected to become law until February 1, 2016. A congressional review

emergency is necessary to ensure that the provisions of the emergency legislation continue in effect, without interruption, until the permanent legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-503

See Emergency D.C. Act 21-282 21 DCStat 2731

To declare the existence of an emergency, due to congressional review, with respect to the need to amend An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, to authorize the Fire and Emergency Medical Services Department to contract with third parties to provide supplemental pre-hospital medical care and transportation for Basic Life Support calls for service, to require that third-party contracts preclude the District from liability and contain an indemnification provision, to set forth reporting requirements for third-party contractors, the Fire and Emergency Medical Services Department, and the Office of Unified Communications, and to extend the public duty doctrine to claims against the District for actions of a third-party contractor.

Emergency Medical Services Contract Authority Congressional Review Emergency Declaration Resolution of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Emergency Medical Services Contract Authority Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) There is an immediate need to amend An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, to authorize the Fire and Emergency Medical Services Department to contract with third parties to provide supplemental pre-hospital medical care and transportation for Basic Life Support calls for service, to require that third-party contracts preclude the District from liability and contain an indemnification provision, to set forth reporting requirements for third-party contractors, the Fire and Emergency Medical Services Department, and the Office of Unified Communications, and to extend the public duty doctrine to claims against the District for actions of a third-party contractor.

(b) This bill is necessary to prevent a gap in the law as the emergency legislation, the Emergency Medical Services Contract Authority Emergency Amendment Act of 2015, effective October 16, 2015 (D.C. Act 21-0154; 62 DCR 13701), expires on January 14, 2016.

(c) Temporary legislation, the Emergency Medical Services Contract Authority Temporary Amendment Act of 2015, enacted on November 23, 2015 (D.C. Act 21-0207; 62 DCR 15597), may not become law until after the expiration of the emergency legislation; therefore, a congressional review emergency is needed to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Emergency Medical Services Contract Authority Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-491

See Emergency D.C. Act 21-278 21 DCStat 2724

To declare the existence of an emergency with respect to the need to extend Contract No. CFOPD-11-C-024 with Wells Fargo Bank, N.A. to continue to provide a wide variety of general banking services to the District of Columbia and to authorize payment for the services received and to be received under the contract.

Contract No. CFOPD-11-C-024 Extension Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-11-C-024 Extension Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the extension of Contract No. CFOPD-11-C-024 with Wells Fargo Bank, N.A. to continue to provide a wide variety of general banking services to the District of Columbia and to authorize payment for the services received and to be received under the contract.

(b) On December 10, 2015, the Office of the Chief Financial Officer executed Modification No. 8, partially exercising a 5-year option period under Contract No. CFOPD-11-C-024 for the period of December 15, 2015, through January 31, 2016, in the amount of $400,000.

(c) Proposed Modification No. 9 will exercise the remainder of the 5-year option period of Contract No. CFOPD-11-C-024 from February 1, 2016, through December 15, 2020, in the amount of $12,008,397.

(d) Council approval is necessary because this modification increases the contract to one of more than $1 million during a 12-month period and the total term of the option is more than one year. Council approval is further necessary to allow the continuation of these vital services and to allow Wells Fargo Bank, N.A. to continue performance under the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CFOPD-11-C-024 Extension Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-357, effective January 5, 2016

A RESOLUTION

Proposed Resolution 21-516

***See* Emergency D.C. Act 21-292 21 DCStat 2755**

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 2016 Budget Support Act of 2015, various other acts, and Title 47 of the District of Columbia Official Code to clarify provisions supporting the Fiscal Year 2016 budget.

Fiscal Year 2016 Budget Support Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2016 Budget Support Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) On June 30, 2015, the Council passed the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905) (the "Act"), and an emergency version of the legislation, the Fiscal Year 2016 Budget Support Emergency Act of 2015, effective July 27, 2015 (D.C. Act 21-127; 62 DCR 10201).

(b) Subsequently, it was discovered that several provisions within those measures were in need of technical corrections or further clarification.

(c) On September 22, 2015, the Council passed the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2015, effective October 1, 2015 (D.C. Act 21-164; 62 DCR 13734) (the "first emergency act"), which made several clarifications to the Act.

(d) On November 3, 2015, the Council passed the Fiscal Year 2016 Second Budget Support Clarification Emergency Amendment Act of 2015, effective November 23, 2015 (D.C. Act 21-202; 62 DCR 15276) (the "second emergency legislation"), which made other necessary clarifications to the Act.

(e) On December 1, 2015, the Council passed the Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015, enacted December 29, 2015 (D.C. Act 21-252; 62 DCR _____) (the "temporary act"), corresponding temporary legislation that combines the provisions of the first emergency act and the second emergency act.

(f) The provisions contained in the first emergency act are set to expire on January 14, 2015, before completion of the congressional review period for the temporary legislation.

(g) As such, it is necessary to adopt the provisions of the first emergency act on an emergency basis in order to prevent a gap in the law.

(h) As with the first emergency act, the present emergency legislation:

(1) Clarifies the scope of funding for the WMATA Operations Support Fund;

(2) Repeals the subject-to-appropriations clause for section 103(c) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; 62 DCR 3600);

(3) Clarifies that a uniform interest rate applies to delinquent vault rents;

(4) Clarifies provisions of the Accrued Paid Sick and Safe Leave Act, effective

May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq.*), with regard to substitute teachers and substitute aides;

(5) Repeals the subject-to-appropriation clause for section 302(b) of the Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; 62 DCR 1243);

(6) Clarifies the scope of the District of Columbia Auditor's review of the summer youth jobs program to include multiple years;

(7) Adds a residency requirement to the Kids Ride Free program at the request of the Mayor;

(8) Clarifies administrative requirements related to tax sales; and

(9) Repeals the subject-to-appropriations clause for the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; 62 DCR 3820).

(i) In addition to the items listed above, the present emergency legislation also makes a technical clarification to Title 47 of the District of Columbia Official Code to conform to the tax reform implementation provided for in section 47-181 of the District of Columbia Official Code.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-515

***See* Emergency D.C. Act 21-291 21 DCStat 2752**

To declare the existence of an emergency with respect to the need to amend the Accrued Sick and Safe Leave Act of 2008 to clarify that employees in the building and construction industry covered by a bona fide collective bargaining agreement shall be exempted from the paid leave requirements of the act only if the agreement expressly waives those requirements; to amend the Minimum Wage Act Revision Act of 1992 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees, to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer knows that second language to be the employee's primary language or the employee requests notice in that second language, and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month, provided that the employer pays wages to such employees at least once per month.

Wage Theft Prevention Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Wage Theft Prevention Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) On July 14, 2014, the Council unanimously passed the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157) (the "Act") to prevent employers' failure to pay earned wages through enforcement by the District and to create a private right of action for injured employees.

(b) Since the passage of the Act, the Council has identified several unintended consequences of the Act, including the requirement that all employees, including white-collar, salaried employees, be paid at least twice per month, the requirement that employers keep records of the "precise time worked" each day and each workweek by all employees, including those not compensated on an hourly or other unit-of-time basis, and the requirement that an employer provide notice to an employee regarding payment in an employee's primary language, without providing a limit on the languages in which that notice must be furnished.

(c) It was not the Council's intent to require that white-collar, salaried employees be paid at least twice a month or to require an employer to keep records of the precise time worked by all employees, including those not compensated on an hourly or other unit-of-time basis. Further, requiring notice to be furnished in any language that might be an employee's primary language will be unnecessarily burdensome and costly.

(d) To address these unintended consequences, on February 3, 2015, the Council passed the Wage Theft Prevention Clarification Emergency Amendment Act of 2015, effective February 26, 2015 (D.C. Act 21-8; 62 DCR 2669) (the "emergency legislation"), and, on March 3, 2015, the Council passed the Wage Theft Prevention Clarification Temporary Amendment Act of 2015, effective June 4, 2015 (D.C. Law 21-2; 62 DCR 4552) (the "temporary legislation").

(e) The emergency legislation has expired and the temporary legislation will expire on January 15, 2016.

(f) Since the passage of the emergency legislation and the temporary legislation, it also has come to the Council's attention that the Act inadvertently deleted language allowing employees in the building and construction industry to bargain to waive the paid leave requirements of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq*.), through a bona fide collective bargaining agreement. Instead, the Act exempts building and construction industry employees covered by a bona fide collective bargaining agreement from those paid leave requirements, regardless of whether the agreement addresses sick leave.

(g) Blanket exemption of this group of employees from the paid leave requirements was not the Council's intent and should be rescinded without delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Wage Theft Prevention Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-359, effective January 5, 2016

A RESOLUTION

Proposed Resolution 21-514

***See* Emergency D.C. Act 21-290 21 DCStat 2751**

To declare the existence of an emergency with respect to the need to change the procedures for presidential candidates to be placed on the primary election ballot.

Presidential Primary Ballot Access Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Presidential Primary Ballot Access Emergency Declaration Resolution of 2016".

Sec. 2. (a) The rules for qualifying a political party member to be listed on the ballot as a candidate for nomination for United States President in the District of Columbia's presidential primary election are, or may be, inconsistent with the rules of political parties for such listing.

(b) District of Columbia law should allow each political party to determine its own rules for ballot access as long as the rules are otherwise consistent and fair.

(c) The next primary election will take place on June 14, 2016. Under current law, candidates must submit their petitions to the District of Columbia Board of Elections by March 16, 2016, to be listed on the ballot.

(d) Changes to the petition process must therefore occur before the March 16 deadline to allow for candidates, political parties, and the District of Columbia Board of Elections to plan accordingly.

(e) The Council passed similar amendments to the law concerning petitions for the 2004, 2008, and 2012 presidential primary elections.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Presidential Primary Ballot Access Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-513

***See* Emergency D.C. Act 21-289 21 DCStat 2749**

To declare the existence of an emergency with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify that a District government attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals with the Department of Human Resources by December 15 of each year, to allow an attorney employed by the Council of the District of Columbia to file a Certificate of Good Standing with the Office of the Secretary to the Council of the District of Columbia, to allow the Director of the Department of Human Resources or the Secretary to the Council of the District of Columbia to verify good standing through electronic means, to clarify that the Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the Certificate of Good Standing filing requirement, and to authorize the Secretary to the Council of the District of Columbia to issue policy directives regarding timing, wavier, and notice of the Certificate of Good Standing filing requirement.

Certificate of Good Standing Filing Requirement Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Certificate of Good Standing Filing Requirement Emergency Declaration Resolution of 2016".

Sec. 2. (a) On December 17, 2014, the Council passed the District Government Certificate of Good Standing Filing Requirement Amendment Act of 2014, effective March 13, 2015 (D.C. Law 20-241; 62 DCR 1335) (the "Act"), which clarified that hearing officers and administrative law judges are required to file a Certificate of Good Standing if their employment requires that they be members of the District of Columbia Bar. Previously, the law required only attorneys to file such certificates, but it was discovered in 2014 that certain administrative law judges and hearing officers were allegedly presiding over their cases without being in good standing with the District of Columbia Bar. In order to close this loophole, the Council passed the Act.

(b) Additionally, the Act transferred responsibility for collecting Certificates of Good Standing from the District's Department of Human Resources ("DCHR") to the Board of Ethics and Government Accountability ("BEGA"). However, enforcement and regulatory authority remains with DCHR. Thus, the Act created a bifurcated process in which one agency, BEGA, acts solely as a repository for the Certificates of Good Standing, but another agency, DCHR, is responsible for ensuring that attorneys, hearing officers, and administrative law judges comply with the law and is the agency with rulemaking authority. In order to streamline the process and to prevent duplicity, it is necessary to transfer collection authority back to DCHR.

(c) Further, section 881 of the District of Columbia Government Comprehensive Merit

Personnel Act of 1978, effective July 25, 2002 (D.C. Law 14-182; D.C. Official Code § 1-608.81), requires attorneys employed by an independent agency to file certificates of good standing with DCHR if they meet the applicable requirements. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, confusingly, and incorrectly, defines the Council of the District of Columbia as an "independent agency."

(d) Accordingly, the law currently requires attorneys employed by the Council of the District of Columbia to file their Certificates of Good Standing with DCHR, which falls under the executive branch of the District government. This violates the spirit of separation of powers, as it requires legislative branch employees to report to an agency overseen by the executive branch. Thus, this emergency clarifies that an attorney employed by the Council of the District of Columbia who is required to file a Certificate of Good Standing shall file his or her certificate with the Office of the Secretary to the Council of the District of Columbia and not with DCHR.

(e) In order to further aid DCHR and the Office of the Secretary to the Council of the District of Columbia in streamlining this process, and to reduce the burden on the District of Columbia Court of Appeals, DCHR, and the Office of the Secretary to the Council of the District of Columbia, the proposed emergency legislation would allow DCHR and the Office of the Secretary to the Council of the District of Columbia to verify the good standing of attorneys, hearing officers, and administrative law judges through electronic means.

(f) Given that the law mandates that all applicable individuals file a Certificate of Good Standing by December 15 of each year and that BEGA and DCHR already have begun the process for calendar year 2015, it is necessary that the Council immediately clarify the process so that these agencies may take prompt action. Moreover, immediate Council action is necessary so that attorneys employed by the Council of the District of Columbia may file a Certificate of Good Standing for calendar year 2015 with the Office of the Secretary to the Council of the District of Columbia without violating section 881 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective July 25, 2002 (D.C. Law 14-182; D.C. Official Code § 1-608.81).

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Certificate of Good Standing Filing Requirement Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-501

***See* Emergency D.C. Res. 21-362 21 DCStat 2897**

District of Columbia Board of Elections Dionna Maria Lewis Confirmation Emergency Declaration Resolution of 2016

To declare the existence of an emergency with respect to the need to confirm the appointment of Ms. Dionna Maria Lewis to the District of Columbia Board of Elections.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections Dionna Maria Lewis Confirmation Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District of Columbia Board of Elections ("Board") is a 3-member, independent agency that convenes to consider and vote on election administration, ballot access, and voter registration matters.

(b) Section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), provides that members of the Board shall be appointed for 3-year terms with the advice and consent of the Council.

(c) Since July 7, 2014, all sitting members of the Board have been holding over. One member of the Board resigned after serving for one year as a holdover member, and the other 2 members continue to hold over until their replacements are confirmed.

(d) On November 5, 2015, Chairman Mendelson introduced, at the request of the Mayor, PR21-0415, the District of Columbia Board of Elections Dionna Maria Lewis Confirmation Resolution of 2015, to confirm Dionna Maria Lewis to the Board for a term to end July 7, 2018.

(e) The Committee on the Judiciary held a public hearing on PR21-0415 on December 16, 2015.

(f) As there are currently no permanent members on the Board and no permanent Executive Director, it is necessary to confirm Ms. Lewis on an emergency basis.

(g) Without her confirmation, the Board will be unable to adequately prepare for the June 2016 primary election.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Board of Elections Dionna Maria Lewis Emergency Confirmation Resolution of 2016 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-502

Emergency Declaration Res. 21-361 21 DCStat 2896

District of Columbia Board of Elections Dionna Maria Lewis Emergency Confirmation Resolution of 2016

To confirm, on an emergency basis, the appointment of Ms. Dionna Maria Lewis to the District of Columbia Board of Elections.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections Dionna Maria Lewis Emergency Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Dionna Maria Lewis
3958 Blaine Street, N.E.
Washington, D.C. 20019
(Ward 7)

as a member of the District of Columbia Board of Elections, established by section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), for a term to end July 7, 2016, and reappointment for a term to end July 7, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-505

***See* Emergency D.C. Res. 21-364 21 DCStat 2899**

District of Columbia Board of Ethics and Government Accountability Carol Schwartz Confirmation Emergency Declaration Resolution of 2016

To declare the existence of an emergency with respect to the need to confirm the appointment of Ms. Carol Schwartz to the District of Columbia Board of Ethics and Government Accountability.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Ethics and Government Accountability Carol Schwartz Confirmation Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District of Columbia Board of Ethics and Government Accountability ("BEGA") investigates alleged ethics law violations by District government employees and public officials, provides binding ethics advice, and conducts mandatory training on the District government's Code of Conduct. The Office of Open Government is an independent office within BEGA that enforces the Open Meetings Act, monitors the District's Freedom of Information Act compliance, and assists agencies with implementing open government practices.

(b) Section 203 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.03), provides that members shall be appointed for 6-year terms with the advice and consent of the Council.

(c) On November 23, 2015, Chairman Mendelson introduced, at the request of the Mayor, PR21-436, the District of Columbia Board of Ethics and Government Accountability Carol Schwartz Confirmation Resolution of 2015, to confirm Carol Schwartz to BEGA for a 6-year term.

(d) The Committee on the Judiciary held a public hearing on PR21-0436 on December 16, 2015.

(e) As there are currently 3 vacancies on BEGA and one member's term is set to expire in July 2016, it is necessary to confirm Ms. Schwartz's appointment on an emergency basis.

(f) Without her confirmation, the Board risks the loss of a quorum to conduct its business.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Board of Ethics and Government Accountability Carol Schwarz Emergency Confirmation Resolution of 2016 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-506

Emergency Declaration Res. 21-363 21 DCStat 2898

District of Columbia Board of Ethics and Government Accountability Carol Schwartz Emergency Confirmation Resolution of 2016

To confirm, on an emergency basis, the appointment of Ms. Carol Schwartz to the District of Columbia Board of Ethics and Government Accountability.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Ethics and Government Accountability Carol Schwartz Emergency Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Carol Schwartz
2029 Connecticut Avenue, N.W.
Washington, D.C. 20008
(Ward 1)

as a member of the District of Columbia Board of Ethics and Government Accountability, established by section 202 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.02), for a term to end July 1, 2020.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-504

***See* Emergency D.C. Act 21-273 21 DCStat 2719**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014; and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any certificate of occupancy or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the certificate of occupancy or permit.

Marijuana Possession Decriminalization Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Marijuana Possession Decriminalization Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) On March 4, 2014, the Council of the District of Columbia enacted the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; 61 DCR 3482).

(b) Although the Marijuana Possession Decriminalization Amendment Act of 2014 decriminalizes the possession or transfer of one or fewer ounces of marijuana, it also makes plain that consumption of marijuana in a public space, which includes any place to which the public is invited, remains subject to criminal penalties.

(c) On November 4, 2014, District of Columbia voters approved the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153;62 DCR 880), which legalizes the possession and use of 2 or fewer ounces of marijuana under certain circumstances.

(d) When applied together, the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014 and the Marijuana Possession Decriminalization Amendment Act of 2014 continue to prohibit consumption of marijuana in a public space, including any place to which the public is invited. The measures do not further define a place to which the public is invited. Consequently, it is unclear whether a private club is a place to which the public is invited.

(e) In order to address whether marijuana consumption is permitted in a private club, on March 3, 2015, the Council approved the Marijuana Decriminalization Clarification Emergency Amendment Act of 2015, effective March 26, 2015 (D.C. Act 21-0019; 62 DCR 3857), and the Marijuana Decriminalization Clarification Temporary Amendment Act of 2015, effective June 4, 2015 (D.C. Law 21-0011; 62 DCR 4717), to clarify that, for the purposes of the act, a private

club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014.

(f) The emergency and temporary legislation additionally amended Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy, or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

(g) The Committee on the Judiciary held a public hearing on the permanent version of the legislation, Bill 21-107, on December 10, 2015, but the temporary legislation will expire on January 15, 2016, before the permanent version will be marked up by the Committee.

(h) In order to prevent a gap in the law, the Council must now pass this emergency and temporary legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Marijuana Possession Decriminalization Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-449

***See* Emergency D.C. Act 21-274 21 DCStat 2721**

To declare the existence of an emergency with respect to the need to create a rebate program for the installation and registration of a security camera system on the exterior of a building owned or leased as a residence, business, nonprofit, or religious institution, and to establish a special fund to implement the rebate program.

Private Security Camera Incentive Program Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Private Security Camera Incentive Program Emergency Declaration Resolution of 2016".

Sec. 2. (a) District residents, building owners, businesses, nonprofits, and religious institutions should be encouraged to take proactive steps to guard against criminal activity.

(b) In any criminal investigation, the availability of security camera footage is of significant assistance to law enforcement agencies, both to identify possible suspects and to determine how the crime was committed.

(c) The creation of an incentive program to purchase and install a security camera system and register the system with the Metropolitan Police Department ("MPD") would increase public safety.

(d) Registering a system will help MPD identify possible sources of video footage following crime in a neighborhood, and will increase the likelihood that, upon request, video footage will be shared with MPD to help identify suspects, shed light on how the crimes were committed, and possibly assist in prosecution.

(e) Even the visible presence of security cameras on the exterior of a building can serve as a deterrent to criminal activity; at the same time, the District government must emphasize that private security cameras under this incentive program are not to be used to intentionally monitor specific individuals conducting lawful activity.

(f) The District's public safety will immediately benefit from launching a security camera system incentive program.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Private Security Camera Incentive Program Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-539

See Emergency D.C. Act 21-302 21 DCStat 2799

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Street and Alley Closing and Acquisition Procedures Act of 1982 to allow for the temporary naming of an adopted or sponsored Department of Parks and Recreation athletic field in honor of a current or former professional sports player; and to amend the Recreation Act of 1994 to clarify that certain entities, including a nonprofit organization, may adopt or sponsor a Department of Parks and Recreation program, site, facility, field, or operation.

Athletic Field Naming and Sponsorship Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Athletic Field Naming and Sponsorship Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District of Columbia is undertaking a philanthropic partnership with the Washington Nationals baseball club to renovate a Department of Parks and Recreation athletic field slated for completion in the early spring of 2016.

(b) On September 16, 2015, Chairman Phil Mendelson and Councilmembers Evans, Allen, and Cheh introduced the Athletic Field Naming and Sponsorship Amendment Act of 2015, enacted on December 17, 2015 (D.C. Act 21-233; 62 DCR 16266) (the "permanent legislation"). The permanent legislation was referred to the Committee of the Whole, which reported the bill favorably on October 20, 2015. The legislation received final reading on December 1, 2015, but will not become effective until approximately March 5, 2016 due to the 30-day congressional review period.

(c) Companion emergency legislation, the Athletic Field Naming and Sponsorship Emergency Amendment Act of 2015, effective November 23, 2015 (D.C. Act 21-201; 62 DCR 15274) (the "emergency legislation"), was adopted by the Council at the time of the first reading of the permanent legislation on November 3, 2015, and will expire on February 21, 2016.

(d) Based on the schedule for the permanent legislation, it does not seem likely that the District will have the authority to enter into this agreement with sufficient time for the required agreements to be executed and the field renovations to occur.

(e) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the permanent legislation is law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Athletic Field Naming and Sponsorship Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-556

***See* Emergency D.C. Act 21-307 21 DCStat 2809**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Fiscal Year 2016 Budget Support Act of 2015, various other acts, and Title 47 of the District of Columbia Official Code to clarify provisions supporting the Fiscal Year 2016 budget; and to amend the Firearms Control Regulations Act of 1975 to clarify the descriptions of the boundaries around the White House and the U.S. Naval Observatory within which a concealed pistol licensee is prohibited from carrying a pistol.

Fiscal Year 2016 Budget Support Clarification Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2016 Budget Support Clarification Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) On June 30, 2015, the Council passed the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905) (the "Act"), and an emergency version of the Act, the Fiscal Year 2016 Budget Support Emergency Act of 2015, effective July 27, 2015 (D.C. Act 21-127; 62 DCR 10201).

(b) Subsequently, it was discovered that several provisions within those measures were in need of technical corrections or further clarification.

(c) On September 22, 2015, the Council passed the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act, effective October 1, 2015 (D.C. Act 21-164; 62 DCR 13734) (the "first emergency act"), which made several clarifications to the Act.

(d) On November 3, 2015, the Council passed the Fiscal Year 2016 Second Budget Support Clarification Emergency Amendment Act of 2015, effective November 23, 2015 (D.C. Act 21-202; 62 DCR 15276) (the "second emergency act"), which made other necessary clarifications to the Act.

(e) On December 1, 2015, the Council passed the Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015, enacted December 29, 2015 (D.C. Act 21-252; 63 DCR 264) (the "temporary act"), corresponding temporary legislation that combines the provisions of the first emergency act and the second emergency act.

(f) The provisions contained in the first emergency act were set to expire on January 14, 2015, but were continued by a third emergency measure, the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2016, effective January 27, 2016 (D.C. Act 21-292; 63 DCR _____) (the "third emergency act"). In addition to the provisions originally contained in the first emergency act, the third emergency act contained a technical clarification to Title 47 of the D.C. Official Code. Due to this additional clarification, the third emergency act was approved as standard emergency legislation and not as a congressional review emergency.

(g) The provisions contained in the second emergency act are set to expire on February 21,

2016. As the temporary act is not projected to become law until March 15, 2016, this congressional review emergency is necessary to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2016 Budget Support Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-369, effective February 2, 2016

A RESOLUTION

Proposed Resolution 21-541

***See* Emergency D.C. Act 21-303 21 DCStat 2801**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Day Care Policy Act of 1979 to address the growing needs for foster parents and support the foster care community by extending eligibility for subsidized child care to foster parents who may no longer be working but have some form of verifiable income, teen parents under 21 years of age who themselves are in foster care or wards of the District, and foster parents who are not working but who are enrolled in a verified job training or education program.

Foster Care Extended Eligibility Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Foster Care Extended Eligibility Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Foster Care Extended Eligibility Emergency Amendment Act of 2015, effective November 23, 2015 (D.C. Act 21-199; 62 DCR 15268), will expire on February 21, 2016.

(b) The Foster Care Extended Eligibility Temporary Amendment Act of 2015, enacted on December 17, 2015 (D.C. Act 21-235; 62 DCR 16270), is pending congressional review with a projected law date of March 5, 2016.

(c) The congressional review emergency is necessary to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Foster Care Extended Eligibility Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-550

***See* Emergency D.C. Act 21-304 21 DCStat 2803**

To declare the existence of an emergency, due to congressional review, with respect to the need to order the closing of portions of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128 in Ward 5.

Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close portions of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128, which are paper streets that traverse the site of the former McMillan Sand Filtration Plant in Ward 5. The McMillan site is owned by the District and the Office of the Deputy Mayor for Planning and Economic Development is actively overseeing its redevelopment into a mix of residential, commercial, and recreational uses. Emergency legislation to close the streets within the McMillan site is necessary to permit the immediate subdivision of the property into townhome, commercial, multifamily, and District parcels. Subdivision is necessary to ensure that the needed permits can be obtained, the land disposition and development agreements can be executed, and the complex horizontal and vertical development activities can be completed according to the project schedule and within the disposition authority provided for in the McMillan Townhomes Parcel, Commercial Parcel, and Multifamily Parcels Disposition Extension Approval Resolution of 2015, effective November 3, 2015 (Res. 21-253; 63 DCR _____). The development project was approved by the Council pursuant to the McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-705; 62 DCR 1091), the McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-706; 62 DCR 1094), and the McMillan Commercial Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-707; 62 DCR 1097).

(b) On November 3, 2015, the Council adopted the Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432 Emergency Act of 2015, effective November 30, 2015 (D.C. Act 21-216; 62 DCR 15646), to authorize the closure of the necessary portions of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W.. However, the emergency expires on February 28, 2016, and the corresponding permanent legislation is not expected to complete congressional review until March 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Congressional Review Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-551

See Emergency D.C. Act 21-305 21 DCStat 2805

To declare the existence of an emergency, due to congressional review, with respect to the need to approve the amended proposal for the property designated as Lot 25 in Square 526, which was previously conveyed to Golden Rule Plaza, Inc.

Plaza West Disposition Restatement Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Plaza West Disposition Restatement Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District conveyed property designated for tax and assessment purposes as Lot 25 in Square 526, commonly known as the Golden Rule Property ("Property"), to Golden Rule Plaza, Inc. ("Developer") on October 28, 2005, in accordance with the proposal submitted by the Developer.

(b) At the time of the conveyance, the proposed development included an affordable senior citizens apartment building, a senior day care facility, and an intergeneration center ("Initial Project").

(c) Since 2005, the Developer has been preparing the site and securing the financing for the redevelopment of the Property. During this time, the Initial Project has been revised to contain approximately 223 units of affordable housing, with supportive services, outdoor space, parking, and any ancillary uses allowed under applicable law ("Amended Project").

(d) Council approval is necessary to allow timely construction of the Amended Project in order to provide necessary affordable housing in the District.

(e) On November 3, 2015, the Council adopted the Plaza West Disposition Restatement Emergency Act of 2015, effective November 30, 2015 (D.C. Act 21-214; 62 DCR 15614), approving the amended proposal. However, the emergency expires on February 28, 2016, and the corresponding temporary legislation is not expected to complete congressional review until March 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Plaza West Disposition Restatement Congressional Review Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-372, effective February 2, 2016

A RESOLUTION

Proposed Resolution 21-538

***See* Emergency D.C. Act 21-301 21 DCStat 2769**

To declare the existence of an emergency, due to congressional review, with respect to the need to enact the Uniform Interstate Family Support Act, as revised with amendments officially adopted by the National Conference of Commissioners on Uniform State Laws and to ensure that the act will remain in effect without a gap in the law.

Uniform Interstate Family Support Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Uniform Interstate Family Support Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) There is an immediate need to implement the 2008 Amendments to the Uniform Interstate Family Support Act, as approved by the National Conference of Commissioners on Uniform State Laws. The Preventing Sex Trafficking and Strengthening Families Act, approved September 9, 2014 (Pub. L. No. 113-183; 128 Stat. 1919), requires that the 2008 Amendments be in effect in the District by January 1, 2016, as a prerequisite for continued federal financial support for child support enforcement and TANF.

(b) This congressional review emergency is necessary to prevent a gap in the law as the earlier emergency legislation, the Uniform Interstate Family Support Emergency Act of 2015, effective November 30, 2015 (D.C. Act 21-215; 62 DCR 15616), expires on February 28, 2016. The permanent legislation, the Uniform Interstate Family Support Act of 2015, enacted December 29, 2015 (D.C Act 21-249; 63 DCR 222), was transmitted to Congress on January 8, 2016, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until March 15, 2016.

(c) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the permanent legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Uniform Interstate Family Support Congressional Review Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-373, effective February 2, 2016

A RESOLUTION

Proposed Resolution 21-316

To declare that the District-owned real property located at 1336 8th Street, N.W., and known for tax and assessment purposes as Lot 0068 in Square 0399, is no longer required for public purposes.

8th & O Streets, N.W., Surplus Property Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "8th & O Streets, N.W., Surplus Property Declaration Resolution of 2016".

Sec. 2. Findings.

(a) The District is the owner of the real property located at 1336 8th Street, N.W., known for tax and assessment purposes as Lot 0068 in Square 0399 ("Property"). The Property consists of approximately 13,306 square feet of land.

(b) The Property is no longer required for public purposes because the Property's condition cannot viably accommodate a District agency use or other public use without cost-prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)(4)) ("Act"), by holding a public hearing on June 16, 2015, at Immaculate Conception Church/Center City Public Charter School, located at 711 N Street, N.W.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-317

To approve the disposition of District-owned real property located at 1336 8th Street, N.W., and known for tax and assessment purposes as Lot 68 in Square 399.

8th & O Streets, N.W., Disposition Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "8th & O Streets, N.W., Disposition Approval Resolution of 2016".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "CBE Agreement" means an agreement governing certain obligations of the Purchaser under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.) ("CBE Act"), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

(2) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.).

(3) "First Source Agreement" means an agreement with the District governing certain obligations of the Purchaser pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(4) "Property" means the real property located at 1336 8th Street, N.W., and known for tax and assessment purposes as Lot 68 in Square 399.

(5) "Purchaser" means, collectively, Roadside Development, LLC, with a business address of 1730 Rhode Island Avenue, N.W., Suite 512, Washington, D.C. 20036, its successor, or one of its affiliates or assignees approved by the Mayor, and Dantes Partners, LLC, with a business address of 701 Lamont Street, N.W., Washington, D.C. 20010, its successor, or one of its affiliates or assignees approved by the Mayor.

Sec. 3. Findings.

(a) The Property consists of an approximately 13,306 square foot parcel of land in the Shaw neighborhood of Ward 6, which is currently an unused parking lot.

(b) The intended use of the Property includes the following:

(1) Approximately 76 residential units, including approximately 23 affordable-housing units;

(2) Approximately 5,400 square feet of ground-floor retail space, including approximately 1,500 square feet allocated as community or parish-hall space for the Immaculate Conception Church;

(3) An underground parking garage with approximately 25 parking spaces;

(4) Approximately 25 off-site replacement parking spaces; and

(5) Any ancillary uses allowed under applicable law, and as further described in the term sheet submitted to the Council with this resolution.

(c) The Purchaser shall comply with the requirements of section 1(a-3) of An Act Authorizing the sale of certain real estate no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-3)), and the Disposition of District Land for Affordable Housing Amendment Act of 2013, effective March 10, 2015 (D.C. Law 20-193; 61 DCR 12407), dedicating approximately 30% of all multi-family units as affordable-housing units as described in subsection (b) of this section.

(d) The Purchaser shall enter into an agreement that requires the Purchaser to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract-dollar volume of the project, and requires, in accordance with section 2349a of the CBE Act (D.C. Official Code § 2-218.49a), at least 20% in equity participation and 20% in development participation of Certified Business Enterprises.

(e) The Purchaser shall enter into a First Source Agreement with the District that governs certain obligations of the Purchaser pursuant to section 4 of the First Source Employment Agreement of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment as a result of the construction on the Property.

(f) Pursuant to section 1(b)(8)(F) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)(8)(F)), the proposed method of disposition is a public or private sale to the bidder providing the most benefit to the District.

(g) All documents that are submitted with this resolution pursuant to section 1(b-1) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b-1)) ("Act"), shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act (D.C. Official Code § 10-801(b-1)(2)).

(h) The Council understands that the disposition shall be consistent with the terms of the documents submitted to the Council with this resolution, including the Disposition Analysis, Term Sheet, Land Disposition and Development Agreement with exhibits, and First Source Agreement.

Sec. 4. Approval of disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Purchaser.

(b) The Council approves the disposition of the Property.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 7. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-335

To declare that the District-owned real property located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., and known for tax and assessment purposes as Lots 0827 and 0833 in Square 0361, is no longer required for public purposes.

Grimke School, N.W., Surplus Property Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Grimke School, N.W., Surplus Property Declaration Resolution of 2016".

Sec. 2. Findings.

(a) The District is the owner of the real property located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., known for tax and assessment purposes as Lots 0827 and 0833 in Square 0361 ("Property"). The Property consists of the following 2 parcels:

(1) The first parcel consists of approximately 37,926 square feet of land that includes the historic Grimke School, which is approximately 52,356 gross square feet, the current location of the African American Civil War Museum, and accessory parking; and

(2) The second parcel consists of approximately 5,872 square feet of land.

(b) The Property is no longer required for public purposes because the Property's condition cannot viably accommodate a District agency use or other public use without cost-prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)(4)) ("Act"), by holding a public hearing on September 18, 2015, at the Thurgood Marshall Center, located at 1816 12th Street, N.W.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-336

To approve the disposition of District-owned real property located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., and known for tax and assessment purposes as Lots 827 and 833 in Square 361.

Grimke School, N.W., Disposition Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Grimke School, N.W., Disposition Approval Resolution of 2016".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.) ("CBE Act").

(2) "First Source Agreement" means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(3) "Property" means the real property located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., and known for tax and assessment purposes as Lots 827 and 833 in Square 361.

Sec. 3. Findings.

(a) The developer of the Property shall be Roadside Development, LLC, with a business address of 1730 Rhode Island Avenue, N.W., Suite 512, Washington, D.C. 20036, its successor, or one of its affiliates or assignees approved by the Mayor, and Sorg Architects, with a business address of 918 U Street, N.W., Washington, D.C. 20001, its successor, or one of its affiliates or assignees approved by the Mayor (collectively, the "Developer").

(b) The Property consists of the following:

(1) An approximately 38,000 square-foot parcel that includes the historic Grimke School, which is approximately 52,000 gross square feet and the current location of the African-American Civil War Museum, and accessory parking; and

(2) An approximately 5,900 square-foot adjacent parcel that is currently used for parking.

(c) The intended use of the Property includes the following:

(1) Renovation of the historic Grimke Elementary School as follows:

(A) Approximately 14,000 square feet of space for the African-American Civil War Memorial Museum in accordance with the African-American Civil War Memorial Freedom Foundation Inc., Museum Development Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12472);

(B) Approximately 12,500 square feet of space for nonprofit performing arts organizations; and

(C) Approximately 27,000 square feet of space for commercial office use;

(2) Replacement of the Grimke School addition and associated parking on 9 ½ Street, N.W., with 7 for-sale townhomes;

(3) Construction of a residential building on the surface parking lot at 912 U Street, N.W., with approximately 35 units, of which approximately 13 units shall be affordable-housing units, and approximately 3,000 square feet of ground-floor retail; and

(4) Any ancillary uses allowed under applicable law, and as further described in the term sheet submitted to the Council for consideration with this resolution.

(d) The Developer shall comply with the requirements of section 1(a-3) of An Act Authorizing the sale of certain real estate no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-3)), and the Disposition of District Land for Affordable Housing Amendment Act of 2013, effective March 10, 2015 (D.C. Law 20-193; 61 DCR 12407), dedicating approximately 30% of all multi-family units as affordable-housing units as described in subsection (c) of this section.

(e) The Developer shall enter into an agreement that requires the Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract-dollar volume of the project, and requires, in accordance with section 2349a of the CBE Act (D.C. Official Code § 2-218.49a), at least 20% in equity participation and 20% in development participation of Certified Business Enterprises.

(f) The Developer shall enter into a First Source Agreement with the District that governs certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265, dated November 9, 1983, regarding job creation and employment as a result of the construction on the Property.

(g) Pursuant to An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes ("Act"), approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq*.), the proposed method of disposition is a public or private sale to the bidder providing the most benefit to the District under section 1(b)(8)(F) of the Act (D.C. Official Code § 10-801(b)(8)(F)) for a portion of the Property, and a lease of greater than 20 years under section 1(b)(8)(C) of the Act (D.C. Official Code § 10-801(b)(8)(C)) for a portion of the Property, as further described in the documents submitted to the Council for consideration with this resolution.

(h) All documents that are submitted with this resolution pursuant to section 1(b-1) of the Act (D.C. Official Code § 10-801(b-1)) shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act (D.C. Official Code § 10-801(b-1)(2)).

(i) The Council understands that the disposition shall be consistent with the terms of the documents submitted to the Council with this resolution, including the Disposition Analysis, Term Sheet, Land Disposition and Development Agreement with exhibits, and First Source Agreement.

(j) The Council intends to approve additional legislation to require that $250,000.00 per tax year of tax revenue owed on the Property shall not go into the General Fund of the District of Columbia but shall be held to defray operating expenses of the African American Civil War Memorial Museum, beginning October 1, 2017.

Sec. 4. Approval of disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Developer.

(b) The Council approves the disposition of the Property.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 7. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-479

To confirm the appointment of Mr. Kristopher Johnson-Hoyle as a member of the Commission on the Fashion Arts and Events.

Commission on the Fashion Arts and Events Kristopher Johnson-Hoyle Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Fashion Arts and Events Kristopher Johnson-Hoyle Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Kristopher Johnson-Hoyle
1221 Massachusetts Avenue, S.E.
Washington, D.C. 20002
(Ward 6)

as a member of the Commission on the Fashion Arts and Events, established by section 2 of the Commission on Fashion Arts and Events Establishment Act of 2008, effective April 15, 2008 (D.C. Law 17-148; D.C. Official Code § 3-651), replacing Katherine R. Limon, for a term to end April 15, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-480

To confirm the appointment of Ms. Jacqueline Rodgers-Hart as a member of the Commission on the Fashion Arts and Events.

Commission on the Fashion Arts and Events Jacqueline Rodgers-Hart Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Fashion Arts and Events Jacqueline Rodgers-Hart Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Jacqueline Rodgers-Hart
1548 8th Street, N.W.
Washington, D.C. 20001
(Ward 6)

as a member of the Commission on the Fashion Arts and Events, established by section 2 of the Commission on Fashion Arts and Events Establishment Act of 2008, effective April 15, 2008 (D.C. Law 17-148; D.C. Official Code § 3-651*)*, replacing Michelle Shableski, for a term to end April 15, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-481

To confirm the appointment of Mr. Brandon Andrews as a member of the Commission on the Fashion Arts and Events.

Commission on the Fashion Arts and Events Brandon Andrews Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on the Fashion Arts and Events Brandon Andrews Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Brandon Andrews
2321 Lincoln Road, N.E.
Washington, D.C. 20002
(Ward 5)

as a member of the Commission on the Fashion Arts and Events, established by section 2 of the Commission on Fashion Arts and Events Establishment Act of 2008, effective April 15, 2008 (D.C. Law 17-148; D.C. Official Code § 3-651), replacing Janice Rankins, for a term to end April 15, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-380, effective February 2, 2016

A RESOLUTION

Proposed Resolution 21-489

To confirm the appointment of Mr. Adam Weers to the District of Columbia Boxing and Wrestling Commission.

District of Columbia Boxing and Wrestling Commission Adam Weers Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Boxing and Wrestling Commission Adam Weers Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Adam Weers
3260 Banneker Drive, N.E.
Washington, D.C. 20018
(Ward 5)

as a member and Chairperson of the District of Columbia Boxing and Wrestling Commission, established by section 5 of the District of Columbia Boxing and Wrestling Commission Act, effective October 8, 1975 (D.C. Law 1-20; D.C. Official Code § 3-604), replacing Bryan Scott Irving, for a term to end January 5, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-490

To confirm the appointment of Mr. Andrew Huff to the District of Columbia Boxing and Wrestling Commission.

District of Columbia Boxing and Wrestling Commission Andrew Huff Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Boxing and Wrestling Commission Andrew Huff Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Andrew Huff
1333 Hamilton Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a member of the District of Columbia Boxing and Wrestling Commission, established by section 5 of the District of Columbia Boxing and Wrestling Commission Act, effective October 8, 1975 (D.C. Law 1-20; D.C. Official Code § 3-604), replacing Sean Ponder, for a term to end January 5, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-382, effective February 2, 2016

A RESOLUTION

Proposed Resolution 21-492

To confirm the appointment of Ms. Kim Lockett to the District of Columbia Boxing and Wrestling Commission.

District of Columbia Boxing and Wrestling Commission Kim Lockett Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Boxing and Wrestling Commission Kim Lockett Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Kim Lockett
510 Decatur Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a member of the District of Columbia Boxing and Wrestling Commission, established by section 5 of the District of Columbia Boxing and Wrestling Commission Act, effective October 8, 1975 (D.C. Law 1-20; D.C. Official Code § 3-604), replacing Timothy Thomas, for a term to end January 5, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-524

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $22 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist Far Southeast Family Strengthening Collaborative, Inc. in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

Far Southeast Family Strengthening Collaborative, Inc. Revenue Bonds Project Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Far Southeast Family Strengthening Collaborative, Inc. Revenue Bonds Project Approval Resolution of 2016".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be Far Southeast Family Strengthening Collaborative, Inc., a nonprofit corporation organized under the laws of the District of Columbia, which is exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3) and organized under the laws of the District and which is liable for the repayment of the Bonds.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the

issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Mayor" means the Mayor of the District of Columbia.

(13) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) The acquisition, development, construction, and renovation of an approximately 22,177 square-foot building located on Lot 827 in Square 5773, on the east side of Martin Luther King Jr. Avenue, S.E., between U Street, S.E. and V Street, S.E., in Washington, D.C. ("Existing Facility");

(B) The construction and equipping of a 10,842 square-foot addition ("New Addition") to the Existing Facility (New Addition together with the Existing Facility, "Facility"); which Facility will be used by the Borrower as an office building and certain portions of the building will be leased for retail purposes;

(C) Funding any credit enhancement costs, liquidity costs, or debt service reserve fund; and

(D) Paying costs of issuance and other related costs to the extent permissible.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of

undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed $22 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of facilities used to house and equip operation related to the study, development, application or production of innovative commercial or industrial technologies and social services, within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $22 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations

that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-438

To confirm the appointment of Ms. Jamira Burley to the Police Complaints Board.

Police Complaints Board Jamira Burley Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Jamira Burley Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Jamira Burley
3636 16th Street NW, Apt 1240B
Washington, D.C. 20010
(Ward 1)

as a member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-464

To appoint Ms. Emily Smith Goering to the Citizen Review Panel.

Citizen Review Panel Emily Smith Goering Appointment Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Citizen Review Panel Emily Smith Goering Appointment Resolution of 2016".

Sec. 2. The Council of the District of Columbia appoints:

Ms. Emily Smith Goering
518 Oklahoma Avenue, N.E.
Washington, D.C. 20002
(Ward 7)

as a member and Vice Chairperson of the Citizen Review Panel, established by section 351 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 12, 2005 (D.C. Law 15-341; D.C. Official Code § 4-1303.51), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the Chairperson of the Citizen Review Panel, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-465

To appoint Ms. Michelle A. McLeod to the Citizen Review Panel.

Citizen Review Panel Michelle A. McLeod Appointment Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Citizen Review Panel Michelle A. McLeod Appointment Resolution of 2016".

Sec. 2. The Council of the District of Columbia appoints:

Ms. Michelle A. McLeod
1101 3rd Street, S.W.
Washington, D.C. 20024
(Ward 6)

to the Citizen Review Panel, established by section 351 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 12, 2005 (D.C. Law 15-341; D.C. Official Code § 4-1303.51), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the Chairperson of the Citizen Review Panel, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-466

To appoint Ms. Marie Cohen to the Citizen Review Panel.

Citizen Review Panel Marie Cohen Appointment Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Citizen Review Panel Marie Cohen Appointment Resolution of 2016".

Sec. 2. The Council of the District of Columbia appoints:

Ms. Marie Cohen
330 9th Street, S.E.
Washington, D.C. 20003
(Ward 6)

to the Citizen Review Panel, established by section 351 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 12, 2005 (D.C. Law 15-341; D.C. Official Code § 4-1303.51), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the Chairperson of the Citizen Review Panel, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-467

To reappoint Mr. Fred Taylor to the Children and Youth Investment Trust Corporation Board of Directors.

Children and Youth Investment Trust Corporation Board of Directors Fred Taylor Reappointment Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Children and Youth Investment Trust Corporation Board of Directors Fred Taylor Reappointment Resolution of 2016".

Sec. 2. The Council of the District of Columbia reappoints:

Mr. Fred Taylor
124 S Street, N.W.
Washington, D.C. 20001
(Ward 5)

to the Board of Directors of the Children and Youth Investment Trust Corporation, established pursuant to section 2404 of the Children and Youth Initiative Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; 46 DCR 6408), for a 2-year term to end May 30, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the chairperson of the Board of Directors of the Children and Youth Investment Trust Corporation, and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-468

To reappoint Ms. Jennifer Budoff to the Children and Youth Investment Trust Corporation Board of Directors as a non-voting advisor.

Children and Youth Investment Trust Corporation Board of Directors Jennifer Budoff Reappointment Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Children and Youth Investment Trust Corporation Board of Directors Jennifer Budoff Reappointment Resolution of 2016".

Sec. 2. The Council of the District of Columbia reappoints:

Ms. Jennifer Budoff
4410 49th Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a non-voting advisor to the Board of Directors of the Children and Youth Investment Trust Corporation, established pursuant to section 2404 of the Children and Youth Initiative Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; 46 DCR 6408), for a 2-year term to end April 19, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the chairperson of the Board of Directors of the Children and Youth Investment Trust Corporation, and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-495

***See* Emergency D.C. Act 21-295 21 DCStat 2763**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A with Chiaramonte Construction Company for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of $1,200,000.00 for the goods and services received and to be received under the modifications.

Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A and Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A and Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A for snow and ice removal and pre-treatment services, and to authorize payment in the aggregate amount of $1,200,000.00 for the goods and services received and to be received under the modifications.

(b) Contract No. DCAM-14-NC-0179A was competitively bid and awarded to Chiaramonte Construction Company, in the amount of $700,000.00 for the base year. Thereafter, the Department of General Services issued Modification Nos. 01 and 02 at no cost and Modification No. 03, which increased the contract value by $295,000.00 to $995,000.00. Modification No. 04 increased the contract value by $40,932.00 to $ 1,035,932.00 and therefore necessitated Council approval.

(c) Modification No. 05 exercised a portion of Option Year One in the amount of $400,000.00. Modification No. 06 exercised the remaining portion of Option Year One in the amount of $550,000.00. Neither modification required Council approval.

(d) Modification No. 07, which increases the contract amount for Option Year One by $250,000.00, will cause the aggregate value of Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51). Approval of Modification Nos. 05, 06, and 07, and the authorization of payment in the amount of $1,200,000.00 is necessary to compensate Chiaramonte Construction Company for snow and ice removal and pre-treatment services provided and to be provided during Option Year One.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 05, 06, and 07 to Contract No. DCAM-14-NC-0179A Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-497

***See* Emergency D.C. Act 21-296 21 DCStat 2764**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B with Community Bridge, Inc. for snow and ice removal and pre-treatment Services , and to authorize payment in the aggregate amount of $1,200,000.000 for the goods and services received and to be received under the modifications.

Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2.(a) There exists an immediate need to approve Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B for snow and ice removal and pre-treatment services and to authorize payment in the aggregate amount of $1,200,000.00 for the goods and services received and to be received under the modifications.

(b) Contract No. DCAM-14-NC-0179B was competitively bid and awarded to Community Bridge, Inc. in the amount of $700,000.00 for the base year. Thereafter, the Department of General Services issued Modification Nos. 01 and 02 at no cost and Modification No. 03, which increased the contract value by $295,000.00 to $995,000.00. Modification No. 04 increased the contract value by $50,105.00 to $1,045,105.00 and therefore necessitated Council approval.

(c) Modification No. 05 exercised a portion of Option Year One in the amount of $400,000. Modification No. 06 was a no-cost administrative action. Modification No. 07 exercised the remaining portion of Option Year One in the amount of $550,000.00. None of these modifications required Council approval.

(d) Modification No. 08, which increases the contract amount for Option Year One by $250,000.00, will cause the aggregate value of Modification Nos. 05, 07, and 08 to Contract No. DCAM-14-NC-0179B to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51). Approval of Modification Nos. 05, 07, and 08, and the authorization of payment in the amount of $1,200,000.00 is necessary to compensate Community Bridge, Inc., for snow and ice removal and pre-treatment services provided and to be provided during Option Year One.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 05, 07 and 08 to Contract No. DCAM-14-NC-0179B Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-520

See Emergency D.C. Act 21-297 21 DCStat 2765

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001A with Blue Skye Construction, LLC for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001A Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001A Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001A with Blue Skye Construction, LLC for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

(b) Contract No. DCAM-14-CS-0001A (the "Contract") was approved by the Council with an established not-to-exceed value of $10 million and 2 one-year options to extend the term of the Contract. All work under the Contract was to be awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract.

(c) The base year of the Contract ended on September 30, 2014. Option year one of the Contract was exercised in part in mid-October 2014 through a bilateral letter agreement. Subsequently, the Council approved the full exercise of option year one, in the aggregate not-to-exceed amount of $10 million.

(d) Thereafter, in Fiscal Year 2016, the Department of General Services partially exercised option year 2 of the Contract in the not-to-exceed amount of $975,000.00. Council approval is now required for the full exercise of option year 2, to extend the term of the Contract through Fiscal Year 2016. The terms and conditions of the Contract have not changed, and the aggregate not-to-exceed value of option year 2 would be increased to $10 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001A Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-521

See Emergency D.C. Act 21-298 21 DCStat 2766

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001E with HRGM Corporation for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001E Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001E Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001E with HRGM Corporation for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

(b) Contract No. DCAM-14-CS-0001E (the "Contract") was approved by the Council with an established not-to-exceed value of $10 million and 2 one-year options to extend the term of the Contract. All work under the Contract was to be awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract.

(c) The base year of the Contract ended on September 30, 2014. Option year one of the Contract was exercised in part in mid-October 2014 through a bilateral letter agreement. Subsequently, the Council approved the full exercise of option year one in the aggregate not-to-exceed amount of $10 million.

(d) Thereafter, in Fiscal Year 2016, the Department of General Services partially exercised option year 2 of the Contract in the not-to-exceed amount of $975,000.00. Council approval is now required for the full exercise of option year 2, to extend the term of the Contract through Fiscal Year 2016. The terms and conditions of the Contract have not changed, and the aggregate not-to-exceed value of option year 2 would be increased to $10 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001E Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-523

See Emergency D.C. Act 21-299 21 DCStat 2767

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001G with Paige Industrial Services, Inc. for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001G Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001G Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001G with Paige Industrial Services, Inc. for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

(b) Contract No. DCAM-14-CS-0001G was approved by the Council with an established not-to-exceed value of $10 million and 2 one-year options to extend the term of the Contract. All work under the Contract was to be awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract.

(c) The base year of the Contract ended on September 30, 2014. Option year one of the Contract was exercised in part in mid-October 2014 through a bilateral letter agreement. Subsequently, the Council approved the full exercise of option year one, in the aggregate not-to-exceed amount of $10 million.

(d) Thereafter, in Fiscal Year 2016, the Department of General Services partially exercised option year 2 of the contract in the not-to-exceed amount of $975,000.00. Council approval is now required for the full exercise of option year 2, to extend the term of the Contract through Fiscal Year 2016. The terms and conditions of the Contract have not changed, and the aggregate not-to-exceed value of option year 2 would be increased to $10 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001G Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-525

See Emergency D.C. Act 21-308 21 DCStat 2813

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001F with Keystone Plus Construction Corporation for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001F Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001F Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001F with Keystone Plus Construction Corporation for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

(b) Contract No. DCAM-14-CS-0001F (the "Contract") was approved by the Council with an established not-to-exceed value of $10 million and 2 one-year options to extend the term of the Contract. All work under the Contract was to be awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract.

(c) The base year of the Contract ended on September 30, 2014. Option year one of the Contract was exercised in part in mid-October 2014 through a bilateral letter agreement. Subsequently, the Council approved the full exercise of option year one, in the aggregate not-to-exceed amount of $10 million.

(d) Thereafter, in Fiscal Year 2016, the Department of General Services partially exercised option year 2 of the Contract in the not-to-exceed amount of $975,000.00. Council approval is now required for the full exercise of option year 2, to extend the term of the Contract through Fiscal Year 2016. The terms and conditions of the Contract have not changed, and the aggregate not-to-exceed value of option year 2 would be increased to $10 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001F Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-526

***See* Emergency D.C. Act 21-309 21 DCStat 2814**

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001C with Environmental Design and Construction LLC for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001C Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001C Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001C with Environmental Design and Construction LLC for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

(b) Contract No. DCAM-14-CS-0001C (the "Contract") was approved by the Council with an established not-to-exceed value of $10 million and 2 one-year options to extend the term of the Contract. All work under the Contract was to be awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract.

(c) The base year of the Contract ended on September 30, 2014. Option year one of the Contract was exercised in part in mid-October 2014 through a bilateral letter agreement. Subsequently, the Council approved the full exercise of option year one, in the aggregate not-to-exceed amount of $10 million.

(d) Thereafter, in Fiscal Year 2016, the Department of General Services partially exercised option year 2 of the Contract in the not-to-exceed amount of $975,000.00. Council approval is now required for the full exercise of option year 2, to extend the term of the Contract through Fiscal Year 2016. The terms and conditions of the Contract have not changed, and the aggregate not-to-exceed value of option year 2 would be increased to $10 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001C Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-397, effective February 2, 2016

A RESOLUTION

Proposed Resolution 21-529

***See* Emergency D.C. Act 21-310 21 DCStat 2815**

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096E with HRGM Corporation for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096E Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096E Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096E with HRGM Corporation for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of $2,495,463.02 for the goods and services received and to be received under option year 2 of the contract.

(b) The Department of General Services (the "Department") awarded Contract No. DCAM-14-CS-0096E (the "Contract") to HRGM Corporation to provide on-call construction, maintenance, and repair services at certain District facilities, which was submitted to the Council and approved. Subsequently, the Department exercised the first of the 2 one-year options contemplated by the Contract to extend the term of the Contract through Fiscal Year 2015; that action was also submitted to the Council for review and approval. Thereafter, the Department partially exercised the second option year on a zero-dollar basis and issued Change Order No. 001 in the amount of $750,000, Change Order No. 002 in the amount of $145,463.02, and Change Order No. 003 in the amount of $0, the aggregate value of which was $895,463.02; thus, Council approval was not required. The Department now desires to exercise option year 2 in full, via Change Order No. 004, and to provide additional funding as the term is extended.

(c) Council approval of Change Order No. 004 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the Change Order will increase the total expenditure under Contract No. DCAM-14-CS-0096E for option year 2 by an amount in excess of $1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096E Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-544

See Emergency D.C. Act 21-312 21 DCStat 2817

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096D with Paige Industrial Services, Inc. for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096D Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096D Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of option year 2, via Change Order No. 004, to Contract No. DCAM-14-CS-0096D with Paige Industrial Services, Inc. for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of $2,380,000.00 for the goods and services received and to be received under option year 2 of the contract.

(b) The Department of General Services (the "Department") awarded Contract No. DCAM-14-CS-0096D (the "Contract") to Paige Industrial Services, Inc. to provide on-call construction, maintenance, and repair services at certain District facilities, which was submitted to the Council and was approved. Subsequently, the Department exercised the first of the 2 one-year options contemplated by the Contract to extend the term of the Contract through Fiscal Year 2015; that action was also submitted to the Council for review and approval. Thereafter, the Department partially exercised the second option year on a zero-dollar basis and issued Change Order No. 001 in the amount of $750,000, Change Order No. 002 in the amount of $30,000.00, and Change Order No. 003 in the amount of $0, the aggregate value of which was $780,000.00; thus, Council approval was not required. The Department now desires to exercise option year 2 in full, via Change Order No. 004, and to provide additional funding as the term is extended.

(c) Council approval of Change Order No. 004 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the Change Order will increase the total expenditure under Contract No. DCAM-14-CS-0096D for option year 2 by an amount in excess of $1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096D Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-543

***See* Emergency D.C. Act 21-311 21 DCStat 2816**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 with Alternative Solutions for Youth to provide family reunification home services to District youth, and to authorize payment for the services received and to be received under the contract modifications.

Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 with Alternative Solutions for Youth to provide family reunification home services to District youth and to authorize payment for the services received and to be received under the contract modifications.

(b) On June 30, 2015, by Modification No. 10, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Youth Rehabilitation Services, exercised option year four of Human Care Agreement No. DCJZ-2011-H-0032 to provide family reunification home services to District youth for the period from July 6, 2015 to July 5, 2016 and issue task orders in the amount of $999,180.00.

(c) By Modification No. 11, OCP now seeks to increase the contract amount for option year four to $1,609,650.00.

(d) Council approval of Modification Nos. 10 and 11 is necessary because the modifications increase the contract amount by more than $1million during a 12-month period. Council approval is further necessary to allow the continuation of these vital services. Without this approval, Alternative Solutions for Youth cannot be paid for services provided in excess of $1 million for the contract period from July 6, 2015 through July 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 10 and 11 to Human Care Agreement No. DCJZ-2011-H-0032 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-493

To approve an agreement to enter into a long term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-05A with Plaza West, LLC, for program units located at 1035 4th Street, N.W., and 307 K Street, N.W.

Local Rent Supplement Program Contract No. 2014-LRSP-05A Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-05A Approval Resolution of 2016".

Sec. 2. (a) In 2007, the District passed title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsored-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In April 2014, DCHA participated in a Request for Proposals ("RFP") issued by the District of Columbia Department of Housing and Community Development ("DHCD"). Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units throughout the District for extremely low-income families making from 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the agreement to enter into a long-term contract ("ALTSC") by the Council, DCHA will execute the agreement with the selected housing provider under the LRSP.

(c) There exists an immediate need to approve the ALTSC with Plaza West, LLC, in order to provide long-term affordable housing units for extremely low-income households in the District for units located at 1035 4th Street, N.W., and 307 K Street, N.W. ("Plaza West").

(d) The Council's approval authorizes the ALTSC between the DCHA and Plaza West, LLC, with respect to the payment of rental subsidy, and allows the owner to lease 11 newly constructed units at Plaza West and house District extremely low-income households with incomes at 30% or less of the area median income. For the eleven units, 6 households will be referred by the Department of Behavioral Health and 5 grandfamilies will be referred by the owner.

Sec. 3. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the ALTSC with Plaza West, LLC for the creation of 11 affordable housing units in an initial amount not to exceed $166,200 annually.

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to DCHA and the Mayor.

Sec. 5. The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. This resolution shall take effect immediately.

D.C. Resolution 21-401, effective February 2, 2016

A RESOLUTION

Proposed Resolution 21-555

***See* Emergency D.C. Act 21-306 21 DCStat 2807**

To declare the existence of an emergency with respect to the need to amend the Youth Employment Act of 1979 to authorize the Mayor to provide employment or work readiness training for participants 14 through 24 years of age.

Marion S. Barry Summer Youth Employment Expansion Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Marion S. Barry Summer Youth Employment Expansion Emergency Declaration Resolution of 2016".

Sec. 2.(a) In 2015, the Council enacted the Youth Employment and Work Readiness Training Emergency Amendment Act of 2015, effective May 26, 2015 (D.C. Act 21-73; 62 DCR 6884) ("emergency legislation"), which provided the Mayor with the authority to allow up to 1,000 youth 22 to 24 years of age to participate in the Marion S. Barry Summer Youth Employment Program ("MBSYEP"). The emergency legislation expired on August 24, 2015.

(b) In 2015, the Department of Employment Services ("DOES") received 2,526 applications for participation in MBSYEP from youth 22 to 24 years of age. Due to the high interest from this age group, permanent legislation allowing up to 1,000 youths in this group to participate in MBSYEP is currently under Council review.

(c) Forty percent of the District's unemployed residents have less than a Bachelor's degree, while 61% of jobs in the District require a Bachelor's degree or higher. Consequently, it is imperative that older youths who lack the necessary education to obtain the majority of jobs in the District be given the opportunity to gain meaningful work experience to prepare them for long-term careers in the future.

(d) The start date for MBSYEP is January 29, 2016. To provide the 1,000 spots for youth 22 to 24 years of age in 2016, as well as provide those participants with the full experience of MBSYEP, this emergency is necessary to provide the Mayor with the authority to accept applications from this age group at the start of the application process.

(e) To allow the DOES to provide this older age group with the services and experiences they need, it is crucial that youths 22 to 24 years of age be able to participate in MBSYEP as well as gain access to the pre-program assistance available to the other participants in the program by providing the Mayor with the authority to expand the program to include youth 22 to 24 years of age.

(f) Further, this legislation will align the District with the federal programs of the Workforce Innovation and Opportunity Act, approved July 22, 2014 (Pub. L. No 113-128; 128 Stat. 1425), which have expanded youth programming to include youth up to 24 years of age. The expansion of MBSYEP will provide the older youth who participate in MBSYEP an entrée to federal training and employment readiness programs and year-round support.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Marion S. Barry Summer Youth Employment Expansion Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-554

See Emergency D.C. Act 21-314 21 DCStat 2820

To declare the existence of an emergency with respect to the need to amend the Protecting Pregnant Workers Fairness Act of 2014 to require an employer to make a reasonable accommodation for an employee whose ability to perform the functions of the employee's job are affected by a pre-birth complication.

Protecting Pregnant Workers Fairness Emergency Declaration Resolution of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Protecting Pregnant Workers Fairness Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Protecting Pregnant Workers Fairness Act of 2014, effective March 3, 2015 (D.C. Law 20-168; 61 DCR 11368) ("PPWFA"), was enacted to protect pregnant workers from having to choose between their health or the viability of their pregnancy and their jobs.

(b) However, the PPWFA does not adequately address pre-birth complications. The Protecting Pregnant Workers Fairness Amendment Act of 2016, as introduced on January 5, 2016 (Bill 21-563), which will strengthen the PPWA by adding protections for pregnant workers suffering from pre-birth complications, is under Council review.

(c) Emergency legislation is necessary to protect pregnant workers experiencing pre-birth complications by requiring an employer to make reasonable accommodation for such an employee and prohibiting the employer from taking adverse action against the employee for being absent from work as a result of a pre-birth complication.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Protecting Pregnant Workers Fairness Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-549

***See* Emergency D.C. Act 21-313 21 DCStat 2818**

To declare the existence of an emergency with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to revise the salary limitation for the Chancellor of the District of Columbia Public Schools and to authorize the provision of certain employment benefits to the Chancellor.

Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Emergency Declaration Resolution of 2016".

Sec. 2. (a) Kaya Henderson was appointed Interim Chancellor of the District of Columbia Public Schools ("DCPS") on November 1, 2010. On March 11, 2011, she was nominated to serve as Chancellor of DCPS and was unanimously confirmed by the Council on June 21, 2011. She has served as Chancellor continuously since that time.

(b) Over the past 5 1/2 years under Chancellor Henderson's leadership, DCPS has realized dramatic improvements toward the goals of increasing District-wide math and reading proficiency, improving the proficiency rates of DCPS' lowest-performing schools, increasing high school graduation rates, improving student satisfaction, and increasing DCPS' overall enrollment.

(c) According to the National Assessment of Education Progress's 2015 Trial Urban District Assessment results, DCPS continues to be the fastest-improving urban school district in the country. DCPS students grew by 8 points in 4th grade reading over the 2013 test, representing the biggest increase of any school district and the largest increase in the history of the 4th grade reading test. DCPS students also saw a 4-point increase in 4th grade math scores.

(d) The percentage of DCPS high school students who graduate in 4 years has increased by 6 percentage points, from 58% to 64%. Last school year, 52% more students took Advanced Placement exams compared to 5 years ago. Student satisfaction at DCPS has also vastly improved, going from 65% when Chancellor Henderson started in the role to 83% at the end of school year 2014-2015.

(e) Under Chancellor Henderson's leadership, DCPS has increased its audited enrollment with 4 consecutive years of growth, enrolling the highest number of students in over 5 years. DCPS is on track to meet its goal of enrolling more than 50,000 students by 2017.

(f) Based on the dramatic improvements achieved under the steady leadership of the Chancellor over the last 5 1/2 years and the commitment to continuing the progress of DCPS, the Mayor has signed a new contract that increases the Chancellor's present salary and provides for certain employment benefits.

(g) There is an immediate need to approve the salary and benefits provided under the contract in order to ensure the retention of the Chancellor and to allow for the prompt payment of the negotiated salary. The Chancellor's previous contract has expired, and the new contract was signed effective January 2, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-527

***See* Emergency D.C. Act 21-300 21 DCStat 2768**

To declare the existence of an emergency with respect to the need to extend Contract No. CFOPD-11-C-023 with Citibank, N.A. for it to continue to provide a wide variety of general banking services to the District of Columbia and to authorize payment for the services received and to be received under the contract.

Contract No. CFOPD-11-C-023 Extension Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-11-C-023 Extension Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the extension of Contract No. CFOPD-11-C-023 with Citibank, N.A. for it to continue to provide a wide variety of general banking services to the District of Columbia and to authorize payment for the services received and to be received under the contract.

(b) On December 29, 2015, the Office of the Chief Financial Officer executed Modification No. 13, partially exercising a 5-year option period under Contract No. CFOPD-11-C-023 for the period of January 20, 2016, through February 19, 2016, in the amount of $226,166.

(c) Proposed Modification No. 14 will exercise the remainder of the 5-year option period of Contract No. CFOPD-11-C-023 from February 20, 2016, through January 19, 2021, in the amount of $6,473,834.

(d) Council approval is necessary because Modification No. 14 increases the contract to one of more than $1 million during a 12-month period and the total term of the option is more than one year. Council approval is further necessary to allow the continuation of these vital services and to allow Citibank, N.A. to continue performance under the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CFOPD-11-C-023 Extension Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-457

See Emergency D.C. Act 21-294 21 DCStat 2762

To declare the existence of an emergency with respect to the need to approve Modification No. 00002 and proposed Modification No. 00003 to Human Care Agreement No. DCJM-2013-H-0007-02 with St. John's Community Services to continue to provide residential habilitation, supported living and host home services for persons with intellectual and developmental disabilities, and to authorize payment for the services received and to be received under the contract modifications.

Modifications 00002 and 00003 to Human Care Agreement No. DCJM-2013-H-0007-02 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications 00002 and 00003 to Human Care Agreement No. DCJM-2013-H-0007-02 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Modification No. 00002 and proposed Modification No. 00003 to Human Care Agreement ("HCA") No. DCJM-2013-H-0007-02 with St. John's Community Services ("St. John's") to provide residential habilitation, supported living and host home services for persons with intellectual and developmental disabilities, and to authorize payment for the services received and to be received under these modifications.

(b) On December 1, 2013, the District of Columbia ("District") Department on Disability Services ("DDS") entered into HCA No. DCJM-2013-H-0007-02 with St. John's to provide residential habilitation, supported living and host home services for persons with intellectual and developmental disabilities from December 1, 2013, through November 30, 2014, in the total estimated contract amount of $2,251,661.25.

(c) On November 29, 2014, by Modification No. 00001, DDS exercised Option Year One and extended the term of the HCA for the period from December 1, 2014, through November 30, 2015, in the estimated contract amount of $2,222,825.29.

(d) On November 17, 2015, by Modification No. 00002, DDS partially exercised Option Year 2 to extend the term of the HCA from December 1, 2015, through April 30, 2016, in the estimated contract amount of $753,556.84.

(e) By proposed Modification No. 00003, DDS intends to exercise the remainder of Option Year 2 from May 1, 2016, through November 30, 2016, in the estimated contract amount of $1,507,113.77. The total estimated contract amount for Option Year 2 is $2,260,670.61.

(f) Council approval is necessary since the modifications and contract are more than $1 million during a 12-month period.

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, St. John's cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications 00002 and 00003 to Human Care Agreement No. DCJM-2013-H-0007-02 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-564

***See* Emergency D.C. Act 21-326 21 DCStat 2822**

To declare the existence of an emergency, due to congressional review, with respect to the need to the amend the Homeless Services Reform Act of 2005 to authorize the Mayor to place a family that does not have a safe-housing alternative in a temporary interim eligibility placement pending a determination of eligibility for shelter and an assessment of the supportive services necessary to assist the family in obtaining sustainable permanent housing, to authorize the Mayor to provide shelter to a family in a private room meeting certain minimum standards and constructed for the purpose of closing the District of Columbia General Family Shelter, to add an expedited appeals process for a family that is denied eligibility for shelter following an interim eligibility placement, and to provide that a family may continue in an interim eligibility placement pending the outcome of an appeal of a denial of eligibility for shelter.

Interim Eligibility and Minimum Shelter Standards Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interim Eligibility and Minimum Shelter Standards Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) On November 3, 2015, the Council passed the Interim Eligibility and Minimum Shelter Standards Emergency Amendment Act of 2015, effective November 30, 2015 (D.C. Act 21-217; 62 DCR 15648) (the "emergency legislation") to codify the current practice of the Department of Human Services ("DHS") of temporarily placing a family seeking shelter into shelter before making a final eligibility determination, to establish an appeals process for a family ultimately determined to be ineligible for shelter during an interim eligibility placement, and to authorize the Mayor to utilize private rooms rather than apartment-style units as shelter for families.

(b) On December 1, 2015, the Council passed a permanent version of the emergency legislation, the Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015, enacted on December 29, 2015 (D.C. Act 21-251; 63 DCR 257) (the "permanent legislation").

(c) The emergency legislation is set to expire on February 28, 2016; however, the permanent legislation is not projected to become law until March 15, 2016. A congressional review emergency is necessary to ensure that the provisions of the emergency legislation continue in effect, without interruption, until the permanent legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Interim Eligibility and Minimum Shelter Standards Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-565

***See* Emergency D.C. Act 21-327 21 DCStat 2828**

To declare the existence of an emergency with respect to the need to amend the Retired Police Officer Redeployment Amendment Act of 1992 to allow for the rehiring of retired Metropolitan Police Department officers by the Department of Forensic Sciences without jeopardy to their retirement benefits.

Crime Scene Investigator Hiring Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Crime Scene Investigator Hiring Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) By removing the financial disincentive to retired Metropolitan Police Department ("MPD") officers from being hired as crime scene specialists by the Department of Forensic Sciences, the District benefits from those officers' many years of highly specialized expertise remaining here in the District, rather than being used in another jurisdiction.

(b) This legislation will also allow MPD to "civilianize" those crime scene investigator positions with civilian professionals, rather than using officers who can be better utilized by patrolling the streets. It is commonsensical that more officers on our streets will help protect our residents, businesses, and visitors.

(c) The underlying emergency legislation was introduced by the Mayor as a provision in the Public Safety and Criminal Code Revisions Amendment Act of 2015, as introduced on September 21, 2015 (Bill 21-357), and was included in the committee print of the Neighborhood Engagement Achieves Results Amendment Act of 2016, passed on 1st reading on February 2, 2016 (Engrossed version of Bill 21-360).

(d) Enactment of this emergency legislation will immediately allow the Department of Forensic Sciences to hire qualified, retired MPD officers as crime scene specialists. Their services are important to ensuring the safety of the District of Columbia.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Crime Scene Investigator Hiring Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-589

See Emergency D.C. Act 21-328 21 DCStat 2830

To declare the existence of an emergency, due to congressional review, with respect to the need to amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to clarify that the posting requirement in section 5a is satisfied by posting the initial vacant or blight determination.

Nuisance Abatement Notice Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Nuisance Abatement Notice Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Nuisance Properties Abatement Reform and Real Property Classification Amendment Act of 2008, effective August, 15, 2008 (D.C. Law 17-216; 55 DCR 7500), created a requirement that all notices specified by the nuisance act be provided by mail and by posting at the subject property. Previously, posting was required only when the registration status of the subject property changed or needed to change.

(b) On October 17, 2014, a judge in the Office of Administrative Hearings dismissed a notice of infraction issued by the Department of Consumer and Regulatory Affairs because, inter alia, the notice failed to satisfy the posting requirement.

(c) Prior to the decision of the Office of Administrative Hearings, the Department of Consumer and Regulatory Affairs had been posting notice at the subject property only when the subject property changed or needed to change.

(d) Without clarifying that the provision should apply only to registration-status changes, the Department of Consumer and Regulatory Affairs would be required to devote considerable resources to posting duplicative notices at a subject property rather than devoting those resources to registering and monitoring other vacant properties. All notices would still be required to be provided by United States mail.

(e) The Nuisance Abatement Notice Temporary Amendment Act of 2015, effective April 30, 2015 (D.C. Law 20-252; 62 DCR 1958) ("temporary legislation"), which addressed the above-referenced issue, has expired.

(f) The Nuisance Abatement Notice Amendment Act of 2015, enacted January 12, 2016 (D.C. Act 21-260; 63 DCR 760) ("permanent legislation"), is projected to become law on March 8, 2016.

(g) It is important that the provisions of the temporary legislation remain effective, without interruption, until the permanent legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Nuisance Abatement Notice Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-409, effective March 1, 2016

A RESOLUTION

Proposed Resolution 21-574

See Emergency D.C. Act 21-329 21 DCStat 2831

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Firearms Control Regulations Act of 1975 to extend to January 1, 2018 the date for implementation of the microstamping requirement for semiautomatic pistols.

Microstamping Implementation Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Microstamping Implementation Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) D.C. Law 17-372, the Firearms Registration Amendment Act of 2008, added to the firearms law a requirement that newly-manufactured semiautomatic pistols be "microstamp-ready."

(b) Microstamping creates microscopic markings on a cartridge after a firearm is fired that identify the make, model, and serial number of the firearm, allowing law enforcement to identify a firearm the first time it is used in a crime.

(c) In 2007, California became the first state to require microstamping on all new models sold in the state.

(d) The District's microstamping requirement was initially to be implemented in 2011, in order to incorporate best practices learned from California's experience. However, D.C. Law 18-377, the Criminal Code Amendment Act of 2010, delayed the applicability date from January 1, 2011, until January 1, 2013. At that time, California had only recently issued regulations on microstamping. Because California was only beginning to put microstamping into practice, the Council voted to delay the District's implementation in order to allow the model being developed in California to be further refined.

(e) D.C. Law 19-170, the Firearms Amendment Act of 2012, again delayed—to January 1, 2014—implementation of microstamping in the District after the process faced further delay in California due to patents on the technology. Implementation was postponed because of the very small nature of the District's market. The view was that once California, a much larger market, implemented microstamping, it would become more feasible for implementation in the District.

(f) As California continues to work toward implementation of the microstamping requirements it is necessary to again delay the implementation of the District's microstamping requirement to allow for more time for the requirement and implementation to take hold in California.

(g) An emergency measure, the Microstamping Implementation Emergency Amendment Act of 2015, effective January 6, 2016 (D.C. Act 21-258; 63 DCR 530), was adopted by the Council in December 2015 to delay the implementation requirement from

January 1, 2016 to January 1, 2018. That emergency measure will expire on March 31, 2016, with the corresponding temporary measure, the Microstramping Implementation Temporary Amendment Act of 2015, enacted on January 21, 2016 (D.C. Act 21-277; 63 DCR 993), not projected to become law until April 5, 2016. As such it is necessary to adopt an additional emergency to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the "Microstamping Implementation Congressional Review Emergency Amendment Act of 2016" be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately

A RESOLUTION

Proposed Resolution 21-439

To confirm the appointment of Ms. Laine Cidlowski as the Food Policy Director of the Office of Planning.

Food Policy Director Laine Cidlowski Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Director Laine Cidlowski Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Laine Cidlowski
36 Rhode Island Avenue, N.E.
Washington, D.C. 20002
(Ward 5)

as the Food Policy Director of the Office of Planning and a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-440

To confirm the appointment of Mr. Evangelos S. "Spike" Mendelsohn as a voting member of the Food Policy Council.

Food Policy Council Spike Mendelsohn Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Spike Mendelsohn Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Evangelos S. "Spike" Mendelsohn
1026 16th Street, N.W.
Washington, D.C. 20036
(Ward 2)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-441

To confirm the appointment of Ms. Claire Benjamin as a voting member of the Food Policy Council.

Food Policy Council Claire Benjamin Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Claire Benjamin Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Claire Benjamin
2144 California Street, N.W.
Washington, D.C. 20008
(Ward 2)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-442

To confirm the appointment of Mr. Jeremiah Lowery as a voting member of the Food Policy Council.

Food Policy Council Jeremiah Lowery Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Jeremiah Lowery Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jeremiah Lowery
4612 Georgia Avenue, N.W.
Washington, D.C. 20011
(Ward 4)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-443

To confirm the appointment of Mr. Jonas Singer as a voting member of the Food Policy Council.

Food Policy Council Jonas Singer Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Jonas Singer Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jonas Singer
516 T Street, N.W.
Washington, D.C. 20001
(Ward 1)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-415, effective March 1, 2016

A RESOLUTION

Proposed Resolution 21-404

To declare that the District-owned real property located between 1300 and 1100 Alabama Avenue, S.E., and known for tax and assessment purposes as Lots 809, 811, 812, 813, and 823 in Square S-5868, is no longer required for public purposes.

St. Elizabeths East Campus – Phase I Surplus Property Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "St. Elizabeths East Campus – Phase I Surplus Property Declaration Resolution of 2016".

Sec. 2. Findings.

(a) The District is the owner of the real property located between 1300 and 1100 Alabama Avenue, S.E., known for tax and assessment purposes as Lots 809, 811, 812, 813, and 823 in Square S-5868 ("Property"). The Property consists of approximately 685,918 square feet of land, or approximately 15.72 acres, that includes vacant parcels and historic vacant buildings.

(b) The Property is no longer required for public purposes because the Property's condition cannot viably accommodate a District agency use or other public use without cost-prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(a-1)(4) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)(4)) ("Act"), by holding a public hearing on September 19, 2015, at the R.I.S.E Demonstration Center, located at 2730 Martin Luther King Jr. Avenue, S.E.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.
This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-469

To confirm the appointment of Mr. Anthony Wash to the District of Columbia Taxicab Commission.

District of Columbia Taxicab Commission Anthony Wash Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Taxicab Commission Anthony Wash Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Anthony Wash
106 16th Street, S.E.
Washington, D.C. 20003
(Ward 6)

as a public member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), replacing Gladys Mack, for an unexpired term to end May 4, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-419, effective March 1, 2016

A RESOLUTION

Proposed Resolution 21-470

To confirm the appointment of Mr. Jonathan M. Zeitler to the District of Columbia Taxicab Commission.

District of Columbia Taxicab Commission Jonathan Zeitler Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Taxicab Commission Jonathan Zeitler Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jonathan M. Zeitler
3318 Quesada Street, N.W.
Washington, D.C. 20015
(Ward 3)

as an industry member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), replacing Stanley Tapscott, whose term expired May 4, 2014, for a term to end May 4, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-471

To confirm the appointment of Ms. Michelle L. Pourciau to the District of Columbia Taxicab Commission.

District of Columbia Taxicab Commission Michelle Pourciau Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Taxicab Commission Michelle Pourciau Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Michelle L. Pourciau
3023 Oliver Street, N.W.
Washington, D.C. 20015
(Ward 3)

as an industry member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), replacing Paul Cohn, whose term expired May 4, 2014, for a term to end May 4, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-472

To confirm the reappointment of Mr. Elliott L. Ferguson, II to the District of Columbia Taxicab Commission.

District of Columbia Taxicab Commission Elliott L. Ferguson Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Taxicab Commission Elliott L. Ferguson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Elliott L. Ferguson, II
222 Kentucky Avenue, S.E.
Washington, D.C. 20003
(Ward 6)

as a public member of the District of Columbia Taxicab Commission, established by section 5 of the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.04), for a term to end May 4, 2020.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-572

See Emergency D.C. Act 21-346 21 DCStat 2840

To declare the existence of an emergency with respect to the need to approve Human Care Agreement No. CW39771 with BoysTown Washington D.C., Inc. to provide group home services for youth that are in the temporary custody of the Department of Youth and Rehabilitative Services as wards of the District via court order and to authorize payment for the services received and to be received under that human care agreement.

Human Care Agreement No. CW39771 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement No. CW39771 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Human Care Agreement ("HCA") No. CW39771 with BoysTown Washington D.C., Inc. ("BoysTown") to provide group home services for youth that are in the temporary custody of the District's Department of Youth and Rehabilitative Services ("DYRS") and to authorize payment for the services received and to be received under that HCA.

(b) On October 1, 2015, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Youth and Rehabilitative Services, entered into a letter Human Care Agreement No. CW39771 with BoysTown to provide group home services for youth between 12 and 21 years of age who are in the custody of DYRS via court order in the not-to-exceed contract amount of $721,440 The letter HCA was to be definitized within 120 days.

(c) OCP now desires to definitize the HCA and increase the contract ceiling amount to $2,194,380 for the period from October 1, 2015 through September 30, 2016.

(d) Council approval is necessary because the contract is more than $1 million during a 12-month period. Council approval is also necessary to allow the continuation of these vital services. Without Council approval, BoysTown cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW39771 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-573

***See* Emergency D.C. Act 21-347 21 DCStat 2841**

To declare the existence of an emergency with respect to the need to approve the exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B with Broughton Construction Company, LLC, for District of Columbia Public Schools and Department of Parks and Recreation small construction projects and to authorize payment for services received and to be received under Option Year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2.(a) There exists an immediate need to approve the exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B, the Amended and Restated Basic Ordering Agreement Fiscal Year 2014 DCPS and DPR Small Construction Projects.

(b) The Initial Contract with Broughton Construction Company, LLC was approved by the Council (D.C. Act 20-403), with terms and conditions that were amended and restated, resulting in the issuance of the Amended and Restated Basic Ordering Agreement Fiscal Year 2014 DCPS and DPR Small Construction Projects ("Contract") with an established not-to-exceed value of $10 million and 2 one-year options to extend the term of the contract. All work, under the Contract was awarded and released through individual project task orders, based on a competitive bidding process, as set forth in section 1.2 of the Contract. Task orders may be issued up to the maximum not-to-exceed amount of $10 million, which could cause the aggregate not-to-exceed value of the Contract, after Council's approval of the Contract, to exceed the $1 million threshold provided in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(c) The base year of the Contract ended on September 30, 2014. Option Year 1 of the Contract was exercised, in part, in mid-October 2014 through a bilateral letter agreement. Subsequently, the Council approved the full exercise of Option Year 1 (CA20-0510), the first of the 2 one-year options, to extend the term of the contract for Fiscal Year 2015, and Option Year 1 was bilaterally exercised by the parties notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01 *et seq*.) Option Year 1 of the Contract maintained the same structure and terms, and established a $10 million not-to-exceed value. Because task orders could have been issued up to $10,000,000, the aggregate could have exceeded the $1 million threshold and required Council approval.

(d) In Fiscal Year 2016, the Department of General Services partially exercised Option Year 2, bilaterally, with a not-to-exceed amount of $975,000. Council approval is now required

for the full exercise of Option Year 2 of the Amended and Restated Basic Ordering Agreement for Fiscal Year 2014 DCPS and DPR Small Construction Projects, to extend the term of the contract through Fiscal Year 2016. The terms and conditions of the contract have not changed, and the not-to-exceed value of Option Year 2 would be increased to $10 million. The full exercise of Option Year 2 is bilateral.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001B Approval and Payment Authorization Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-537

To approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-06A with NSV Residential, LLC, for program units located at 1333 N Street, N.W., Washington, D.C. 20005.

Local Rent Supplement Program Contract No. 2014-LRSP-06A Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-06A Approval Resolution of 2016".

Sec. 2. (a) In 2007, the District passed title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based and sponsored-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In April 2014, the DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making from 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities. Upon approval of the agreement to enter into a long-term contract ("ALTSC") by the Council, DCHA will execute the agreement with the selected housing provider under the LRSP.

(c) There exists an immediate need to approve the ALTSC with NSV Residential, LLC, in order to provide long-term affordable housing units for extremely low-income households in the District for units located at 1333 N Street, N.W.

(d) The Council's approval authorizes the ALTSC between DCHA and NSV Residential, LLC, with respect to the payment of rental subsidy, and allows the owner to lease the rehabilitated units at N Street Village and house District extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the ALTSC with NSV Residential, LLC, to provide an operating subsidy in support of 37 affordable housing units, in an initial amount not to exceed $574,536 annually.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to DCHA and the Mayor.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

D.C. Resolution 21-425, effective March 1, 2016

A RESOLUTION

Proposed Resolution 21-588

***See* Emergency D.C. Act 21-354 21 DCStat 2854**

To declare the existence of an emergency with respect to the need to amend the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008 to clarify that grants from the Economic Development Special Account may be made on a non-competitive basis.

DMPED Special Account Grant-making Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "DMPED Special Account Grant-making Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Deputy Mayor for Planning and Economic Development ("DMPED") administers the Economic Development Special Account ("EDSA") that is used to provide economic development assistance, through the provision of grants, loans, and credit support or enhancement, and to implement other programs, projects, and initiatives.

(b) The EDSA is primarily funded through the proceeds from leases associated with from former National Capital Revitalization Corporation and Anacostia Waterfront Corporation properties.

(c) In 2015, the Grant Administration Amendment Act of 2015, effective October 22, 2015 (D.C. Law L21-36; 62 DCR 10905), was enacted, requiring all grants over $50,000 to be awarded on a competitive basis.

(d) Historically, DMPED has awarded grants from the EDSA to targeted recipients including the Chamber of Commerce, the Washington DC Economic Partnership, Destination DC, and Events DC.

(e) DMPED is currently in the process of awarding grants, but due to the changes made in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.), the grants cannot be awarded to the intended recipients without a competitive process, even though these grants are intended to be targeted.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the DMPED Special Account Grant-making Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-575

See Emergency D.C. Act 21-348 21 DCStat 2842

To declare the existence of an emergency with respect to the need to close a portion of a public alley system in Square 2882, bounded by Euclid Street, N.W., to the north, 9th Street, N.W., to the east, Barry Place, N.W., to the south, and Sherman Avenue, N.W., to the west, in Ward 1.

Closing of a Portion of the Public Alley in Square 2882, S.O. 14-21729, Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of a Portion of the Public Alley in Square 2882, S.O. 14-21729, Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close a portion of the public alley system in Square 2882, S.O. 14-21729.

(b) The purpose of the alley closing is to facilitate the redevelopment of a parcel of land on the north side of Barry Place, N.W., between 9th Street and Sherman Avenue. The approximate land area is 1.35 acres. The site is partially vacant and otherwise currently improved with a warehouse and 6 townhomes. The proposed development will consist of a 6-story mixed-use building offering 319 residential units totaling approximately 237,000 square feet, retail space of approximately 12,000 square feet, and a parking garage with approximately 145 spaces. Vehicular access to the garage will be provided from 9th Street.

(c) The proposed building will occupy 93% of the site, including all portions of the existing alley proposed to be closed. Accordingly, there will be no need for the alleys upon completion of the proposed development.

(d) A permanent version of this legislation passed 1st reading unanimously on February 2, 2016, and will be considered by the Council on 2nd reading on March 1, 2016. Making the closing effective sooner than after congressional review would enable the project to proceed without the risk of delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Portion of a Public Alley in Square 2882, S.O. 14-21729, Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-427, effective March 1, 2016

A RESOLUTION

Proposed Resolution 21-576

***See* Emergency D.C. Act 21-349 21 DCStat 2844**

To declare the existence of an emergency with respect to the need to authorize the Mayor to acquire and dispose of a portion of the former Walter Reed Army Medical Center located at 6900 Georgia Avenue, N.W., to establish the Walter Reed Reinvestment Fund into which certain funds received in connection with the site shall be deposited, to establish the Walter Reed Redevelopment Fund into which certain possessory interest tax revenues shall be deposited, and to authorize the provision of grants by the Deputy Mayor for Planning and Economic Development in connection with the redevelopment and operation of the site; and to amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to exempt the buildings on the site from vacant building registration requirements for a certain period of time.

Walter Reed Development Omnibus Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Walter Reed Development Omnibus Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to authorize the Mayor to acquire and dispose of property located at the former Walter Reed Army Medical Center.

(b) The legislation will facilitate the development of an approximately 60-acre land parcel bounded by Fern Street, N.W., to the north, Georgia Avenue, N.W., to the east, and Aspen Street, N.W., to the south. The parcel currently contains a number of historic buildings and will be developed into a mix of residential, office, retail, hospitality, nonprofit, educational, medical, arts, and green spaces. The property is currently owned by the federal government. The legislation will authorize the Mayor to purchase the land and immediately convey it to a master developer. The legislation will also establish 2 funds to collect revenue related to the site and reinvest it into the site.

(c) A permanent version of this legislation passed 1st reading unanimously on February 16, 2016 and will be considered by the Council on 2nd reading on March 1, 2016. Given the decision to approve the acquisition and disposition of the Walter Reed site, there is no benefit to further delay. Making the legislation effective sooner will enable to the development to move forward in a timely manner and without the risk of delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Walter Reed Development Omnibus Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-585

***See* Emergency D.C. Act 21-353 21 DCStat 2853**

To declare the existence of an emergency with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to authorize the salary of the director of the Homeland Security and Emergency Management Agency.

Director of the Homeland Security and Emergency Management Agency Salary Approval Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Homeland Security and Emergency Management Agency Salary Approval Emergency Declaration Resolution of 2016".

Sec. 2. (a) Christopher Geldart was appointed acting director of the Homeland Security and Emergency Management Agency ("HSEMA") on May 31, 2012. On June 14, 2012, the Mayor transmitted to the Council a resolution to approve the nomination of Mr. Geldart as permanent director of HSEMA. On October 16, 2012, the Council unanimously approved his nomination, and Mr. Geldart has served as the director of HSEMA continuously since that time.

(b) Since his appointment as HSEMA director, Mr. Geldart has been critical to the success of many high-priority District-wide initiatives and has successfully managed a number of important events, including:

(1) Serving as incident commander in response to the District's January 2016 blizzard, leading response efforts and coordinating District agencies through all operational response and recovery phases, overseeing the operation of the District's emergency operations center, and ensuring successful procurement of resources and assets from other states and the federal government to assist the District's response efforts;

(2) Serving as interim director of the Office of Unified Communications ("OUC") from April 2015 to January 2016, and during that time increasing minimum staffing, hiring new call takers, implementing schedule changes, and increasing the number of EMS channels to ensure staffing flexibility to support OUC's call volume and improving OUC's continuity of operations plan to ensure continued agency operations during a crisis;

(3) Creating and overseeing the implementation of the District Preparedness System, the District's comprehensive approach to homeland security and emergency management; and

(4) Leading the development of the proposal to bring the Department of Homeland Security's Securing the Cities grant program to the national capital region, resulting in a grant of up to $30 million to build the regional nuclear detection capability for law enforcement and first responder organizations within the region.

(c) Mr. Geldart's current salary does not reflect his skills, experience, accomplishments, and level of service.

(d) The current salary schedule for Executive Service employees, however, does not authorize the Mayor to provide a higher salary to Mr. Geldart.

(e) There is an immediate need to approve an increased salary for Mr. Geldart that reflects his skills, experience, accomplishments, and level of service in order to retain his services for the District government.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Director of the Homeland Security and Emergency Management Agency Salary Approval Emergency Amendment Act of 2016 be approved after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-429, effective March 1, 2016

A RESOLUTION

Proposed Resolution 21-586

***See* Emergency D.C. Act 21-332 21 DCStat 2835**

To declare the existence of an emergency with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to create incentives for the retention and recruitment of Metropolitan Police Department officers.

Metropolitan Police Department Officer Retention and Recruitment Incentives Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Metropolitan Police Department Officer Retention and Recruitment Incentives Emergency Declaration Resolution of 2016".

Sec. 2. (a) In 1989, the Metropolitan Police Department ("MPD") began a massive hiring effort that culminated in approximately 1,500 officers being hired in fewer than 2 years.

(b) Since MPD officers hired at that time are eligible for retirement once they have served 25 years and reached 50 years of age, the District now has a large number of officers eligible for retirement.

(c) By the end of 2015, more than 1/3 of MPD lieutenants and detectives, and almost 1/3 of sergeants, were eligible to retire. More than 60% of the MPD command staff, comprising the Assistant Chiefs, Commanders, and Inspectors, were also eligible to retire.

(d) The number of Metropolitan Police Department officers has not increased to keep pace with the increasing population.

(e) By lowering the number of years of active military service or other law enforcement service required to be eligible for appointment, MPD will be able to increase the number of eligible recruits while maintaining the current qualification and eligibility standards.

(f) Additionally, enactment of this legislation will allow MPD to immediately launch a recruitment effort for experienced officers to participate in a new 11-week training program at the Police Academy. This new lateral hiring program is expected to hire and deploy an additional 50 officers this year.

(g) By offering Fair Labor Standards Act-exempt time off for work performed in excess of an 80-hour biweekly pay period to experienced police officers in command staff positions, as well as their civilian equivalents, the Chief of Police will be able to ensure the wellness of her most-experienced officers.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Metropolitan Police Department Officer Retention and Recruitment Incentives Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-430, effective March 1, 2016

A RESOLUTION

Proposed Resolution 21-578

See Emergency D.C. Act 21-330 21 DCStat 2833

To declare the existence of an emergency with respect to the need to approve Modification No. 4 and proposed Modification No. 7 to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) to provide family reunification home services to District youth, and to authorize payment for the services received and to be received under the contract modifications.

Modifications to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Modification No. 4 and proposed Modification No. 7 to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) with Center City Community Corporation to provide family reunification home services to District youth, and to authorize payment for services received and to be received under the contract modifications.

(b) On June 1, 2015, by Modification No. 4, the Office of Contracting and Procurement, on behalf of the Department of Youth Rehabilitation Services, exercised option year 3 of Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) to provide family reunification home services to District youth for the period from June 1, 2015, to May 31, 2016, in the ceiling amount of $962,128.

(c) Modification No. 7 is now necessary to increase the amount for option year 3 to $1,923,352.

(d) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Center City Community Corporation cannot be paid for services provided in excess of $1 million for the contract period June 1, 2015, through May 31, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-587

See Emergency D.C. Act 21-333 21 DCStat 2837

To declare the existence of an emergency with respect to the need to amend the Prevention of Child Abuse and Neglect Act of 1977 to include in the definition of case plan additional requirements for children 14 years of age and older, to define the reasonable and prudent parent standard, to require that foster children receive a credit report on an annual basis beginning at 14 years of age, and to require the use of the reasonable and prudent parent standard by foster parents and group homes; and to amend section 16-2323 of the District of Columbia Official Code to require additional reporting requirements for children who have been placed in another planned permanent living arrangement.

Supporting Normalcy and Empowering Children in Foster Care Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Supporting Normalcy and Empowering Children in Foster Care Emergency Declaration Resolution of 2016".

Sec. 2. (a) Title IV-E of the Social Security Act, approved June 17, 1980 (94 Stat. 501; 42 U.S.C § 670 *et seq.*) ("Title IV-E"), provides federal funds to states and the District of Columbia for foster care and guardianship and adoption assistance programs.

(b) The Preventing Sex Trafficking and Strengthening Families Act, approved September 29, 2014 (128 Stat. 1941; 42 U.S.C. § 675), requires states and the District, as a condition of receiving Title IV-E funds, to support normalcy for foster children by implementing the reasonable and prudent parent standard, empowering foster children 14 years of age and older by consulting them in the development of their case and transition plans and providing them with credit reports, and improving another planned permanent living arrangement by requiring additional reporting requirements.

(c) For the District to be eligible for Title IV-E funding, it must enact legislation by April 1, 2016, that implements the reasonable and prudent standard, empowers foster children 14 years of age and older, and improves the permanency goal of another planned permanent living arrangement.

(d) Emergency legislation is necessary to ensure that the District of Columbia maintains compliance with the federal requirements and continues to be eligible for Title IV-E funding.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Supporting Normalcy and Empowering Children in Foster Care Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-583

See Emergency D.C. Act 21-331 21 DCStat 2834

To declare the existence of an emergency with respect to the need to approve Contract No. CW40436 with NCS Pearson, Inc., to provide necessary support and systems for the professional licensing operation of the Department of Consumer and Regulatory Affairs and to authorize payment for the services received and to be received under the contract.

Contract No. CW40436 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW40436 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Contract No. CW40436 with NCS Pearson, Inc., ("Pearson") to manage and operate functions, including personnel, equipment, and supplies, to perform licensing operations for 18 non-health professional boards for the professional licensing operation of the Department of Consumer and Regulatory Affairs ("DCRA") and to authorize payment for the services received and to be received under the contract.

(b) On December 30, 2015, the Office of Contracting and Procurement ("OCP"), on behalf of DCRA, entered into sole source Contract No. CW40436 with Pearson to provide necessary support and systems for DCRA's professional licensing operation from January 1, 2016, through June 30, 2016, in the total contract amount of $666,250. On February 18, 2016, Modification No. 2 increased the total contract amount by $313,750, to $980,000.

(c) OCP now desires to increase the contract amount from $980,000 to $1,950,000.

(d) Council approval is necessary since the contract is more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Pearson cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW40436 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-581

See Emergency D.C. Res. 21-434 21 DCStat 2997

Contract No. CW41459 Approval Emergency Declaration Resolution of 2016

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. CW41459 with Raimi & Associates to provide consulting support to the Office of Planning.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW41459 Approval Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Office of Planning, proposes to enter into a multiyear contract with Raimi & Associates to provide consulting support to the Office of Planning.

(b) The price under this multiyear contract with Raimi & Associates is $656,804.

(c) Council approval is necessary because the term of the contract is more than one year. Council approval is also necessary to allow the District to continue to receive the benefit of these vital services from Raimi & Associates without interruption.

(d) These critical services can only be obtained through an award of the multiyear contract with Raimi & Associates.

Sec 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW41459 Emergency Approval Resolution of 2016 be on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-434, effective March 1, 2016

A RESOLUTION

Proposed Resolution 21-582

Emergency Declaration Res. 21-433 21 DCStat 2996

Contract No. CW41459 Emergency Approval Resolution of 2016

To approve, on an emergency basis, multiyear Contract No. CW41459 with Raimi & Associates to provide consulting support to the Office of Planning.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW41459 Emergency Approval Resolution of 2016".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves multiyear Contract No. CW41459 between the Office of Contracting and Procurement, on behalf of the Office of Planning, and Raimi & Associates to provide consulting support to the Office of Planning in the not-to-exceed amount of $656,804 for a period of 18 months from the date of the award.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-579

***See* Emergency D.C. Act 21-351 21 DCStat 2998**

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2, via Change Order No. 005, of Contract No. DCAM-14-CS-0096A with The Keystone Plus Construction Corporation for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096A Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096A Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2.(a) There exists an immediate need to approve the exercise of option year 2, via Change Order No. 005, to Contract No. DCAM-14-CS-0096A with The Keystone Plus Construction Corporation for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of $3,282,475.16 for the goods and services received and to be received under option year 2 of the contract.

(b) In Fiscal Year 2014, the Department of General Services (the "Department") awarded Contract No. DCAM-14-CS-0096A to The Keystone Plus Construction Corporation to provide on-call construction, maintenance, and repair services at certain District facilities, which was submitted to the Council for review and approval and was approved (CA20-0341). Subsequently, the Department exercised the first of the 2 one-year options contemplated by the Contract to extend the term of the Contract through Fiscal Year 2015; that action was also submitted to the Council for review and approval and was approved (CA20-0552). Thereafter, the Department partially exercised the second option year on a zero-dollar basis and issued Change Order No. 001 to the partial exercise in the amount of $750,000, Change Order No. 002 in the amount of $114,739.18, Change Order No. 003 in the amount of $67,735.98, and Change Order No. 004 in the amount of $0, the aggregate value of which was $932,475.16; thus, Council approval was not required. The Department now desires to exercise option year 2 in full, via Change Order No. 005, and to provide additional funding as the term is extended.

(c) Council approval of Change Order No. 005 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the Change Order will increase the total expenditure under Contract No. DCAM-14-CS-0096A for option year 2 by an amount in excess of $1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096A Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-577

See Emergency D.C. Act 21-350 21 DCStat 2850

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001D with Hess Construction + Engineering Services, Inc. for DCPS and DPR small construction projects, and to authorize payment in the not-to-exceed amount of $10 million for goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001D Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001D Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2.(a) There exists an immediate need to approve the exercise of option year 2 of Contract No. DCAM-14-CS-0001D with Hess Construction + Engineering Services, Inc. for DCPS and DPR small construction projects,, and to authorize payment in the not-to-exceed amount of $10 million for the goods and services received and to be received under option year 2 of the contract.

(b) Contract No. DCAM-14-CS-0001D (the "Contract") was approved by the Council (CA20-0334) with an established not-to-exceed value of $10 million and 2 one-year options to extend the term of the Contract. All work under the Contract was to be awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract.

(c) The base year of the Contract ended on September 30, 2014. Option year one of the Contract was exercised in part in mid-October 2014 through a bilateral letter agreement. Subsequently, the Council approved the full exercise of option year one (CA20-0512) to extend the term of the contract through Fiscal Year 2015 in the aggregate not-to-exceed amount of $10 million.

(d) Thereafter, in Fiscal Year 2016, the Department of General Services partially exercised option year 2 of the Contract in the not-to-exceed amount of $975,000. Council approval is now required for the full exercise of option year 2, to extend the term of the Contract through Fiscal Year 2016. The terms and conditions of the Contract have not changed, and the aggregate not-to-exceed value of option year 2 would be increased to $10 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 2 of Contract No. DCAM-14-CS-0001D Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-580

***See* Emergency D.C. Act 21-352 21 DCStat 2852**

To declare the existence of an emergency with respect to the need to approve the exercise of option year 2, via Change Order No. 004, of Contract No. DCAM-14-CS-0096C with Broughton Construction Company, LLC for on-call construction, maintenance, and repair services, and to authorize payment for the goods and services received and to be received under option year 2 of the contract.

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096C Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096C Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2.(a) There exists an immediate need to approve the exercise of option year 2, via Change Order No. 004, to Contract No. DCAM-14-CS-0096C with Broughton Construction Company, LLC for on-call construction, maintenance, and repair services, and to authorize payment in the not-to-exceed amount of $2,494,043 for the goods and services received and to be received under option year 2 of the contract.

(b) In Fiscal Year 2014, the Department of General Services (the "Department") awarded Contract No. DCAM-14-CS-0096C (the "Contract") to Broughton Construction Company, LLC to provide on-call construction, maintenance, and repair services at certain District facilities, which was submitted to the Council for review and approval and was approved (CA20-0343). Subsequently, the Department exercised the first of the 2 one-year options contemplated by the Contract to extend the term of the Contract through Fiscal Year 2015; that action was also submitted to the Council for review and approval and was approved (CA20-0544). Thereafter, the Department partially exercised the second option year on a zero-dollar basis and issued Change Order No. 001 in the amount of $750,000, Change Order No. 002 in the amount of $144,043, and Change Order No. 003 in the amount of $0, the aggregate value of which was $894,043; thus, Council approval was not required. The Department now desires to exercise option year 2 in full, via Change Order No. 004, and to provide additional funding as the term is extended.

(c) Council approval of Change Order No. 004 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the Change Order will increase the total expenditure under Contract No. DCAM-14-CS-0096C for option year 2 by an amount in excess of $1 million during a 12-month period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Exercise of Option Year 2 of Contract No. DCAM-14-CS-0096C Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-415 (Deemed Disapproved)
(See Emergency Approval Resolution 21-362, 21 DCSTAT 2897)

A PROPOSED RESOLUTION

Officially Read November 17, 2015

To confirm the appointment of Ms. Dionna Maria Lewis as a board member of the District of Columbia Board of Elections.

District of Columbia Board of Elections Dionna Maria Lewis Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "District of Columbia Board of Elections Dionna Maria Lewis Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Dionna Maria Lewis
3958 Blaine Street, N.E.
Washington, D.C. 20019
(Ward 7)

as a member of the District of Columbia Board of Elections, established by section 3 of the District Columbia Election Code of 1955, approved August 12, 1955, (69 Stat. 699; D.C. Official Code § 1-1001.03), replacing Devarieste Curry, for a term to end July 7, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-417 (Deemed Approved January 12, 2016)

A PROPOSED RESOLUTION

Officially Read November 17, 2015

To approve proposed rules adopted by the Department of Health to enable qualifying patients to petition the Department of Health for an exemption to possess more than the equivalent of two (2) ounces of dried medical marijuana in a form other than dried within a thirty (30) day period based on their physician's recommendation.

Marijuana for Medical Treatment Exemption Regulation Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Marijuana for Medical Treatment Exemption Regulation Approval Resolution of 2015".

Sec. 2. Pursuant to section 14(b) of the Legalization of Marijuana for Medical Treatment Initiative of 1999 (Act), effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code §§ 7-l67l.l3(b)), the Council approves the proposed rulemaking adopted by the Department of Health amending Title 22-C, Section 300 of the District of Columbia Municipal Regulations to enable qualifying patients to petition the Department of Health for an exemption to possess more than the equivalent of two (2)ounces of dried medical marijuana in a form other than dried within a thirty (30) day period based on their physician 's recommendation.

Sec. 3. Fiscal impact.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1- 206.02(c)(3)).

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the Department of Health, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-419 (Deemed Approved February 3, 2016)

A PROPOSED RESOLUTION

Officially Read November 17, 2015

To amend the definition of "legal custody" in Title 28 D.C. Municipal Regulations Chapter 50.

Office of the Chief Medical Examiner Definitions Rulemaking Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Office of the Chief Medical Examiner Definitions Rulemaking Resolution of 2015."

Sec. 2. Pursuant to section 2918 of the Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (DC Law 13-172; D.C. Official Code § 5-1417 (2014 Rep.)) and Mayor's Order 2015-200, dated August 17, 2015, the Mayor transmitted to the Council the proposed rulemaking action to amend Chapter 50 (Medical Examiner) of Title 28 (Corrections, Courts, and Criminal Justice) of the District of Columbia Municipal Regulations.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to both the Mayor and the Chief Medical Examiner of the Office of the Chief Medical Examiner.

Sec. 4.The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code 1-§ 206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-426 (Deemed Approved February 17, 2016)

A PROPOSED RESOLUTION

Officially Read December 1, 2015

To approve the proposed rules to implement the Family Re-housing and Stabilization Program.

Family Re-housing and Stabilization Program Second Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Family Re-housing and Stabilization Program Second Approval Resolution of 2015".

Sec. 2. Pursuant to section 31 of the Homeless Services Reform Act of 2005 (HSRA), effective October 21, 2005 (D.C. Law 16-35; D.C. Official Code § 4-756.02), the Mayor, on _____, 2015, trans1nitted to the Council the proposed rulemaking adopted by the Director of the Department of Human Services to implement the District of Columbia's Family Re-housing and Stabilization Program as authorized by sections 7(e) and 31 of the HSRA (D.C. Official Code §§ 4-753.0l(e) and 4-756.02), and pursuant to Mayor 's Order 2006-20, dated February 13, 2006, and Mayor's Order 2007-80, dated April 2, 2007. The Council approves the rulemaking, published at ____ DCR _____, to add a new Chapter 78 to Title 29 of the District of Columbia Municipal Regulations.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-602(c)(3)).

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the Department of Human Services, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-436 (Deemed Disapproved)
(See Emergency Approval Resolution 21-364, 21 DCSTAT 2899)

A PROPOSED RESOLUTION

Officially Read December 1, 2015

To confirm the appointment of Ms. Carol Schwartz as a board member of the District of Columbia Board of Ethics and Government Accountability.

District of Columbia Board of Ethics and Government Accountability Carol Schwartz Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "District of Columbia Board of Ethics and Government Accountability Carol Schwartz Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Carol Schwartz
2029 Connecticut Avenue, N.W.
Washington, D.C. 20008
(Ward 1)

as a member of the District of Columbia Board of Ethics and Government Accountability, established by section 203(a) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.02), replacing Laura Richards, for a six year term from the effective date of appointment resolution.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-444 (Deemed Approved January 25, 2016)

A PROPOSED RESOLUTION

Officially Read December 1, 2015

To confirm the appointment of Mr. Leon T. Andrews, Jr. as a member of the Commission on African-American Affairs.

Commission on African-American Affairs Leon T. Andrews, Jr. Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on African-American Affairs Leon T. Andrews, Jr. Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Leon T. Andrews, Jr.
417 Jefferson Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a public member of the Commission on African-American Affairs, established by section 3 of the Commission on African-American Affairs Establishment Act of 2012, effective March 14, 2012 (D.C. Law 19-106; D.C. Official Code § 3-1441), replacing Patsy Fletcher, for a term to end July 8, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read December 1, 2015

To confirm the appointment of Ms.Viviru1L. Derryck as a member of the Commission on African-American Affairs.

Commission on African-American Affairs Vivian L. Derryck Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on African-American Affairs Vivian L. Derryck Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Vivian L. Derryck
1501 Farragut Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a public member of the Commission on African-American Affairs, established by section 3 of the Commission on African-American Affairs Establishment Act of 2012, effective March 14, 2012 (D.C. Law 19-106; D.C. Official Code § 3-1441), replacing Charles J. Evans, for a term to end July 8, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-446 (Deemed Approved January 25, 2016)

A PROPOSED RESOLUTION

Officially Read December 1, 2015

To confirm the appointment of Ms. Endrea L. Frazier as a member of the Commission on African-American Affairs.

Commission on African-American Affairs Endrea L. Frazier Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on African-An1erican Affairs Endrea L. Frazier Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Endrea L. Frazier
2132 32nd Street, S.E.
Washington, D.C. 20020
(Ward 7)

as a public member of the Commission on African-American Affairs, established by section 3 of the Commission on African-American Affairs Establishment Act of 2012, effective March 14, 2012 (D.C. Law 19-106; D.C. Official Code § 3-1441), replacing Jesse Bemley, for a term to end July 8, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-447 (Deemed Approved January 25, 2016)

A PROPOSED RESOLUTION

Officially Read December 1, 2015

To confirm the appointment of Mr. David N. Street as a men1ber of the Commission on African- American Affairs.

Commission on African-American Affairs David N. Street Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on African-American Affairs David N. Street Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confi1ms the appointment of:

Mr. David N. Street
1529 42nd Street, S.E.
Washington, D.C. 20020
(Ward 7)

as a public member of the Commission on African-American Affairs, established by section 3 of the Commission on African-American Affairs Establishment Act of 20 12, effective March 14, 20 12 (D.C. Law 19-106; D.C. Official Code § 3-1441), replacing Charles Hicks, for a term to end July 8, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-448 (Deemed Approved February 17, 2016)

A PROPOSED RESOLUTION

Officially Read December 1, 2015

To approve proposed rules to require hospitals to collect urine samples from patients who present and have symptoms consistent with having taken a synthetic cannabinoid, to permit hospitals to collect blood samples from these patients and to provide the samples to the District for testing by the District.

Testing for Synthetic Cannabinoid Surveillance Regulation Approval Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Testing for Synthetic Cannabinoid Surveillance Regulation Approval Resolution of 2015."

Sec. 2. Pursuant to Section 5(j) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(j)), the Mayor on _____ transmitted to the Council proposed rules to amend Title 22-B, Chapter 20 of the District of Columbia Municipal Regulations. These proposed regulations, which the Director of the Department of Health adopted on an emergency basis, would require hospital s to collect urine samples from patients who present and have symptoms consistent with having taken a synthetic cannabinoid, permit hospitals to collect blood samples from these patients and provide the samples to the District for testing. The Council approves to proposed rulemaking published at _____.

Sec. 3. Fiscal impact.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the Department of Health and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-461 (Deemed Approved February 8, 2016)

A PROPOSED RESOLUTION

Officially Read December 15, 2015

To confirm the reappointment of Ms. Chibu E. Anyanwu to the Commission on African Affairs.

Commission on African Affairs Chibu Anyanwu Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRI CT OF COLUMBIA, that this resolution may be cited as the "Commission on African Affairs Chibu Anyanwu Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Chibu E. Anyanwu
32 Bates Street, N.W., Unit A
Washington, D.C. 20001
(Ward 5)

as a public voting member of the Commission on African Affairs in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01 and pursuant to section 5(b) of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1394), establishing the Commission on African Affairs, for a term to end October 27, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-462 (Deemed Approved February 8, 2016)

A PROPOSED RESOLUTION

Officially Read December 15, 2015

To confirm the appointment of Mr. lkenna Udejiofor to the Commission on African Affairs.

Commission on African Affairs lkenna Udejiofor Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on African Affairs lkenna Udejiofor Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. lkenna Udejiofor
3202 19th Street, N.W.
Washington, D.C. 20010
(Ward 1)

as a public voting member of the Commission on African Affairs, in accordance with 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01) and pursuant to section 5(b) of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1394), establishing the Commission on African Affairs, for a term to end October 27, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-473 (Deemed Approved February 8, 2016)

A PROPOSED RESOLUTION

Officially Read December 15, 2015

To confirm the appointment of Dr. Burton W. Wilcke as a forensic scientist member of the Science Advisory Board.

Science Advisory Board Burton W. Wilcke Confirmation Resolution of 2015

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Science Advisory Board Burton W. Wilcke Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Dr. Burton W. Wilcke
25 Laurel Hill Drive
South Burlington, VT 05403

as a forensic scientist member of the Science Advisory Board, established by section 2 of the Confirmation Act of 1993, effective October 15, (D.C. Law 10-39; D.C. Official Code § 1-523.01) and section 12 of the Department of Forensic Sciences Establishment Act of 2011, approved August 17, 2011, (D.C. Law 19-18; D.C. Official Code § 5-1501.11), which established the Science Advisory Board, replacing Charlotte Word, for a term to end November 25, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-475 (Deemed Approved February 8, 2016)

A PROPOSED RESOLUTION

Officially Read December 15, 2015

To confirm the reappointinent of Ms. Dianne J. Smith to the Board of Dentistry.

Board of Dentistry Ms. Dianne J. Smith Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Dentistry Ms. Dianne J. Smith Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Dianne J. Smith
2129 Florida Avenue, N.W., Apt.603
Washington, D.C. 20008
(Ward 2)

as a consumer n1en1ber of the Board of Dentistry, pursuant to section 201 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.01), and to serve for a term to end November 30, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-476 (Deemed Approved February 8, 2016)

A PROPOSED RESOLUTION

Officially Read December 15, 2015

To confirm the appointment of Dr. Judith Henry to the Board of Dentistry.

Board of Dentistry Dr. Judith Henry Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Dentistry Dr. Judith Henry Confirmation Resolution of 2015".

Sec. 2. The Council of the Di strict of Columbia confirms the appointment of:

Dr. Judith Henry
1500 Webster Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a licensed dentist member of the Board of Dentistry, pursuant to section 201 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.01), and to serve for a term to end November 30, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-477 (Deemed Approved February 8, 2016)

A PROPOSED RESOLUTION

Officially Read December 15, 2015

To confirm the reappointment of Dr. Renee A. McCoy-Collins to the Board of Dentistry.

Board of Dentistry Dr. Renee A. McCoy-Collins Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Dentistry Dr. Renee A. McCoy-Collins Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confim1s the reappointment of:

Dr. Renee A. McCoy-Collins
4708 Blagden Terrace, N.W.
Washington, D.C. 20011
(Ward 4)

as a licensed dentist n1ember of the Board of Dentistry pursuant to section 201 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.01), and to serve for a term to end November 30, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read December 15, 2015

To confirm the reappointment of Dr. Wesley D. Thomas to the Board of Dentistry.

Board of Dentistry Dr. Wesley D. Thomas Confirmation Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Dentistry Dr. Wesley D. Thomas Confirmation Resolution of 2015".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Wesley D. Thomas
3220 15th Street, N.E.
Washington, D.C. 20017
(Ward 5)

as a member of the Board of Dentistry to serve as a licensed dentist member, pursuant to section 201 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.01), and to serve for a term to end November 30, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-518 (Deemed Approved February 20, 2016)

A PROPOSED RESOLUTION

Officially Read January 5, 2016

To confirm the appointment of Mr. Silas H. Grant, Jr. to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys Silas H. Grant, Jr. Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys Silas H. Grant, Jr. Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Silas H. Grant, Jr.
306 Evarts Street, N.E., Apt. 308
Washington, D.C. 20002
(Ward 5)

as a public voting member of the Commission on Fathers, Men, and Boys, established by section 1073 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 3-731 *et seq*.), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end September 19, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-519 (Deemed Approved February 20, 2016)

A PROPOSED RESOLUTION

Officially Read January 5, 2016

To confirm the appointment of Mr. Jelani Murrain to the Commission on Fathers, Men, and Boys.

Commission on Fathers, Men, and Boys Jelani Murrain Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys Jelani Murrain Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jelani Murrain
4523 Warren Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a public voting member of the Commission on Fathers, Men, and Boys, established by section 1073 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 3-731 et seq.), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end September 19, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-531 (Deemed Approved March 5, 2016)

A PROPOSED RESOLUTION

Officially Read January 19, 2016

To confirm the appointment of Dr. Simone N. Gittelson as a forensic scientist member of the Science Advisory Board.

Science Advisory Board Sin1one N. Gittelson Confirmation Resolution of 2016

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Science Advisory Board Sin1one N. Gittelson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirn1s the appointment of:

Dr. Simone N. Gittelson
38 Maryland Avenue, Unit 214
Rockville, MD 20850

as a forensic scientist member of the Science Advisory Board, established by section 2 of the Confirmation Act of 1993, effective October 15, 1993 (D.C. Law 10-39; D.C. Official Code § 1-523.01), and section 12 of the Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.11), which established the Science Advisory Board, replacing Jay Siegel, for a term to end November 25, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A PROPOSED RESOLUTION

Officially Read January 19, 2016

To confirm the appoint1nen t of Ms. Danai Mattison Sky as a licensed real estate salesperson member to the Real Estate Commission.

Real Estate Commission Danai Mattison Sky Confirmation Resolution of 2016

RESOLV ED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Real Estate Commission Danai Mattison Sky Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Danai Mattison Sky
1223 Kenyon Street N.W., #3
Washington, D.C. 20010
(Ward 1)

as a licensed real estate salesperson member of Real Estate Commission, replacing Alton E. Duncanson, pursuant to section 1002 of the Non-Health Related Occupations and Professions Licensure Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.06(h)), and to serve for a term to end December 13, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-534 (Deemed Approved March 5, 2016)

A PROPOSED RESOLUTION

Officially Read January 19, 2016

To confirm the appointment of Mr. Darrin D. Davis as a licensed real estate broker member of the Real Estate Commission for the District of Columbia.

Real Estate Commission Darrin D. Davis Confirmation Resolution of 2016

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Real Estate Commission Darrin D. Davis Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Darrin D. Davis
2239 Nicholson Street, S.E.
Washington, D.C. 20020
(Ward 8)

as a licensed real estate broker member of the Real Estate Commission, in accordance with section 1002 of the Non-Health Related Occupations and Professions Licensure Act of 1998, effective April 20,1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.06(h)), and Mayor's Order 2009- 11, dated February 2, 2009, and pursuant to section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), replacing Helen McMurdock Dodson, for a term to end December 13, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Proposed Resolution 21-536 (Deemed Approved March 4, 2016)

A PROPOSED RESOLUTION

Officially Read February 2, 2016

To approve the proposed rules to amend and add to the schedule of fines for violations related food service ware.

Disposable Food Service Ware Schedule of Fines Approval Resolution of 2016

RESOLVED. BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Disposable Food Service Ware Schedule of Fines Approval Resolution of 2016".

Sec. 2. Pursuant to section 104(a)(1) of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 ("Act"), effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2- 1 801.04(a)(1)), and section 407 of the Sustainable DC Omnibus Amendment Act of 2014, effective December 11, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531 et seq.), the Mayor transmitted to the Council proposed rules to amend the schedule of fines for violations related to disposable food service ware. The proposed rules were published in the D.C. Register on August 28, 2015 at 62 DCR 11937. The Council approves the proposed rules as submitted.

Sec. 3. Fiscal impact.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02).

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the District Department of the Environment, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 5. This resolution shall take effect immediately.

Proposed Resolution 21-557 (Deemed Approved March 18, 2016)

A PROPOSED RESOLUTION

Officially Read February 16, 2016

To approve an amendment to the District of Columbia State Plan for Medical Assistance increasing the Medicaid reimbursement from 80%/o to 100% of the Medicare rate for physician administered Chemotherapy drugs.

Medicaid Physician Administered Chemotherapy Drug Reimbursement Approval Resolution of 2016

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Medicaid Physician Administered Chemotherapy Drug Reimbursement Approval Resolution of 2016".

Sec. 2. Pursuant to section 1(a) of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02)), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance, which will enable the District's Medicaid Program to increase the reimbursement from 80% of Medicare to 100% of Medicare for physician administered Chemotherapy drugs. This policy change offers an approach that avoids potential access problems for fragile Medicaid beneficiaries in need of treatment without compromising treatment efficacy or patient safety.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by Section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes § 1-206.02(c)(3)).

Sect 5. This resolution shall take effect immediately.

Proposed Resolution 21-558 (Deemed Approved March 18, 2016)

A PROPOSED RESOLUTION

Officially Read February 16, 2016

To approve an amendment to the District of Columbia Medicaid Home and Community-Based Services Waiver for Persons with Intellectual and/or Developmental Disabilities to add a total of thirty additional waiver slots.

Medicaid Home and Community-Based Services Waiver for Persons with Intellectual and/or Developmental Disabilities Slot Amendment Approval Resolution of 2016

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Medicaid Home and Community-Based Services Waiver for Persons with Intellectual and/or Developmental Disabilities Slot Amendment Approval Resolution of 2016".

Sec. 2. Pursuant to section 1(a) of An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia Medicaid Home and Community-Based Services Waiver for Persons with Intellectual and/or Developmental Disabilities which, when implemented, will allow thirty (30) additional individuals to receive Waiver services effective Year 4 of the IDD Waiver, beginning November 20, 2015, and an additional thirty (30) individuals effective Waiver Year 5, beginning November 20, 2016. The thirty (30) slots correlate to an anticipated waiver growth. These additional slots will ensure that Medicaid beneficiaries have access to essential long-term care services in a community-based setting.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health Care Finance and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes § 1-206.02(c)(3)).

Sect 5. This resolution shall take effect immediately.

Proposed Resolution 21-559 (Deemed Approved March 18, 2016)

A PROPOSED RESOLUTION

Officially Read February 16, 2016

To approve an amendment to the District of Columbia State Plan for Medical Assistance that will authorize non-financial eligibility for Title IV-E Foster Care Children seeking enrollment in the District's Medicaid program.

Medicaid Non-Financial Eligibility State Residency for Title IV-E Foster Care Children Amendment Approval Resolution of 2016

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid Non-Financial Eligibility State Residency for Title IV-E Foster Care Children Amendment Approval Resolution of 2016".

Sec. 2. Pursuant to section 1(a) of An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (8 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance which would create the authority to either establish or retain Medicaid enrollment for Title IV-E Foster Care children placed outside of the District in Virginia or Maryland, that remain in the care and custody of the District of Columbia Child and Family Services Agency.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health Care Finance and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes § 1-206.02 (c)(3).)

Sect 5. This resolution shall take effect immediately.

Proposed Resolution 21-560 (Deemed Approved March 18, 2016)

A PROPOSED RESOLUTION

Officially Read February 16, 2016

To approve an amendment to the District of Columbia State Plan for Medical Assistance that establishes a methodology that determines the cost effectiveness of care at home, instead of an institution, for certain disabled children under the age of nineteen (19) that apply for Medicaid through the Katie Beckett Pathway.

Method for Determining Cost Effectiveness of Caring for Certain Disabled Children at Home Instead of an Institution (Katie Beckett Pathway Eligibility Group) State Plan Amendment Approval Resolution of 2016

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Method for Determining Cost Effectiveness of Caring for Certain Disabled Children at Home Instead of an Institution (Katie Beckett Pathway Eligibility Group) State Plan Amendment Approval Resolution of 2016".

Sec. 2. Pursuant to section 1(a) of An Act to Enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance, which will authorize the District Medicaid Program to use a methodology to determine the cost effectiveness of care at home for disabled children who can safely live at home, who meet an institutional level of care as required under section 1902(e)(3)(B) of the Social Security Act, and who apply through the Katie Beckett Pathway for Medicaid eligibility.

Sec. 3. The Secretary of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health Care Finance and to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement from the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Codes § 1-206.02(c)(3)).

Sect 5. This resolution shall take effect immediately.

AN ACT

Bill 21-134
Act 21-315
effective
February 18, 2016

To symbolically designate the alleyway behind 7th Street, N.E., 8th Street, N.E., A Street, N.E., and East Capitol Street, N.E., in Ward 6, as Tip's Way.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tip's Way Designation Act of 2016".

Tip's Way Designation Act of 2016

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding the requirements of sections 407 and 408 of the Act (D.C. Official Code §§ 9-204.07 and 9-204. 08), the Council symbolically designates the alleyway behind 7th Street, N.E., 8th Street, N.E., A Street, N.E., and East Capitol Street, N.E., in Ward 6, as "Tip's Way".

Note, § 9-204.01

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code §1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-168
Act 21-316 effective February 18, 2016

To amend the District of Columbia Health Occupations Revision Act of 1985 to require continuing education for health occupations on the subject of cultural competence and appropriate clinical treatment for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression.

Codification District of Columbia Official Code 2001 Edition

LGBTQ Cultural Competency Continuing Education Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "LGBTQ Cultural Competency Continuing Education Amendment Act of 2016".

Amend § 3-1205.10

Sec. 2. Section 510 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1205.10), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Paragraph (4)(B)(v) is amended by striking the phrase "prophylaxis treatment." and inserting the phrase "prophylaxis treatment; and" in its place.

(2) A new paragraph (5) is added to read as follows:

"(5)(A) Except as provided in subsection (b-1)(4) of this section, require that any continuing education requirements for the practice of any health occupation licensed, registered, or certified under this section include 2 credits of instruction on cultural competency or specialized clinical training focusing on patients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression ("LGBTQ").

"(B) The instruction required by subparagraph (A) of this paragraph shall, at a minimum, provide information and skills to enable a health professional to care effectively and respectfully for patients who identify as LGBTQ, which may include:

"(i) Specialized clinical training relevant to patients who identify as LGBTQ, including training on how to use cultural information and terminology to establish clinical relationships;

"(ii) Training that improves the understanding and application, in a clinical setting, of relevant data concerning health disparities and risk factors for patients who identify as LGBTQ;

"(iii) Training that outlines the legal obligations associated with treating patients who identify as LGBTQ;

"(iv) Best practices for collecting, storing, using, and keeping confidential, information regarding sexual orientation and gender identity;

"(v) Best practices for training support staff regarding the treatment of patients who identify as LGBTQ and their families;

"(vi) Training that improves the understanding of the intersections between systems of oppression and discrimination and improves the recognition that those who identify as LGBTQ may experience these systems in varying degrees of intensity; and

"(vii) Training that addresses underlying cultural biases aimed at improving the provision of nondiscriminatory care for patients who identify as LGBTQ.".

(b) Subsection (b-1) is amended as follows:

(1) Paragraph (2) is amended by striking the word "and" at the end.

(2) Paragraph (3) is amended by striking the phrase "considers appropriate." and inserting the phrase "considers appropriate; and" in its place.

(3) A new paragraph (4) is added to read as follows:

"(4) Waive by rule the requirement in subsection (b)(5) of this section for:

"(A) Any health occupation licensed, registered, or certified under this section if members of that health occupation do not see patients in a clinical setting; or

"(B) Any licensed health professional who can prove to the satisfaction of the relevant board that he or she did not see patients in a clinical setting in the District during the previous licensing cycle.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-374
Act 21-317
effective
February 18, 2016

To designate the Emery Recreation Center, located at 5801 Georgia Avenue, N.W., in Ward 4, as the Emery Heights Community Center.

Codification District of Columbia Official Code 2001 Edition

Emery Heights Community Center Designation Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emery Heights Community Center Designation Act of 2016".

Note, § 9-204.01

Sec. 2. Pursuant to section 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01), the Council designates the Emery Recreation Center, located at 5801 Georgia Avenue, N.W., in Ward 4, as the "Emery Heights Community Center".

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Director of the Department of Parks and Recreation.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code §1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-199
Act 21-248
effective December 29, 2015

To amend Chapter 9 of Title 16 of the District of Columbia Official Code to provide that domestic partnerships may be terminated by judicial decree or judgment; to amend the Health Care Benefits Expansion Act of 1992 to allow couples who formed domestic partnerships in other jurisdictions or the District of Columbia to terminate the domestic partnership and have that termination recognized by other jurisdictions; to amend the Mental Health Consumers' Rights Protection Act of 1992, section 21-2208 of the District of Columbia Official Code, An Act To establish a code of law for the District of Columbia, and An Act For the retirement of public-school teachers in the District of Columbia to make conforming amendments; and to amend Chapter 80 of Title 29 of the District of Columbia Municipal Regulations to make conforming amendments and to require that a person seeking to terminate a domestic partnership file a declaration if the other domestic partner has abandoned the domestic partnership.

Codification District of Columbia Official Code 2001 Edition

Domestic Partnership Termination Recognition Amendment Act of 2015

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Domestic Partnership Termination Recognition Amendment Act of 2015".

Sec. 2. Chapter 9 of Title 16 of the District of Columbia Official Code is amended as follows:

Amend § 16-904

(a) Section 16-904 is amended by adding a new subsection (e) to read as follows:

"(e) Domestic partnerships registered under § 32-702(a) or relationships recognized under § 32-702(i) may be terminated by judicial decree or judgment.".

Amend § 16-909

(b) Section 16-909 is amended by striking the phrase "pursuant to § 32-702(d)" wherever it appears and inserting the phrase "pursuant to § 32-702(d) or § 16-904(e)" in its place.

Amend § 16-910

(c) Section 16-910 is amended by striking the phrase "pursuant to § 32-702(d)" and inserting the phrase "pursuant to § 32-702(d) or § 16-904(e)" in its place.

Amend § 16-911

(d) Section 16-911(a) is amended by striking the phrase "pursuant to § 32-702(d)" and inserting the phrase "pursuant to § 32-702(d) or § 16-904(e)" in its place.

Amend § 16-913

(e) Section 16-913(a) is amended by striking the phrase "under § 32-702(d)" and inserting the phrase "under § 32-702(d) or § 16-904(e)" in its place.

Amend § 16-916

(f) Section 16-916(b) is amended by striking the phrase "in accordance with § 32-702(d)" and inserting the phrase "in accordance with § 32-702(d) or § 16-904(e)" in its place.

Amend § 16-920

(g) Section 16-920 is amended as follows:

(1) Strike the phrase "or granting an absolute divorce," and insert the phrase "granting an absolute divorce, or terminating a domestic partnership," in its place.

(2) Strike the phrase "bonds of matrimony" and insert the phrase "bonds of matrimony or domestic partnership" in its place.

Sec. 3. The Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 32-701) is amended as follows: **Amend § 32-701**

(1) Paragraph (3) is amended by striking the phrase "and who has registered under section 3(a)." and inserting the phrase "and who has registered under section 3(a) or whose relationship is recognized under section 3(i)." in its place.

(2) Paragraph (4) is amended by striking the phrase "by registering in accordance with section 3." and inserting the phrase "by registering in accordance with section 3(a) or whose relationship is recognized under section 3(i)." in its place.

(b) Section 3 (D.C. Official Code § 32-702) is amended as follows: **Amend § 32-702**

(1) Subsection (a) is amended as follows:

(A) Paragraph (2) is amended by striking the word "and".

(B) Paragraph (3) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new paragraph (4) is added to read as follows:

"(4) Is in a committed relationship with the other person.".

(2) Subsection (d) is amended as follows:

(A) Paragraph (3) is amended to read as follows:

"(3) A domestic partnership shall terminate by operation of law if the domestic partners marry each other or another person.".

(B) A new paragraph (5) is added to read as follows:

"(5)(A) A domestic partnership may be terminated by judicial decree or judgment pursuant to D.C. Official Code § 16-904(e).

"(B) Domestic partners who terminate their domestic partnership under this paragraph shall subsequently inform the Mayor of the termination and provide any required documentation.".

(3) A new subsection (d-1) is added to read as follows:

"(d-1) Any form provided by the Mayor for domestic partnership terminations shall indicate that the Mayor is not responsible for resolving any attendant legal issues arising from the termination of a domestic partnership under Chapter 9 of Title 16 of the District of Columbia Official Code.".

(4) Subsection (e) is amended by adding a new paragraph (4A) to read as follows:

"(4A) A termination pursuant to subsection (d)(5) of this section shall take effect as provided in D.C. Official Code § 16-920.".

(c) Section 9(b) (D.C. Official Code § 32-708(b)) is amended to read as follows: **Amend § 32-708**

"(b) The Mayor shall report annually to the Council on the number of domestic partnerships declared and terminated, including those terminated under section 3(d)(5).".

Sec. 4. Conforming amendments.

(a) Section 213(3) of the Mental Health Consumers' Rights Protection Act of 2001, **Amend § 7-1231.13**

effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1231.13(3)), is amended by striking the phrase "section 3(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d))" and inserting the phrase "section 3(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d)), or D.C. Official Code § 16-904(e)" in its place.

Amend § 21-2208

(b) Section 21-2208(e) of the District of Columbia Official Code is amended by striking the phrase "in accordance with § 32-702(d))" and inserting the phrase "in accordance with § 32-702(d) or § 16-904(e)" in its place.

Amend § 22-501

(c) Section 870(a)(3) of the An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-501(a)(3)), is amended by striking the phrase "in accordance with section 3(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d))" and inserting the phrase "in accordance with section 3(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d)), or D.C. Official Code § 16-904(e)" in its place.

(d) An Act For the retirement of public-school teachers in the District of Columbia, approved August 7, 1946 (60 Stat. 878; D.C. Official Code § 38-2021.01 *et seq*.), is amended as follows:

Amend § 38-2021.05

(1) Section 5(b)(1) (D.C. Official Code § 38-2021.05(b)(1)), is amended by striking the phrase "with section 3(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d))" and inserting the phrase "with section 3(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d)), or D.C. Official Code § 16-904(e)" in its place.

Amend § 38-2021.09

(2) Section 9(b)(1) (D.C. Official Code § 38-2021.09(b)(1)) is amended by striking the phrase "with section 3(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d))" and inserting the phrase "with section 3(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d)), or D.C. Official Code § 16-904(e)" in its place.

DCMR

Sec. 5. Chapter 80 of Title 29 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 8002 (29 DCMR § 8002) is amended as follows:

(1) Subsection 8002.1 is amended as follows:

(A) Paragraph (a) is amended by striking the semicolon and inserting the phrase "; or" in its place.

(B) Paragraph (b) is amended to read as follows:

"(b) The domestic partners marry one another or either domestic partner marries another person.".

(C) Paragraph (c) is repealed.

(2) Subsection 8002.2 is amended by striking the phrase "8002.1(c)" wherever it appears and inserting the phrase "8002.3(c)(3)" in its place.

(3) Subsection 8002.3 is amended to read as follows:

"8002.3 (a) A domestic partnership may also be terminated, with or without the consent of both partners, by filing a termination of domestic partnership statement with the Registrar.

"(b) If both partners consent to the termination of domestic partnership, both shall declare that the partnership is to be terminated, and both shall sign the termination of domestic partnership statement.

"(c) If only one (1) person is taking action to terminate a domestic partnership, the person filing for termination of domestic partnership shall make the following declarations:

"(1) That the domestic partnership is to be terminated; and

"(2) That a copy of the termination of domestic partnership statement has been served on the other domestic partner by the following methods, if the location of the domestic partner is known:

"(A) By prepaid mail; or

"(B) By personal service on the other person or a person over the age of sixteen (16) who resides with the person; and

"(3) If the other domestic partner has abandoned the domestic partnership, that the other domestic partner permanently departed the mutual residence at least six (6) months before the filing of the termination statement, or has not been in contact with the domestic partner filing the termination statement for at least six (6) months preceding the filing of the termination statement.".

(4) A new section 8002.3a is added to read as follows:

"8002.3a A domestic partnership may also be terminated by judicial decree or judgment as provided in D.C. Official Code § 16-904(e) and D.C. Official Code § 32-702(d)(5) and shall take effect as provided in D.C. Official Code § 16-920.".

(5) Section 8002.4 is amended to read as follows:

"8002.4 A termination of domestic partnership statement filed pursuant to § 8002.3(b), (c)(1), or (c)(2) shall become effective six (6) months after the date the statement is filed with the Registrar. A termination of domestic partnership statement filed pursuant to § 8002.3(c)(3) shall become effective when the statement is filed. While the termination of domestic partnership is pending, all benefits shall continue to both domestic partners. While the termination of domestic partnership is pending, neither partner may apply for a new certificate of domestic partnership.".

(b) Section 8006 (29 DCMR § 8006) is amended by adding a new subsection 8006.2a to read as follows:

"8006.2a The Director shall coordinate with the Superior Court of the District of Columbia to ensure that all terminations of domestic partnership made pursuant to D.C. Official Code § 16-904(e) and D.C. Official Code § 32-702(d)(5) are also recorded by the Department of Health and reported to the Council under § 8006.2.".

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

AN ACT

Bill 21-39
Act 21-334 effective March 16, 2016

To amend the District of Columbia School Reform Act of 1995 to allow the Public Charter School Board to approve a public charter school that gives a preference for admission to children of active duty members of the United States Armed Forces.

Codification District of Columbia Official Code 2001 Edition

Military Installation Public Charter School Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Military Installation Public Charter School Amendment Act of 2016".

Amend § 38-1802.06

Sec. 2. Section 2206 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.06), is amended by adding a new subsection (c-2) to read as follows:

"(c-2) *Authorization of a preference for children of active duty members of the United States Armed Forces. —*

"(1) The Public Charter School Board ("PCSB") shall have the authority to approve a petition or application for a public charter school that gives a preference for admission to children of active duty members of the United States Armed Forces; provided, that PCSB may not permit more than one public charter school with such a preference to operate at the same time.

"(2) A public charter school seeking to establish a preference for admission under this subsection shall:

"(A) Request the preference for admission in a petition for approval filed pursuant to section 2201, an application for renewal filed pursuant to section 2212, or in a manner otherwise provided by PCSB; and

"(B) Be located in the same ward as a United States military base.

"(3) In reviewing an application submitted pursuant to paragraph (2) of this subsection, PCSB shall consider whether granting the preference provided under this subsection is consistent with the mission, goals, and instructional methods of the petitioner or applicant and the need for the proposed school in the geographic area of the school site.

"(4) A preference approved under this subsection shall apply to no more than half of the public charter school's seats.

"(5) This subsection shall not limit the ability of a school that establishes a preference for admission under this subsection to participate in a common lottery system established pursuant to section 205 of the Department of Education Establishment Act of 2007, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-194).".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-71
Act 21-335 effective March 16, 2016

Codification District of Columbia Official Code 2001 Edition

To amend section 16-916.01 of the District of Columbia Official Code to revise and update the child support guideline to expand the definition of perquisites or in-kind compensation to include military housing and food allowances, to allow a judicial officer to enter a minimum order when the paying parent is uncooperative or no reliable income information exists, to update the self-support reserve, to increase the presumptive minimum award amount to $75 per month, to expand the factors a judicial officer may consider to determine whether the presumption of a $75 minimum order has been rebutted, to establish a procedure for rebutting the presumptive minimum award, to allow the judicial officer to consider the subsistence needs of the parent owed support in applying the presumptive minimum award and the low income adjustment, to establish a modified self-support reserve, and to provide for the starting date for orders and agreements.

Child Support Guideline Revision Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Child Support Guideline Revision Amendment Act of 2016".

Amend § 16-916.01

Sec. 2. Section 16-916.01 of the District of Columbia Official Code is amended as follows:

(a) Subsection (d)(1)(R) is amended by striking the phrase "or reimbursed meals;" and inserting the phrase ", reimbursed meals, or military housing and food allowances, including the Basic Allowance for Housing and the Basic Allowance for Subsistence;" in its place.

(b) Subsection (f)(1)(D) is amended as follows:

(1) Strike the phrase "paragraph (2) of this subsection" and insert the phrase "subparagraph (B) of this paragraph" in its place.

(2) Strike the phrase "paragraph (3) of this subsection" and insert the phrase "subparagraph (C) of this paragraph" in its place.

(3) Strike the phrase "(i) through (1)" and insert the phrase "(i) through (l)" in its place.

(c) A new subsection (f-1) is added to read as follows:

"(f-1)(1) If the judicial officer does not have sufficient evidence to determine the adjusted gross income of a parent with a legal duty to pay support in accordance with subsection (e) of this section, the judicial officer may enter a minimum order of $75 per month; provided, that the parent has:

"(A) Been served with notice of the hearing but has failed to appear; or

"(B) Failed to provide information about his or her gross income.

"(2) If the judicial officer enters an order under this subsection, the judicial officer shall issue written factual findings stating the reasons for entering the order in the amount specified.".

(d) Subsection (g) is amended as follows:

(1) Paragraph (1) is amended by adding a new subparagraph (D) to read as follows:

"(D) As of April 1, 2015, the self-support reserve shall be $15,654.".

(2) Paragraph (2) is amended by striking the phrase "shall order the parent to pay only the amount that the judicial officer determines the parent is able to pay" and inserting the phrase "shall determine the amount that the parent is able to pay" in its place.

(3) Paragraph (3) is amended as follows:

(A) The existing text is designated as subparagraph (A).

(B) The newly designated subparagraph (A) is amended as follows:

(i) Strike the phrase "$ 50 per month" wherever it appears and insert the phrase "$ 75 per month" in its place.

(ii) Strike the phrase "or other appropriate circumstances." and insert the phrase "housing expenses, provision or receipt of in-kind resources or services, benefits received from means-tested public assistance programs, other public benefits, subsidies, tax credits, or other appropriate circumstances." in its place.

(iii) Strike the last sentence in the subparagraph.

(C) New subparagraphs (B) and (C) are added to read as follows:

"(B) In any contested matter, the judicial officer shall ask the parent with a legal duty to pay support and the parent to whom support is owed, if present, if either has evidence that would rebut the presumption under subparagraph (A) of this paragraph. If either parent answers in the affirmative, that parent shall have an opportunity to present such evidence before an order is issued.

"(C) The judicial officer shall issue written factual findings stating the reasons for the entry of an order below or above the $75 per month presumptive amount.".

(e) New subsections (g-1) and (g-2) are added to read as follows:

"(g-1)(1) Upon request or on the judicial officer's own motion, the judicial officer shall determine whether the parent to whom support is owed can meet his or her personal subsistence needs, considering the resources and circumstances of that parent, including age, employability, disability, homelessness, incarceration, inpatient substance abuse treatment, other inpatient treatment, housing expenses, provision or receipt of in-kind resources or services, benefits received from means-tested public assistance programs, other public benefits, subsidies, tax credits, or other appropriate circumstances.

"(2) If the judicial officer determines that the parent to whom support is owed can meet his or her subsistence needs, the judicial officer shall order the parent with a legal duty to pay support to pay what he or she would otherwise be required to pay pursuant to this section.

"(3) If the judicial officer determines that the parent to whom support is owed cannot meet his or her subsistence needs and the parent with a legal duty to pay support has an adjusted gross income below the self-support reserve under subsection (g) of this section, the judicial officer shall determine whether, for the support and maintenance of the child, the parent

with a legal duty to pay support should pay more than he or she would otherwise be required to pay pursuant to subsection (g)(3) of this section.

"(4) In no case shall the amount ordered pursuant to this section:

"(A) Result in the adjusted gross income of the parent with a legal duty to pay support falling below the modified self-support reserve under subsection (g-2) of this section; or

"(B) Exceed the amount of pass-through funds available to families receiving Temporary Assistance for Needy Families benefits.

"(5) The judicial officer shall issue written factual findings stating the reasons for the entry of an order issued pursuant to paragraph (3) of this subsection.

"(g-2) A modified self-support reserve shall be calculated at 100% of the United States Department of Health and Human Services poverty guideline per year for a single individual to be used to determine support pursuant to subsection (g-1) of this section. The modified self-support reserve shall be updated by the Mayor every 2 years with the updated amount to be published in the District of Columbia Register and made effective as of April 1. As of April 1, 2015, the modified self-support reserve shall be $11,770.".

(f) Subsection (m) is amended as follows:

(1) Strike the phrase "(i) through (1)" wherever it appears and insert the phrase "(i) through (l)" in its place.

(2) Paragraphs (2) and (3) are amended by striking the phrase "$ 600 per year" and inserting the phrase "$ 900 per year" in its place.

(3) A new paragraph (4) is added to read as follows:

"(4)(A) If under paragraph (3) of this subsection, the parent with a legal duty to pay support would pay less than the child support obligation calculated pursuant to paragraph (1) of this subsection, the judicial officer may consider whether:

"(i) The parent to whom support is owed would be able to meet his or her subsistence needs; and

"(ii) Whether the children would face extreme hardship if this amount were ordered.

"(B) The judicial officer, after considering the factors set forth in subparagraph (A) of this paragraph, may deviate from the amount calculated pursuant to paragraph (3) of this subsection; provided, that any deviation upward shall not exceed the basic child support obligation calculated pursuant to paragraph (1) of this subsection.".

(g) Subsection (q)(1)(F) is amended by striking the phrase "(i) through (1)" and inserting the phrase "(i) through (l)" in its place.

(h) Subsection (r)(6) is amended by striking the phrase "(i) through (1)" and inserting the phrase "(i) through (l)" in its place.

(i) Subsection (u) is amended to read as follows:

"(u) If an order or agreement providing for child support does not set forth a date on which the child support commences, the child support shall be deemed to commence on the first day of the first month following the date the order was entered or the date the agreement was

executed, whichever is later in time. If the relevant date falls on the first day of a month, the order shall be deemed to commence on that day.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register

D.C. Law 21-108, effective May 12, 2016
[Delayed Applicability]

AN ACT

Bill 21-143
Act 21-336
effective
March 17,
2016

To amend the Human and Environmental Health Protection Act of 2010 to prohibit the manufacture, sale, and distribution of products containing carcinogenic flame retardants, and to authorize the Mayor to request and obtain a certificate of compliance with the Human and Environmental Health Protection Act of 2010 from manufacturers.

Codification
District of
Columbia
Official Code
2001 Edition

Carcinogenic
Flame
Retardant
Prohibition
Amendment
Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Carcinogenic Flame Retardant Prohibition Amendment Act of 2016".

Sec. 2. The Human and Environmental Health Protection Act of 2010, effective March 31, 2011 (D.C. Law 18-336; D.C. Official Code § 8-108.01 *et seq.*), is amended as follows:

(a) New sections 3a and 3b are added to read as follows:

New
§ 8-108.02a

"Sec. 3a. Prohibitions on chlorinated flame retardants.

"(a) After January 1, 2018, no person or legal entity shall manufacture, sell, offer for sale, or distribute any children's product or residential upholstered furniture containing more than 0.1% by mass in any product component of the following:

"(1) Tris(1,3-dichloro-2-propyl) phosphate (chemical abstract service number 13674-87-8) ("TDCPP"); or

"(2) Tris(2-chloroethyl) phosphate (chemical abstract service number 115-1496-8) ("TCEP").

"(b) After January 1, 2019, no person or legal entity shall manufacture, sell, offer for sale, or distribute any product containing more than 0.1% by mass in any product component of the following:

"(1) TDCPP; or

"(2) TCEP.

"(c) The prohibitions contained in this section shall not apply to the following:

"(1) The sale, offer for sale, or distribution of a product by a retailer who purchased or acquired the product before the effective date of the Carcinogenic Flame Retardant Prohibition Amendment Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-143);

"(2) Any activity involving a product that occurs subsequent to the 1st sale at retail;

"(3) Motor vehicles or replacement parts or replacement equipment for motor vehicles;

"(4) Commercial or residential building insulation or wiring that otherwise complies with the Construction Codes Supplement, set forth in Title 12 of the District of Columbia Municipal Regulations;

"(5) Desktop and laptop computers, audio and video equipment, calculators, wireless telephones, game consoles, handheld devices incorporating a screen that are used to access interactive software and their associated peripherals, and cables, adaptors, and other similar connecting devices; or

"(6) Storage media, such as compact discs, for interactive software, such as computer games.

"(d) If a product component of a non-exempt product would be exempt under subsection (c)(5) or (6) of this section, the product shall be prohibited pursuant to subsections (a) and (b) of this section if the product contains more than 0.1% by mass of TDCPP or TCEP in any non-exempt product component.

"(e) For the purposes of this section, the term:

"(1) "Children's product" means a consumer product:

"(A) Marketed for use by children under 12 years of age; or

"(B) The substantial use of which by a child under 12 years of age is reasonably foreseeable.

"(2) "Residential upholstered furniture" means furniture intended for use in a home or other dwelling that includes cushioning material covered by fabric or similar material.

"Sec. 3b. Replacement of regulated flame retardants. **New § 8-108.02b**

"A manufacturer shall not replace the penta or octa mixtures of polybrominated diphenyl ethers, the deca mixture of polybrominated diphenyl ethers, Tris(1,3-dichloro-2-propyl) phosphate (chemical abstract service number 13674-87-8), or Tris(2-chloroethyl) phosphate (chemical abstract service number 115-1496-8) in a product prohibited in this act with a chemical that is:

"(1) Classified as "known to be a human carcinogen" or "reasonably anticipated to be a human carcinogen" in the most recent report on carcinogens by the National Toxicology Program in the U.S. Department of Health and Human Services;

"(2) Classified as "carcinogenic to humans" or "likely to be carcinogenic to humans" in the U.S. Environmental Protection Agency's most recent list of chemicals evaluated for carcinogenic potential; or

"(3) Identified by the U.S. Environmental Protection Agency or the National Institutes of Health as causing birth defects, hormone disruption, neurotoxicity, or harm to reproduction or development.".

(b) A new section 5a is added to read as follows: **New § 8-108.04a**

"Sec. 5a. Certificate of compliance.

"(a) The Mayor may request a manufacturer of products subject to this act and sold, offered for sale, or distributed for sale in the District to provide a certificate demonstrating compliance with this act with respect to those products.

"(b) Within 45 days of a request for a certificate of compliance, a manufacturer shall:

"(1) Provide the Mayor with a certificate declaring that its products comply with the requirements of this act; or

"(2) Notify persons or entities located in the District that sell, offer for sale, or distribute a product made by the manufacturer that the product does not comply with this act and that the sale, offer for sale, and distribution of the product is prohibited, and submit to the Mayor a list of the names and addresses of those notified.".

Delayed Applicability

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-287
Act 21-337 effective March 16, 2016

To amend An Act To provide for voluntary apprenticeship in the District of Columbia to establish a Youth Apprenticeship Advisory Committee within the Department of Employment Services, to provide for the composition, terms, and duties of the committee, and to require the committee to submit an annual report of its findings and recommendations to the Council.

Codification District of Columbia Official Code 2001 Edition

Youth Apprenticeship Advisory Committee Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Youth Apprenticeship Advisory Committee Amendment Act of 2016".

Sec. 2. An Act To provide for voluntary apprenticeship in the District of Columbia, approved May 21, 1946 (60 Stat. 204; D.C. Official Code § 32-1401 *et seq.*), is amended by adding a new section 12a to read as follows:

New § 32-1412.01

"Sec. 12a. Youth Apprenticeship Advisory Committee.

"(a) There is established within the Department of Employment Services a Youth Apprenticeship Advisory Committee. The members of the Committee shall be appointed by the Mayor in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

"(b) The Committee shall be composed of 11 members, as follows:

"(1) Two representatives from the Apprenticeship Council;

"(2) One employer whose business has an apprenticeship program;

"(3) One representative from the University of the District of Columbia Community College;

"(4) One representative from the Office of the State Superintendent of Education;

"(5) One individual who holds a doctoral degree and specializes in labor economics with expertise in national and international apprenticeship systems;

"(6) One representative of a nonprofit organization who is involved with employee training and workforce development;

"(7) One representative from a local business organization;

"(8) One representative from a local business trade association;

"(9) One representative from a labor organization; and

"(10) One representative from the Workforce Investment Council.

"(c)(1) The Mayor shall designate the chairperson of the Committee.

"(2)(A) Members of the Committee shall be appointed to serve 3-year terms, from the date of appointment.

"(B) A Committee member may be reappointed.

"(C) A person appointed to fill a vacancy occurring before the expiration of a predecessor's term shall be appointed to serve for the remainder of that term.

"(D) A member may continue to serve after the expiration of the member's term until a successor is appointed, subject to section 2(c) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(c)).

"(d) The Committee shall:

"(1) Based on a systematic review of relevant data, evaluate the effectiveness of youth apprenticeship programs in:

"(A) The District of Columbia;

"(B) States and municipalities; and

"(C) Other countries;

"(2) Review and identify:

"(A) Ways to implement high school youth apprenticeship programs in the District of Columbia;

"(B) The means through which employers and organizations can obtain grants, tax credits, or other subsidies to support the establishment and operation of high school youth apprenticeship programs; and

"(C) The number of apprenticeship opportunities for youth that the District of Columbia needs to reach over the next 3 years; and

"(3) On or before December 1 of each year, submit a report of its findings and recommendations to the Council of the District of Columbia.

"(e) For the purposes of this section, the term "Committee" means the Youth Apprenticeship Advisory Committee established by this section.".

Amend § 1-523.01

Sec. 3. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(a) Paragraph (52) is amended by striking the word "and" at the end.

(b) Paragraph (53) is amended by striking the period at the end and inserting the phrase "; and" in its place.

(c) A new paragraph (54) is added to read as follows:

"(54) Youth Apprenticeship Advisory Committee, established by the Youth Apprenticeship Advisory Committee Amendment Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-287).".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-387
Act 21-338 effective March 16, 2016

To reduce the amount payable in a subrogation claim to a subrogee for health-care benefits or services paid on behalf of an injured person.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health Care Benefits Lien Reduction Act of 2016".

Health Care Benefits Lien Reduction Act of 2016

New Chapter 35A, Title 31 New § 31-3551

Sec. 2. Reduction of health care benefits lien.

(a) Except as provided in subsection (d) of this section, this act shall apply to any right of subrogation under a contract or applicable law for payment of health-care benefits or services for an injured person paid or payable by a subrogee or under any system of self-insurance or indemnification for health-care expenses, if the amount of the subrogee's claim as determined under subsection (b) of this section is voluntarily paid by the injured person from the injured person's recovery in a claim for personal injury.

(b)(1) Unless a subrogee files a petition to intervene in the personal injury action and is independently represented by counsel, in a subrogation claim arising out of a claim for personal injury, the amount permitted to be recovered by a subrogee for health-care benefits or services paid or payable on behalf of the injured person, subject to paragraph (2) of this subsection, shall be reduced by dividing the total amount of the costs of litigation and the attorneys' fees incurred by the injured person for services rendered in connection with the injured person's claim for personal injury by the amount of the total recovery in the claim for personal injury and multiplying the result by the amount of the subrogee's subrogation claim.

(2) The result under paragraph (1) of this subsection shall not exceed one-third of an injured person's recovery in a claim for personal injury.

(3) A subrogee has no obligation to advise an injured person or the attorney for the injured person of the injured person's right to a reduction of the subrogation claim.

(c) On written request by a subrogee, an injured person or the attorney for the injured person who demands a reduction of the subrogation claim as described in this act shall provide the subrogee with a certification by the injured person that states the amount of the attorneys' fees and the costs of litigation incurred by the injured person in connection with the injured person's claim.

(d) This act shall not apply to:

(1) A voluntary reduction of a subrogation claim by a subrogee that exceeds the reduction of the subrogation claim as described in subsection (b) of this section; or

(2) The District of Columbia Medicaid program.

(e) For the purposes of this act, the term "subrogee" means any person or entity that provides accident and sickness benefits or medical, surgical, or hospital benefits, whether on an indemnity or a reimbursement basis or a prepaid basis, including insurance carriers, and employers.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1)) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1 206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-388
Act 21-339 effective March 16, 2016

To amend the District of Columbia Workers' Compensation Act of 1979 to require that court costs and attorneys' fees be proportionally shared between the injured employee, or the employee's eligible survivors or legal representative, and the employer relative to the amount each received in a settlement against a third person.

Codification District of Columbia Official Code 2001 Edition

Workers' Compensation Benefits Lien Reduction Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Workers' Compensation Benefits Lien Reduction Amendment Act of 2016".

Amend § 32-1535

Sec. 2. Section 3 of the District of Columbia Workers' Compensation Act of 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1535), is amended as follows:

(a) Subsection (f) is amended by striking the word "ascribed" and inserting the word "described" in its place.

(b) A new subsection (f-1) is added to read as follows:

"(f-1) If the person entitled to compensation institutes proceedings within the period described in subsection (b) of this section and recovers an amount against a third person, the costs of litigation and attorneys' fees shall be proportionally shared between the person entitled to compensation, or the employee's eligible survivors or legal representative, and the employer relative to the amount each received in the settlement against the third person.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1)) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1 206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-112, effective May 12, 2016
[Delayed Applicability]

AN ACT

Bill 21-399
Act 21-340 effective March 16, 2016

To amend the Youth Employment Act of 1979 to authorize the Mayor to provide employment or work-readiness training for participants 14 through 24 years of age.

Codification District of Columbia Official Code 2001 Edition

Marion S. Barry Summer Youth Employment Expansion Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marion S. Barry Summer Youth Employment Expansion Amendment Act of 2016".

Amend § 32-241

Sec. 2. Section 2(a)(1)(A) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)(A)), is amended to read as follows:

"(A)(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth. Youth shall be 14 through 21 years of age on the date of enrollment in the program; provided, that for Fiscal Year 2016 and Fiscal Year 2017, the program may provide for the employment or training each summer of no more than 1,000 youth 22 through 24 years of age on the date of enrollment in the program.

"(ii) Youth 14 or 15 years of age at the date of enrollment shall receive an hourly work readiness training rate of not less than $5.25.

"(iii) Youth 16 through 21 years of age at the date of enrollment shall be compensated at an hourly rate of $8.25.

"(iv) Youth 22 through 24 years of age at the date of enrollment shall be compensated at no less than the minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).".

Delayed Applicability

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

D.C. Law 21-113, effective May 12, 2016
[Delayed Applicability]

AN ACT

Bill 21-488
Act 21-341 effective March 16, 2016

To amend section 47-1002 of the District of Columbia Official Code to exempt from real property taxation real property leased by certain foundations to colleges and universities that are used by these institutions of higher learning to provide dormitory, classroom, and related facilities for their students.

Codification District of Columbia Official Code 2001 Edition

Higher Education Tax Exemption Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Higher Education Tax Exemption Act of 2016".

Amend § 47-1002

Sec. 2. Section 47-1002 of the District of Columbia Official Code is amended by adding a new paragraph (10A) to read as follows:

"(10A)(A) A building belonging to a foundation that is not organized or operated for private gain and that is organized and operated exclusively for the benefit (within the meaning of sections 170(b)(1)(A)(iv) or 509(a)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (68A Stat. 58 and 83 Stat. 496); 26 U.S.C. §§ 170(b)(1)(a)(iv) and 509(a)(3)) of a college or university as described in paragraph (10) of this section that directly uses the building under a lease with a term of at least one year to provide dormitory, classroom, and related facilities for its students;

"(B) The owner of a building exempted from real property taxation pursuant to subparagraph (A) of this paragraph shall notify the Office of Tax and Revenue within 30 days after the occurrence of any event, including the expiration or cancellation of a lease, that terminates the building's entitlement to the exemption.".

Delayed Applicability

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-229
Act 21-342
effective
March 23,
2016

To symbolically designate the 2300 block of 4th Street, N.E., between Adams Street, N.E., and Bryant Street, N.E., in Ward 5, as Maverick Room Way.

Codification
District of
Columbia
Official Code
2001 Edition

Maverick
Room Way
Designation
Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Maverick Room Way Designation Act of 2016".

Note,
§ 9-204.01

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding the requirements of sections 407 and 408 of the Act (D.C. Official Code §§ 9-204.07 and 9-204. 08), the Council symbolically designates the 2300 block of 4th Street, N.E., between Adams Street, N.E., and Bryant Street, N.E., as "Maverick Room Way".

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Director of the District Department of Transportation.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a)..

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-400
Act 21-343 effective March 23, 2016

Not Codified

To order the closing of a portion of a public alley system in Square 5197, bounded by Hayes Street, N.E., 51st Street, N.E., and Nannie Helen Burroughs Avenue, N.E., in Ward 7.

Closing of a Portion of the Public Alley in Square 5197, S.O. 11-4822, Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of the Public Alley in Square 5197, S.O. 11-4822, Act of 2016".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council of the District of Columbia finds that the unimproved alley in Square 5197, as shown by the hatch-marks on the Surveyor's plat filed in S.O. 11-4822, is unnecessary for alley purposes and orders it closed, with title in the land to vest as shown on the Surveyor's plat.

(b) The approval by the Council of this alley closing is contingent upon the satisfaction of all conditions set forth in the official file for S.O. 11-4822 before the recordation of the alley closing plat.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-424
Act 21-344 effective March 23, 2016

Not Codified

To order the closing of a portion of a public alley system in Square 2882, bounded by Euclid Street, N.W., to the north, 9th Street, N.W., to the east, Barry Place, N.W., to the south, and Sherman Avenue, N.W., to the west, in Ward 1.

Closing of a Portion of the Public Alley in Square 2882, S.O. 14-21729, Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of the Public Alley in Square 2882, S.O. 14-21729, Act of 2016".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq*.), the Council of the District of Columbia finds that the portion of the public alley system in Square 2882, as shown on the Surveyor's plat filed in S.O. 14-21729, is unnecessary for alley purposes and orders it closed, with title in the land to vest as shown on the Surveyor's plat.

(b) The approval by the Council of this alley closing is contingent upon the satisfaction of all conditions set forth in the official file for S.O. 14-21729 before the recordation of the alley closing plat.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-449
Act 21-345 effective March 23, 2016

Not Codified

To order the dedication of land in Squares 3185 and 3186 to widen Spring Place, N.W.

Dedication of Land for Street Purposes in Squares 3185 and 3186, S.O. 13-11003 Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Dedication of Land for Street Purposes in Squares 3185 and 3186, S.O. 13-11003 Act of 2016".

Sec. 2. (a) Pursuant to section 302(3) of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-203.02(3)) ("Act"), and notwithstanding the requirements set forth in sections 303 and 304 of the Act (D.C. Official Code §§ 9-203.03 and 9-203.04), the Council accepts the dedication of land in fee simple for street purposes, as shown on the Surveyor's plat filed under S.O. 13-11003.

(b) The approval of the Council of this dedication is contingent upon the satisfaction of conditions set forth in the official file, S.O.13-11003.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-69
Act 21-355 effective March 25, 2016

To amend the Smoke Detector Act of 1978 to require that smoke and carbon monoxide detectors be installed in conformity with the District's Construction Codes; to amend An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes to clarify that the Mayor has authority to abate unsafe conditions and to recover abatement costs through tax liens; to amend An Act To create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes to specify that the role of the Board for the Condemnation of Insanitary Buildings is issuing condemnation orders; to amend the Construction Codes Approval and Amendments Act of 1986 to align definitions with those in the District's Construction Codes, clarify the scope of authority and intent of the Construction Codes, the authority of the Building Code Official, the requirements for third party plan reviewers and third party inspectors, and to allow the Building Code Official to set administrative fees; to amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to clarify the Mayor's authority to take summary action without prior notification to the owner where there is an imminent danger; to amend An Act To regulate the height of buildings in the District of Columbia to repeal obsolete fire provisions; and to repeal An Act To require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes.

Codification District of Columbia Official Code 2001 Edition

Construction Codes Harmonization Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Construction Codes Harmonization Amendment Act of 2016".

Sec. 2. The Smoke Detector Act of 1978, effective June 20, 1978 (D.C. Law 2-81; D.C. Official Code § 6-751.01 *et seq.*), is amended as follows:

(a) Sections 2 and 3 (D.C. Official Code §§ 6-751.01 and 6-751.02) are amended to read as follows.

Amend § 6-751.01

"Sec. 2. Definitions.

"For the purposes of this act, the term:

"(1) "Construction Codes" means the most recent edition of the codes published by the International Code Council, or by a comparable nationally recognized and accepted code development organization, as adopted and amended by the Construction Codes Supplement by the District of Columbia pursuant to the procedures set forth in section 10 of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6–216; D.C. Official Code § 6-1409) ("1986 Act"), and in Title 12 of the District of Columbia Municipal Regulations, or any successor regulations.

"(2) "Construction Codes Supplement" means the additions, insertions, deletions, and changes to the Model Codes adopted by the District pursuant to section 10 of the 1986 Act.

"(3) "Dwelling unit" means a structure, building, area, room, or combination of rooms occupied by a person for sleeping or living.

"(4)(A) "Owner" means any person, who alone or jointly or severally with other persons, has legal title to a premises, including:

"(i) An agent, officer, fiduciary, or employee of the owner;

"(ii) The committee, conservator, or legal guardian of an owner who is non compos mentis or otherwise under a disability or who is a minor;

"(iii) A trustee, elected or appointed, or a person required by law to execute a trust, other than a trustee under a deed of trust, to secure the payment of money; or

"(iv) An executor, administrator, receiver, fiduciary, or an officer appointed by a court, or other similar representative of the owner or the owner's estate.

"(B) The term "owner" does not include a lessee, sublessee, or other person who merely has the right to occupy or possess a premises.

"Sec. 3. Duty of owner to install detectors. **Amend § 6-751.02**

"The owner of each new and existing occupied dwelling unit shall be responsible for installing smoke detectors and carbon monoxide detectors in accordance with the Construction Codes.".

(b) Sections 3a, 4, 5, 6, 7, 8, 9, 9a, 9b, and 9c (D.C. Official Code §§ 6-751.02a, 6-751.03, 6-751.04, 6-751.05, 6-751.06, 6-751.07, 6-751.08, 6-751.09, 6-751.10, and 6-751.11) are repealed. **Repeal, §§ 6-751.02a, 6-751.03, 6-751.04, 6-751.05, 6-751.06, 6-751.07, 6-751.08, 6-751.09, 6-751.10, and 6-751.11**

(c) Sections 10 through 15 (24 DCR 9064) are repealed.

Sec. 3. An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, approved March 1, 1899 (30 Stat. 923; D.C. Official Code § 6-801 *et seq*.), is amended as follows:

(a) Section 1 (D.C. Official Code § 6-801) is amended to read as follows: **Amend § 6-801**

"Sec. 1. Unsafe structure or excavation – public safety.

"(a) If any building or part of a building, staging, or other structure, or anything attached to or connected to any building or other structure ("structure") or an excavation is reported to the District government as unsafe, from any cause, the Mayor shall examine the structure or excavation.

"(b)(1) If the Mayor determines that the condition of the structure or excavation creates an imminent threat to public safety requiring that emergency measures be undertaken immediately, notice to the owner, agent, or other person having an interest in the structure or excavation ("responsible party") shall not be required.

"(2) Where public safety requires immediate emergency action, subject to subsection (c) of this section, the Mayor may enter upon the premises without notice or delay with the necessary number of workmen and assistants to shore-up, take down, or remove, if necessary, or otherwise secure the structure or excavation, including any equipment on the site, and if a necessary safeguard, install a fence or boarding to protect the public.

"(c) If the unsafe structure is a historic landmark or is located in a historic district, as defined in section 3(5) of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1102(5)) ("Historic Landmark Act"), the Mayor shall not order or cause the structure, or any portion of the structure, to be taken down or removed unless the Mayor, in consultation with the State Historic Preservation Officer, as defined in section 3(12) of the Historic Landmark Act, determines that:

"(1) There is an extreme and immediate threat to public safety resulting from unsafe structural conditions; and

"(2) The unsafe condition cannot be abated by shoring, stabilizing, or securing the structure.

"(d)(1) If the Mayor determines the structure or excavation to be unsafe but not an imminent threat to public safety and does not require immediate emergency action, the Mayor shall immediately notify a responsible party and require the responsible party to make the structure or excavation, or both, whichever is applicable, safe by having it shored up, taken down, or removed, if necessary, or otherwise made safe and secure within the time period specified in the notice.

"(2) If the responsible party, having been notified, refuses or neglects to comply with the requirements of the notice within the time period specified, subject to subsection (c) of this section, the Mayor may institute any authorized remedy or corrective action, at the owner's expense, or impose a penalty or initiate a proceeding; provided, that the Mayor shall not have a structure that is a historic landmark or located in a historic district taken down or removed unless the Mayor determines, in consultation with the State Historic Preservation Officer, that the structure has become an extreme and immediate threat to the public safety as a result of the responsible party's failure to abate the unsafe structural condition and that the unsafe condition cannot be abated by shoring, stabilizing, or securing the structure.

"(3) This subsection shall not apply to a deteriorated structure under Subtitle B of Title IV-A of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3173.01 *et seq.*).".

Repeal § 6-802

(b) Section 2 (D.C. Official Code § 6-802) is repealed.

Amend § 6-803

(c) Section 3 (D.C. Official Code § 6-803) is amended to read as follows:

"Sec. 3. Unsafe structure or excavation -- Failure of owner to make safe.

"Whenever a responsible party to whom notice has been provided pursuant to section 1(d) refuses or neglects to abate the unsafe structure or excavation within the time period specified by the notice, upon expiration of that time period, the Mayor shall proceed to make the structure or excavation safe as authorized by section 1(d)(2), and the responsible party shall not enter, or send anyone to enter, the premises to:

"(1) Make repairs;

"(2) Remove or take down the structure; or

"(3) Interfere in any way with the authorized agents of the District taking action to make the structure or excavation safe, including by removing or taking down the structure, without first having obtained the written consent of the Mayor to enter the premises.".

(d) Section 5(a)(5) (D.C. Official Code § 6-807(a)(5)) is amended by striking the phrase "effected, then if published on 3 consecutive days in a daily newspaper published in the District of Columbia; or" and inserting the phrase "effected, or if no address is known or can be ascertained by reasonable diligence, by publishing the notice on 3 consecutive days in a daily newspaper published in the District of Columbia or by posting a copy of the notice in a conspicuous place in or about the structure affected by such notice; or" in its place.

(e) Section 8 (D.C. Official Code § 6-808) is amended by striking the phrase "within 5 days after such notice has been served upon such owner or other interested person, such building" and inserting the phrase "within the period of time specified in the notice, the building" in its place.

Sec. 4. An Act To create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes, approved May 1, 1906 (34 Stat. 157; DC Official Code § 6-901 *et seq.*), is amended as follows:

Amend § 6-902

(a) Section 2(a)(1) (D.C. Official Code § 6-902(a)(1)) is amended by striking the phrase "to examine the habitability and sanitary condition of buildings in the District of Columbia, to determine which such buildings are in such insanitary condition as to endanger the lives or health of the occupants thereof or of persons living in the vicinity, and".

Amend § 6-903

(b) Section 3 (D.C. Official Code § 6-903) is amended to read as follows:

"Sec. 3. Condemnation procedure; occupancy of condemned buildings.

"(a)(1) Whenever the Building Code Official, as defined in section 2(1) of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401(1)), finds that any building or a part of any building ("building") is in such habitable or sanitary condition as to endanger the health or lives of the occupants or persons living in the vicinity, the Building Code Official is authorized to refer the building to the Board for the Condemnation of Insanitary Buildings ("Board"). Referral to the Board shall be in addition to, and shall not preclude the Building Code Official from pursuing, any other remedies, penalties, or corrective actions authorized by District law or regulation.

"(2) A referral made pursuant to paragraph (1) of this subsection shall specify the basis for the Building Code Official's determination that the building is in a condition to endanger the health or lives of the occupants or persons living in the vicinity.

"(b) Upon referral of a building by the Building Code Official, the Board shall serve the owner of the building with a show-cause notice requiring him to show cause within a specified time, which shall not be less than 5 days, excluding Sundays and legal holidays, after the date of service of the notice, as to why the building should not be condemned.

"(c)(1) If within the time period specified in the show-cause notice, the owner fails to show sufficient cause, in the opinion of the Board, to prevent condemnation, the Board shall issue an order condemning the building and ordering, in accordance with subsection (d) of this

section, that the building be put into a habitable and sanitary condition or be demolished and removed within the time specified in the order ("condemnation order").

"(2) The Board shall have the condemnation order served on the owner of the building and a copy affixed to the condemned building.

"(3) After a copy of a condemnation order has been affixed to a building, no person shall occupy the building.

"(d)(1) Except as provided in paragraph (2) of this subsection, the Board shall give an owner at least 30 days after service of the condemnation order to put the building in habitable and sanitary condition.

"(2) If the Board finds that the condition of the building is such as to cause immediate danger to the health or lives of the occupants or of persons living in the vicinity, the Board may specify a shorter time period than set forth in paragraph (1) of this subsection.".

Amend § 6-910

(c) Section 10(a) (D.C. Official Code § 6-910(a)) is amended to read as follows:

"(a)(1) Any notice required by this act to be served shall be deemed served when:

"(A) Forwarded to the last known address of the owner, as recorded in the Office of the Recorder of Deeds, by registered or certified mail, with return receipt if the:

"(i) Receipt is signed either by the owner or by a person of suitable age and discretion located at the address; or

"(ii) Owner refused the notice and the notice was not delivered for that reason;

"(B) Delivered to the person to be notified;

"(C) Left at the usual residence or place of business of the person to be served with a resident or employee, whichever is applicable, of suitable age and discretion;

"(D) If no residence or place of business can be found in the District of Columbia by a reasonable search, left with a person of suitable age and discretion employed at the office of an agent of the person to be served who has any authority or duty with reference to the building or premises to which the notice relates;

"(E) If a notice is forwarded by registered or certified mail and returned for reasons other than refusal, if personal service of the notice cannot be effected, or if no address is known or can be ascertained by reasonable diligence, published on 3 consecutive days in a daily newspaper published in the District of Columbia or a copy of the notice is posted in a conspicuous place in or about the building or premises to which the notice relates; or

"(F) If by reason of an outstanding unrecorded transfer of title, the name of the owner cannot be ascertained beyond a reasonable doubt, served on the owner of record in a manner provided for in this subsection.

"(2) For the purposes of this act:

"(A) Notice to a corporation shall be deemed to have been served on the corporation if the notice is served on the president, secretary, treasurer, general manager, or any principal officer of the corporation in a manner provided for by this section for the service of notice on natural persons holding property in their own right; and

"(B) Notice to a foreign corporation shall be deemed to have been served if the notice is served personally on any agent of the corporation or if left with a person of suitable age and discretion residing at the usual residence or employed at the usual place of business of the agent in the District of Columbia.".

Sec. 5. The Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*), is amended as follows:

(a) Sections 2 and 3 (D.C. Official Code § 6-1401 and 6-1402) are amended to read as follows:

Amend § 6-1401

"Sec. 2. Definitions.

"For the purposes of this act, the term:

"(1) "Building Code Official" means the Director of the Department of Consumer and Regulatory Affairs, or the Director's designee.

"(2) "Construction Codes" means the most recent edition of the codes published by the International Code Council, or by a comparable nationally recognized and accepted code development organization, as adopted and amended by the Construction Codes Supplement by the District pursuant to the procedures set forth in section 10 and in Title 12 of the District of Columbia Municipal Regulations or any successor regulations; provided, that where the Construction Codes authorize work to be carried to completion under a previous edition of the Construction Codes, the term "Construction Codes" shall refer to that previous edition.

"(3) "Construction Codes Supplement" means the additions, insertions, deletions, and changes to the Model Codes adopted by the District pursuant to section 10.

"(4) "Construction documents" mean all written, graphic, and pictorial documents prepared or assembled for describing the design, location, and physical characteristics of the elements of a project necessary for obtaining a permit.

"(5) "Council" means the Council of the District of Columbia.

"(6) "Department" means the Department of Consumer and Regulatory Affairs.

"(7) "Director" means the Director of the Department of Consumer and Regulatory Affairs, or the Director's designee.

"(8) "District" means the District of Columbia.

"(9) "Fire protection systems" means the devices, equipment, and systems utilized to detect a fire, activate an alarm, or suppress or control a fire, or any combination thereof.

"(10) "Model Codes" means the codes published by the International Code Council, or by a comparable nationally recognized and accepted code-development organization, that are adopted by the District pursuant to section 10.

"(11) "Project" means construction that is all or a part of one development scheme, built at one time or in phases.

"(12) " Third party plan reviewer" means a person certified by the Director to conduct a third party review of one or more components of construction documents and to certify compliance with the Construction Codes.

"Sec. 3. Approval.

Amend § 6-1402

"The Council approves the Construction Codes pursuant to the procedures set forth in section 10.".

(b) Section 4 (D.C. Official Code § 6-1403) is amended to read as follows:

Amend § 6-1403

"Sec. 4. Scope.

"(a) The Construction Codes shall control:

"(1) Matters concerning the construction, reconstruction, alteration, addition, repair, removal, demolition, use, location, equipment, occupancy, and maintenance of all buildings, structures, and premises in the District, whether existing or proposed, including any appurtenances connected or attached to a building or structure;

"(2) The construction, prefabrication, alteration, repair, use, occupancy, and maintenance of detached 1-family or 2-family dwellings not more than 3 stories in height, and their accessory structures;

"(3) The design, construction, installation, maintenance, alteration, conversion, change, repair, removal, and inspection of electrical conductors, equipment, and systems in buildings or structures and on public space within the District for the transmission, distribution, and use of electrical energy for power, heat, light, radio, television, signaling, or other purposes;

"(4) The design, installation, maintenance, alteration, and inspection of mechanical systems, including heating systems, ventilating systems, cooling systems, steam and hot-water heating systems, water heaters, process piping, boilers and pressure vessels, appliances using gas, liquid, or solid fuel, chimneys and vents, mechanical-refrigeration systems, fireplaces, barbecues, incinerators, crematories, and air-pollution systems;

"(5) In addition to their respective connections, devices, and appurtenances, the design, installation, alteration, repair, replacement, relocation, removal, use, or maintenance of plumbing equipment, systems, and materials, including water supply and distribution pipes, plumbing fixtures and traps, water-treating or water-using equipment, soil, waste, and vent pipes, sanitary and storm sewers, and building drains;

"(6) The design, construction, installation, erection, alteration, repair, relocation, replacement, quality of materials, location, operation, use, or maintenance of fuel-gas systems, distribution piping and equipment, and fuel-gas-fired appliances;

"(7) Minimum requirements to safeguard life, property, or public welfare from the hazards of fire and explosion arising from the storage, handling, or use of substances, materials, and devices, and from conditions hazardous to life, property, or public welfare in the use or occupancy of buildings, structures, sheds, tents, lots, or premises;

"(8) Minimum maintenance standards for all structures and premises with regard to basic equipment and facilities for light, ventilation, space heating, and sanitation, safety from fire, space, use, and location, safe and sanitary maintenance of all structures and premises now in existence, minimum requirements for all existing buildings and structures for means of egress, fire protection systems, and other equipment and devices necessary for life safety from fire, and the rehabilitation and reuse of existing structures, allowances for differences between application

of the Construction Code requirements to new construction, alterations, and repairs, and fixing the responsibilities of owners, operators, and occupants of all structures;

"(9) The design and construction of energy-efficient building envelopes and the installation of energy-efficient heating, ventilating, air conditioning, service-water heating, electrical distribution and illuminating systems, and equipment;

"(10) Minimum standards for physical things and conditions essential to safeguard the environment, public health, safety, and general welfare through the establishment of requirements to reduce the negative impact and increase the positive impact of the built environment on the natural environment and building occupants; and

"(11) The design, construction, installation, quality of materials, location, and maintenance, or use of aquatic vessels, and related mechanical, electrical, and plumbing systems.

"(b) The Construction Codes may also control the construction, reconstruction, alteration, addition, repair, removal, demolition, use, location, equipment occupancy, and maintenance of interior signs or other items as specified in the Construction Codes;

"(c) The Construction Codes shall apply to those buildings occupied by or for any foreign government as an embassy or chancery to the extent provided for in section 206 of An Act to authorize appropriations for fiscal years 1982 and 1983 for the Department of State, the International Communication Agency, and the Board for International Broadcasting, and for other purposes, approved August 24, 1982 (96 Stat. 286; D.C. Official Code § 6-1306).

"(d)(1) Except for permit requirements for land-disturbing activities, the Construction Codes shall not apply to public buildings or premises owned by the United States government, including appurtenant structures and portions of buildings, premises, or structures that are under the exclusive control of an officer of the United States government in the officer's official capacity.

"(2) For the purpose of this subsection, "exclusive control" does not include a lessor if the lessor is responsible for the maintenance and repairs to property leased to the United States government.

"(e) No permit required under the Construction Codes shall be issued if it is determined by the Building Code Official that:

"(A) The permit affects an area in close proximity to the official residence of the President or the Vice President of the United States; and

"(B) The United States Secret Service has established that the issuance of the permit would adversely impact the safety and security of the President or the Vice President of the United States.".

Amend § 6-1404

(c) Section 5 (D.C. Official Code § 6-1404) is amended to read as follows:

"Sec. 5. Intent.

"The Construction Codes shall be construed to secure their expressed intent, which is to ensure public safety, health, and welfare by regulating and governing the conditions and maintenance of premises, buildings, and structures, and mechanical, plumbing, fuel gas and electrical equipment and systems, including by providing standards for structural strength, energy and water conservation, accessibility to persons with disabilities, adequate egress

facilities, sanitary equipment, light, ventilation, and fire safety, and the issuance of permits, and, in general, to secure safety to life and property from all hazards incident to the design, construction, erection, repair, removal, demolition, maintenance, use, and occupancy of buildings, structures, and premises, and related equipment and systems.".

Amend § 6-1405.01

(d) Section 6a (D.C. Official Code § 6-1405.01) is amended to read as follows:

"Sec. 6a. Administration of construction regulations.

"(a)(1) The Building Code Official is authorized to administer and enforce the provisions of this act, including provisions regarding the Construction Codes, building permits, and certificates of occupancy, and all regulations issued pursuant to this act.

"(2) In regulating and enforcing building permits and certificates of occupancy, the Building Code Official shall require an employer, as that term is defined in section 2(10) of the District of Columbia Worker's Compensation Act of 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1501(10)), to produce proof of Workers' Compensation insurance coverage before the issuance of a construction permit.

"(3) The Building Code Official shall seek to assure that all buildings, structures, and premises in the District are in full compliance with the Construction Codes adopted pursuant to this act and all zoning provisions in An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 *et seq.*), and regulations issued pursuant to those acts.

"(4) The Building Code Official shall seek to administer all building permits, certificates of occupancy, and other provisions of this act and regulations issued pursuant to this act in a manner that is fair, efficient, predictable, readily adaptable to new technologies, consumer-oriented, devoid of unnecessary time delays and other administrative burdens, cost-effective, and directed at enhancing the protection of the public health, welfare, safety, and quality of life.

"(b)(1) The Building Code Official may enforce the regulations issued pursuant to this act by means of covenants or agreements between the Department of Consumer and Regulatory Affairs and an affected party. All such covenants or agreements shall have the prior approval of the Office of the Attorney General for legal sufficiency and comply with all other applicable District and federal laws.

"(2)(A) Where the Office of the Attorney General determines that under District law a covenant or agreement may require the review and approval of other District agencies, it shall notify the agencies and establish an inter-agency process for review, and, if required under District law, approval.

"(B) The Building Code Official shall coordinate with the Office of the Attorney General relating to the time required for the review and recommendations by the Office of the Attorney General of any covenant or agreement proposed pursuant to this act.

"(c) The Building Code Official shall have authority over the approval, installation, design, modification, maintenance, testing, and inspection of all new and existing fire protection systems.".

Amend § 6-1405.02

(e) Section 6b (D.C. Official Code § 6-1405.02) is amended to read as follows:

"Sec. 6b. Third party plan review.

"(a) The Mayor shall allow qualified third party plan reviewers to review construction documents, or components of construction documents, and certify their compliance with the Construction Codes.

"(b) The Mayor may promulgate rules to establish the minimum qualification requirements for third party plan reviewers, procedures for expedited review of construction documents certified by a third party plan reviewer, rules to ensure that a third plan party reviewer does not have any conflicts of interest, and other matters relating to the administration and oversight of third party plan reviewers; provided, that:

"(1) A third party plan reviewer shall possess a valid license as an architect or professional engineer in the District pursuant to Part A or J of Subchapter I-B of Chapter 28 of Title 47.

"(2) To maintain an appointment as a third party plan reviewer, a third party plan reviewer shall maintain the license required by paragraph (1) of this subsection and recommend for submission construction permit applications and construction documents that consistently meet the requirements of the Construction Codes, as determined by a periodic detailed review by the Director of the documents for consistency and thoroughness.

"(c) The Director shall have authority to revoke the certification of a third party plan reviewer for failure to comply with the requirements of this section or rules promulgated pursuant to this section.

"(d)(1) To qualify to work as a third party plan reviewer on a project, the third party plan reviewer shall not be controlled by the owner of the project, or any person or entity with an ownership interest in the project, the general contractor, a subcontractor, or any person or entity responsible for the design, construction, or management of the project.

"(2) The third party plan reviewer shall not serve or have served on the same project as an advisor or consultant to the owner or the design team in connection with Construction Codes matters for which the third party plan reviewer is providing plan review and certification services or provide inspection services for a project that the third party plan reviewer, or a related entity, has certified.

"(e) A person or firm with which the person is affiliated as an owner or employee who has performed any work for a project, including preparing design plans for any construction documents or components of construction documents, including architectural and structural plans, mechanical plans, plumbing plans, and electrical plans, shall not be eligible to serve as a third party plan reviewer for the project.

"(f)(1) The third party plan reviewer shall not enter into a contract to review a project if the individual determines that there may be a conflict with the qualifications specified in this section.

"(2) The third party plan reviewer shall notify the Director for resolution in cases of doubtful interpretation.

"(3) The third party plan reviewer shall disclose any potential conflicts of interest that may arise at any time between the third party plan reviewer and the project or parties connected to the project.

"(g) The Director shall resolve disputes on conflict matters and the decision of the Director shall be final.

"(h) The Director shall maintain a tracking system to monitor the recommendations of third party plan reviewers and the consistency with which construction documents recommended by each conforms to the applicable provisions of the Construction Codes.

"(i) This section shall not relieve a person who prepares and submits construction documents of any obligations or liabilities otherwise existing under law and shall not relieve the District of its obligation to review all construction documents in the manner otherwise prescribed by law.".

Repeal § 6-1405.03

(f) Section 6c (D.C. Official Code § 6-1405.03) is repealed.

Amend § 6-1405.04

(g) Section 6d ((D.C. Official Code § 6-1405.04) is amended to read as follows:

"Sec. 6d. Third party inspections.

"(a) The Mayor shall allow the Department to accept reports of inspection by qualified third party inspectors for work performed pursuant to a building permit.

"(b) The Mayor may promulgate rules to establish the minimum qualification requirements for third party inspectors, the selection of third party inspectors, and other matters related to the administration and oversight of third party inspectors.

"(c) The Mayor may promulgate rules to ensure that a third party inspector does not have any conflicts of interest that could potentially affect the objectivity or reliability of the inspection report, including regarding the following situations:

"(1) Any person or entity who has performed any work for a project for which the property owner or the authorized agent has elected to use third party plan reviewers, including reviewers of architectural and structural plans, mechanical plans, plumbing plans, and electrical plans, shall not be eligible to serve as a third party inspector for any component on the project. This prohibition shall also apply to affiliates of the person or entity who has performed the work.

"(2) A third party inspector shall be hired by the project owner; provided, that the individual shall not have any contractual relationship with the general contractor, construction manager, a subcontractor, or other person who has performed work on the project.

"(3) The third party inspector shall not enter into a contract for inspection of a project if the individual determines that there may be a conflict with the qualifications specified in this section and shall disclose any potential conflicts of interest that may arise at any time between the third party inspector and the project or parties connected to the project.

"(d) The third party inspector certification may be revoked by the Director for failure to comply with the requirements of this section or rules promulgated pursuant to this section.

"(e) This section shall not be construed to violate, cancel, or set aside any provisions of the Construction Codes or to relieve any person of any obligations or liabilities otherwise existing under law.".

(h) Section 7b (D.C. Official Code § 6-1406.02) is amended as follows: **Amend § 6-1406.02**

(1) The existing text is designated as subsection (a).

(2) The newly designated subsection (a) is amended by striking the phrase "The Office of Zoning" and inserting the phrase "Except as provided in subsection (b) of this section, the Office of Zoning" in its place.

(3) A new subsection (b) is added to read as follows:

"(b) The Building Code Official may amend the administrative fees for the issuance of compliance letters by rulemaking pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1202; D.C. Official Code § 2-501 *et seq.*).".

(i) Section 9 (D.C. Official Code § 6-1408) is amended by striking the phrase "separately." and inserting the phrase "or be posted electronically on the website of the Secretary of the District of Columbia or other designated District government website." in its place. **Amend § 6-1408**

Sec. 6. Section 1 of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01), is amended as follows: **Amend § 42-3131.01**

(a) Subsection (a) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "Except as provided in paragraph 2" and inserting the phrase "Except as provided in paragraphs (2) and (3)" in its place.

(2) A new paragraph (3) is added to read as follows:

"(3) Summary correction of certain violations without prior notice to the owner is authorized pursuant to subsection (c)(1) of this section.".

(b) Subsection (c)(1) is amended to read as follows:

"(c)(1)(A) The Mayor may order the summary correction of housing regulation violations or violations of the Construction Codes where there is imminent danger, as determined by the Mayor.

"(B) Except in the case of a vacant building, the Mayor shall promptly notify the owner or authorized agent that the correction is ordered within a specified time period; provided, that the Mayor is authorized to take emergency action, including putting in temporary safeguards, without prior notification when the Mayor determines there is imminent danger due to an unsafe condition and immediate emergency action is necessary to alleviate the danger.

"(C) Any person ordered to take emergency measures or actions shall immediately comply with any notice or order. Where notice is provided under this section, if at the time of the notice, the owner is engaged in a good-faith effort to make the necessary correction, the Mayor shall not commence corrective action unless and until the owner interrupts or ceases the corrective effort or the Mayor determines that emergency repairs or temporary safeguards are required.

"(D)(i) The owner or authorized agent shall be notified by personal service or by registered mail to the last known address and by conspicuous posting on the property. If the owner or address is unknown, or cannot be located, notice shall be provided by conspicuous posting on the property.

"(ii) The Mayor may assess all reasonable costs of correcting the condition and all expenses incident to the corrective action as a tax against the property.

"(iii) A tax placed against a property pursuant to this subsection shall be carried on the regular tax rolls and collected in the same manner as real estate taxes are collected.

"(iv) The Mayor shall provide an opportunity for review of the summary corrective action without prejudice to the Mayor's authority to take and complete that action.

"(E) Monies in the fund established by subsection (b)(1) of this section shall be available to cover the costs of the summary corrections authorized by this subsection.

"(F) For the purposes of this paragraph, the term:

"(i) "Good faith effort" means one that is likely to cause the correction of the condition at least as soon as it could be corrected by the Mayor.

"(ii)(I) "Imminent danger" means:

"(aa) There is an immediate danger of the failure or collapse of a building or other structure that endangers life;

"(bb) When any structure or part of a structure has fallen and life is endangered by the occupation of the structure;

"(cc) When there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors, the presence of toxic fumes, gases, or materials; or

"(dd) When the health or safety of occupants of the premises or those in the proximity of the premises is immediately endangered by an insanitary condition or the operation of defective or dangerous equipment.

"(II) The term "imminent danger" may also include:

"(aa) A vacant building, as defined in section 5(5);

"(bb) The interruption of electrical, heat, gas, water, or other essential services, when the interruption results from other than natural causes; or

"(cc) The presence of graffiti.".

Sec. 7. Repealers.

(a) An Act To regulate the height of buildings in the District of Columbia, approved June 1, 1910 (36 Stat. 452; D.C. Official Code § 6-601.01 *et seq.*), is amended as follows:

Repeal §§ 6-601.01 – 6-601.04, 6-601.06

(1) Sections 1 through 4 (D.C. Official Code §§ 6-601.01 through 6-601.04) are repealed.

(2) Section 6 (D.C. Official Code § 6-601.06) is repealed.

Repeal §§ 6-701.01 – 6-701.12

(b) An Act To require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes, approved March 19, 1906 (34 Stat. 70; D.C. Official Code § 6-701 *et seq.*), is repealed.

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 9. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-474
Act 21-357 effective March 25, 2016

To authorize the Mayor to acquire and dispose of a portion of the former Walter Reed Army Medical Center, located at 6900 Georgia Avenue, N.W., to establish the Walter Reed Reinvestment Fund into which certain funds received in connection with the site shall be deposited, to establish the Walter Reed Redevelopment Fund into which certain possessory interest tax revenues shall be deposited, and to authorize the provision of grants by the Deputy Mayor for Planning and Economic Development in connection with the redevelopment and operation of the site; and to amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to exempt the buildings on the site from vacant building registration requirements for a certain period of time.

Codification District of Columbia Official Code 2001 Edition

Walter Reed Development Omnibus Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Walter Reed Development Omnibus Act of 2016".

New Subchapter XV, Chapter 2, Title2

New § 2-1227.01

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Army" means the United States Department of the Army.

(2) "Administration Payments" means those payments from the Developer and Component Developers to the District to reimburse the District for certain costs associated with the Walter Reed Redevelopment Site and the redevelopment thereof in accordance with the terms of the LDA.

(3) "Base Closure Act" means the Defense Base Closure and Realignment Act of 1990, approved November 5, 1990 (104 Stat. 1485; 10 U.S.C. § 2687, note).

(4) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq*.).

(5) "Component Developer" means an entity approved by the Mayor pursuant to the terms of the LDA, who shall agree to construct a portion of the Vertical Development on the Walter Reed Redevelopment Site.

(6) "Developer" means TPWR Developer LLC, a joint venure comprised of Hines WR LLC, UAD Walter Reed LLC (Urban Atlantic), and Triden Development Group, LLC and any such successor or assigns as may be approved by the Mayor.

(7) "EDC Agreement" means the agreement between the District and the Army for the Economic Development Conveyance of the Army's fee simple interest in the Walter Reed Redevelopment Site to the District.

(8) "First Source Agreement" means an agreement governing certain obligations of the Developer and each Component Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983), regarding job creation and employment generated as a result of the construction of the Horizontal Development and the Vertical Developments.

(9) "Horizontal Development" means development and construction of the horizontal and infrastructure work on the Walter Reed Redevelopment Site as required under the LDA.

(10) "LDA" means the Land Disposition Agreement between the District and Developer that memorializes the terms of the disposition of the Walter Reed Redevelopment Site, which shall be consistent with the Term Sheet and this act.

(11) "Legally Binding Agreement" means an agreement between the District, as the Walter Reed LRA, and a homeless assistance provider that commits the provider to implement and operate certain homeless assistance services on the Walter Reed Redevelopment Site, as approved by the U.S. Department of Housing and Urban Development.

(12) "Memorandum of Agreement" means an agreement between the District, as the Walter Reed LRA, and a public benefit provider for the potential transfer of real property on the Walter Reed Redevelopment Site.

(13) "Term Sheet" means the amended term sheet dated January 28, 2016, executed by the Developer and the Office of the Deputy Mayor for Planning and Economic Development.

(14) "Vertical Development" means the development and construction of buildings and associated improvements to the Walter Reed Development Site pursuant to the LDA.

(15) "Walter Reed Common Area Association" means the "Owners' Association" created pursuant to the terms of the LDA to manage the operations of the Walter Reed Redevelopment Site.

(16) "Walter Reed LRA" means the District of Columbia government, the local redevelopment authority created by Mayor's Order No. 2006-21 and recognized by the Office of Economic Adjustment on behalf of the Secretary of Defense.

(17) "Walter Reed Redevelopment Site" means approximately 66.27 acres of land located on a portion of the area bounded by Fern Street, N.W., and Alaska Avenue, N.W., to the north, 16th Street, N.W., to the west, Aspen Street, N.W., to the south, and Georgia Avenue, N.W., to the east, known as Parcel 0319/0004 and a portion of Parcel 0319/0005.

(18) "Walter Reed Reuse Plan" means the Walter Reed Local Redevelopment Authority Reuse Plan approved by Council pursuant to section 4 of the Walter Reed Army Medical Center Base Realignment and Closure Homeless Assistance Submission Approval Act of 2012, effective October 16, 2012 (D.C. Law 19-175; 60 DCR 7581).

Sec. 3. Findings. **New § 2-1227.02**

(a) The Walter Reed Redevelopment Site has been declared surplus and closed by the Department of Defense pursuant to the procedures and authorities of the Base Closure Act.

(b) The District of Columbia government was recognized as the Walter Reed LRA by the Office of Economic Adjustment on behalf of the Secretary of Defense for developing and implementing the Walter Reed Reuse Plan.

(c) The Council approved the Walter Reed Reuse Plan and the Legally Binding Agreements pursuant to section 4 of the Walter Reed Army Medical Center Base Realignment and Closure Homeless Assistance Submission Approval Act of 2012, effective October 16, 2012 (D.C. Law 19-175; 60 DCR 7581).

(d) The Walter Reed Reuse Plan envisions a dynamic campus integrated into the existing Ward 4 community through the provision of expanded retail opportunities, preservation of open space, creative reuse of historic assets into cultural and educational uses, the creation of a range of jobs, and the development of various housing options to support the needs of District residents.

(e) The Council approved the Walter Reed Army Medical Center Small Area Plan pursuant to the Walter Reed Army Medical Center Small Area Plan Approval Resolution of 2013, effective April 30, 2013 (Res. 20-105; 60 DCR 12813), which supports the development program recommendations in the Walter Reed Reuse Plan.

(f) Pursuant to Zoning Commission Order 14-22, the Zoning Commission for the District of Columbia adopted the text and map amendments to the zoning regulations to create and implement the Walter Reed zone for the Walter Reed Redevelopment Site.

(g) The Mayor and the Secretary of Army, through their representatives, have negotiated the terms by which the Army will convey fee simple title to the Walter Reed Redevelopment Site to the District as the Walter Reed LRA, as memorialized in the EDC Agreement.

(h) After conducting a competitive and public solicitation process, the Office of the Deputy Mayor for Planning and Economic Development selected the Developer to redevelop the Walter Reed Redevelopment Site in furtherance of the Walter Reed Reuse Plan.

(i) Upon the District's acquisition of fee simple title to the Walter Reed Redevelopment Site, the Mayor intends to ground lease the Walter Reed Redevelopment Site to the Developer for master development of the site, construction of the Horizontal Development, and sublease of a portion of the site for occupancy by the selected homeless assistance providers and public benefits providers pursuant to the Legally Binding Agreements and Memoranda of Agreement, respectively, subject to the terms of the LDA. Upon termination of the Developer's ground lease, the Mayor will assume the subleases and extend the lease terms to the public benefits providers, if requested by the public benefits providers, to permit the public benefits providers to continue operating their parcels consistent with the terms of their respective Memoranda of Agreement, subject to the terms of the LDA.

(j) Subject to the conditions identified in the LDA, the District will convey fee simple title to certain portions of the Walter Reed Redevelopment Site to:

(1) Component Developers to construct the Vertical Developments;

(2) The Walter Reed Common Area Association to manage and operate the common areas on the Walter Reed Redevelopment Site;

(3) The homeless assistance providers to continue operating their premises pursuant to the terms of their respective Legally Binding Agreements; and

(4)(A) The Developer, if the Developer purchases the tenant's leasehold under the Housing Lease, as defined in the LDA; or

(B) If the Housing Lease remains in effect as of the date on which the final phase of Horizontal Development is substantially complete, to the Walter Reed Common Area Association to manage the existing lease for the buildings known as Buildings 8 and 9.

(k) The Developer and each Component Developer shall enter into a First Source Agreement with the District that shall govern certain obligations of the Developer and each Component Developer regarding job creation and employment as a result of the construction of the Horizontal Development and Vertical Developments.

(l) The Developer and each Component Developer shall enter into an agreement that shall require the Developer and each Component Developer, at a minimum, to contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Horizontal Development and each Vertical Development and shall require at least 20% equity and 20% development participation of Certified Business Enterprises.

(m) At least 20% of the residential units constructed at the Walter Reed Redevelopment Site shall be reserved, sold, or leased as affordable units pursuant to Zoning Commission Order 14-22. Each Component Developer who shall construct a Vertical Development that contains residential units shall enter into an affordable housing covenant memorializing these affordable unit requirements.

Sec. 4. EDC Agreement approval. **New § 2-1227.03**

Consistent with section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), the Mayor shall transmit the EDC Agreement to the Council for its approval.

Sec. 5. Approval of disposition of Walter Reed Redevelopment Site. **New § 2-1227.04**

Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes , approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq*.), the Mayor is authorized to dispose of:

(1) The Walter Reed Redevelopment Site pursuant to the terms of the Term Sheet by ground lease for a term of less than 30 years to Developer;

(2) Portions of the Walter Reed Redevelopment Site by ground lease to the selected public benefit providers and homeless assistance providers;

(3) Portions of the Walter Reed Redevelopment Site in fee simple to Component Developers, the Walter Reed Common Area Association, and the selected homeless assistance providers; and

(4) Portions of the Walter Reed Redevelopment Site by easement to public

utilities to the extent necessary for the development of the Horizontal Development and Vertical Development.

New § 2-1227.05

Sec. 6. Walter Reed Reinvestment Fund.

(a) There is established as a special fund the Walter Reed Reinvestment Fund ("Fund"), which shall be administered by the Office of the Deputy Mayor for Planning and Economic Development and used solely for the purposes set forth in subsection (c) of this section.

(b) The Chief Financial Officer shall deposit into the Fund all proceeds from the sale, lease, or equivalent use of the Walter Reed Redevelopment Site, including the Administration Payments, except for:

(1) Proceeds that are used to pay the Army consideration due under the EDC Agreement; and

(2) Funds received from the Developer to reimburse the District for payments to the Army made pursuant to the EDC Agreement.

(c) The Fund shall be used solely:

(1) To support job creation and economic development of, or related to, the Walter Reed Redevelopment Site, including to pay for:

(A) Road construction;

(B) Transportation management facilities;

(C) Storm and sanitary sewer construction;

(D) Police and fire protection facilities and other public facilities;

(E) Utility construction;

(F) Building rehabilitation;

(G) Historic property preservation;

(H) Pollution protection equipment or facilities;

(I) Demolition;

(J) Disposal of hazardous materials and hazardous waste generated by demolition;

(K) Landscaping, grading, and other site or public improvements; and

(L) Planning for or the marketing of the redevelopment or use of the Walter Reed Redevelopment Site;

(2) For other purposes permitted by the EDC Agreement; and

(3) To make payments due to the Army required under the EDC Agreement during the first 7 years after the date the District acquires the Walter Reed Redevelopment Site from the Army and thereafter for the purposes stated in this section and the economic development goals or activities of the District.

(d) The Office of the Deputy Mayor for Planning and Economic Development shall have the authority to make grants from the Fund to recipients in furtherance of the purposes set forth in subsection (c) of this section

(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal

year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

New § 2-1227.06

Sec. 7. Walter Reed Redevelopment Fund.

(a) There is established as a special fund the Walter Reed Redevelopment Fund ("Fund"), which shall be administered by the Office of the Deputy Mayor for Planning and Economic Development and used solely for the purposes set forth in subsection (c) of this section.

(b) The Chief Financial Officer shall deposit into the Fund all funds received pursuant to D.C. Official Code § 47-1005.01 attributable to the Developer's lease of the Walter Reed Redevelopment Site for the period ending on the last day of the tax year that is 10 years after the date on which the Developer commences the demolition of Building 2 on the Walter Reed Redevelopment Site in accordance with the requirements of the LDA.

(c) The Fund shall be used solely to support the maintenance, operation, and construction activities on the Walter Reed Redevelopment Site.

(d) The Office of the Deputy Mayor for Planning and Economic Development shall have the authority to make grants from the Fund to recipients in furtherance of the purposes set forth in subsection (c) of this section.

(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Amend § 42-3131.06

Sec. 8. Section 6(b) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2011 (D.C. Law 13-281; D.C. Official Code § 42-3131.06(b)), is amended as follows:

(a) Paragraph (7) is amended by striking the word "or" at the end.

(b) Paragraph (8) is amended by striking the period and inserting the phrase "; or" in its place.

(c) A new paragraph (9) is added to read as follows:

"(9) Located on the Water Reed Redevelopment Site, for so long as the building and the land on which the building sits is subject to the ground lease to the Developer.".

Sec. 9. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 10. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02 (c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-120, effective June 17, 2016
[Delayed Applicability]

AN ACT

Bill 21-361
Act 21-374
effective
April 27, 2016

To amend the Department of Mental Health Establishment Amendment Act of 2001 to require all teachers and principals in public schools and public charter schools to complete the youth behavioral health program once every 2 years; to amend the State Education Office Establishment Act of 2000 to require the Office of the State Superintendent of Education ("OSSE") to develop and publish online written guidance to assist local education agencies in developing and adopting policies and procedures for handling aspects of mental and behavioral health for students, to require OSSE to develop and annually publish online a catalogue of all professional development and training programs offered, to require OSSE to establish a pilot program for select District of Columbia public schools and public charter schools serving students in grades 7-10 to administer annual school climate surveys, and to require OSSE to annually report on school climate survey data.

Codification
District of
Columbia
Official Code
2001 Edition

Youth Suicide
Prevention
and School
Climate
Survey
Amendment
Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Youth Suicide Prevention and School Climate Survey Amendment Act of 2016".

Sec. 2. Section 115b of the Department of Mental Health Establishment Amendment Act of 2001, effective June 7, 2012 (D.C. Law 19-141; D.C. Official Code § 7-1131.17), is amended as follows:

Amend
§ 7-1131.17

(a) Subsection (a) is amended as follows:

(1) Paragraph (1) is amended by striking the word "and" at the end.

(2) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (3) is added to read as follows:

"(3) Recognize the warning signs and risk factors for youth suicide and implement best practices for suicide prevention, suicide intervention, and suicide postvention.".

(b) Subsection (b)(1) is amended by striking the phrase "Starting October 1, 2014, completion of the program shall be mandatory for all:" and inserting the phrase "Starting October 1, 2016, completion of the program shall be mandatory once every 2 years for all:" in its place.

(c) A new subsection (e) is added to read as follows:

"(e) For the purposes of this section, the term:

"(1) "Suicide intervention" means specific actions schools can take in response to student suicidal behavior, including:

"(A) Student supervision;

"(B) Notification of parents or guardians;

"(C) Crisis-response protocols;

"(D) When and how to request an immediate mental health assessment or emergency services; and

"(E) School re-entry procedures following a student mental health crisis.

"(2) "Suicide postvention" means planned support and interventions schools can implement after a suicide attempt or suicide death of a member of the school community that are designed to:

"(A) Reduce the risk of suicide contagion;

"(B) Provide support for affected students and school-based personnel;

"(C) Address the social stigma associated with suicide; and

"(D) Disseminate factual information about suicide.

"(3) "Suicide prevention" means specific actions schools can take to recognize and reduce suicidal behavior, including:

"(A) Identifying risk and protective factors for suicide and suicide warning signs;

"(B) Establishing a process by which students are referred to a behavioral health provider for help;

"(C) Making available school-based and community-based mental health supports;

"(D) Providing the location of available online and community suicide prevention resources, including local crisis centers and hotlines; and

"(E) Adopting policies and protocols regarding suicide prevention, intervention, and postvention, school safety, and crisis response.".

Amend § 38-2602

Sec. 3. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

(a) Paragraph (23) is amended by striking the word "and" at the end.

(b) Paragraph (24)(F) is amended by striking the period and inserting a semicolon in its place.

(c) New paragraphs (25), (26), and (27) are added to read as follows:

"(25)(A) Develop and publish online written guidance to assist LEAs in developing and adopting policies and procedures for handling aspects of student mental and behavioral health. The written guidance shall include model policies for identifying, appropriately supporting, and referring to behavioral health service providers students with mental and behavioral health concerns, and model policies for suicide prevention, suicide intervention, and suicide postvention, especially for at-risk youth sub-groups.

"(B) OSSE shall examine its guidance on mental and behavioral health in schools at least every 5 years and update its guidance as needed. Within 30 days of updating its guidance, OSSE shall notify LEAs of the update.

"(C) For the purposes of this paragraph, the term:

"(i) "At-risk youth sub-groups" means:

"(I) Youth living with mental illness or substance-use disorders;

"(II) Youth who engage in self-harm or have attempted suicide;

"(III) Youth in out-of-home settings;

"(IV) Youth experiencing homelessness;

"(V) Youth who identify as lesbian, gay, bisexual, transgender, or questioning;

"(VI) Youth bereaved by suicide; and

"(VII) Other populations identified as at-risk of suicide in the most recent DC Youth Risk Behavior Survey results.

"(ii) "Suicide intervention" means specific actions schools can take in response to student suicidal behavior, including:

"(I) Student supervision;

"(II) Notification of parents or guardians;

"(III) Crisis-response protocols;

"(IV) When and how to request an immediate mental health assessment or emergency services; and

"(V) School re-entry procedures following a student mental health crisis.

"(iii) "Suicide postvention" means planned support and interventions schools can implement after a suicide attempt or suicide death of a member of the school community that are designed to:

"(I) Reduce the risk of suicide contagion;

"(II) Provide support for affected students and school-based personnel;

"(III) Address the social stigma associated with suicide; and

"(IV) Disseminate factual information about suicide.

"(iv) "Suicide prevention" means specific actions schools can take to recognize and reduce suicidal behavior, including:

"(I) Identifying risk and protective factors for suicide and suicide warning signs;

"(II) Establishing a process by which students are referred to a behavioral health provider for help;

"(III) Making available school-based and community-based mental health supports;

"(IV) Providing the location of available online and community suicide prevention resources, including local crisis centers and hotlines; and

"(V) Adopting policies and protocols regarding suicide prevention, intervention, and postvention, school safety, and crisis response;

"(26)(A) Develop and publish a publicly accessible online catalogue of all professional development or training programs offered by OSSE. For each professional development or training program, the catalogue shall include the following:

"(i) Date, time, and location of program sessions;

"(ii) A program description;

"(iii) The number of seats available per session of the program;

"(iv) Prerequisites for a particular session or program; and

"(v) Instructions for registration.

"(B) By June 30 of each year, beginning in 2017, OSSE shall publicly release its catalogue of professional development and training programs offered for the upcoming school year, and it shall periodically update the catalogue as additional programs are added; and

"(27)(A) Beginning in school year 2016-2017 and continuing through school year 2019-2020, implement a pilot program at select District of Columbia public schools and public charter schools for collecting school climate data through school climate surveys.

"(B) Pursuant to the pilot program, participating District of Columbia public schools and public charter schools, in conjunction with OSSE, shall annually issue a school climate survey to enrolled students in grades 7-10, school-based personnel, and the parents or legal guardians of enrolled students in grades 7-10.

"(C) Based on the survey data obtained pursuant to the pilot program described in subparagraph (A) of this paragraph, OSSE shall annually analyze school climate in the District and report its findings to the Mayor and the Council no later than October 1 following the school year in which the climate data was collected. Each annual report shall include an analysis of school climate data in light of participating schools' student demographics, to be measured, at a minimum, by students':

"(i) Race or ethnicity;

"(ii) Gender;

"(iii) Status as an English language learner;

"(iv) Status as a student with an individualized education program; and

"(v) Status as an at-risk student, as defined by section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)).

"(D) By December 1, 2019, OSSE shall submit to the Council a plan to expand school climate surveys to all District of Columbia public schools and public charter schools serving any grade 6-12, beginning in school year 2020-2021.

"(E) For the purposes of this paragraph, the term "school climate survey" means a comprehensive Internet-based survey platform designed to be implemented by local

education agencies to collect data from students, parents, and school staff on 3 key domains of school climate:

"(i) Engagement, including cultural and linguistic competence, relationships, and participation;

"(ii) Safety, including emotional safety, physical safety, bullying and cyberbullying, substance use, and emergency readiness and management; and

"(iii) Environment, including physical environment, instructional environment, physical health, mental health, and discipline.".

Delayed Applicability

Sec. 4. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-366
Act 21-375
effective
April 26, 2016

Not Codified in the D.C. Official Code

To amend section 2406 of Title 18 of the District of Columbia Municipal Regulations to require the Director of the District Department of Transportation ("DDOT") to coordinate with the Fire and Emergency Medical Services Department ("FEMS") to ensure adequate parking for FEMS personnel near firehouses or fire stations and to authorize the Director of DDOT to reserve parking spaces near a firehouse or fire station to accommodate one on-duty platoon of FEMS personnel.

Firehouse Parking Exception Regulation Amendment Act of 2016

DCMR

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Firehouse Parking Exception Regulation Amendment Act of 2016".

Sec. 2. Section 2406 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2406) is amended by adding new subsections 2406.19 and 2406.20 to read as follows:

"2406.19 The Director of the District Department of Transportation shall coordinate with the Fire and Emergency Medical Services Department ("FEMS") to ensure adequate parking at District firehouses and fire stations.

"2406.20 If a firehouse or fire station does not have adequate on-site parking to accommodate the personnel of one on-duty platoon, the Director of the District Department of Transportation may reserve parking within a distance not to exceed sixty feet (60 ft.) along the curb in front of, behind, or alongside of any building occupied by a firehouse or fire station for vehicles bearing special permits for FEMS personnel; provided, that the Director of the District Department of Transportation shall only reserve parking pursuant to this subsection to the extent necessary to accommodate parking at each firehouse or fire station for the personnel of one on-duty platoon.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(l)), and publication in the District of Columbia Register.

D.C. Law 21-124, effective June 22, 2016
[Partial Delayed Applicability]

AN ACT

Bill 21-313
Act 21-378
effective
May 4, 2016

To amend the Department of Transportation Establishment Act of 2002 to establish within the District Department of Transportation the Project Delivery Administration, the Operations Administration, the Administrative Administration, and the Performance Administration; to amend the District of Columbia Traffic Adjudication Act of 1978 to require the Department of Motor Vehicles to provide the Department of Public Works and the District Department of Transportation with monthly reports about parking infraction adjudication and to require the Mayor to provide the Council with a report and recommendation about the location of parking infraction adjudication; to establish the Transit Rider Advisory Council and the Multimodal Accessibility Advisory Council; to amend the District of Columbia Taxicab Commission Establishment Act of 1985 to alter the structure of the District of Columbia Taxicab Commission and rename it the Department of For-Hire Vehicles, and to establish the For-Hire Vehicle Advisory Council; and to amend the Confirmation Act of 1978, the Office of Administrative Hearings Establishment Act of 2001, Chapter 28 of Title 47 of the District of Columbia Official Code, the Employee Transportation Amendment Act of 2012, the Taxicab and Passenger Vehicle for Hire Impoundment Act of 1992, the Fiscal Year 1997 Budget Support Act of 1996, and the Non-Resident Taxi Drivers Registration Amendment Act of 2008 to make conforming amendments.

Codification
District of
Columbia
Official Code
2001 Edition

Transportation
Reorganization
Amendment
Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Transportation Reorganization Amendment Act of 2016".

TITLE I. DISTRICT DEPARTMENT OF TRANSPORTATION

Sec. 101. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

Amend
§ 50-921.03

(a) Section 4 (D.C. Official Code § 50-921.03) is amended to read as follows:

"Sec. 4. Organization.

"There is established within DDOT the following offices and divisions:

"(1) The Office of the Director, with subordinate staff responsible for:

"(A) Legal affairs;

"(B) Civil rights matters;

"(C) Compliance with the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 327; 42 U.S.C. § 12101 *et seq.*);

"(D) Senior and elderly affairs; and

"(E) Policy and legislative affairs;

"(2) The Project Delivery Administration, with subordinate staff responsible for:

"(A) Design and engineering and related support;

"(B) Street and bridge construction project management and related support;

"(C) Material inspection and testing;
"(D) Project materials specification review;
"(E) Construction project review and coordination;
"(F) Construction contract execution;
"(G) Intermodal planning;
"(H) State Transportation Environmental Compliance;
"(I) Project Identification and Development;
"(J) DC Circulator bus service;
"(K) DC Streetcar service;
"(L) Freight and passenger rail, to the extent such authority has been delegated or required by federal law;
"(M) Mass Transit Policy, with functions to include supporting the Washington Metropolitan Area Transit Authority ("WMATA") Board members and acting as a liaison between WMATA and the District government on matters including:
"(i) Alternative transportation; and
"(ii) School transit subsidy; and
"(N) Traffic safety planning, engineering, and construction;
"(3) The Operations Administration, with subordinate staff responsible for:
"(A) Tree planting and maintenance;
"(B) Tree inventory management;
"(C) Public space permits and records;
"(D) Investigations and inspections relating to public space regulations;
"(E) Asset management;
"(F) Bridge and street maintenance;
"(G) Streetlight management;
"(H) Traffic operations and safety;
"(I) Transportation systems management;
"(J) Traffic sign fabrication and installation;
"(K) Concurrent with any other agency's authority to do so, the enforcement of violations of motor vehicle parking offenses and violations of motor vehicle moving offenses, where necessary to manage the flow of traffic, respond to incidents, and manage special events;
"(L) Parking, carsharing, tour bus, and motor carrier regulation, permitting, and operations; and
"(M) Advertisements on parking meters, including the back of receipts printed out by multi-space parking meters;
"(4) The Administrative Administration, with subordinate staff responsible for:
"(A) Human resources;
"(B) Workforce development;
"(C) Budget and financial services;
"(D) Financial planning and management; and

"(E) Contracting and procurement; and

"(5) The Performance Administration, with subordinate staff responsible for:

"(A) Coordinating and managing transportation system data;

"(B) Customer service;

"(C) Coordinating and managing the agency's fleet, warehouses, and other facilities; and

"(D) Technology and information services.".

Amend § 50-921.04

(b) Section 5(a) (D.C. Official Code § 50-921.04(a)) is amended to read as follows:

"(a) The offices of DDOT shall plan, program, operate, manage, control, and maintain systems, processes, and programs to meet transportation needs as follows:

"(1) The Project Delivery Administration shall:

"(A) Manage and implement transportation improvement plans and projects;

"(B) Develop and update the Intermodal State Transportation Plan, corridor management plans, and other traffic studies on a regular basis, focusing on the safe and efficient movement of people, goods, and information;

"(C) Conduct planning studies on the condition and quality of the District's transportation system in order to locate areas where future investment is required;

"(D) Manage and construct capital projects related to the design and installation of streets, alleys, curbs, gutters, bicycle lanes, sidewalks, streetscapes, and medians;

"(E) Review and approve the use of construction materials for capital projects;

"(F) Administer the full range of processing required to execute construction contracts for transportation, from initial preparation of bid documents through final construction completion;

"(G) Implement managed lane policies, including lane pricing, vehicle eligibility, and access control; provided, that at least one lane of traffic on a street with managed lanes shall be free of charge; provided further, that DDOT shall submit to the Council any policy created pursuant to this subparagraph for approval by act before implementation;

"(H) With the consent of the Chief Property Management Officer, acquire real property by purchase, lease, grant, or gift for use by DDOT, and dispose of real property through sale, lease, or other authorized method, and exercise other acquisition and property disposition authority delegated to the Mayor;

"(I) Conduct studies;

"(J) Develop streetscape standards;

"(K) Develop policies and programs to encourage and provide for the safe use of bicycles for recreation and work-related travel, including planning, developing, operating, and regulating a Bicycle Sharing program, and administering the Bicycle Sharing Fund established by section 9h to fund a Bicycle Sharing program;

"(L) Develop and update the District's various transportation improvement plans, consistent with federal and local requirements;

"(M) Plan, manage, and contract for all, or any part of, the design, engineering, construction, operation, and maintenance of any element of the Integrated Premium Transit System;

"(N) Develop paratransit systems, water taxis, tour bus support systems, light rail streetcar transit systems, and other transportation services to provide for safe and efficient movement of persons throughout the city;

"(O) Operate the District of Columbia School Transit Subsidy Program;

"(P) Prepare studies on mass transit needs of District residents, including rail and bus services, review and revise bus routes, review and revise the location of bus shelter locations, support WMATA Board members, and act as a liaison between WMATA and the District government;

"(Q) Operate, maintain, and regulate the DC Circulator pursuant to Title III;

"(R) Operate, maintain, and regulate the DC Streetcar pursuant to Title V;

"(S) Submit to the Transit Rider Advisory Council proposed fare or service adjustments, as that term is defined in section 11e(a-1)(3);

"(T) Submit to the Transit Rider Advisory Council strategic or long-term plans to expand and improve local transit service;

"(U) Develop and implement transportation safety programs; and

"(V) Incorporate transportation safety features in the development, design, and construction of pedestrian, bicycle, motor vehicle, and mass transportation facilities and programs.

"(2) The Project Delivery Administration may enter into agreements to allow the private sponsorship of bicycles, equipment, and facilities used in the Bicycle Sharing program, and the placement of a corporate logo, slogan, or other indicia of sponsorship on the bicycles or facilities, and on related websites and social media; provided, that an agreement that would modify the name or design of any part of the Capital Bikeshare system, including equipment or facilities, shall be submitted to the Council for a 30-day period of passive review before execution. The agreement submitted to the Council shall include detailed information about a proposed name or design. All proceeds collected from a private sponsorship agreement shall be deposited into the Bicycle Sharing Fund established by section 9h.

"(3) The Operations Administration shall:

"(A) Maintain a tree inventory system;

"(B) Perform routine tree maintenance;

"(C) Review transportation related construction plans to ensure the provision of adequate rights-of-way for tree planting;

"(D) Plant, remove, and trim trees citywide;

"(E) Review, approve, and issue public space permit requests for occupancy, work within, or other use of the public space, including private use and utility work public space requests, and ensure that transportation services are maintained and that the infrastructure is restored after the occupancy, work within, or other use is complete;

"(F) Maintain official public space records;

"(G) Perform regular inspections of the transportation system infrastructure;

"(H) Enter into agreements to allow the placement of advertisements on District property, under the control of DDOT, in public space and collect payments under the agreements, if:

"(i) The placement of the advertisement is not in violation of District or federal laws, regulations, or orders; and

"(ii) All proceeds collected from the advertising agreement shall be paid into the DDOT Enterprise Fund for Transportation Initiatives, established under section 9e; provided, that proceeds related to advertisements on bicycles, equipment, or facilities used for the purposes of the Bicycle Sharing program shall be deposited into the Bicycle Sharing Fund established by section 9h;

"(I) Develop, implement, and enforce a comprehensive plan that covers the care, maintenance, and upkeep of public space and federal reservations under the control of DDOT;

"(J) Ensure that the transportation system is maintained to the highest standards;

"(K) Perform routine repair and maintenance activities to maintain a high quality of transportation infrastructure;

"(L) Coordinate seasonal snow removal operation on streets throughout the District in conjunction with the Department of Public Works and other District agencies;

"(M) Maintain the mechanical and electrical street light systems that support the transportation infrastructure;

"(N) Provide a safe transportation system by maintaining a high-quality traffic control system, including traffic signals and street lights;

"(O) Maintain the mechanical and electrical systems signal systems that support the transportation infrastructure;

"(P) Where necessary to manage the flow of traffic, respond to incidents, or manage special events, concurrent with any other agency's authority to do so, enforce all violations of statutes, regulations, executive orders, or rules relating to motor vehicle parking offenses and the operation of a motor vehicle, except those violations contained in section 202 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2302.02);

"(Q) Allocate and regulate on-street parking;

"(R) Develop a city-wide parking management program to balance the needs of parking in support of economic development;

"(S) Establish citywide parking and curbside management regulations, taking into account input from other District agencies, as necessary;

"(T) Install and maintain parking meters and other parking control devices and systems on public rights-of-way and other public spaces in the District; and

"(U) Establish policies encouraging energy conservation, the reduction of pollution, including through the use of alternative-fuel vehicles, the reduction of traffic congestion, and an increase in transportation services to persons with disabilities.

"(4) The Administrative Administration shall develop alternative methods of financing transportation projects and services to achieve financial self-sufficiency.

"(5) The Performance Administration shall:

"(A) Develop and maintain a performance monitoring system to measure the quality and effectiveness of transportation services; and

"(B) Develop and maintain the transportation elements of the Geographic Information System.".

Amend § 50-921.16

(c) Section 9h(a) (D.C. Official Code § 50-921.16(a)) is amended by striking the phrase "established pursuant to section 5(2)(K)" and inserting the phrase "established pursuant to section 5(a)(1)(K)" in its place.

Amend § 50-921.35

(d) Section 11e (D.C. Official Code § 50-921.35) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "The Mayor" and inserting the phrase "Except as provided in subsection (a-1) of this section, the Mayor" in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1)(1) Before making a fare or service adjustment for the DC Circulator, the Mayor shall hold at least one public hearing and publish notice of the fare or service adjustment in the District of Columbia Register. The notice shall:

"(A) Establish a public comment period of not fewer than 45 days from the date of publication;

"(B) Set a date for a public hearing on the fare or service adjustment, which shall be held not fewer than 20 days from the date of publication; and

"(C) Include a hyperlink to a fare or service adjustment plan, which shall include:

"(i) A summary of the proposed fare or service adjustment;

"(ii) A proposed timeline for the implementation of the fare or service adjustment;

"(iii) An equity analysis illustrating any disparate impact of the proposed fare or service adjustment on populations protected under Title VI of the Civil Rights Act of 1964, approved July 2, 1964 (78 Stat. 252; 42 U.S.C. § 2000d *et seq*.); and

"(iv) An explanation of the necessity of the fare or service adjustment and a description of alternative fare or service adjustments examined.

"(2) In the event of an emergency declaration, the Mayor may make a fare or service adjustment for the DC Circulator for the duration of the emergency without complying with the requirements of paragraph (1) of this subsection.

"(3) For the purposes of this subsection, the term "fare or service adjustment" shall mean a change in the fare, the creation of a new route, or a significant change to an existing route or schedule of the DC Circulator.".

Amend § 50-921.76

(e) Section 11r (D.C. Official Code § 50-921.76) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "The Mayor" and inserting the phrase "Except as provided in subsection (a-1) of this section, the Mayor" in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1)(1) Before making a fare or service adjustment for the DC Streetcar, the Mayor shall hold at least one public hearing and publish notice of the fare or service adjustment in the District of Columbia Register. The notice shall:

"(A) Establish a public comment period of not fewer than 45 days from the date of publication;

"(B) Set a date for a public hearing on the fare or service adjustment, which shall be held not fewer than 20 days from the date of publication; and

"(C) Include a hyperlink to a fare or service adjustment plan, which shall include:

"(i) A summary of the proposed fare or service adjustment;

"(ii) A proposed timeline for the implementation of the fare or service adjustment;

"(iii) An equity analysis illustrating any disparate impact of the proposed fare or service adjustment on populations protected under Title VI of the Civil Rights Act of 1964, approved July 2, 1964 (78 Stat. 252; 42 U.S.C. § 2000d *et seq.*); and

"(iv) An explanation of the necessity of the fare or service adjustment and a description of alternative fare or service adjustments examined.

"(2) In the event of an emergency declaration, the Mayor may make a fare or service adjustment for the DC Streetcar for the duration of the emergency without complying with the requirements of paragraph (1) of this subsection.

"(3) For the purposes of this subsection, the term "fare or service adjustment" shall mean a change in the fare, the creation of a new route, or a significant change to an existing route or schedule of the DC Streetcar.".

TITLE II. DEPARTMENT OF MOTOR VEHICLES

Sec. 201. The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*), is amended by adding new sections 110 and 111 to read as follows:

New § 50-2301.10

"Sec. 110. Reports to Department of Public Works and the District Department of Transportation.

"(a) Before the 10th day of each month, the Department shall transmit a report to the Department of Public Works ("DPW") and the District Department of Transportation ("DDOT") with the following information from the previous month:

"(1) The number of answers filed for parking infractions, including:

"(A) The number of "admit" answers, including ticket payments, filed for parking infractions;

"(B) The number of "admit with explanation" answers filed for parking infractions; and

"(C) The number of "deny" answers filed for parking infractions, including:

"(i) The number of determinations of liability of respondents who deny the commission of parking infractions; and

"(ii) The number of dismissals of respondents who deny the commission of parking infractions;

"(2) The most common reasons for the dismissal of respondents who deny the commission of parking infractions;

"(3) The badge numbers of the officers whose notices of infraction most frequently resulted in the dismissal of respondents who deny the commission of parking infractions;

"(b) On a quarterly basis, the Department shall transmit a report to DPW and DDOT describing relevant trends in parking infraction adjudication and dismissals of respondents who deny the commission of parking infractions.

"Sec. 111. Study of parking infraction adjudication. **New § 50-2301.11**

"Before January 2, 2017, the Mayor shall transmit to the Chairperson of the Council committee with oversight of transportation a report and recommendation as to whether the adjudication of parking infractions should be transferred from the Department to a different entity, such as the Office of Administrative Hearings or the District Department of Transportation. The report shall review best practices in other jurisdictions and examine issues such as staffing levels, timeliness of decisions, caseloads, and qualifications of hearing examiners.".

TITLE III. ADVISORY COUNCILS

Sec. 301. Definitions. **New Subchapter I, New Chapter 23B, Title 50,**

For the purposes of this title, the term:

(1) "DDOT" means the District Department of Transportation.

(2) "Local transit" means intra-District streetcar and bus service.

(3) "MAAC" means the Multimodal Accessibility Advisory Council. **New § 50-2361.01**

(4) "TRAC" means the Transit Rider Advisory Council.

Sec. 302. Transit Rider Advisory Council. **New § 50-2361.02**

(a) There is established a Transit Rider Advisory Council.

(b) The TRAC shall be composed of 11 members appointed as follows:

(1) The Director of DDOT, or the Director's designee;

(2) The Director of the Office of Planning, or the Director's designee; and

(3)(A) Nine community representatives who are District residents who regularly use local transit and who do not receive a salary from, do business with, or lobby the District government, appointed as follows:

(i) Each Ward Councilmember shall appoint one community representative; and

(ii) The Chairperson of the Council committee with oversight over DDOT shall appoint one community representative.

(B) The community representatives shall be appointed for a term of 3 years, with initial staggered appointments of 3 community representatives appointed for one year, 3 community representatives appointed for 2 years, and 3 community representatives appointed for 3 years. The community representatives to serve the one-year term, the community representatives to serve the 2-year term, and the community representatives to serve the 3-year term shall be determined by lot at the first meeting of the TRAC.

(C) Vacancies shall be filled in the same manner as the original appointment to the position that became vacant. Community representatives who are appointed to fill vacancies that occur before the expiration of a community representative's full term shall serve only the unexpired portion of the community representative's term.

(c) A chairperson shall be elected from among the community representatives at the first meeting of the TRAC, for a term of 2 years, and every 2 years thereafter.

(d) The TRAC shall meet on a quarterly basis, and more often as needed, at times to be determined by the chairperson of the TRAC at the first meeting of the TRAC.

(e) DDOT shall provide the TRAC with an annual operating budget, which shall include funds to maintain a website where the TRAC shall provide a public listing of members, meeting notices, and meeting minutes.

Sec. 303. Functions and operations of the TRAC. **New § 50-2361.03**

(a) The purpose of the TRAC shall be to serve as the advisory body to the Mayor, the Council, and DDOT on matters pertaining to operating, improving, and expanding local transit.

(b)(1) Before the notice of a proposed fare or service adjustment is published in the District of Columbia Register, pursuant to sections 11e(a-1) or 11r(a-1) of the Department of Transportation Establishment Act, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.35 and 50–921.76), DDOT shall submit the proposed fare or service adjustment, to the TRAC.

(2) The TRAC may hold public hearings on the proposed fare or service adjustment.

(3) Before the expiration of the public comment period on the proposed fare or service adjustment, the TRAC shall submit comments to DDOT on the proposed fare or service adjustment, including proposed modifications to the proposal, if any.

(4) If DDOT does not incorporate the TRAC's suggested modifications in its final fare or service adjustment, DDOT shall provide the TRAC with a detailed written explanation as to why the proposed modifications were not incorporated into the final fare or service adjustment.

(5) For the purposes of this subsection, the term "fare or service adjustment" shall mean a change in the fare, the creation of a new route, or a significant change to an existing route or schedule of the DC Circulator or DC Streetcar.

(c)(1) Before finalizing a strategic or long-term plan to expand and improve local transit service, DDOT shall submit a draft of the proposed plan to the TRAC.

(2) The TRAC may hold public hearings on the proposed planning plan.

(3) Within 45 days, the TRAC shall submit comments to DDOT on the proposed plan, including proposed modifications to the plan, if any.

(4) If DDOT does not incorporate the TRAC's suggested modifications into the final plan, the agency shall provide the TRAC with a detailed written explanation as to why the proposed modifications were not incorporated into the final plan.

New Subchapter II, New Chapter 23B, Title 50,

New § 50-2361.31

Sec. 304. Multimodal Accessibility Advisory Council.

(a) There is established a Multimodal Accessibility Advisory Council.

(b) The MAAC shall be composed of 9 members appointed as follows:

(1) The Director of DDOT, or the Director's designee;

(2) The Director of the Office of Disability Rights, or the Director's designee;

(3) The Director of the Office of Human Rights, or the Director's designee;

(4)(A) Six community representatives, who are District residents and who represent the disability advocacy community, appointed by the Mayor.

(B) The community representatives shall be appointed for a term of 3 years, with initial staggered appointments of 2 community representatives appointed for one year, 2 community representatives appointed for 2 years, and 2 community representatives appointed for 3 years. The community representatives to serve the one-year term, the community representatives to serve the 2-year term, and the community representatives to serve the 3-year term shall be determined by lot at the first meeting of the MAAC.

(C) Vacancies shall be filled in the same manner as the original appointment to the position that became vacant. Community representatives who are appointed to fill vacancies that occur before the expiration of a community representative's full term shall serve only the unexpired portion of the community representative's term.

(c) A chairperson shall be elected from among the 6 community representatives at the first meeting of the MAAC, for a term of 2 years, and every 2 years thereafter.

(d) The MAAC shall meet on a quarterly basis, and more often as needed, at times to be determined by the chairperson of the MAAC at the first meeting of the MAAC.

(e) DDOT shall provide the MAAC with reasonable and accessible accommodations for holding meetings and an annual operating budget, which shall include funds to maintain a website where the MAAC shall provide a public listing of members, meeting notices, and meeting minutes.

(f) The purpose of the MAAC shall be to serve as the advisory body to the Mayor, the Council, and District agencies on making local transit and public space in the District more accessible to persons with disabilities.

New
§ 50-2363.32

Sec. 305. Discussion of advisory council recommendations.

(a) At least once every 6 months, the Director of DDOT, or the Director's designee, shall meet separately with the chairperson of the Bicycle Advisory Council, the Pedestrian Advisory Council, the TRAC, and the MAAC to discuss recommendations provided by the advisory councils to DDOT.

(b) Following each meeting held pursuant to subsection (a) of this section, DDOT shall make publicly available all recommendations discussed between DDOT and the advisory councils, DDOT's decision in response to the recommendations, and an explanation of the decision made by DDOT.

TITLE IV. DEPARTMENT OF FOR-HIRE VEHICLES

Sec. 401. The District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.01 *et seq.*), is amended as follows:

(a) The undesignated section 1 (short title) is amended by striking the phrase "District of Columbia Taxicab Commission" and inserting the phrase "Department of For-Hire Vehicles" in its place.

Amend
§ 50-301.02

(b) Section 3 (D.C. Official Code § 50-301.02) is amended by striking the word "Commission" wherever it appears and inserting the word "DFHV" in its place.

Amend
§ 50-301.03

(c) Section 4 (D.C. Official Code § 50-301.03) is amended as follows:

(1) Paragraph (6) is repealed.

(2) A new paragraph (8A-i) is added to read as follows:

"(8A-i) "Director" means the Director of the Department of For-Hire-Vehicles.".

(3) New paragraphs (9A) and (9B) are added to read as follows:

"(9A) "DFHV" means the Department of For-Hire Vehicles established by section 5.

"(9B) "FHVAC" means the For-Hire Vehicle Advisory Council established by section 11a.".

(4) Paragraph (15) is repealed.

(5) New paragraphs (15A), (15B), (15C), and (15D) are added to read as follows:

"(15A) "ORPP" means the Office of Regulatory Policy and Planning established by section 7.

"(15B) "OCS" means the Office of Client Services established by section 7.

"(15C) "OCE" means the Office of Compliance and Enforcement established by section 7.

"(15D) "OHCR" means the Office of Hearings and Conflict Resolution established by section 7.".

(6) Paragraph (21) is amended as follows:

(A) Strike the word "Commission" and insert the word "DFHV" in its place.

(B) Strike the phrase "Commission-approved meter" and insert the phrase "DFHV-approved meter" in its place.

(7) Paragraph (29) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(8) Paragraph (30) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(d) Section 5 (D.C. Official Code § 50-301.04) is amended as follows: **Amend § 50-301.04**

(1) The section heading is amended by striking the phrase "Establishment of the District of Columbia Taxicab Commission" and inserting the phrase "Department of For-Hire Vehicles – Established" in its place.

(2) Strike the phrase "District of Columbia Taxicab Commission" and insert the phrase "Department of For-Hire Vehicles" in its place.

(e) Section 6 (D.C. Official Code § 50-301.05) is amended to read as follows: **Amend § 50-301.05**

"Sec. 6. Department of For-Hire Vehicles – Director.

"(a) The DFHV shall be headed by a Director. The Director shall be appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)).

"(b) The Director shall have authority over the DFHV, its functions and personnel, including the power to re-delegate to employees authority as, in the judgment of the Director, is warranted in the interests of efficiency and sound administration.

"(c) The Director may organize the personnel and property transferred herein within any organizational unit of the DFHV as the Director deems appropriate.

"(d) The Director may promulgate rules, regulations, standards, and programs to preserve, protect, and enhance the environment that are at least as stringent as corresponding federal rules, regulations, and standards.".

(f) Section 7 (D.C. Official Code § 50-301.06) is amended to read as follows: **Amend § 50-301.06**

"Sec. 7. Department of For-Hire Vehicles – Organization.

"(a) There is established within the DFHV the following offices and divisions:

"(1) The Office of the Director, which shall be responsible for the management of the DFHV, including the final approval of any rulemaking and ratemaking conducted by the ORPP. The Office of the Director shall include the Director, the General Counsel, and the Chief of Staff, with subordinate staff responsible for:

"(A) Administrative support;

"(B) Human resources;

"(C) Budget and financial services;

"(D) Technology and information services;

"(E) Contracting and procurement;

"(F) Compliance with legislative directives, analysis, and opinions to ensure appropriate rulemaking and operational activities;

"(G) Receiving confidential complaints about hack inspectors;

"(H) Providing updated facts pertaining to operations and rulemaking through various communication platforms, including press releases, testimony, speech, and the DFHV website; and

"(I) Serving as a liaison between the DFHV and the District Department of Transportation on policies related to transportation.

"(2) The Office of Regulatory Policy and Planning, which shall be responsible for regulatory policy, and industry-wide research, analysis, and planning related to the regulation of the vehicle-for-hire industry. The ORPP shall be responsible for proposing ratemaking, rulemaking, and fee adjustments related to public vehicles-for-hire and submitting such proposals to the Office of the Director for final approval. The ORPP's subordinate staff shall also be responsible for analyzing industry updates, market data, and trends for the purpose of planning, assessment, and rulemaking.

"(3) The Office of Client Services, which shall be responsible for communicating with and educating the public and the vehicle-for-hire industry regarding rules, standards, rates, charges, and orders issued by the DFHV. The OCS's subordinate staff shall also be responsible for:

"(A) Administering all license examinations applicable to the taxicab industry;

"(B) Providing all training and refresher courses required by this act;

"(C) Maintaining a system of electronic public records relating to licensed owners and operators of public vehicles-for-hire and public vehicle-for-hire companies, associations, and fleets, including:

"(i) Developing, maintaining, and keeping current a body of information relating to public vehicle-for-hire industry operations within the District, regionally, and nationwide; and

"(ii) Providing statistics, analyses, studies, and projections relating to matters such as revenue, operational costs, passenger carriage, profits, practices, and technologies pertaining to the public vehicle-for-hire industry;

"(D) Maintaining accurate records of in-service public vehicles-for-hire and retaining those records for a minimum of 3 years;

"(E) Communicating with the vehicle-for-hire industry and members of the public to inform them of agency procedures and regulations and solicit feedback to enhance public awareness; and

"(F) Accepting applications for licenses applicable to public vehicle-for-hire operators and vehicles and issuing new licenses and renewals.

"(4) The Office of Compliance and Enforcement, which shall be responsible for:

"(A) Auditing public vehicle-for-hire companies and payment service providers to the extent authorized by this act, and regulations issued pursuant to this act, including review of vehicle records to ensure compliance with regulatory requirements, and private vehicle-for-hire companies to the extent authorized by section 20j-7(b);

"(B) Administering and enforcing all rules, rates, charges, and orders issued by the DFHV;

"(C) Collecting fees to recover the actual costs of producing and distributing official DFHV vehicle decals, stickers, and information placards;

"(D) Collecting any other fees obtained pursuant to this act;

"(E) Inspecting public vehicles-for-hire for compliance with safety regulations established by the DFHV and the Department of Motor Vehicles;

"(F) Performing hack inspections and issuing notices of infraction; and

"(G) Providing street enforcement of the rules and regulations of the DFHV through the use of vehicle inspection officers.

"(5) The Office of Hearings and Conflict Resolution, which shall be responsible for conducting all hearings, adjudications, appeals, and any form of conflict resolution, including mediation. The OHCR's subordinate staff shall also receive, document, and manage all complaints lodged against the owners and operators of public and private vehicles-for-hire, including taxicabs, taxicab companies, associations, fleets, and dispatch services, for the violation of any rule, regulation, order, rate, or law applicable to the vehicle-for-hire industry.

Amend § 50-301.07

(g) Section 8 (D.C. Official Code § 50-301.07) is amended as follows:

(1) The section heading is amended to read as follows:

"Sec. 8. Department of For-Hire Vehicles – duties; jurisdiction; powers.".

(2) Strike the word "Commission" wherever it appears and insert the word "DFHV" in its place.

(3) Subsection (a) is amended to read as follows:

"(a) The DFHV is charged with the continuance, further development, and improvement of the vehicle-for-hire industry within the District, and for the overall regulation of limousines, sedans, taxicabs, taxicab companies, taxicab fleets, and taxicab associations.".

(4) Subsection (b) is repealed.

(5) New subsections (b-1), (b-2), and (b-3) are added to read as follows:

"(b-1) The DFHV shall employ no fewer than 20 vehicle inspection officers to enforce the laws, rules, and regulations pertaining to public and private vehicles-for-hire. A primary function of vehicle inspection officers shall be to ensure the proper provision of service and to support safety through street enforcement efforts, including traffic stops of public and private vehicles-for-hire, pursuant to protocol prescribed by the DFHV.

"(b-2) Nothing in this act shall abrogate the authority of officers of the Metropolitan Police Force to enforce and issue citations relating to taxicab requirements.

"(b-3)(1) A proposed suspension or revocation of a license by the OCE issued pursuant to this act shall not take effect until a final decision is rendered by the OHCR upon a timely appeal taken by a licensee or, if no appeal is taken, upon the lapse of the period specified, by rule, for appeal.

"(2) The OCE may immediately suspend or revoke a license issued under the authority of this act where the OCE has determined that the operator of a vehicle poses an imminent danger to the public. Within 3 business days of the issuance by the OCE of an

immediate suspension or revocation, an administrative hearing shall be held before the OHCR, or the matter may be referred to the Office of Administrative Hearings, pursuant to the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*).".

(6) Subsection (c) is amended as follows:

(A) Paragraph (14) is amended by striking the phrase "Office of Taxicabs" and inserting the word "OHCR" in its place.

(B) Paragraph (16) is amended by striking the phrase "Office of Taxicabs" and inserting the word "OCE" in its place.

(C) Paragraph (17) is amended by striking the phrase "Office of Taxicabs" and inserting the word "DFHV" in its place.

(7) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "In exercising the rulemaking" and inserting the phrase "Except as provided in paragraph (2) of this subsection, in exercising the rulemaking" in its place.

(B) Paragraph (2) is amended to read as follows:

"(2)(A) Before adjusting rates, or changing any existing fee or charge relating to public vehicles-for-hire, the DFHV shall hold at least one public hearing and publish notice of the proposed change in the District of Columbia Register. The notice shall:

"(i) Establish a public comment period of not fewer than 45 days from the date of publication; and

"(ii) Set a date for a public hearing on the proposed change, which shall be held no fewer than 20 days from the date of publication.

"(B) In the event of an emergency declaration, the DFHV may adjust rates for public vehicles-for-hire for the duration of the emergency without complying with the requirements of subparagraph (A) of this paragraph.".

(C) Paragraph (3) is repealed.

(h) Section 8a (D.C. Official Code § 50-301.07a) is repealed. **Repeal § 50-301.07a**

(i) Section 8b (D.C. Official Code § 50-301.07b) is repealed. **Repeal § 50-301.07b**

(j) Section 10b (D.C. Official Code § 50-301.09b) is amended as follows: **Amend § 50-301.09b**

(1) Subsection (a) is amended as follows:

(A) Strike the word "Chairperson" and insert the word "Director" in its place.

(B) Strike the phrase "Office of Taxicabs" and insert the word "DFHV" in its place.

(2) Subsection (b)(4) is amended by striking the word "Commission" both times it appears and inserting the word "DFHV" in its place.

(k) Section 11 (D.C. Official Code § 50-301.10) is amended by striking the word "Commission" both times it appears and inserting the word "DFHV" in its place. **Amend § 50-301.10**

(l) A new section 11a is added to read as follows: **New § 50-301.10a**

"Sec. 11a. For-Hire Vehicle Advisory Council.

"(a) There is established a For-Hire Vehicle Advisory Council.

"(b) The FHVAC shall be composed of 11 members appointed as follows:

"(1) The Director of the DFHV, or the Director's designee;

"(2) The Director of the District Department of Transportation, or the Director's designee;

"(3)(A) Nine community representatives, who do not work for the District government, appointed by the Mayor as follows:

"(i) Two District residents who operate public or private vehicles-for-hire in the District;

"(ii) Two representatives of companies providing vehicle for-hire industry services in the District;

"(iii) Two representatives of the hospitality or tourism industry in the District; and

"(iv) Three District residents, unaffiliated with the vehicle for-hire industry, who regularly use public or private vehicles-for-hire in the District.

"(B) The community representatives shall be appointed for a term of 3 years, with initial staggered appointments of 3 community representatives appointed for one year, 3 community representatives appointed for 2 years, and 3 community representatives appointed for 3 years. The community representatives to serve the one-year term, the community representatives to serve the 2-year term, and the community representatives to serve the 3-year term shall be determined by lot at the first meeting of the FHVAC.

"(C) Each community representative shall serve until the appointment of a successor. No community representative shall serve more than 2 consecutive terms, which shall not include an appointment to fill a vacancy due to removal, resignation, or death of a member. The Mayor may remove a community representative for cause. An appointment to fill a vacancy occurring during a term due to removal, resignation, or death of a member shall be made in the same manner as other appointments and for the remainder of the unexpired term.

"(c) A chairperson shall be elected from among the 9 community representatives at the first meeting of the FHVAC, for a term of 2 years, and every 2 years thereafter.

"(d) The FHVAC shall meet on a quarterly basis, and more often as needed, at times to be determined by the chairperson of the FHVAC at the first meeting of the FHVAC.

"(e) The DFHV shall provide the FHVAC with an annual operating budget, which shall include funds to maintain a website where the FHVAC shall provide a public listing of members, meeting notices, and meeting minutes.

"(f) The purpose of the FHVAC shall be to advise the DFHV on all matters related to the regulation of the vehicle for-hire industry.

"(g)(1) At least once every 6 months, the Director of the DFHV, or the Director's designee, shall meet with the chairperson of the FHVAC to discuss recommendations provided by the FHVAC to the DFHV.

"(2) Following each meeting held pursuant to paragraph (1) of this subsection, the DFHV shall make publicly available all recommendations discussed between the DFHV and the

FHVAC, the DFHV's decision in response to the recommendations, and an explanation of the decision made by the DFHV.".

(m) Section 12 (D.C. Official Code § 50-301.11) is amended as follows. **Amend § 50-301.11**

(1) The section heading is amended by striking the phrase "Full Commission meetings; annual report" and inserting the phrase "Annual report; budget and oversight." in its place.

(2) Subsection (a) is repealed.

(3) Subsection (b) is repealed.

(4) Subsection (c) is amended to read as follows:

"(c) The DFHV shall provide an annual report to the Council during its annual performance and budget oversight hearings. The report shall include information and statistics relating to licensing, enforcement, training courses relating to public vehicles-for-hire, the status of taxicab equipment, estimated industry revenues, and passenger carriage, and shall outline briefly the activities and goals of the agency.".

(5) Subsection (d) is amended to read as follows:

"(d) The DFHV shall periodically evaluate program development and implementation of the hacker's license training course and may issue policy directives pertaining to program content and program direction.".

(n) Section 13 (D.C. Official Code § 50-301.12) is repealed. **Repeal § 50-301.12**

(o) Section 14 (D.C. Official Code § 50-301.13) is amended as follows: **Amend § 50-301.13**

(1) Subsection (a) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(2) Subsection (b) is amended as follows:

(A) Strike the phrase "The Commission" and insert the phrase "The DFHV" in its place.

(B) Strike the phrase "by the Commission" and insert the phrase "by the DFHV" in its place.

(3) Subsection (c) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(4) Subsection (d) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(5) Subsection (e) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(p) Section 15 (D.C. Official Code § 50-301.14) is amended as follows: **Amend § 50-301.14**

(1) Subsection (d) is amended by striking the word "Office" both times it appears and inserting the phrase "Office of Client Services of the Department of For-Hire Vehicles" in its place.

(2) Subsection (h) is amended by striking the phrase "and Office" both times it appears and inserting the phrase "and the Office of Client Services of the Department of For-Hire Vehicles" in its place.

(q) Section 17 (D.C. Official Code § 50-301.16) is repealed. **Repeal § 50-301.16**

(r) Section 18 (D.C. Official Code § 50-301.17) is amended by striking the word "Commission" both times it appears and inserting the word "DFHV" in its place. **Amend § 50-301.17**

(s) Section 19 (D.C. Official Code § 50-301.18) is amended to read as follows: **Amend § 50-301.18**

"Sec. 19. Existing taxi regulations.

"Except as modified by this act, or until changed by the Office of the Director pursuant to this act, all regulations to taxicabs contained in the District of Columbia Municipal Regulations shall remain in effect. Within 9 months of the appointment and confirmation of the Director, the DFHV shall cause a republication of all regulations relating to taxicabs, including applicable amendments to conform the regulations to this act, and revisions issued by the DFHV.".

(t) Section 20 (D.C. Official Code § 50-301.19) is amended as follows: **Amend § 50-301.19**

(1) Subsection (a) is amended as follows:

(A) Paragraph (1) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(B) Paragraph (2) is amended by striking the phrase "Commission-approved" and inserting the phrase "DFHV-approved" in its place.

(2) Subsection (b) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(3) Subsection (d) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(u) Section 20a (D.C. Official Code § 50-301.20) is amended by striking the word "Commission" wherever it appears and inserting the word "DFHV" in its place. **Amend § 50-301.20**

(v) Section 20d (D.C. Official Code § 50-301.23) is amended as follows: **Amend § 50-301.23**

(1) The section heading is amended by striking the phrase "Taxicab Commission Fingerprinting Fund" and inserting the phrase "Department of For-Hire Vehicles Fingerprinting Fund" in its place.

(2) Strike the phrase "Taxicab Commission" wherever it appears and insert the phrase "Department of For-Hire Vehicles" in its place.

(3) Subsection (a) is amended by striking the phrase "hacker and limousine" and inserting the phrase "public vehicle-for-hire" in its place.

(w) Section 20f (D.C. Official Code § 50-301.25) is amended as follows: **Amend § 50-301.25**

(1) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended by striking the word "Commission" both times it appears and inserting the word "DFHV" in its place.

(B) Paragraph (2)(A)(vii) is amended by striking the phrase "The Commission." and inserting the phrase "The Department of For-Hire Vehicles." in its place.

(2) Subsection (c) is amended by striking the word "Commission" wherever it appears and inserting the word "DFHV" in its place.

(3) Subsection (d) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(4) Subsection (e) is amended by striking the word "Commission" and inserting the phrase "Department of For-Hire Vehicles" in its place.

(5) Subsection (f) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(6) Subsection (i) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

Amend § 50-301.25b

(x) Section 20f-2 (D.C. Official Code § 50-301.25b) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

Amend § 50-301.26

(y) Section 20g (D.C. Official Code § 50-301.26) is amended by striking the word "Commission" wherever it appears and inserting the word "DFHV" in its place.

Amend § 50-301.27

(z) Section 20h (D.C. Official Code § 50-301.27) is amended by striking the word "Commission" both times it appears and inserting the word "DFHV" in its place.

Amend § 50-301.28

(aa) Section 20i (D.C. Official Code § 50-301.28) is amended by striking the word "Commission" both times it appears and inserting the word "DFHV" in its place.

Amend § 50-301.29

(bb) Section 20j (D.C. Official Code § 50-301.29) is amended by striking the word "Commission" wherever it appears and inserting the word "DFHV" in its place.

Amend § 50-301.29a

(cc) Section 20j-1 (D.C. Official Code § 50-301.29a) is amended by striking the word "Commission" wherever it appears and inserting the word "DFHV" in its place.

Amend § 50-301.29c

(dd) Section 20j-3(c) (D.C. Official Code § 50-301.29c(c)) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

Amend § 50-301.29g

(ee) Section 20j-7 (D.C. Official Code § 50-301.29g) is amended as follows:

(1) Strike the word "Commission" wherever it appears and insert the word "DFHV" in its place.

(2) Strike the word "Commission's" and insert the word "DFHV's" in its place.

Amend § 50-301.31

(ff) Section 20l (D.C. Official Code § 50-301.31) is amended as follows:

(1) Strike the word "Commission" wherever it appears and insert the word "DFHV" in its place.

(2) Strike the word "Committee" and insert the word "DFHV" in its place.

(3) Strike the word "Commission's" both times it appears and insert the word "DFHV's" in its place.

Amend § 50-301.32

(gg) Section 20m (D.C. Official Code § 50-301.32) is amended as follows:

(1) The lead-in language is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

(2) Paragraph (1) is amended by striking the phrase "Commission's website" and inserting the phrase "DFHV's website" in its place.

(3) A new paragraph (2A) is added to read as follows:

"(2A) Allow the public to file confidential complaints through a hotline and electronically in a location of its website dedicated solely to the reporting of misconduct committed by hack inspectors;".

(4) New paragraphs (3A) and (3B) are added to read as follows:

"(3A) Respond, in writing, to the hack inspector against whom the complaint was filed, with a detailed description of the complaint against him or her, including the time, date,

and location. Provide an opportunity for the hack inspector to respond within 48 hours of receiving the notice of a complaint filed against him or her;"

"(3B) Maintain, update, and hold any records and documents relating to complaints filed with the DFHV. Any dispositions by the OHCR pertaining to complaints against hack inspectors shall be submitted to and reviewed by the Office of the Director, and held on file by the agency for at least 3 years from the date of disposition;".

(5) Paragraph (6) is amended by striking the word "Commission" and inserting the word "OHCR" in its place.

(6) Paragraph (7) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

Amend § 50-301.33

(hh) Section 20n (D.C. Official Code § 50-301.33) is amended by striking the word "Commission" and inserting the word "DFHV" in its place.

Amend § 50-301.34

(ii) Section 20o(c) (D.C. Official Code § 50-301.34(c)) is amended as follows:

(1) Strike the word "Chairperson" both times it appears and insert the word "Director" in its place.

(2) Strike the word "Commission" wherever it appears and insert the word "DFHV" in its place.

TITLE V. CONFORMING AMENDMENTS

Sec. 501. Conforming amendments.

Amend § 1-523.01

(a) Section 2(e)(24) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(24)), is repealed.

Amend § 1-611.08

(b) Section 1108(c) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c)), is amended as follows:

(1)Paragraph (1)(E) is repealed.

(2) Paragraph (2)(K) is repealed.

Amend § 21831.03

(c) Section 6(b)(3) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b)(3)), is amended by striking the phrase "Taxicab Commission" and inserting the phrase "Department of For-Hire Vehicles" in its place.

Amend § 47-2829

(d) Section 47–2829 of the District of Columbia Official Code is amended as follows:

(1) Subsection (a)(1)(E) is amended by striking the phrase "District of Columbia Taxicab Commission" and inserting the phrase "Department of For-Hire Vehicles" in its place.

(2) Subsection (d) is amended by striking the phrase "District of Columbia Taxicab Commission" both times it appears and inserting the phrase "Department of For-Hire Vehicles" in its place.

(3) Subsection (e) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Strike the phrase "District of Columbia Taxicab Commission" and insert the phrase "Department of For-Hire Vehicles" in its place.

(ii) Strike the phrase "The Commission may" and insert the phrase "The Department of For-Hire Vehicles may" in its place.

(B) Paragraph (2) is amended as follows:

(i) Subparagraph (A) is amended as follows:

(I) Strike the phrase "District of Columbia Taxicab Commission" and insert the phrase "Department of For-Hire Vehicles" in its place.

(II) Strike the phrase "Office of Taxicabs" and insert the phrase "Office of Client Services of the Department of For-Hire Vehicles" in its place.

(ii) Subparagraph (C) is amended by striking the phrase "Office of Taxicabs, under the direction of the District of Columbia Taxicab Commission" and inserting the phrase "Office of Client Services of the Department of For-Hire Vehicles" in its place.

(4) Subsection (e-1) is amended as follows:

(A) Strike the phrase "District of Columbia Taxicab Commission" and insert the phrase "Department of For-Hire Vehicles" in its place.

(B) Strike the phrase "Office of Taxicabs" and insert the phrase "Office of Client Services of the Department of For-Hire Vehicles" in its place.

(C) Strike the phrase "present to the Commission" and insert the phrase "present to the Department of For-Hire Vehicles" in its place.

(5) Subsection (e-2) is amended by striking the phrase "After March 25, 1987, the Office of Taxicabs under the discretion of the District of Columbia Taxicab Commission, and prior to March 25, 1987, the Department of Public Works" and inserting the phrase "The Department of For-Hire Vehicles" in its place.

(6) Subsection (e-3) is amended by striking the phrase "District of Columbia Taxicab Commission" and inserting the phrase "Department of For-Hire Vehicles" in its place.

(7) Subsection (e-4) is amended as follows:

(A) Strike the phrase "After March 25, 1987, the Office of Taxicabs under the discretion of the District of Columbia Taxicab Commission, and prior to March 25, 1987, the Department of Public Works" and insert the phrase "The Department of For-Hire Vehicles" in its place.

(B) Strike the phrase "The District of Columbia Taxicab Commission" and insert the phrase "The Department of For-Hire Vehicles" in its place.

(8) Subsection (i) is amended by striking the phrase "the Office of Taxicabs" and inserting the phrase "the Office of Client Services of the Department of For-Hire Vehicles" in its place.

(9) Subsection (j) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Strike the phrase "The District of Columbia Taxicab Commission" and insert the phrase "The Department of For-Hire Vehicles" in its place.

(ii) Strike the phrase "the Commission shall" and insert the phrase "the Department of For-Hire Vehicles shall" in its place.

(B) Paragraph (3) is repealed.

(C) Paragraph (4) is amended as follows:

(i) Strike the phrase "The Commission shall" and insert the phrase "The Department of For-Hire Vehicles shall" in its place.

(ii) Strike the phrase "granted by the Commission" and insert the phrase "granted by the Department of For-Hire Vehicles" in its place.

(D) Paragraph (5) is amended to read as follows:

"(5) The Department of For-Hire Vehicles shall seek to actively license public vehicle-for hire drivers and vehicles.".

Amend § 47-2853.04

(e) Section 47-2853.04(c)(5) of the District of Columbia Official Code is amended by striking the phrase "District of Columbia Taxicab Commission" and inserting the phrase "Department of For-Hire Vehicles" in its place.

Amend § 47-2862

(f) Section 47–2862(a)(1)(E) of the District of Columbia Official Code is amended by striking the phrase "District of Columbia Taxicab Commission" and inserting the phrase "Department of For-Hire Vehicles" in its place.

Amend § 50-211.02

(g) Section 102(b)(11) of the Employee Transportation Amendment Act of 2012, effective March 5, 2013 (D.C. Law 19-223; D.C. Official Code § 50-211.02(b)(11)), is amended by striking the phrase "District of Columbia Taxicab Commission" and inserting the phrase "Department of For-Hire Vehicles" in its place.

Amend § 50-331

(h) Section 2 of the Taxicab and Passenger Vehicle for Hire Impoundment Act of 1992, effective March 16, 1993 (D.C. Law 9-199; D.C. Official Code § 50-331), is amended as follows:

(1) Strike the word "Commission" both times it appears and insert the phrase "Department of For-Hire Vehicles" in its place.

(2) Strike the word "Commission's" wherever it appears and insert the phrase "Department of For-Hire Vehicles" in its place.

(3) Strike the word "Chairperson" and insert the word "Director" in its place.

(4) Strike the phrase "Office of Taxicabs" and insert the phrase "Department of For-Hire Vehicles" in its place.

Amend § 50-332

(i) Section 505 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-332), is amended as follows:

(1) Strike the phrase "Taxicab Commission" wherever it appears and insert the phrase "Department of For-Hire Vehicles" in its place.

(2) Strike the phrase "Public Works and the Environment" both times it appears and insert the phrase "Transportation and the Environment" in its place.

(3) Strike the phrase "Taxicab Hack Inspectors" and insert the phrase "vehicle inspection officers" in its place.

Amend § 50-1501.03a

(j) Section 3a(b) of the Non-Resident Taxi Drivers Registration Amendment Act of 2008, effective March 26, 2008 (D.C. Law 17-130; D.C. Official Code § 50-1501.03a(b)), is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "the Chairperson of the District of Columbia Taxicab Commission" and inserting the phrase "the Director of the Department of For-Hire Vehicles" in its place.

(2) Paragraph (3) is amended by striking the phrase "used for the operational or capital needs of the District of Columbia Taxicab Commission." and inserting the phrase "deposited in the Public Vehicles-for-Hire Consumer Service Fund, established by section 20a of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.)." in its place.

TITLE VI. FISCAL IMPACT STATEMENT; EFFECTIVE DATE

Sec. 601. Applicability.

Partial Delayed Applicability

(a) Sections 301, 302, 303, 304, 305, and 401(l) shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 602. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 603. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-125, effective June 30, 2016
[Partial Delayed Applicability]

AN ACT

Bill 21-360
Act 21-356 effective March 26, 2016

Codification District of Columbia Official Code 2001 Edition

To establish the Office of Neighborhood Safety and Engagement to identify, recruit, and engage individuals determined to be at high risk of participating in, or being a victim of, violent criminal activity; to establish the Office of Violence Prevention and Health Equity to utilize public health methods to halt the spread of violence, conduct a public information campaign, and assist the Office of Victim Services and Justice Grants in developing a program to place personnel in emergency departments; to establish a Community Crime Prevention Team Program within the Metropolitan Police Department to pair behavioral health clinicians with sworn officers; to require the Chief of Police to convene a community policing working group; to amend the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006 to reestablish the Comprehensive Homicide Elimination Strategy Task Force; to amend the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001to require the Criminal Justice Coordinating Council to conduct a public opinion survey of police-community relations and submit an analysis to the Mayor and Council; to amend section 432 of the Revised Statutes of the District of Columbia to modify the crime of assault on a police officer; to amend the Omnibus Police Reform Amendment Act of 2000 to require Metropolitan Police Department officers to receive continuing educational instruction on community policing, biased-based policing, the use of force, limitations on the use of chokeholds and restraints, mental and behavioral health awareness, and linguistic and cultural competency; to amend the Office of Citizen Complaint Review Establishment Act of 1998 to expand and strengthen the authority of the Office of Police Complaints; to amend section 386 of the Revised Statutes of the District of Columbia to require the Metropolitan Police Department to collect data on stops and frisks and the use of force; to amend the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011 to require the Office of the Deputy Mayor for Public Safety and Justice to analyze trends associated with felony crime statistics; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to permit the Chief of Police to grant uniformed members at the rank of Inspector or above, and the civil equivalents, time off; to amend the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000 to ease the minimum appointment standards for members of the military and employees of other police departments; to amend the Retired Police Officer Redeployment Amendment Act of 1992 to allow retired police officers to be rehired by the Director of the Department of Forensic Sciences without jeopardizing their retirement benefits; to establish a private security camera system incentive program and fund; to amend Title 18 of the District of Columbia Municipal Regulations to clarify the prohibition against driving a vehicle with an object in a position that obstructs the driver's view or interferes with the driver's control; to amend section23-1321 of the District of Columbia Official Code to allow pretrial defendants to return to custody for specified hours following release for employment, schooling, or other limited purposes; to amend the District of Columbia Good Time Credits Act of 1986 to allow misdemeanant inmates to earn a maximum of 10 credits for good behavior and participation in rehabilitative programs; to amend the Firearms Control Regulations Act of 1975 to clarify the descriptions of the boundaries around the White House complex and the U.S. Naval Observatory within which a concealed pistol licensee is prohibited from carrying a pistol; to amend the Firearms Control Regulations Act of 1975 to extend the date for implementation of the microstamping requirement for semiautomatic pistols to January 1, 2018; and to amend section 23-1329 of the District of Columbia Official Code to authorize and provide procedures for the

court to order a person to be placed in temporary custody for certain violations of conditions of release.

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Neighborhood Engagement Achieves Results Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Neighborhood Engagement Achieves Results Amendment Act of 2016".

TITLE I. CRIMINAL JUSTICE AND PUBLIC HEALTH REFORMS

SUBTITLE A. ESTABLISHMENT OF THE OFFICE OF NEIGHBORHOOD SAFETY AND ENGAGEMENT

New Chapter 24A, Title 7

New § 7-2411

Sec. 101. Office of Neighborhood Safety and Engagement establishment; appointment of Executive Director.

(a) There is established an Office of Neighborhood Safety and Engagement ("ONSE"). The ONSE shall be responsible for the identification, recruitment, and engagement of individuals determined to be at high risk of participating in, or being a victim of, violent criminal activity.

(b) The ONSE shall be headed by an Executive Director who shall report to the Deputy Mayor for Public Safety and Justice. The Executive Director shall have at least 3 years of relevant experience in criminal justice, including matters affecting the deterrence of violent criminal behavior.

New § 7-2412

Sec. 102. Duties of the Executive Director.

(a) The duties of the Executive Director shall include:

(1) Identifying, on a quarterly basis, a target of 50 individuals who pose a high risk of participating in, or being a victim of, violent criminal activity;

(2) Recruiting such individuals, as feasible, to participate in a program designed to discourage violent criminal activity that incorporates evidence-based mental or behavioral health counseling;

(3) Developing a stipend program for active program participants; and

(4) Producing reports as required under subsection (c) of this section.

(b)(1) The Executive Director shall employ qualified persons or utilize the services of qualified volunteers, as necessary, to perform the work of the ONSE. If funds are available, the Executive Director may employ persons on a full-time or part-time basis.

(2) The Executive Director shall supervise all employees and volunteers of the ONSE, and shall ensure that all rules, regulations, and orders are carried out properly and that all records of the ONSE are maintained properly.

(3) The Executive Director shall ensure that any personally identifiable information that the ONSE collects or maintains concerning existing or potential participants in its programs remains confidential.

(c)(1) Beginning on January 31, 2017, and by January 31 of each year thereafter, the ONSE shall provide a report to the Council that excludes personally identifying information and includes the following information from the reporting period and in the aggregate:

(i) The number of individuals successfully recruited and engaged;

(ii) The duration of individuals' participation;

(iii) The status of participants' progress; and

(iv) The participants' age, race or ethnicity, gender, and ward of residence.

(2) The information contained in this report shall not be subject to disclosure pursuant to the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

(d) The ONSE may apply for and receive grants and accept private donations to fund its program activities.

(e)(1) The Chief Financial Officer shall provide financial support services and oversight for the ONSE using personnel assigned to provide financial support services and oversight for the Office of the Deputy Mayor for Public Safety and Justice.

(2)(A) The Chief Procurement Officer shall provide contracting and procurement support services and oversight for the ONSE using personnel assigned to provide contracting and procurement support services for the Office of the Deputy Mayor for Public Safety and Justice.

(B) The ONSE may contract with qualified private organizations or individuals for services in accordance with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*).

(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21. 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.

Sec. 103. Neighborhood Safety and Engagement Fund. **New § 7-2413**

(a) There is established as a special fund the Neighborhood Safety and Engagement Fund ("Fund"), which shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Funds appropriated by the District;

(2) Grants;

(3) Donations from the public; and

(4) Donations from private entities.

(c) Money in the Fund shall be used to fund the activities of the ONSE, including:

(1) Providing stipends to eligible participants; and

(2) Appropriate overhead or administrative expenses related to the ONSE and the Fund.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE B. ESTABLISHMENT OF THE OFFICE OF VIOLENCE PREVENTION AND HEALTH EQUITY

Sec. 104. Establishment of the Office of Violence Prevention and Health Equity.

New Chapter 7E, Title 7

New § 7-781

(a) There is established within the Department of Health an Office of Violence Prevention and Health Equity ("Office") tasked with utilizing public health institutions and methods to halt the spread of violence in the District of Columbia.

(b) By October 1, 2016, or 6 months after receiving funding, whichever is later, the Office shall:

(1) In coordination with the District's other health, human services, public safety, and justice agencies, including the Office of the Attorney General, develop and implement a public health strategy, which includes the use of risk-assessment tools, identification of heavy utilizers of public services, provision of cognitive and family-based therapy, and coordination of available services, to combat the spread of violence;

(2) Conduct a public information campaign concerning the impact of violence, strategies for violence cessation, and the use of alternative dispute resolution techniques; and

(3) Assist the Office of Victim Services and Justice Grants in developing a program to ensure the presence of specially trained staff, tasked with providing counseling, mental health treatment, mediation and dispute resolution services, and trauma-informed care to apparent victims of violence and their families, in each hospital emergency department in the District; provided, that the program shall ensure that at least one specially trained staff member providing the services identified in this paragraph be available at each emergency department whenever the emergency department is accepting patients.

(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21. 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), may issue rules to implement the provisions of this subtitle.

SUBTITLE C. COMMUNITY CRIME PREVENTION TEAM PROGRAM

New Part A

Subchapter XVI-C [

Chapter 1, Title 5

New § 5-132.31

Sec. 105. Community Crime Prevention Team Program.

(a) There is established within the Metropolitan Police Department ("MPD") a Community Crime Prevention Team Program ("Program") to reduce crime and increase access to social services by enhancing the coordination between law enforcement and health and human services agencies.

(b) Under the Program, the MPD shall, in coordination with the Department of Behavioral Health ("DBH") and the Department of Human Services ("DHS"), pair mental and behavioral health clinicians and outreach specialists with MPD officers in teams, in order to immediately identify individuals in need of assistance and connect those who may be impacted by homelessness, mental illness, or substance abuse, with available services.

(c) In addition to connecting individuals in need of assistance with available services,

mental and behavioral health clinicians and outreach specialists who participate in the Program shall:

(1) Make the MPD aware of recurring issues identified in each police district;

(2) Identify any potential improvements in police training or procedures relating to police interactions with individuals impacted by homelessness, mental or behavioral health issues, or substance abuse; and

(3) Identify individuals who frequently interact with police, are frequent mental health consumers, or have suffered from chronic homelessness, and ensure that those individuals are connected to social services.

(d) No later than October 1, 2016, or 6 months after receiving funding, whichever is later, the MPD shall establish no fewer than 5 teams pursuant to subsection (b) of this section; provided, that at least one team shall be on duty at any time.

(e) Beginning January 31, 2017, and every January 31 thereafter, the MPD shall collect data on the number and type of referrals for service and the outcomes of the referrals that occur pursuant to this section in that reporting period and in the aggregate, and issue a report to the Mayor and the Council on the Program's activities and referrals.

TITLE II. POLICING REFORMS

SUBTITLE A. COMMUNITY POLICING WORKING GROUP

New Part B

Subchapter XVI-C

Chapter 1,

Title 5

New § 5-132.32

Sec. 201. Metropolitan Police Department community policing working group.

(a) The Chief of Police of the Metropolitan Police Department ("MPD") shall convene a working group to examine national best practices in community policing and make recommendations.

(b) The working group shall be comprised of no fewer than 10 representatives appointed by the Chief of Police from the government, nonprofit and community organizations, and academic institutions.

(c) The working group shall issue a report of its recommendations on best practices in community policing for the MPD's adoption to the Mayor and the Council no later than July 1, 2017, and biennially thereafter.

SUBTITLE B. REESTABLISHMENT OF THE COMPREHENSIVE HOMICIDE ELIMINATION STRATEGY TASK FORCE

Restore § 22-4251

Sec. 202. Section 260 of the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884), is repealed.

Amend § 22-4251

Sec. 203. Section 501 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 22-4251), is revived and is amended to read as follows:

"Sec. 501. Comprehensive Homicide Elimination Strategy Task Force.

"(a) There is established a Comprehensive Homicide Elimination Strategy Task Force ("Task Force"). The Task Force shall develop a report on the most effective elements of a comprehensive plan that would lead to the elimination of homicide in the District of Columbia.

"(b)(1) The Task Force shall be comprised of 20 representatives from among the following entities:

(i) Government agencies;
(ii) Nonprofit organizations;
(iii) Businesses;
(iv) Educational institutions;
(v) Victim services organizations;
(vi) Social services organizations;
(vii) Religious organizations;
(viii) Mental and behavioral health organizations;
(ix) Organized labor;
(x) Criminal justice reform organizations; and
(xi) Advisory Neighborhood Commissions.

"(2) Of the 20 representatives, 10 shall be appointed by the Mayor and 10 shall be appointed by the Council no later than 60 days after the effective date of the Neighborhood Engagement Achieves Results Amendment Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-360).

"(3) The Mayor and the Council shall each designate a co-chair of the Task Force, one each from the government and non-government sectors.

"(c) The Task Force shall hold at least 3 public meetings and shall present a report to the Mayor and the Council no later than one year after the effective date of the Neighborhood Engagement Achieves Results Amendment Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-360).

(d) Immediately following the presentation of its report, the Task Force shall be dissolved.

SUBTITLE C. POLICE-COMMUNITY RELATIONS SURVEY

Amend § 22-4234

Sec. 204. Section 1501 of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234), is amended by adding a new subsection (b-1) to read as follows:

"(b-1) The CJCC shall also conduct a public opinion survey of police-community relations in the District of Columbia and submit an analysis of the results in a report to the Mayor and the Council by January 31, 2017.".

SUBTITLE D. ASSAULT ON A POLICE OFFICER

Amend § 22-405

Sec. 205. Section 432(b) of the Revised Statutes of the District of Columbia (D.C. Official Code § 22-405(b)), is amended to read as follows:

"(b) Whoever without justifiable and excusable cause assaults a law enforcement officer on account of, or while that law enforcement officer is engaged in the performance of his or her official duties shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned not more than 6 months or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.".

New § 22-405.01

Sec. 206. A new section 432a of the Revised Statutes of the District of Columbia is added to read as follows:

"Sec. 432a. (a) For the purposes of this section, the term "law enforcement officer" shall have the same meaning as provided in section 432(a) of the Revised Statutes of the District of Columbia (D.C. Official Code § 22-405(a)).

"(b) Whoever without justifiable and excusable cause intentionally resists an arrest by an individual who he or she has reason to believe is a law enforcement officer or prevents that individual from making or attempting to make an arrest of or detain another person shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned not more than 6 months or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.".

"(c) It is neither justifiable nor excusable cause for a person to use force to resist an arrest when such an arrest is made by an individual he or she has reason to believe is a law enforcement officer, whether or not such arrest is lawful.".

SUBTITLE E. OFFICER TRAINING

Amend § 5-107.02

Sec. 207. Section 203 of the Omnibus Police Reform Amendment Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.02), is amended as follows:

(a) The existing text is designated as subsection (a).

(b) A new subsection (b) is added to read as follows:

"(b) The continuing education required by subsection (a) of this section shall include, at a minimum, instruction on:

"(1) Community policing;

"(2) Recognizing and preventing biased-based policing;

"(3) The use of force;

"(4) Limitations on the use of chokeholds and neck restraints;

"(5) Mental and behavioral health awareness; and

"(6) Linguistic and cultural competency.".

SUBTITLE F. OFFICE OF POLICE COMPLAINTS INDEPENDENT COMPLAINT REVIEW AUTHORITY

Sec. 208. The Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1101 *et seq.*), is amended as follows:

Amend § 5-1104

(a) Section 5 (D.C. Official Code § 5-1104) is amended as follows:

(1) Subsection (b) is amended by striking the phrase "from the date of appointment to a full term".

(2) Subsection (d) is amended by striking the phrase "and the Chief of the Metropolitan Police Department ("Police Chief")" and inserting the phrase "the Chief of the Metropolitan Police Department ("Police Chief"), and the Director of the District of Columbia Housing Authority ("DCHA Director")" in its place.

(3) A new subsection (d-2) is added to read as follows:

"(d-2)(1) The Board shall review, with respect to the MPD:

"(A) The number, type, and disposition of citizen complaints received, investigated, sustained, or otherwise resolved;

"(B) The race, national origin, gender, and age of the complainant and the subject officer or officers;

"(C) The proposed discipline and the actual discipline imposed on a police officer as a result of any sustained citizen complaint;

"(D) All use of force incidents, serious use of force incidents, and serious physical injury incidents as defined in MPD General Order 907.07; and

"(E) Any in-custody death.

"(2) The Executive Director, acting on behalf of the Board, shall have timely and complete access to information and supporting documentation specifically related to the Board's duties under paragraph (1) of this subsection.

"(3) The Executive Director shall keep confidential the identity of all persons named in any documents transferred from the MPD to the Office pursuant to paragraph (1) of this subsection.

"(4) The disclosure or transfer of any public record, document, or information from the MPD to the Office pursuant to paragraph (1) of this subsection shall not constitute a waiver of any privilege or exemption that otherwise could be asserted by the MPD to prevent disclosure to the general public or in a judicial or administrative proceeding.

"(5) A Freedom of Information Act request for public records collected pursuant to paragraph (1) of this subsection may only be submitted to the MPD.

"(6) Beginning on December 31, 2017, and by December 31 of each year thereafter, the Board shall deliver a report to the Mayor and the Council that analyzes the information evaluated by the Board under paragraph (1) of this subsection.".

Amend § 5-1107

(b) Section 8 (D.C. Official Code § 5-1107) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "The Office shall have the authority to receive and to dismiss, conciliate, mediate, or adjudicate" and inserting the phrase "The MPD and the Office shall have the authority to receive" in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1) If the MPD receives a citizen complaint under subsection (a) of this section, the MPD shall transmit the citizen complaint to the Office within 3 business days after receipt.".

(3) Subsection (b) is amended by striking the phrase "by the MPD" and inserting the phrase "by the MPD or the District of Columbia Housing Authority Police Department ("HAPD")" in its place.

(4) A new subsection (b-1) is added to read as follows:

"(b-1) The Office shall have the sole authority to dismiss, conciliate, mediate, adjudicate, or refer for further action to the MPD or the HAPD a citizen complaint received under subsection (a) or (b) of this section.".

(5) Subsection (d) is amended by striking the phrase "45 days" and inserting the phrase "90 days" in its place.

(6) Subsection (g) is amended as follows:

(A) Paragraph (4) is amended by striking the word "or".

(B) Paragraph (5) is amended by striking the period and inserting the phrase "; or" in its place.

(C) A new paragraph (6) is added to read as follows:

"(6) Refer the subject police officer or officers to complete appropriate policy training by the MPD or the HAPD.".

(7) New subsections (h-1) and (h-2) are added to read as follows:

"(h-1) The MPD and the HAPD shall notify the Executive Director when a subject police officer or officers completes policy training pursuant to subsection (g)(6) of this section.

"(h-2)(1) The Office shall have the authority to audit citizen complaints referred to the MPD or the HAPD for further action.

"(2) The Executive Director, acting on behalf of the Board, shall have timely and complete access to information and supporting documentation specifically related to the Board's auditing duties under paragraph (1) of this subsection.

"(3) The Executive Director shall keep confidential the identity of all persons named in any documents transferred from the MPD or the HAPD to the Office pursuant to paragraph (1) of this subsection.

"(4) A Freedom of Information Act request for public records collected under paragraph (1) of this subsection may only be submitted to the MPD or the HAPD.

"(5) Beginning on December 31, 2017, and by December 31 of each year thereafter, the Board shall deliver a report to the Mayor and the Council that analyzes the information evaluated by the Board under paragraph (1) of this subsection.".

(8) Subsection (j) is amended by striking the phrase "the District of Columbia Housing Authority" and inserting the phrase "the HAPD" in its place.

Amend § 5-1112

(c) Section 13(f) (D.C. Official Code § 5-1112(f)) is amended by striking the phrase "Police Chief, and" and inserting the phrase "Police Chief within 10 business days after the action is taken, and" in its place.

SUBTITLE G. IMPROVING STOP AND FRISK AND USE OF FORCE DATA COLLECTION

Amend § 5-113.01

Sec. 209. Section 386 of the Revised Statutes of the District of Columbia (D.C. Official Code § 5-113.01), is amended as follows:

(a) Paragraph (4A) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) New paragraphs (4B), (4C), and (4D) are added to read as follows:

"(4B) Records of stops, including:

"(A) The date, location, and time of the stop;

"(B) The approximate duration of the stop;

"(C) The traffic violation or violations alleged to have been committed that led to the stop;

"(D) Whether a search was conducted as a result of the stop;

"(E) If a search was conducted:

"(i) The reason for the search;

"(ii) Whether the search was consensual or nonconsensual;

"(iii) Whether a person was searched, and whether a person's property was searched; and

"(iv) Whether any contraband or other property was seized in the course of the search;

"(F) Whether a warning, safety equipment repair order, or citation was issued as a result of a stop and the basis for issuing such warning, order, or citation;

"(G) Whether an arrest was made as a result of either the stop or the search;

"(H) If an arrest was made, the crime charged;

"(I) The gender of the person stopped;

"(J) The race or ethnicity of the person stopped; and

"(K) The date of birth of the person stopped.

"(4C) Use of force incidents, including:

"(A) The total number of use of force incidents and the type of force used;

"(B) The total number of officers involved in each use of force incident;

"(C) The total number of persons involved in each use of force incident;

"(D) The number of civilian complaints filed with the Metropolitan Police Department for excessive use of force, by police district, and the outcome of each complaint, including disciplinary actions;

"(E) If an arrest was made, the crime charged;

"(F) The gender, race, age, and ethnicity of each person involved in a use of force incident; and

"(G) The gender, race, age, and ethnicity of any officer involved in a use force incident; and

"(4D) For the purposes of this section, the terms "contact", "frisk", and "stop" shall have the meanings ascribed in Metropolitan Police Department General Order 304.10; and".

SUBTITLE H. CRIME DATA COLLECTION

Amend § 1-301.191

Sec. 210. Section 3022(c) of the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191(c)), is amended as follows:

(a) Paragraph (4) is amended by striking the word "and" at the end.

(b) Paragraph (5)(B) is amending by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (6) is added to read as follows:

"(6) Beginning December 31, 2017, and by December 31 of each year thereafter, deliver a report to the Mayor and the Council that analyzes the trends associated with the Metropolitan Police Department's felony crime statistics. The report shall include:

"(A) The number and type of felony arrests made by the Metropolitan Police Department;

"(B) The number of felony arrests that resulted in conviction and the sentence imposed;

"(C) The location of felony arrests by ward, district, and police service area;

"(D) The number of suspects involved in each felony arrest;

"(E) The number of victims involved in each felony arrest;

"(F) The characteristics of each suspect arrested for a felony crime, including:

"(i) The age of the suspect;

"(ii) The race of the suspect;

"(iii) The gender of the suspect;

"(iv) The level of education of the suspect;

"(v) The police service area where the suspect resides;

"(vi) The number of prior arrests the suspect has had with the Metropolitan Police Department;

"(vii) The number and type of convictions on the suspect's criminal record;

"(viii) The suspect's relationship, if any, to the victim of the crime for which he or she was charged; and

"(ix) If known, whether the suspect has had prior contact with the Department of Behavioral Health; and

"(G) The characteristics of each victim involved in a felony crime, including:

"(i) The age of the victim;

"(ii) The race of the victim;
"(iii) The gender of the victim;
"(iv) The level of education of the victim;
"(v) The police service area where the victim resides;
"(vi) The number of prior contacts the victim has had with the Metropolitan Police Department;
"(vii) The number and type of convictions on the victim's criminal record; and
"(viii) The victim's relationship, if any, to the suspect.".

SUBTITLE I. OFFICER RETENTION AND RECRUITMENT INCENTIVES

Amend § 1-611.03

Sec. 211. Section 1103 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.03), is amended as follows:

(a) Subsection (f)(1) is repealed.

(b) A new subsection (g) is added to read as follows:

"(g)(1) The Chief of Police may grant time off, to be considered FLSA-exempt, to uniformed members of the Metropolitan Police Department at the rank of Inspector and above, and the civilian equivalents, for work performed in excess of an 80-hour biweekly pay period, excluding roll call; provided, that:

"(A) FLSA-exempt time off granted to any individual employee shall not exceed a total of 80 hours in any consecutive 12-month period;

"(B) FLSA-exempt time off shall be forfeited if not used by the end of the leave year following the leave year in which it was earned; and

"(C) FLSA-exempt time off not used at the time of an employee's separation from service shall not be included in any form of leave payment.

"(2) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this subsection.".

Amend § 5-107.01

Sec. 212. Section 202(e) of the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.01(e)), is amended as follows:

(a) The lead-in language is amended by striking the phrase "As of the effective date of the Metropolitan Police Department Amendment Act of 2006, passed on 2nd reading on December 5, 2006 (Enrolled version of Bill 16-586), to" and inserting the word "To" in its place.

(b) Paragraph (2) is amended by striking the phrase "3 years" and inserting the phrase "2 years" in its place.

(c) Paragraph (3) is amended by striking the phrase "5 years" and inserting the phrase "3 years" in its place.

D.C. Law 21-125, effective June 30, 2016
[Partial Delayed Applicability]

SUBTITLE J. REHIRING OF RETIRED OFFICERS BY THE DEPARTMENT OF FORENSIC SCIENCES

Amend § 5-761

Sec. 213. Section 2 of the Retired Police Officer Redeployment Amendment Act of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761), is amended as follows:

(a) A new subsection (a-1) is added to read as follows:

"(a-1) Except for a disability annuitant, a police officer retired from the Metropolitan Police Department shall be eligible for rehire at the discretion of the Director of the Department of Forensic Sciences as a temporary full-time or temporary part-time employee without jeopardy to the retirement benefits of the employee.".

(b) Subsection (b) is amended by striking the phrase "under this section" and inserting the phrase "under subsection (a) of this section" in its place.

(c) Subsection (d) is amended by striking the phrase "under this section" and inserting the phrase "under subsection (a) of this section" in its place.

(d) A new subsection (d-1) is added to read as follows:

"(d-1) A retired police officer who is rehired under subsection (a-1) of this section may be rehired in a supervisory or non-supervisory position and shall be paid a salary of no more than the highest grade available for the position assigned.".

(e) Subsection (e) is amended by striking the phrase "subsection (d) of this section" and inserting the phrase "subsections (d) and (d-1) of this section" in its place.

(f) Subsection (f) is amended by striking the phrase "Metropolitan Police Department." and inserting the phrase "Metropolitan Police Department and the Department of Forensic Sciences." in its place.

SUBTITLE K. PRIVATE SECURITY CAMERA SYSTEM INCENTIVE PROGRAM

New Subchapter II, Chapter 28, Title 7

New § 7-2831

Sec. 214. Private Security Camera System Incentive Program.

(a) There is established a Private Security Camera System Incentive Program ("Program"), to be administered by the Mayor, to encourage the purchase and installation of a security camera system on the exterior of a building owned or leased by an individual, business, nonprofit, religious institution, or other entity as defined in § 29-101.02(10), and to require registration of the system with the Metropolitan Police Department.

(b) To be eligible for the rebate provided for in this section, a property owner or lessee shall:

(1) After September 22, 2015, purchase and install a system on the exterior of the building;

(2) Register the system with the Metropolitan Police Department;

(3) Submit a rebate claim in accordance with Program rules promulgated pursuant to subsection (f) of this section; and

(4) Meet all additional requirements and criteria provided for in Program rules promulgated pursuant to subsection (f) of this section.

(c)(1) Upon approval of a rebate claim submitted pursuant to subsection (b) of this section, the Program shall provide a rebate as follows; provided, that the amount of the rebate shall not be more than the purchase price of the system:

(A) Up to $200 per camera installed on the exterior of a building owned or leased by an individual, with a maximum rebate of up to $500 per system per residential address; or

(B) Up to $200 per camera installed on the exterior of a building owned or leased by a business, nonprofit, religious institution, or other entity as defined in § 29-101.02(10) with a maximum rebate of up to $750 per system per address.

(2) Rebates shall be contingent upon the availability of funds.

(3) No rebates shall be issued until the Mayor promulgates rules pursuant to subsection (f) of this section.

(d) To be eligible for the voucher provided for in this section, a property owner or tenant of a residence shall:

(1) Provide proof of receipt of public assistance under the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*);

(2) Submit an application to the Mayor for the installation of a system; and

(3) Meet all additional requirements and criteria provided for in Program rules promulgated pursuant to subsection (f) of this section.

(e)(1) Upon approval of a voucher application submitted pursuant to subsection (d) of this section, the Program shall provide vouchers as follows:

(A) Vouchers shall not exceed the amount for a rebate claim under subsection (c)(1)(A) of this section.

(B) Vouchers shall be contingent upon the availability of funds.

(C) No vouchers shall be issued until the Mayor promulgates rules pursuant to subsection (f) of this section.

(2) Tenants of properties owned by the District of Columbia Housing Authority shall not be eligible for a voucher under this section.

(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this section, including:

(1) Requirements for proof of purchase and system verification;

(2) Procedures for registering a system with the Metropolitan Police Department, including a certification by the recipient providing that the recipient shall not use the system to intentionally record specific individuals conducting lawful activity;

(3) Identification of priority areas for Program eligibility; provided, that the priority areas include at least one area in each ward identified by crime levels and other public safety indicators in the corresponding police service area; and

(4) Requirements and procedures for participating in the voucher option under subsection (d) of this section.

(g) Any rebate or voucher issued under this section shall not be considered income for purposes of District of Columbia income tax.

(h) From the effective date of the Private Security Camera Incentive Program Emergency Act of 2015, effective January 15, 2016 (D.C. Act 21-0274; 63 DCR 803), to the issuance of the final rebate or voucher under this Program, the Mayor shall provide a monthly report to the Council that includes the following information:

(1) The total number of rebates and vouchers issued;

(2) The total number of private security cameras paid for by the Program;

(3) The number of rebates and vouchers issued in each police service area;

(4) The number of rebates issued pursuant to subsection (c)(1)(A) or (B) of this section, respectively;

(5) The number of rebates and vouchers issued in each priority area identified pursuant to subsection (f)(3) of this section;

(6) The number of times the Metropolitan Police Department requested footage from a Program recipient, and whether the request was granted or denied by the Program recipient;

(7) The number of times that footage from a private security camera contributed to a successful arrest by the Metropolitan Police Department, including a breakdown by offense; and

(8) An analysis of the Program's implementation and plans for future expansion, if any.

(i) For the purposes of this section, the term "security camera system" or "system" means one or more outdoor surveillance cameras with functioning digital video recording capability.

Sec. 215. Private Security Camera Incentive Fund. **New § 7-2832**

(a) There is established as a special fund the Private Security Camera Incentive Fund ("Fund"), which shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Funds appropriated by the District;

(2) Grants;

(3) Donations from the public; and

(4) Donations from private entities.

(c) Money in the Fund shall be used to implement the Private Security Camera Incentive Program ("Program"), including:

(1) Providing rebates to eligible participants;

(2) Providing vouchers to eligible participants; and

(3) Appropriate overhead or administrative expenses related to the Program and the Fund.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

TITLE III. TRAFFIC CITATION MODERNIZATION FOR OPERATING A VEHICLE

DCMR

Sec. 301. Section 2213 of Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Subsection 2213.1 is amended to read as follows:

"2213.1 No person shall drive a vehicle with any object in any position that obstructs a significant portion of the view of the driver to the front, sides, or back of the vehicle, or interferes with the driver's control over the driving mechanism of the vehicle.".

(b) Subsections 2213.7 and 2213.8 are repealed.

TITLE IV. WORK RELEASE

Amend § 23-1321

Sec. 401. Section 23-1321(c)(1)(B)(xi) of the District of Columbia Official Code is amended by striking the phrase ", except that no person may be released directly from the District of Columbia Jail or the Correctional Treatment Facility for these purposes.".

TITLE V. GOOD TIME CREDITS

Amend § 24-221.01c

Sec. 501. Section 3c(c) of the District of Columbia Good Time Credits Act of 1986, effective May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by striking the number "8" and inserting the number "10" in its place.

TITLE VI. FIREARMS CONTROL BOUNDARIES CLARIFICATION

Amend § 7-2509.07

Sec. 601. Section 907 of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.07), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraph (11) is amended to read as follows:

"(11) The White House Complex and its grounds up to and including to the curb of the adjacent sidewalks touching the roadways of the area bounded by Constitution Avenue, N.W., 15th Street, N.W., H Street, N.W., and 17th Street, N.W.;".

(2) Paragraph (12) is amended to read as follows:

"(12) The U.S. Naval Observatory and its fence line, including the area from the perimeter of its fence up to and including to the curb of the adjacent sidewalks touching the roadway of Observatory Circle, from Calvert Street, N.W., to Massachusetts Avenue, N.W., and around Observatory Circle to the far corner of Observatory Lane;".

(b) Subsection (d)(1) is amended by striking the phrase "While he or she is traveling along a public street, road, or highway, including an adjacent public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under

subsection (a) and subsection (b) of this section" and inserting the phrase "While he or she is traveling along a public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this section, except for the areas designated in subsection (a)(11) and (a)(12), or along a public street, roadway, or highway" in its place.

TITLE VII. MICROSTAMPING IMPLEMENTATION

Sec. 701. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

Amend § 7-2504.08

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the date "January 1, 2016" wherever it appears and inserting the date "January 1, 2018" in its place.

Amend § 7-2505.03

(b) Section 503 (D.C. Official Code § 7-2505.03) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) The lead-in language is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(B) Paragraph (2) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(C) Paragraph (3) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(2) Subsection (c)(1) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(3) The lead-in language of subsection (e) is amended by striking the date "January 1, 2016" wherever it appears and inserting the date "January 1, 2018" in its place.

TITLE VIII. SWIFT AND CERTAIN SANCTIONS.

Amend § 23-1329

Sec. 801. Section 23-1329 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase "order of detention" and inserting the phrase "order of detention, including an order of temporary detention pursuant to subsections (d-1) and (e) of this section" in its place.

(b) Subsection (b)(1) is amended by striking the phrase "Proceedings for revocation of release may be initiated on motion of the United States Attorney or on the court's own motion." and inserting the phrase "Proceedings for revocation of release and temporary placement in custody may be initiated at the request of the Pretrial Services Agency, on motion of the prosecutor, or on the court's own motion." in its place.

(c) A new subsection (d-1) is added to read as follows:

"(d-1)(1) A person who has been conditionally released and who violates a condition of that release by violating a stay-away order or an order to wear a detection device, may be ordered by the court, in addition to or in lieu of the penalties prescribed in subsections (a) through (d) of this section, to temporary placement in custody for a maximum of 72 hours, when,

in the opinion of the court, such action is necessary to ensure compliance with the conditions of release.

"(2) Paragraph (1) of this subsection shall apply only to a person who has been charged with an offense enumerated in § 23-1331(3) or (4); provided, that it shall not include offenses under § 23-1331(3)(B) or (C).".

TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

Sec. 901. Applicability.

Note, §§ 7-2411 – 7-2413, 7-781, 5-132.31, 5-132.32, 22-4251,22-4234, 5-113.01, 1-301.191

(a) Sections 101, 102, 103, 104, 105, 201, 202, 203, 204, 209, and 210 shall apply upon the inclusion of their fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of the sections.

Sec. 902. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 903. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(2)), and publication in the District of Columbia Register.

D.C. Law 21-97, effective April 6, 2016 (Expiration date November 17, 2016)
(Related Emergency Legislation is Act 21-274, 21 DCSTAT 2721)

AN ACT

Bill 21-498
Act 21-318
effective February 18, 2016

Codification District of Columbia Official Code 2001 Edition

To create, on a temporary basis, a rate program for the installation and registration of a security camera system on the exterior of property owned or leased by an individual, business, nonprofit, religious institution, or other entity and to establish a special fund to implement the rebate program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Private Security Camera Incentive Program Temporary Act of 2016".

Private Security Camera Incentive Program Temporary Act of 2016

Sec. 2. Private security camera system incentive program.

Note, New § 7-2831

(a) Pursuant to section 7 of the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, effective January 9, 2016 (D.C. Law 21-48; 62 DCR 13979), there is established a Private Security Camera System Incentive Program ("Program"), to be administered by the Mayor, to encourage the purchase and installation of a security camera system ("system") on the exterior of a building owned or leased by an individual, business, nonprofit, religious institution, or other entity, as that term is defined in D.C. Official Code § 29-101.02(10), and to require registration of the system with the Metropolitan Police Department.

(b) To be eligible for the rebate provided for in this section, a property owner or lessee shall:

(1) After September 22, 2015, purchase and install a system on the exterior of the building;

(2) Register the system with the Metropolitan Police Department;

(3) Submit a rebate claim in accordance with Program rules promulgated pursuant to subsection (d) of this section ; and

(4) Meet all additional requirements and criteria provided for in Program rules promulgated pursuant to subsection (d) of this section.

(c)(1) Upon approval of a rebate claim, the Program shall provide a rebate as follows; provided, that the amount of the rebate shall not be more than the purchase price of the system:

(A) Up to $200 per camera installed on the exterior of a building owned or leased by an individual, with a maximum rebate of up to $500 per system per residential address; or

(B) Up to $200 per camera installed on the exterior of a building owned or leased by a business, nonprofit, religious institution, or other entity, as that term is defined in D.C. Official Code § 29-101.02(10), with a maximum rebate of up to $750 per system per address.

(2) Rebates shall be contingent upon availability of funds.

(3) No rebates shall be issued until the Mayor promulgates rules pursuant to subsection (d) of this section.

(d) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), and in accordance with this section, shall issue rules to implement the Program, including:

(1) Requirements for proof of purchase and system verification;

(2) Procedures for registering a system with the Metropolitan Police Department, including a certification by the recipient that the recipient shall not use the system to intentionally record specific individuals conducting lawful activity; and

(3) Identification of priority areas for Program eligibility; provided, that the priority areas include at least one area in each ward identified by crime levels and other public safety indicators in the corresponding police service area.

(e) A rebate issued under this section shall not be considered income for purposes of District of Columbia income tax.

(f) For the purposes of this section, the term "security camera system" means one or more outdoor surveillance cameras with functioning digital video recording capability.

(g) From the effective date of the Private Security Camera Incentive Program Emergency Act of 2015, effective January 15, 2016 (D.C. Act 21-274; 63 DCR 803), to the issuance of the final rebate under the Program, the Mayor shall provide a monthly report to the Council that includes the following information:

(1) The total number of rebates issued;

(2) The total number of private security cameras funded;

(3) The number of rebates issued in each police service area;

(4) The number of rebates issued in each priority area identified pursuant to subsection (d)(3) of this section;

(5) The number of rebates issued pursuant to subsection (c)(1)(A) or (B) of this section, respectively;

(6) The number of times the Metropolitan Police Department requested footage from a rebate recipient, and whether the request was granted or denied by the rebate recipient;

(7) The number of times that footage from a private security camera contributed to a successful arrest by the Metropolitan Police Department, including a breakdown by offense; and

(8) An analysis of the Program's implementation and plans for future expansion, if any.

Sec. 3. Private Security Camera Incentive Fund. **Note, New § 7-2832**

(a) There is established as a special fund the Private Security Camera Incentive Fund ("Fund"), which shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Funds appropriated by the District;

(2) Grants;

(3) Donations from the public; and

(4) Donations from private entities.

(c) Money in the Fund shall be used to implement the Private Security Camera Incentive Program ("Program"), including:

(1) Providing rebates to eligible participants; and

(2) Appropriate overhead or administrative expenses related to the Program and the Fund.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-98, effective April 6, 2016 (Expiration date November 17, 2016)
(Related Emergency Legislation is Act 21-273, 21 DCSTAT 2719)

AN ACT

Bill 21-550
Act 21-319
effective February 18, 2016

To amend, on a temporary basis, the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, and to establish a private club task force to provide a report making recommendations regarding the licensing and operation of venues at which marijuana may be consumed within the parameters of 401(a)(1) of the District of Columbia Uniform Controlled Substances Act of 1981; and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy, or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marijuana Possession Decriminalization Clarification Temporary Amendment Act of 2016".

Marijuana Possession Decriminalization Clarification Temporary Amendment Act of 2016

Sec. 2. The Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; 61 DCR 3482), is amended as follows:

(a) Section 301 (D.C. Official Code § 48-911.01) is amended as follows:

Note, § 48-911.01

(1) Subsection (a)(3) is amended to read as follows:

"(3) Any place to which the public is invited. For the purposes of this subsection, and notwithstanding any other provision of law, a private club, which includes any building, facility, or premises used or operated by an organization or association for a common avocational purpose, such as a fraternal, social, educational, or recreational purpose, is a place to which the public is invited; provided, that a private club does not include a private residence.".

(2) A new subsection (f) is added to read as follows:

"(f) No provision of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880), shall limit or be construed to limit the application of any provision of this section.".

(b) A new Title III-A is added to read as follows:

"TITLE III-A STUDY OF MARIJUANA IN A PRIVATE CLUB.

New Subchapter III, Chapter 12, Title 48

Note, § 48-1221

"Sec. 310. Task force.

"(a) There is established a private club task force ("Task Force"). There shall be 7 members of the Task Force, who shall be appointed within 10 days after the effective date of this title.

"(b) The Task Force shall consist of the following persons, or their designees:

"(1) The Director of the Alcoholic Beverage Regulation Administration;

"(2) The Director of the Department of Consumer and Regulatory Affairs;

"(3) The Director of the Department of Health;

"(4) The Chief of the Metropolitan Police Department;

"(5) The Attorney General for the District of Columbia; and

"(6) Two members of the Council of the District of Columbia, as appointed by the Council.

"(c)(1) The Task Force shall provide a report making recommendations regarding the licensing and operation of venues at which marijuana may be consumed that are within the lawful parameters for the possession, use, and transfer of marijuana set forth in section 401(a)(1) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-904.01(a)(1)).

"(2) The report shall include the following:

"(A) Effective ways to regulate venues to ensure the health and safety of staff, members, and invitees and the health and safety of the nearby public and the general public;

"(B) Hours of operation;

"(C) Occupancy limits;

"(D) Whether food or beverages (alcoholic and non-alcoholic) may be sold on the premise;

"(E) The District agencies that should be involved in regulating the venues;

"(F) Security plans;

"(G) The amount of marijuana an individual shall be permitted to possess at the venue;

"(H) Whether a venue can store marijuana for a member, or invitee, of a venue;

"(I) Penalties for violating the regulations;

"(J) Licensing, including the requirements for licensure, such as proof of compliance with all applicable District laws, the application procedure, and fee structure;

"(K) Cost of membership or admission;

"(L) The limitations as to the location and the number of venues allowed to operate in the District;

"(M) How all District residents can utilize the benefits of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880);

"(N) Whether venues can operate in the District; and

"(O) Any other recommendations.

"(3) The Task Force shall complete its analysis and submit a report, along with any proposed recommendations, to the Council and the Mayor for review within 120 days after the creation of the Task Force.".

Note, § 47-2844

Sec. 3. Section 47-2844(a-1)(1) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the phrase "Title 48; or" and inserting the phrase "Title 48;" in its place.

(b) Subparagraph (C) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) Conduct that violates section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)). In addition, the Mayor shall revoke any certificate of occupancy or permit associated with the specific address or unit, whichever is more specific, of the holder of a certificate of occupancy or permit who knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)), to occur at the specific address or unit identified in the certificate of occupancy or permit.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-99, effective April 6, 2016 (Expiration date November 17, 2016)
(Related Emergency Legislation is Act 21-289, 21 DCSTAT 2749)

AN ACT

Bill 21-558
Act 21-320
effective
February 18, 2016

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify that a District government attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals with the Department of Human Resources by December 15 of each year, to allow an attorney employed by the Council of the District of Columbia to file a Certificate of Good Standing with the Office of the Secretary to the Council of the District of Columbia, to allow the Director of the Department of Human Resources or the Secretary to the Council of the District of Columbia to verify good standing through electronic means, to clarify that the Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the Certificate of Good Standing filing requirement, and to authorize the Secretary to the Council of the District of Columbia to issue policy directives regarding timing, waiver, and notice of the Certificate of Good Standing filing requirement.

Codification District of Columbia Official Code 2001 Edition

Certificate of Good Standing Filing Requirement Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Certificate of Good Standing Filing Requirement Temporary Amendment Act of 2016".

Note, § 1-608.81

Sec. 2. Section 881 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective July 25, 2002 (D.C. Law 14-182; D.C. Official Code § 1-608.81), is amended as follows:

(a) Subsection (a) is amended to read as follows:

"(a) Except as provided by the rules for temporary waiver of this requirement, each attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment, employed by the Mayor, the Office of the Attorney General, the Office of the Chief Financial Officer, or by any independent agency, shall file with the Department of Human Resources a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals by December 15 of each year; provided, that an attorney employed by the Council of the District of Columbia who is required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificate of Good Standing with the Office of the Secretary to the Council of the District of Columbia by December 15 of each year.".

(b) A new subsection (a-1) is added to read as follows:

"(a-1) The Director of the Department of Human Resources or the Secretary to the

Council of the District of Columbia may verify the good standing of an attorney, hearing officer, or administrative law judge subject to the requirement in subsection (a) of this section through electronic means with the Committee on Admissions of the District of Columbia Court of Appeals.".

(c) Subsection (b) is amended to read as follows:

"(b) The Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the filing requirements of subsection (a) of this section.".

(d) Subsection (c) is amended as follows:

(1) The lead-in language is amending by striking the phrase "Director of Personnel" and inserting the phrase "Director of the Department of Human Resources" in its place.

(2) Paragraph (3) is amended by striking the word "attorneys" and inserting the phrase "attorneys, hearing officers, or administrative law judges" in its place.

(e) A new subsection (c-1) is added to read as follows:

"(c-1) The Secretary to the Council of the District of Columbia may issue policy directives concerning:

"(1) The timing for filing the Certificate of Good Standing and associated procedures;

"(2) The standards governing when a temporary waiver of the filing requirement may be granted by the personnel authority for the Council of the District of Columbia attorney; and

"(3) The procedures by which attorneys shall be notified of the filing requirement and whether they are in compliance with the requirement.".

(f) Subsection (e) is amended by striking the phrase "an attorney" and inserting the phrase "an attorney, a hearing officer, or an administrative law judge" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-100, effective April 6, 2016 (Expiration date November 17, 2016)
(Related Emergency Legislation is Act 21-290, 21 DCSTAT 2751)

AN ACT

Bill 21-560
Act 21-321 effective February 18, 2016

To amend, on a temporary basis, the District of Columbia Election Code of 1955 to change the procedures for the presidential primary ballot access.

Codification District of Columbia Official Code 2001 Edition

Presidential Primary Ballot Access Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Presidential Primary Ballot Access Temporary Amendment Act of 2016".

Note, § 1-1001.05

Sec. 2. Section 5(b)(2) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 700; D.C. Official Code § 1-1001.05(b)(2)), is amended to read as follows:

"(2) No person shall be listed on the ballot as a candidate for nomination for President in such primary unless:

"(A) No later than March 16 of each presidential election year, there shall have been filed with the Board a petition on behalf of the person signed by at least 1,000, or 1%, whichever is less, of the qualified electors of the District of Columbia who are registered under section 7, and are of the same political party as the nominee; or

"(B) The person has complied with the rules of the political party to be listed on the ballot, and if the party rules provide for candidate qualification by means other than gathering petition signatures as described in subparagraph (A) of this paragraph, the political party shall certify to the Board no later than March 16 of each presidential election year the names of candidates for nomination who have qualified by such means.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-101, effective April 6, 2016 (Expiration date November 17, 2016)
(Related Emergency Legislation is Act 21-291, 21 DCSTAT 2752)

AN ACT

Bill 21-562
Act 21-322 effective February 18, 2016

To amend, on a temporary basis, the Accrued Sick and Safe Leave Act of 2008 to clarify that employees in the building and construction industry covered by a bona fide collective bargaining agreement shall be exempted from the paid leave requirements of the act only if the agreement expressly waives those requirements; to amend the Minimum Wage Act Revision Act of 1992 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees, to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer or temporary staffing firm knows that second language to be the employee's primary language or the employee requests notice in that second language, and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month; provided, that the employer pays wages to such employees at least once per month.

Codification District of Columbia Official Code 2001 Edition

Wage Theft Prevention Clarification Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Clarification Temporary Amendment Act of 2016".

Note, § 32-131.06

Sec. 2. Section 7(b) of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.06(b)), is amended by striking the phrase "agreement." and inserting the phrase "agreement that expressly waives the requirements in clear and unambiguous terms." in its place.

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq*.), is amended as follows:

Note, § 32-1008

(a) Section 9 (D.C. Official Code § 32-1008) is amended as follows:

(1) Subsection (a)(1)(D) is amended to read as follows:

"(D) The precise time worked each day and each workweek by each employee, except for employees who are exempt from the minimum wage and overtime requirements under section 5(a); and".

(2) Subsection (c) is amended by striking the phrase "shall furnish to each employee at the time of hiring a written notice, both in English and in the employee's primary

language, containing the following information:" and inserting the phrase "shall furnish to each employee at the time of hiring a written notice in English in the form made available by the Mayor pursuant to subsection (e) of this section. If, pursuant to subsection (e) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to the employee in that second language. The notice shall contain the following information:" in its place.

(3) Subsection (e) is amended to read as follows:

"(e) The Mayor shall make available for employers a sample template of the notice required by subsection (c) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1008.01

(b) Section 9a is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase "containing the information required by section 9(c)" and inserting the phrase "containing the information required by section 9(c) and in the form of the sample template made available by the Mayor pursuant to section 9(e). The notice shall be provided in English and if, pursuant to section 9(e), the Mayor has made available a translation of the sample template in a second language that is known by the temporary staffing firm to be the employee's primary language or that the employee requests, the temporary staffing firm also shall furnish written notice to that employee in that second language." in its place.

(2) Subsection (b) is amended to read as follows:

"(b)(1) When a temporary staffing firm assigns an employee to perform work at, or provide services for, another organization, the temporary staffing firm shall furnish the employee a written notice in English, in the form of the sample template made available by the Mayor pursuant to subsection (c) of this section, of:

"(A) The specific designated payday for the particular assignment;

"(B) The actual rate of pay for the assignment and the benefits, if any to be provided;

"(C) The overtime rate of pay the employee will receive or, if applicable, inform the employee that the position is exempt from additional overtime compensation and the basis for the overtime exemption;

"(D) The location and name of the client employer and the temporary staffing firm;

"(E) The anticipated length of the assignment;

"(F) Whether training or safety equipment is required and who is obligated to provide and pay for the equipment;

"(G) The legal entity responsible for workers' compensation should the employee be injured on the job; and

"(H) Information about how to contact the designated enforcement agency for concerns about safety, wage and hour, or discrimination.

"(2) If, pursuant to subsection (c) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the temporary staffing firm to be the employee's primary language or that the employee requests, the temporary staffing firm also shall furnish written notice to that employee in the second language.".

(3) Subsection (c) is amended to read as follows:

"(c) The Mayor shall make available for temporary staffing firms a sample template of the notice required by subsection (b) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603). The Mayor also shall make available for temporary staffing firms a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1302

Sec. 4. Section 2 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat 976; D.C. Official Code § 32-1302), is amended by striking the phrase "Every employer shall pay all wages earned to his employees at least twice during each calendar month, on regular paydays designated in advance by the employer;" and inserting the phrase "Every employer shall pay all wages earned to his employees on regular paydays designated in advance by the employer and at least twice during each calendar month, except that all bona fide administrative, executive, and professional employees (those employees employed in a bona fide administrative, executive, or professional capacity, as defined in 7 DCMR § 999.1) shall be paid at least once per month;" in its place.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-602.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-102, effective April 20, 2016 (Expiration date December 1, 2016)
(Related Emergency Legislation is Act 21-313, 21 DCSTAT 2818)

AN ACT

Bill 21-595
Act 21-323
effective
March 3, 2016

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to revise the salary limitation for the Chancellor of the District of Columbia Public Schools and to authorize the provision of certain employment benefits to the Chancellor.

Codification
District of Columbia Official Code 2001 Edition

Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Temporary Amendment Act of 2016

Note, § 1-610.52

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Temporary Amendment Act of 2016".

Sec. 2. Section 1052(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($284,000)," and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($292,520)," in its place.

(b) Paragraph (3) is amended as follows:

(1) Designate the existing text as subparagraph (A).

(2) A new subparagraph (B) is added to read as follows:

"(B)(i) Notwithstanding subparagraph (A) of this paragraph and the Bonus and Special Pay Limitation Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), the Chancellor may be paid a recognition and renewal bonus of 5% of her annual base salary in 2016 and a performance bonus of up to 10% of her annual base salary for goals achieved by the end of the 2015-2016 school year.

"(ii) In addition to such other benefits as the Chancellor may be entitled to receive under existing law or regulation, and notwithstanding subparagraph (A) of this paragraph and section 1058, the Mayor may make a separation payment to the Chancellor of up to 24 weeks of the Chancellor's base salary if the Chancellor's contract is terminated for a reason other than criminal conduct, gross dereliction of duty, or gross misconduct, and the Mayor may make a payment to the Chancellor's executors, legal representatives, or administrators in the amount of 1/12 of the Chancellor's annual salary if the Chancellor dies during her term of employment.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-103, effective April 20, 2016 (Expiration date December 1, 2016)
(Related Emergency Legislation is Act 21-314, 21 DCSTAT 2820)

AN ACT

Bill 21-605
Act 21-324
effective
March 3, 2016

To amend, on a temporary basis, the Protecting Pregnant Workers Fairness Act of 2014 to require an employer to make a reasonable accommodation for an employee whose ability to perform the functions of the employee's job are affected by a pre-birth complication.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Protecting Pregnant Workers Fairness Temporary Amendment Act of 2016".

Protecting Pregnant Workers Fairness Temporary Amendment Act of 2016

Sec. 2. The Protecting Pregnant Workers Fairness Act of 2014, effective March 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*), is amended as follows:

(a) Section 2(2) (D.C. Official Code § 32-1231.01(2)) is amended as follows:

Note, § 32-1231.01

(1) Subparagraph (F) is amended by striking the word "or".

(2) Subparagraph (G) is amended by striking the period and inserting the phrase "; or" in its place

(3) A new subparagraph (H) is added to read as follows:

"(H) Time off due to pre-birth complications.".

(b) Section 4 (D.C. Official Code § 32-1231.03) is amended as follows:

Note, § 32-1231.03

(1) Paragraph (4) is amended by striking the word "or" at the end.

(2) Paragraph (5) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new paragraph (6) is added to read as follows:

"(6) Take an adverse action against an employee who has been absent from work as a result of a pregnancy related condition, including a pre-birth complication.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of

Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-104, effective April 20, 2016 (Expiration date December 1, 2016)
(Related Emergency Legislation is Act 21-306, 21 DCSTAT 2807)
Delayed Applicability

AN ACT

Bill 21-607
Act 21-325
effective
March 3, 2016

To amend, on a temporary basis, the Youth Employment Act of 1979 to authorize the Mayor to provide employment or work-readiness training for participants 14 through 24 years of age.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marion S. Barry Summer Youth Employment Expansion Temporary Amendment Act of 2016".

Marion S. Barry Summer Youth Employment Expansion Temporary Amendment Act of 2016

Sec. 2. Section 2(a)(1)(A) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)(A)), is amended to read as follows:

"(A)(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth. Youth shall be 14 through 21 years of age on the date of enrollment in the program; provided, that for Fiscal Year 2016 and Fiscal Year 2017, the program may provide for the employment or training each summer of no more than 1000 youth 22 through 24 years of age on the date of enrollment in the program.

"(ii) Youth 14 or 15 years of age at the date of enrollment shall receive an hourly work readiness training rate of not less than $5.25.

"(iii) Youth 16 through 21 years of age at the date of enrollment shall be compensated at an hourly rate of $8.25 and youth 22 through 24 years of age at the date of enrollment shall be compensated at no less than the minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).".

Note, § 32-241

Sec. 3. Applicability.

Delayed Applicability

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(l)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-122, effective June 17, 2016 (Expiration date January 28, 2017)
(Related Emergency Legislation is Act 21-353, 21 DCSTAT 2853)

AN ACT

Bill 21-637
Act 21-376
effective
April 27, 2016

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to approve the salary of the Director of the Homeland Security and Emergency Management Agency.

Codification District of Columbia Official Code 2001 Edition

Director of the Homeland Security and Emergency Management Agency Salary Approval Temporary Amendment Act of 2016

Note, § 1-610.52

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Director of the Homeland Security and Emergency Management Agency Salary Approval Temporary Amendment Act of 2016".

Sec. 2. Section 1052(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)), is amended by adding a new paragraph (2B) to read as follows:

"(2B) Notwithstanding paragraph (1) of this subsection, the Council approves an annual salary of $215,035 for the position of Director of the Homeland Security and Emergency Management Agency Christopher Geldart.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-123, effective June 17, 2016 (Expiration date January 28, 2017)
(Related Emergency Legislation is Act 21-333, 21 DCSTAT 2837)

AN ACT

Bill 21-641
Act 21-377
effective
April 27, 2016

To amend, on a temporary basis, the Prevention of Child Abuse and Neglect Act of 1977 to include in the definition of case plan an additional requirement for children 14 years of age and older, to define the reasonable and prudent parent standard, to require that foster children receive a credit report on an annual basis beginning at 14 years of age, and to require the use of the reasonable and prudent parent standard by foster parents and group homes; and to amend section 16-2323 of the District of Columbia Official Code to require additional reporting requirements for children who have been placed in another planned permanent living arrangement.

Codification District of Columbia Official Code 2001 Edition

Supporting Normalcy and Empowering Children in Foster Care Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Supporting Normalcy and Empowering Children in Foster Care Temporary Amendment Act of 2016".

Note, § 4-1301.02

Sec. 2. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 4–1301.02) is amended as follows:

(1) Paragraph (3) is amended as follows:

(A) Subparagraph (B) is amended by striking the phrase "under the plan;" and inserting the phrase "under the plan. With respect to a child who has attained 14 years of age, the plan, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with up to 2 members of the case planning team who are chosen by the child and who are not a foster parent of, or caseworker for, the child. The agency may reject an individual selected by a child to be a member of the case planning team at any time if the agency has good cause to believe that the individual would not act in the best interests of the child. One individual selected by a child to be a member of the child's case planning team may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child." in its place.

(B) Subparagraph (D) is amended by striking the phrase "16 years of age" and inserting the phrase "14 years of age" in its place.

(2) A new paragraph (16A) is added to read as follows:

"(16A) "Reasonable and prudent parent standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth

of the child, that should be used when determining whether to allow a child to participate in extracurricular, enrichment, cultural, and social activities.".

Note, § 4-1303.03

(b) Section 303(a)(16)(A) (D.C. Official Code § 4–1303.03(a)(16)(A)) is amended as follows:

(1) Sub-subparagraph (ii) is amended by striking the phrase "District of Columbia; or" and inserting the phrase "District of Columbia;" in its place.

(2) Sub-subparagraph (iii) is amended by striking the phrase "terminated." and inserting the phrase "terminated; or" in its place.

(3) A new sub-subparagraph (iv) is added to read as follows:

"(iv) The ward reaches 14 years of age and on an annual basis thereafter.".

Note, New § 4-1303.03f

(c) A new section 303f is added to read as follows

"Sec. 303f. Reasonable and prudent parent standard.

"(a) Foster parents and group homes for children who have been abused or neglected shall use the reasonable and prudent parent standard when determining whether to allow a ward to participate in extracurricular, enrichment, cultural, and social activities.

"(b) The Agency, foster parents, and group homes shall not be held liable for any civil damages resulting from the application of, or the failure to apply, the reasonable and prudent parent standard, except in cases constituting gross negligence.".

Note, § 16-2323

Sec. 3. Section 16-2323(d)(4) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the word "and".

(b) A new subparagraph (D) is added to read as follows:

"(D) For a child placed in another planned permanent living arrangement, the steps taken by the agency to ensure that the reasonable and prudent parent standard, as defined in section 102(16A) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(16A)), has been followed and that the child has opportunities to engage in age-appropriate or developmentally appropriate activities; and".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Act 21-358, effective April 19, 2016 (Expiration date July 18, 2016)

AN ACT

Bill 21-675

Emergency Declaration Res. 21-456 21 DCStat 3300

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the District of Columbia Election Code of 1955 to change the procedures for presidential primary ballot access and clarify that the approved political party's presidential primary plan shall be transmitted to the Board of Elections no later than 24 hours after March 16; and to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to eliminate the requirement to file with the Director of Campaign Finance and with the principal campaign committee, if applicable, reports of receipts and expenditures 8 days before the June 2016 primary election.

Primary Election Filing Requirement Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Primary Election Filing Requirement Emergency Amendment Act of 2016".

Note, § 1-1001.05

Sec. 2. Section 5(b)(2) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 700; D.C. Official Code § 1-1001.05(b)(2)), is amended to read as follows:

"(2) No person shall be listed on the ballot as a candidate for nomination for President in such primary unless:

"(A) No later than March 16 of each presidential election year, there shall have been filed with the Board a petition on behalf of the person signed by at least 1,000, or 1%, whichever is less, of the qualified electors of the District of Columbia who are registered under section 7, and are of the same political party as the nominee; or

"(B) The person has complied with the rules of the political party to be listed on the ballot, and if the party rules provide for candidate qualification by means other than gathering petition signatures as described in subparagraph (A) of this paragraph, the political party shall certify to the Board no later than 24 hours after March 16 of each presidential election year the names of candidates for nomination who have qualified by such means.".

Note, § 1-1001.05

Sec. 3. The Presidential Primary Ballot Access Emergency Amendment Act of 2016, effective January 27, 2016 (D.C. Act 21-290; 63 DCR 1205), is repealed.

Note, § 1-1001.05

Sec. 4. Section 2 of the Presidential Primary Ballot Access Temporary Amendment Act of 2016, enacted on February 18, 2016 (D.C. Act 21-321; 63 DCR 2218), is amended by striking

the phrase "to the Board no later than" and inserting the phrase "to the Board no later than 24 hours after" in its place.

Note, § 1-1163.09

Sec. 5. Section 309(b) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code §1-1163.09(b)), is amended by striking the phrase "and 8 days before an election,".

Sec. 6. Applicability.

Sections 2, 3, and 4 shall apply as of March 15, 2016.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-359, effective April 26, 2016 (Expiration date July 25, 2016)

AN ACT

Bill 21-698

Emergency Declaration Res. 21-439 21 DCStat 3278

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Accrued Sick and Safe Leave Act of 2008 to clarify that employees in the building and construction industry covered by a bona fide collective bargaining agreement shall be exempted from the paid leave requirements of the act only if the agreement expressly waives those requirements; to amend the Minimum Wage Act Revision Act of 1992 to exempt an employer from keeping precise time records for bona fide executive, administrative, and professional, as well as certain other, employees, to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer knows that second language to be the employee's primary language or the employee requests notice in that second language, and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend An Act To provide for the payment and collection of wages in the District of Columbia to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month; provided, that the employer pays wages to such employees at least once per month.

Wage Theft Prevention Clarification Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Clarification Congressional Review Emergency Amendment Act of 2016".

Note, § 32-131.06

Sec. 2. Section 7(b) of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.06(b)), is amended by striking the phrase "agreement." and inserting the phrase "agreement that expressly waives the requirements in clear and unambiguous terms." in its place.

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq*.), is amended as follows:

Note, § 32-1008

(a) Section 9 (D.C. Official Code § 32-1008) is amended as follows:

(1) Subsection (a)(1)(D) is amended to read as follows:

"(D) The precise time worked each day and each workweek by each employee, except for employees who are exempt from the minimum wage and overtime requirements under section 5(a); and".

(2) Subsection (c) is amended by striking the phrase "shall furnish to each employee at the time of hiring a written notice, both in English and in the employee's primary

language, containing the following information:" and inserting the phrase "shall furnish to each employee at the time of hiring a written notice in English in the form made available by the Mayor pursuant to subsection (e) of this section. If, pursuant to subsection (e) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to the employee in that second language. The notice shall contain the following information:" in its place.

(3) Subsection (e) is amended to read as follows:

"(e) The Mayor shall make available for employers a sample template of the notice required by subsection (c) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, New § 32-1008.01

(b) Section 9a is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase "containing the information required by section 9(c)" and inserting the phrase "containing the information required by section 9(c) and in the form of the sample template made available by the Mayor pursuant to section 9(e). The notice shall be provided in English and if, pursuant to section 9(e), the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in that second language." in its place.

(2) Subsection (b) is amended to read as follows:

"(b)(1) When a temporary staffing firm assigns an employee to perform work at, or provide services for, another organization, the temporary staffing firm shall furnish the employee a written notice in English, in the form of the sample template made available by the Mayor pursuant to subsection (c) of this section, of:

"(A) The specific designated payday for the particular assignment;

"(B) The actual rate of pay for the assignment and the benefits, if any, to be provided;

"(C) The overtime rate of pay the employee will receive or, if applicable, inform the employee that the position is exempt from additional overtime compensation and the basis for the overtime exemption;

"(D) The location and name of the client employer and the temporary staffing firm;

"(E) The anticipated length of the assignment;

"(F) Whether training or safety equipment is required and who is obligated to provide and pay for the equipment;

"(G) The legal entity responsible for workers' compensation should the employee be injured on the job; and

"(H) Information about how to contact the designated enforcement agency for concerns about safety, wage and hour, or discrimination.

"(2) If, pursuant to subsection (c) of this section, the Mayor has made available a translation of the sample template in a second language that is known by the employer to be the employee's primary language or that the employee requests, the employer also shall furnish written notice to that employee in the second language.".

(3) Subsection (c) is amended to read as follows:

"(c) The Mayor shall make available for temporary staffing firms a sample template of the notice required by subsection (b) of this section within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 62 DCR 3603). The Mayor also shall make available for employers a translation of the sample template in any language required for vital documents pursuant to section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).".

Note, § 32-1302

Sec. 4. Section 2 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1302), is amended by striking the phrase "Every employer shall pay all wages earned to his employees at least twice during each calendar month, on regular paydays designated in advance by the employer;" and inserting the phrase "Every employer shall pay all wages earned to his employees on regular paydays designated in advance by the employer and at least twice during each calendar month, except that all bona fide administrative, executive, and professional employees (those employees employed in a bona fide administrative, executive, or professional capacity, as defined in 7 DCMR § 999.1) shall be paid at least once per month;" in its place.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-360, effective April 26, 2016 (Expiration date July 25, 2016)

AN ACT

Bill 21-633

Emergency Declaration Res. 21-455 21 DCStat 3299

To amend, on an emergency basis, the District of Columbia Uniform Controlled Substances Act of 1981 to add certain classes and substances to the list of Schedule I controlled substances.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Amendment Act of 2016".

Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Amendment Act of 2016

Sec. 2. The District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-901.01 *et seq.*), is amended as follows:

(a) Section 102 (27) (D.C. Official Code § 48-901.02(27)) is amended as follows

Note, § 48-901.02

(1) Strike the phrase "as used in section 204(3) and section 206(1)(D)" and insert the phrase "as used in section 204(3), (5), and (6) and section 206(1)(D)" in its place.

(2) Strike the phrase "As used in section 204(3)" and insert the phrase "As used in section 204(3), (5), and (6)" in its place.

(b) Section 204 (D.C. Official Code § 48-902.04) is amended as follows:

Note, § 48-902.04

(1) Paragraph (3) is amended as follows:

(A) The lead-in language is amended by striking the phrase "(for purposes of this paragraph only, the term "isomer" includes the optical, position, and geometric isomers)".

(B) New subparagraphs (G-i) through (G-xii) are added to read as follows:

"(G-i) 25I-NBOMe (also known as 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine);

"(G-ii) 25B-NBOMe (also known as 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine);

"(G-iii) 25C-NBOMe (also known as 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine);

"(G-iv) 5-APB (also known as 1-(benzofuran-5-yl)propan-2-amine);

"(G-v) 5-APDB (also known as 1-(2,3-dihydrobenzofuran-5-yl)propan-2-amine);

"(G-vi) 6-APB (also known as 1-(1-benzofuran-6-yl)propan-2-amine);

"(G-vii) 6-APDB (also known as1-(2,3-dihydrobenzofuran-6-yl)propan-2-amine);

"(G-viii) 3-methoxy-PCE (also known as *N*-ethyl-1-(3-methoxyphenyl)cyclohexanamine);

"(G-ix) 3-methoxy-PCP (also known as 1-[1-(3-methoxyphenyl)cyclohexyl]piperidine);

"(G-x) 4-methoxy-PCP (also known as 1-[1-(4-methoxyphenyl)cyclohexyl]piperidine);

"(G-xi) 5-MeO-DALT (also known as *N*,*N*-diallyl-5-methoxytryptamine);

"(G-xii) 4-AcO-DMT (also known as 5-acetoxy-*N*,*N*-dimethyltryptamine);".

(C) A new subparagraph (M-i) is added to read as follows:

"(M-i) Methoxetamine (also known as 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexanone);".

(D) Subparagraph (JJ) is amended by striking the word "and".

(E) Subparagraph (KK) is amended by striking the phrase "(2C-P);" and inserting the phrase "(2C-P); and" in its place.

(F) A new subparagraph (LL) is added to read as follows:

"(LL) Cathinone;".

(2) Paragraph (5) is repealed.

(3) A new paragraph (5A) is added to read as follows:

"(5A) Synthetic Cathinones, which includes any material, compound, mixture, or preparation that is not otherwise listed as a controlled substance in this schedule or in Schedules II through V, is not approved by the Food and Drug Administration as a drug, and is structurally derived from or contains any quantity of the following substances, their salts, isomers, homologues, analogues, and salts of isomers, homologues, and analogues, unless specifically excepted, whenever the existence of these salts, isomers, homologues, analogues, and salts of isomers, homologues, and analogues is possible within the specific chemical designation:

"(A) Classified Synthetic Cathinones:

"(i) Any compound containing a 2-amino-1-propanone structure with substitution at the 1-position with a monocyclic or fused polycyclic ring system and a substitution at the nitrogen atom by an alkyl group, cycloalkyl group, or incorporation into a heterocyclic structure. Examples of this structural class include:

"(I) α-pyrrolidinopropiophenone, also known as:

"(aa) 1-phenyl-2-(1-pyrrolidinyl)-1-propanone; or

"(bb) α-PPP;

"(II) Dimethylcathinone, also known as:

"(aa) 2-(dimethylamino)-1-phenyl-1-propanone; or

"(bb) N,N-Dimethylcathinone; and

"(III) Ethcathinone, also known as:

"(aa) 2-(ethylamino)-1-phenyl-1-propanone;

"(bb) Ethylcathinone;

"(cc) N-Ethylcathinone; or

"(dd) 2-Ethylaminobuphedro;

"(ii) Any compound containing a 2-amino-1-propanone structure with substitution at the 1-position with a monocyclic or fused polycyclic ring system and a substitution at the 3-position carbon with an alkyl, haloalkyl, or alkoxy group. Examples of this structural class include naphyrone (also known as 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one);

"(iii) Any compound containing a 2-amino-1-propanone structure with substitution at the 1-position with a monocyclic or fused polycyclic ring system and a substitution at any position of the ring system with an alkyl, haloalkyl, halogen, alkylenedioxy, or alkoxy group, whether or not further substituted at any position on the ring system to any extent. Examples of this structural class include:

"(I) 3-fluoromethylone;

"(II) Mephedrone, also known as:

"(aa) 2-(methylamino)-1-(4-methylphenyl)-1-propanone;

"(bb) 4-MeMC;

"(cc) 4-Methylmethcathinone;

"(dd) 4-Methylephedrone; or

"(ee) 4-MMC; and

"(III) Methylone, also known as

"(aa) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)-1-propanone; or

"(bb) 3,4-Methylenedioxy-N-methylcathinone);

"(iv) Any compound containing or structurally derived from a piperazine, or diethylenediamine, structure with or without substitution at one of the nitrogen atoms of the piperazine ring to any extent. Examples include:

"(I) BZP, also known as:

"(aa) 1-(phenylmethyl)-piperazine;

"(bb) 1-Benzylpiperazine; or

"(cc) N-Benzylpiperazine; and

"(II) TMFPP, also known as:

"(aa) 1-[3-(trifluoromethyl)phenyl]-piperazine;

"(bb) 1-(m-Trifluoromethylphenyl) piperazine; or

"(cc) 3-Trifluoromethylphenylpiperazine;

"(B) Unclassified Synthetic Cathinones:

"(i) Aminorex (also known as (RS)-5-phenyl-4,5-dihydro-1,3-oxazol-2-amine);

"(ii) α-ET, also known as:

"(I) α-ethyl-1H-indole-3-ethanamine;

"(II) α-ethyltryptamine; or

"(III) 3-Indolybutylamine;

"(iii) α-MT, also known as:
"(I) α-methyl-1H-indole-3-ethanamine; or
"(II) α-methyltryptamine;
"(iv) α-PBP, also known as:
"(I) 1-phenyl-2-(1-pyrrolidinyl)-1-butanone; or
"(II) α-pyrrolidinobutiophenone;
"(v) α-PVP (also known as α-pyrrolidinopentiophenone);
"(vi) bk-MDDMA, also known as:
"(I) 1-(1,3-benzodioxol-5-yl)-2-(dimethylamino)propan-1-one;
"(II) Dimethylone;
"(III) *N*,*N*-dimethyl-3′,4′-methylenedioxycathinone;
"(IV) *N*,*N*-dimethyl-3,4-methylenedioxycathinone; or
"(V) N,N-Dimethyl MDCATH;
"(vii) Buphedrone, also known as:
"(I) 2-(methylamino)-1-phenylbutan-1-one; or
"(II) MABP;
"(viii) Butylone (also known as 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one);
"(ix) 3,4-DMMC, also known as:
"(I) 1-(3,4-dimethylphenyl)-2-(methylamino)-1-propanone; or
"(II) 3,4-Dimethylmethcathinone;
"(x) EMA, also known as:
"(I) N-ethyl-α-methyl-benzeneethanamine; or
"(II) N-Ethylamphetamine;
"(xi) EMC, also known as:
"(I) 1-(4-ethylphenyl)-2-(methylamino)propan-1-one;
"(II) 4-EMC; or
"(III) 4-Ethylmethcathinone;
"(xii) Ethylone, also known as:
"(I) 3,4-Methylenedioxy-N-ethylcathinone; or
"(II) MDEC;
"(xiii) Fenethylline (also known as (RS)-1,3-dimethyl- 7-[2-(1-bpphenylpropan-2-ylamino)ethyl]purine-2,6-dione);
"(xiv) Fluoromethcathinone (also known as 1-(4-fluorophenyl)-2-(methylamino) propan-1-one);
"(xv) 3-FMC (also known as 3-fluoro-N-methylcathinone);
"(xvi) 4-FMC, also known as:
"(I) 1-(4-fluorophenyl)-2-(methylamino)propan-1-one;
"(II) 4-fluoro-N-methylcathinone; or

"(III) Flephedrone;
"(xvii) MDPBP, also known as:
"(I) 1-(1,3-benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-butanone; or
"(II) 3,4-Methylenedioxy-α-Pyrrolidinobutiophenone;
"(xviii) MDPPP, also known as:
"(I) 1-(1,3-benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-propanone; or
"(II) 3,4-Methylenedioxy-α-Pyrrolidinopropiophenone;
"(xix) MDPV, also known as:
"(I) 1-(1,3-benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone; or
"(II) 3,4-Methylenedioxy Pyrovalerone;
"(xx) 4-MeBP, also known as:
"(I) 2-(methylamino)-1-(4-methylphenyl)-1-butanone;
"(II) 4-Methylbuphedrone;
"(III) 4-methyl BP; or
"(IV) 4-MeMABP
"(xxi) 3-MEC, also known as:
"(I) 2-(ethylamino)-1-(m-tolyl)propan-1-one; or
"(II) 3-Methyl-N-ethylcathinone;
"(xxii) 4-MEC, also known as:
"(I) 2-(ethylamino)-1-(4-methylphenyl)-1-propanone; or
"(II) 4-Methyl-N-ethylcathinone;
"(xxiii) 4-MePPP, also known as
"(I) 4'-methyl-α-Pyrrolidinopropiophenone;
"(II) 4'-methyl PPP; or
"(III) 2-(pyrrolidin-1-yl)-1-(p-tolyl)propan-1-one;
"(xxiv) 3-MMC, also known as:
"(I) 2-(methylamino)-1-(3-methylphenyl)-1-propanone;
"(II) 3-methyl MS; or
"(III) 3-Methylmethcathinone;
"(xxv) Methedrone (also known as 1-(4-methoxyphenyl)-2-(methylamino)-1-propanone);
"(xxvi) 4'-methyl PHP, also known as:
"(I) 4′-methyl-α-pyrrolidinohexanophenone;
"(II) MPHP;
"(III) 4'-methyl- α-PHP; or
"(IV) PV4;
"(xxvii) Naphyrone, also known as:
"(I) 1-(2-naphthalenyl)-2-(1-pyrrolidinyl)-1-pentanone; or

"(II) Naphpyrovalerone;

"(xxviii) N-hydroxy MDA, also known as:

"(I) MDOH;

"(I) N-hydroxy-α-methyl-1,3-benzodioxole-5-ethanamine; or

"(II) N-Hydroxy-3,4-methylenedioxyamphetamine;

"(xxix) N,N-DMA, also known as:

"(I) N,N,α-trimethyl-benzeethanamine;

"(II) N,N-Dimethylamphetamine;

"(III) Dimetamfetamine; or

"(III) Metrotonin;

"(xxx) Pentedrone (also known as 2-(methylamino)-1-phenylpentan-1-one); and

"(xxxi) Pentylone (also known as 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one);".

(4) A new paragraph (6) is added to read as follows:

"(6) Synthetic Cannabimimetic Agents (also known as synthetic cannabinoids), which includes, unless specifically exempted, unless listed in another schedule, or unless approved by the Food and Drug Administration as a drug, any material, mixture, preparation, any compound structurally derived from, or that contains any quantity of the following synthetic substances, their salts, isomers, homologues, analogues and salts of isomers, homologues, and analogues, whenever the existence of these salts, isomers, homologues, analogues, and salts of isomers, homologues, and analogues is possible within the specific chemical designation:

"(A) Classified Synthetic Cannabimimetic Agents:

"(i) Adamantanoylindoles: Any compound containing or structurally derived from an adamantanyl-(1H-indol-3-yl)methanone structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent. Examples include:

"(I) AB-001, also known as:

"(aa) (1s,3s)-adamantan-1-yl(1-pentyl-1H-indol-3-yl)methanone; or

"(bb) JWH 018 adamantyl analog; and

"(II) AM-1248, also known as:

"(aa) [1-[(1-methyl-2-piperidinyl)methyl]-1H-indol-3-yl]tricyclo[3.3.1.13,7]dec-1-yl-methanone; or

"(bb) AM1248;

"(ii) Adamantoylindazoles: or any compound containing or structurally derived from 3-(1-adamantoyl) indole, 3-(1-adamantoyl)indazole, 3-(2-adamantoyl)indole, N-(1-adamantyl)-1H-indole-3-carboxamide, or N-(1-adamantyl)-1H-indazole-3-carboxamide by substitution at the nitrogen atom of the indole or indazole ring with alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole or indazole ring to any extent and whether or not substituted in the adamantyl ring to any extent. This category includes adamantyl carboxamide indazoles;

"(iii) Adamantylamidoindoles: Any compound containing or structurally derived from an N-(adamantyl)-indole-3-carboxamide structure, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent;

"(iv) Adamantylindazoles: Any compound containing or structurally derived from an N-(adamantyl)-indazole-3-carboxamide structure with substitution at a nitrogen atom of the indazole ring, whether or not further substituted on the indazole ring to any extent, whether or not substituted on the adamantyl ring to any extent. Examples include:

"(I) 5F-APINACA, also known as:

"(aa) 5-fluoro-APINACA

"(bb) 5F-AKB-48;

"(cc) 5F-AKB48;

"(dd) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide; or

"(ee) *N*-(1-adamantyl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide); and

"(II) APINACA, also known as:

"(aa) AKB-48;

"(bb) AKB48;

"(cc) 1-pentyl-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indazole-3-carboxamide; or

"(dd) *N*-(1-adamantyl)-1-pentyl-1*H*-indazole-3-carboxamide;

"(v) Adamantylindoles: Any compound containing or structurally derived from an N-(adamantyl)-indole-3-carboxamide with substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, and whether or not substituted on the adamantyl ring to any extent. Examples include:

"(I) 2NE1, also known as:

"(aa) APICA;

"(bb) JWH 018 adamantyl carboxamide; or

"(cc) 1-pentyl-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indole-3-carboxamide;

"(II) Adamantyl carboxamide indoles; and
"(III) STS-135, also known as:
"(aa) 1-(5-fluoropentyl)-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indole-3-carboxamide;
"(bb) N-adamantyl-1-fluoropentylindole-3-Carboxamide;
"(cc) 5F-APICA; or
"(dd) 5-fluoro-APICA;

"(vi) Benzimidazole Ketone: Any compound containing or structurally derived from (benzimidazole-2-yl) methanone structure with or without substitution at either nitrogen atom of the benzimidazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, with substitution at the carbon of the methanone group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3, 3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3, 3-dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not further substituted in the benzimidazole, adamantyl, naphthyl, phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent. Benzimidazole Ketones include:
"(I) FUBIMINA, also known as:
"(aa) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone; or
"(bb) AM2201 benzimidazole analog; and
"(II) JWH-018 benzimidazole analog, also known as:
"(aa) naphthalen-1-yl(1-pentyl-1H-benzo[d]imidazol-2-yl)methanone; or
"(bb) BIM-018;

"(vii) Benzoylindoles: Any compound containing or structurally derived from a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Examples include:
"(I) AM-630, also known as:
"(aa) [6-iodo-2-methyl-1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl](4-methoxyphenyl)-methanone;
"(bb) AM630; or
"(cc) Iodopravadoline ;
"(II) AM-661 (also known as 1-(N-methyl-2-piperidine)methyl-2-methyl-3-(2-iodo)benzoylindole);

"(III) AM-679, also known as:
"(aa) (2-iodophenyl)(1-pentyl-1H-indol-3 yl)methanone; or
"(bb) AM679;
"(IV) AM-694, also known as:
"(aa) [1-(5-fluoropentyl)-1H-indol-3-yl](2-iodophenyl)-methanone;
"(bb) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole; or
"(cc) AM694;
"(V) AM-1241, also known as:
"(aa) (2-iodo-5-nitrophenyl)-(1-(1-methylpiperidin-2-ylmethyl)-1H-indol-3-yl)methanone; or
"(bb) AM1241;
"(VI) AM-2233, also known as:
"(aa) (2-iodophenyl)[1-[(1-methyl-2piperidinyl)methyl]-1H-indol-3-yl]-methanone; or
"(bb) AM2233;
"(VII) RCS-4, also known as:
"(aa) (4-methoxyphenyl)(1-pentyl-1H-indol-3-yl)methanone; or
"(bb) SR-19; and
"(VIII) WIN 48,098, also known as
"(aa) (4-methoxyphenyl)[2-methyl]-1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-methanone; or
"(bb) "Pravadoline";

"(viii) Carbazole Ketone: Any compound containing or structurally derived from (9H-carbazole-3-yl) methanone structure with or without substitution at the nitrogen atom of the carbazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group with substitution at the carbon of the methanone group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3, 3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3, 3-dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not further substituted at the carbazole, adamantyl, naphthyl, phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent. Carbazole Ketones include naphthalen-1-yl(9-pentyl-9H-carbazol-3-yl)methanone ("EG-018");

"(ix) Carboxamideindazoles: Any compound containing or structurally derived from 3-carboxamide-1H-indazoles, whether or not substituted in the indazole ring to any extent and substituted to any degree on the carboxamide nitrogen and 3-carboxamide-

1H-indoles, whether or not substituted in the indole ring to any extent and substituted to any degree on the carboxamide nitrogen. Examples include:

"(I) AB-CHMINACA (also known as N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide);

"(II) AB-FUBINACA (also known as N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide);

"(III) AB-PINACA (also known as N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide);

"(IV) 5F AB-PINACA, also known as:

"(aa) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide); or

"(bb) 5-fluoro AB-PINACA;

"(V) ADB-FUBINACA (also known as N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1-H-indazole-3-carboxamide);

"(VI) ADB-PINACA (also known as N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide);

"(VII) 5F ADB-PINACA, also known as:

"(aa) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1 (5-fluoropentyl)-1H-indazole-3-carboxamide); or

"(bb) 5-fluoro ADB-PINACA;

"(VIII) FUB-AMB, also known as:

"(aa) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate; or

"(bb) AMB-FUBINACA;

"(IX) MAB-CHMINACA (also known as N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide);

"(X) MMB CHMINACA, also known as:

"(aa) methyl (S)-2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate; or

"(bb) MDMB-CHMICA; and

"(XI) 5F MN-18, also known as:

"(aa) 1-(5-fluoropentyl)-N-1-naphthalenyl-1H-indazole-3-carboxamide; or

"(bb) 5-fluoro MN-18;

"(x) Cycloalkanemethanone Indoles: whether or not substituted at the nitrogen atom on the indole ring, whether or not further substituted in the indole ring to any extent, and whether or not substituted on the cycloalkane ring to any extent;

"(xi) Cyclohexylphenols: Any compound containing or structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl,

1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the cyclohexyl ring to any extent. Examples include:

"(I) CP 47,497 (also known as 2-[(1S,3R)-3-hydroxycyclohexyl]- 5-(2-methyloctan-2-yl)phenol);

"(II) CP 47,497 C8 homologue, also known as:

"(aa) rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol; or

"(bb) Cannabicyclohexanol;

"(III) CP 55,490;

"(IV) CP 55,940 (also known as 5-(1,1-dimethylheptyl)-2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-phenol); and

"(V) CP 56,667;

"(xii) Cyclopropanoylindoles: Any compound containing or structurally derived from 3-(cyclopropylmethanoyl)indole, 3-(cyclopropylmethanone)indole, 3-(cyclobutylmethanone)indole or 3-(cyclopentylmethanone)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, and whether or not substituted on the cyclopropyl, cyclobutyl, or cyclopentyl rings to any extent;

"(xiii) Cyclopropylmethanone Indole: Any compound containing or structurally derived from 3-Cyclopropylmethanone indole or 3-Cyclobutylmethanone indole or 3-Cyclopentylmethanone indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent andwhether or not substituted on the cyclopropyl, cyclobutyl or cyclopentyl rings to any extent;

"(xiv) Hexahydrodibenzopyrans: Any compound containing or structurally derived from Hexahydrodibenzopyrans, whether or not substituted in the tricyclic ring system except where contained in cannabis or cannabis resin;

"(xv) Hydroxycyclohexylphenol: Any compound containing or structurally derived from 2-(3-hydroxycyclohexyl)phenol structure, also known as cyclohexylphenols, with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not substituted on the cyclohexyl ring to any extent. Examples of this structural class include:

"(I) CP-47,497 (also known as rel-5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol);

"(II) CP 47,497-C8-homolog, also known as:

"(aa) rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol; or

"(bb) cannabicyclohexanol; and

"(III) CP-55,940 (also known as 2-((1S,2S,5S)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl)-5-(2-methyloctan-2-yl)phenol);

"(xvi) Indazole Ester (also known as carboxylateindazole): Any compound containing or structurally derived from 3-carboxylate-indazoles, whether or not

substituted in the indazole ring to any extent or substituted to any degree on the carboxylate, whether or not substituted in the indazole ring to any extent and substituted to any degree on the carboxylate oxygen. Examples of indazole esters include 5-fluoro SDB-005, also known as:

"(I) naphthalen-1-yl 1-(5-fluoropentyl)-1H-indazole-3-carboxylate; or

"(II) 5F SDB-005;

"(xvii) Indole Amides: Any compound containing or structurally derived from or containing a 1H-Indole-3-carboxamide structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not substituted at the carboxamide group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3, 3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3, 3-dimethyl-1-oxobutan-2-yl or pyrrole group and whether or not further substituted in the indole, adamantyl, naphthyl, phenyl, pyrrole, quninolinyl, or cycloalkyl rings to any extent. Indole Amides include:

"(I) 5F ABICA, also known as:

"(aa) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide;

"(bb) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide; or

"(cc) 5-fluoro ABICA;

"(II) ADBICA (also known as N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indole-3-carboxamide));

"(III) 5F-ADBICA, also known as:

"(aa) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide; or

"(bb) 5-fluoro-ADBICA;

"(IV) NNE1 (also known as N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide);

"(V) 5F-NNE1, also known as:

"(aa) 1-(5-fluoropentyl)-N-(naphthalene-1-yl)-1H-indole-3-carboxamide); or

"(bb) 5-fluoro-NNE1

"(VI) SDB-006 (also known as N-benzyl-1-pentyl-1H-indole-3-carboxamide); and

"(VII) 5F-SDB-006, also known as:

"(aa) N-benzyl-1-(5-fluoropentyl)-1H-indole-3-carboxamide); or

"(bb) 5-fluoro-SDB-006;

"(xviii) Indole Esters: Any compound containing or structurally derived from a 1H-Indole-3-carboxylate structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not substituted at the carboxylate group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3, 3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3, 3-dimethyl-1-oxobutan-2-yl or pyrrole group and whether or not further substituted in the indole, adamantyl, naphthyl, phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent. Indole Esters may also be referred to as Quinolinylindolecarboxylates. Indole Esters include:

"(I) BB-22, also known as:

"(aa) 1-(cyclohexylmethyl)-8-quinolinyl ester-1H-indole-3-carboxylic acid;

"(bb) quinolin-8-yl 1-(cyclohexylmethyl)-1H-indole-3-carboxylate; or

"(cc) QUCHIC;

"(II) FDU-PB-22 (also known as naphthalen-1-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate);

"(III) FUB-PB-22, also known as:

"(aa) 1-[(4-fluorophenyl)methyl]-1H-indole-3-carboxylic acid, 8-quinolinyl ester; or

"(bb) Quinolin-8-yl 1-(4-fluorobenzyl)-1*H*-indole-3-carboxylate;

"(IV) NM2201, also known as:

"(aa) naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate; or

"(bb) CBL-2201;

"(V) PB-22, also known as:

"(aa) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid;

"(bb) quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate;

"(cc) 8-Quinolinyl 1-pentyl-1H-indole-3-carboxylate; or

"(dd) "QUPIC"; and

"(VI) 5F-PB-22, also known as:

"(aa) 1-(5-fluoropentyl)-8-quinolinyl ester-1H-indole-3-carboxylic acid;

"(bb) quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-

carboxylate;

"(cc) 8-Quinolinyl 1-(5-fluoropentyl)-1H-indole-3-carboxylate;

"(dd) 5-fluoro-PB-22; or

"(ee) 5-fluoro QUPIC;

"(xix) Naphthoylindoles: Any compound containing or structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl group, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the naphthyl ring to any extent. Napthoylindoles include the following: AM-678, AM-1220, AM-1221, AM-1235, AM-2232, EAM-2201, JWH-004, JWH-007, JWH-009, JWH-011, JWH-015, JWH-016, JWH-018, JWH-019, JWH-020, JWH-022, JWH-046, JWH-047, JWH-048, JWH-049, JWH-050, JWH-070, JWH-071, JWH-072, JWH-073, JWH-076, JWH-079, JWH-080, JWH-081, JWH-082, JWH-094, JWH-096, JWH-098, JWH-116, JWH-120, JWH-122, JWH-148, JWH-149, JWH-164, JWH-166, JWH-180, JWH-181, JWH-182, JWH-189, JWH-193, JWH-198, JWH-200, JWH-210, JWH-211, JWH-212, JWH-213, JWH-234, JWH-235, JWH-236, JWH-239, JWH-240, JWH-241, JWH-242, JWH-258, JWH-262, JWH-386, JWH-387, JWH-394, JWH-395, JWH-397, JWH-398, JWH-399, JWH-400, JWH-412, JWH-413, JWH-414, JWH-415, JWH-424, MAM-2201, WIN 55,212. Napthoylindoles also include:

"(I) AM-2201 (also known as (1-(5-fluoropentyl)-3-(1-naphthoyl)indole); and

"(II) WIN 55,212-2, also known as: *

"(aa) (R)-(+)-[2,3-dihydro-5-methyl-3- (4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone; or

"(bb) [2,3-Dihydro-5-methyl- 3-(4-morpholinylmethyl)pyrrolo[(1,2,3-de)-1,4-benzoxazin-6-yl]-1-napthalenylmethanone);

"(xx) Naphthoylnaphthalenes: Any compound containing or structurally derived from naphthalene-1-yl-(naphthalene-1-yl) methanone with substitutions on either of the naphthalene rings to any extent, including CB-13 (also known as 1-naphthalenyl[4-(pentylox)-1-naphthalenyl]-methanone or CRA-13);

"(xxi) Naphthoylpyrroles: Any compound containing or structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including the following: JWH-030, JWH-031, JWH-145,

JWH-146, JWH-147, JWH-150, JWH-156, JWH-243, JWH-244, JWH-245, JWH-246, JWH-292, JWH-293, JWH-307, JWH-308, JWH-309, JWH-346, JWH-348, JWH-363, JWH-364, JWH-365, JWH-367, JWH-368, JWH-369, JWH-370, JWH-371, JWH-373, JWH-392;

"(xxii) Naphthylamidoindoles: Any compound containing or structurally derived from a N-(naphthyl)-indole-3-carboxamide structure, whether or not further substituted in the indole ring to any extent or whether or not substituted in the naphthyl ring to any extent;

"(xxiii) Naphthylmethylindenes: Any compound containing or structurally derived from a 1-(1-naphthylmethylene)indene structure with or without substitution at the 3-position of the indene ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted on the indene group to any extent, and whether or not substituted on the naphthyl group to any extent. Naphthylmethylindenes include JWH-176 (also known as 1-[(E)-(3-pentyl-1H-inden-1-ylidene)methyl]-naphthalene or (1-(3-pentyl)-1H-inden-1-ylidene)methylnaphthalene);

"(xxiv) Naphthylmethyl indoles: Any compound containing or structurally derived from 1H-indol-3-yl-(1-naphthyl)methane structure, also known as napthylme-thylindoles, with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl ring to any extent. Examples of this structural class include:

"(I) JWH-175 (also known as 3-(1-naphthalenylmethyl)-1-pentyl-1H-indole); and

"(II) JWH-184 (also known as 3-[(4-methyl-1-naphthalenyl)methyl]-1-pentyl-1H-indole);

"(xxv) Naphthylmethylindenes: Any compound containing or structurally derived from a naphthylideneindene structure or that is structurally derived from 1-(1-naphthylmethyl)indene with substitution at the 3-position of the indene ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples include JWH-171, JWH-176, and JWH-220;

"(xxvi) Naphthylmethylindoles: Any compound containing or structurally derived from an H-indol-3-yl-(1-naphthyl) methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted

in the naphthyl ring to any extent. Examples include JWH-175, JWH-184, JWH-185, JWH-192, JWH-194, JWH-195, JWH-196, JWH-197, and JWH-199;

"(xxvii) Phenylacetylindoles: Any compound containing or structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Examples include: JWH-167, JWH-201, JWH-202, JWH-203, JWH-204, JWH-205, JWH-206, JWH-207, JWH-208, JWH-209, JWH-237, JWH-248, JWH-249, JWH-250, JWH-251, JWH-253, JWH-302, JWH-303, JWH-304, JWH-305, JWH-306, JWH-311, JWH-312, JWH-313, JWH-314, JWH-315, JWH-316, RCS-8, SR-18, and Cannabipiperidiethanone (also known as 2-(2-methoxyphenyl)-1-[1-[(1-methyl-2-piperidinyl)methyl]-1H-indol-3-yl]-ethanone);

"(xxviii) Quinolinoyl Pyrazole: Any compound containing or structurally derived from Quinolinoyl pyrazole carboxylate (also known as Quinolinyl fluoropentyl fluorophenyl pyrazole carboxylate);

"(xxix) Quinolinyl Ester Indoles: Any compound containing or structurally derived from Quinolinyl ester indoles, being any compound containing or structurally derived from 1H-indole-3carboxylic acid-8-quinolinyl ester, whether or not substituted in the indole ring to any extent or the quinolone ring to any extent;

"(xxx) Tetrahydrobenzochromen: Any compound containing or structurally derived from (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol. Examples of this structural class include:

"(I) AM-087 (also known as (6aR,10aR)-3-(2-methyl-6-bromohex-2-yl)- 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol);

"(II) AM-411 (also known as (6aR,10aR)-3-(1-adamantyl)-6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol);

"(III) HU-210, also known as:

"(aa) 3-(1,1'-dimethylheptyl)-6aR,7,10,10aR-tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyran-9-methanol;

"(bb) [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a- tetrahydrobenzo[c]chromen-1-ol;

"(cc) 1,1-Dimethylheptyl-11-hydroxytetrahydrocannabinol; or

"(dd) 1,1-dimethylheptyl-11-hydroxy-delta8-tetrahydrocannabinol;

"(IV) HU-211, also known as:

"(aa) 3-(1,1-dimethylheptyl)-6aS,7,10,10aS-tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyran-9-methanol;

"(bb) (6aS,10aS)-9-(hydroxymethyl)-6,6-

dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

"(cc) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol; or

"(dd) "Dexanabinol";

"(V) HU-243, also known as

"(aa) (6aR,8S,9S,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-tetrahydro-6aH-benzo[c]chromen-1-ol; or

"(bb) 3-dimethylheptyl-11-hydroxyhexahydrocannabinol;

"(VI) JWH-051 (also known as (6aR,10aR)-6,6-dimethyl-3- (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-9-yl)methanol);

"(VII) JWH-133 (also known as (6aR,10aR)-3-(1,1-Dimethylbutyl) -6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran); and

"(VIII) JWH-359 (also known as (6aR,10aR)- 1-methoxy-6,6,9-trimethyl- 3-[(2R)-1,1,2-trimethylbutyl]- 6a,7,10,10a-tetrahydrobenzo[c]chromene);

"(xxxi) Δ8 Tetrahydrocannabinol: Any compound containing or structurally derived from 11-hydroxy-Δ8-tetrahydrocannabinol structure, also known as dibenzopyrans, with further substitution on the 3-pentyl group by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkyethyl, 1-(n-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group;

"(xxxii) Tetrahydrodibenzopyrans: Any compound containing or structurally derived from whether or not substituted in the tricyclic ring system except where contained in cannabis or cannabis resin;

"(xxxiii)Tetramethylcyclopropanoylindoles: Any compound containing or structurally derived from 3-tetramethylcyclopropanoylindole, 3-(1 tetramethylcyclopropyl)indole, 3-(2,2,3,3-tetramethylcyclopropyl)indole or 3-(2,2,3,3-tetramethylcyclopropylcarbonyl)indole with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the tetramethylcyclopropanoyl ring to any extent. Tetramethylcyclopropanoylindoles include cyclopropoylindoles, any compound containing or structurally derived from a 3-(cyclopropoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl,1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,1-(N-methyl-2-pyrrolidinyl)methyl,1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the cyclopropoyl ring to any extent. Examples of tetramethylcyclopropanoylindoles include:

"(I) A-796,260, also known as:
"(aa) [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)-methanone; or
"(bb) A-796260;
"(II) A-834,735, also known as:
"(aa) [1-[(tetrahydro-2H-pyran-4-yl)methyl]-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)-methanone; or
"(bb) A-834735;
"(III) AB-034 (also known as [1-[(N-methylpiperidin-2-yl)methyl]-1H-indole-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone);
"(IV) UR-144 (also known as 1-pentyl-3-(2, 2, 3, 3-tetramethylcyclopropoyl)indole);
"(V) 5-bromo-UR-144, also known as:
"(aa) [1-(5-bromopentyl)-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)-methanone; or
"(bb) UR-144 N-(5-bromopentyl) analog;
"(VI) 5-chloro-UR-144, also known as:
"(aa) 1-(5-chloropentyl)-3-(2, 2, 3, 3-tetramethylcyclopropoyl)indole; or
"(bb) 5Cl-UR-144; and
"(VII) XLR11, also known as:
"(aa) 1-(5-fluoropentyl)-3-(2,2,3, 3-tetramethylcyclopropoyl)indole;
"(bb) 5-FUR-144; or
"(cc) 5-fluoro UR-144;

"(xxxiv) Tetramethylcyclopropane-Thiazole Carboxamides: Any compound containing or structurally derived from 2,2,3,3-tetramethyl-N-(thiazol-2-ylidene)cyclopropanecarboxamide by substitution at the nitrogen atom of the thiazole ring by alkyl, haloalkyl, benzyl, halobenzyl, alkenyl, haloalkenyl, alkoxy, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)alkyl, (4-tetrahydropyran)alkyl, or 2-(4-morpholinyl)alkyl, whether or not further substituted in the thiazole ring to any extent and whether or not substituted in the tetramethylcyclopropyl ring to any extent. Examples of tetramethylcyclopropane-thiazole carboxamides include the group tetramethylcyclopropyl thiazoles, or any compound containing or structurally derived from 2,2,3,3-tetramethyl-N-(thiazol- 2-ylidene)cyclopropanecarboxamide by substitution at the nitrogen atom of the thiazole ring, whether or not further substituted in the thiazole ring to any extent, whether or not substituted in the tetramethylcyclopropyl ring to any extent. Tetramethylcyclopropane-thiazole carboxamides also include A-836,339, also known as:
"(I) [N(Z)]-N-[3-(2-methoxyethyl)-4,5-dimethyl-2(3H)-thiazolylidene]-2,2,3,3-tetramethyl-cyclopropanecarboxamide;
"(II) N-[3-(2-Methoxyethyl)-4,5-dimethyl-1,3-thiazol-

2(3H)-ylidene]-2,2,3,3-tetramethylcyclopropanecarboxamide: or

"(III) A-836339;

"(B) Unclassified Synthetic Cannabimimetic Agents:

"(i) AM-356, also known as:

"(I) AM356;

"(II) arachidonyl-1'-hydroxy-2'-propylamide;

"(III) N-(2-hydroxy-1R-methylethyl)-5Z,8Z,11Z,14Z-eicosatetraenamide

"(IV) (R)-(+)-Arachidonyl-1'-Hydroxy-2'-Propylamide;

"(V) Methanandamide; or

"(VI) R-1 Methanandamide;

"(ii) AM-855 (also known as (4aR,12bR)-8-hexyl-2,5,5-trimethyl-1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol);

"(iii) AM-905 (also known as (6aR,9R,10aR)-3-[(E)-hept-1-enyl]-9-(hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydrobenzo[c]chromen-1-ol);

"(iv) AM-906 (also known as (6aR,9R,10aR)-3-[(Z)-hept-1-enyl] 9-(hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydrobenzo[c]chromen-1-ol);

"(v) AM-2389 (also known as (6aR,9R,10aR)-3-(1-hexyl-cyclobut-1-yl) -6a,7,8,9,10,10a - hexahydro -6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9-diol);

"(vi) BAY38-7271 (also known as (-)-(R)-3-(2-Hydroxymethylindanyl -4-oxy) phenyl-4,4,4-trifluorobutyl-1-sulfonate);

"(vii) CP 50,556-1, also known as:

"(I) 9-hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5,6, 6a,7,8,9,10,10a-octahydrophenanthridin-1-yl]acetate;

"(II) [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-; octahydrophenanthridin-1-yl] acetate;

"(III) [9-hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10, 10a-octahydrophenanthridin-1-yl]acetate; or

"(IV) "Levonantradol";

"(viii) FUB-144 (also known as (1-(4-fluorobenzyl)-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone);

"(ix) FUB-AMB, also known as:

"(I) AMB-FUBINACA; or

"(II) Methyl (1-(4-fluorobenzyl)-1 H-indazole-3-carbonyl) valinate; and

"(x) 5-fluoro-AMB (also known as (S)- methyl 2- (1- (5-fluoropentyl)- 1H- indazole- 3-carboxamido)- 3- methylbutanoate);

"(xi) HU-308 (also known as (91R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]methanol);

"(xii) HU-331 (also known as 3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione);

"(xiii) JTE-907 (also known as N-(benzol[1,3]dioxol-5-ylmethyl) – 7-methoxy-2-oxo-8-pentyloxy-1,2-dihydroquinoline-3-carboxamide);

"(xiv) JWH-057 (also known as (6aR,10aR)-3-(1,1-dimethylheptyl) -6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-Dibenzo[b,d]pyran);

"(xv) Mepirapim (also known as (4-methylpiperazin-1-yl)(1-pentyl-1H-indol-3-yl) Methanone);

"(xvi) URB597 (also known as [3-(3-carbamoylphenyl)phenyl] – N-Cyclohexylcarbamate);

"(xvii) URB602, also known as:

"(I) [1,1'-Biphenyl]-3-yl-carbamic acid, cyclohexyl ester; or

"(II) cyclohexyl [1,1'-biphenyl]-3-ylcarbamate;

"(xviii)URB754 (also known as 6-methyl-2-[(4-methylphenyl)amino] -4H-3,1-benzoxazin-4-one);

"(xix) URB937 (also known as 3'-carbamoyl-6-hydroxy-[1,1'-biphenyl]-3-yl Cyclohexylcarbamate);

"(xx) SDB-006 (also known as N-benzyl-1-pentyl-1H-indole-3-carboxamide);

"(xxi) THJ-2201 (also known as [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone); and

"(xxii) THJ-018 (also known as Naphthalen-1-yl(1-pentyl-1*H*-indazol-3-yl)methanone).".

(c) Section 208(a)(7) (D.C. Official Code § 48-902.08(a)(7)) is repealed.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-361, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-664

Emergency Declaration Res. 21-438 21 DCStat 3277

Codification District of Columbia Official Code 2001 Edition

Private Security Camera Incentive Program Congressional Review Emergency Act of 2016

Note, New § 7-2831

To create, on an emergency basis, due to congressional review, a rebate program for the installation and registration of a security camera system on the exterior of property owned or leased by an individual, business, nonprofit, religious institution, or other entity and to establish a special fund to implement the rebate program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Private Security Camera Incentive Program Congressional Review Emergency Act of 2016".

Sec. 2. Private security camera system incentive program.

(a) Pursuant to section 7 of the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, effective January 9, 2016 (D.C. Law 21-48; 62 DCR 13979), there is established a Private Security Camera System Incentive Program ("Program"), to be administered by the Mayor, to encourage the purchase and installation of a security camera system ("system") on the exterior of a building owned or leased by an individual, business, nonprofit, religious institution, or other entity, as that term is defined in D.C. Official Code § 29-101.02(10), and to require registration of the system with the Metropolitan Police Department.

(b) To be eligible for the rebate provided for in this section, a property owner or lessee shall:

(1) After September 22, 2015, purchase and install a system on the exterior of the building;

(2) Register the system with the Metropolitan Police Department;

(3) Submit a rebate claim in accordance with Program rules promulgated pursuant to subsection (d) of this section ; and

(4) Meet all additional requirements and criteria provided for in Program rules promulgated pursuant to subsection (d) of this section.

(c)(1) Upon approval of a rebate claim, the Program shall provide a rebate as follows; provided, that the amount of the rebate shall not be more than the purchase price of the system:

(A) Up to $200 per camera installed on the exterior of a building owned or leased by an individual, with a maximum rebate of up to $500 per system per residential address; or

(B) Up to $200 per camera installed on the exterior of a building owned or leased by a business, nonprofit, religious institution, or other entity, as that term is defined in

D.C. Official Code § 29-101.02(10), with a maximum rebate of up to $750 per system per address.

(2) Rebates shall be contingent upon availability of funds.

(3) No rebates shall be issued until the Mayor promulgates rules pursuant to subsection (d) of this section.

(d) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), and in accordance with this section, shall issue rules to implement the Program, including:

(1) Requirements for proof of purchase and system verification;

(2) Procedures for registering a system with the Metropolitan Police Department, including a certification by the recipient that the recipient shall not use the system to intentionally record specific individuals conducting lawful activity; and

(3) Identification of priority areas for Program eligibility; provided, that the priority areas include at least one area in each ward identified by crime levels and other public safety indicators in the corresponding police service area.

(e) A rebate issued under this section shall not be considered income for purposes of District of Columbia income tax.

(f) For the purposes of this section, the term "security camera system" means one or more outdoor surveillance cameras with functioning digital video recording capability.

(g) From the effective date of the Private Security Camera Incentive Program Emergency Act of 2015, effective January 15, 2016 (D.C. Act 21-274; 63 DCR 803), to the issuance of the final rebate under the Program, the Mayor shall provide a monthly report to the Council that includes the following information:

(1) The total number of rebates issued;

(2) The total number of private security cameras funded;

(3) The number of rebates issued in each police service area;

(4) The number of rebates issued in each priority area identified pursuant to subsection (d)(3) of this section;

(5) The number of rebates issued pursuant to subsection (c)(1)(A) or (B) of this section, respectively;

(6) The number of times the Metropolitan Police Department requested footage from a rebate recipient, and whether the request was granted or denied by the rebate recipient;

(7) The number of times that footage from a private security camera contributed to a successful arrest by the Metropolitan Police Department, including a breakdown by offense; and

(8) An analysis of the Program's implementation and plans for future expansion, if any.

Sec. 3. Private Security Camera Incentive Fund. **Note, New § 7-2832**

(a) There is established as a special fund the Private Security Camera Incentive Fund ("Fund"), which shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Funds appropriated by the District;

(2) Grants;

(3) Donations from the public; and

(4) Donations from private entities.

(c) Money in the Fund shall be used to implement the Private Security Camera Incentive Program ("Program"), including:

(1) Providing rebates to eligible participants; and

(2) Appropriate overhead or administrative expenses related to the Program and the Fund.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 4. Applicability. **Retroactive Applicability**

This act shall apply as of April 14, 2016.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-362, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-670

Emergency Declaration Res. 21-467 21 DCStat 3318

Not Codified

To approve, on an emergency basis, Modification No. M0003 and proposed Modification Nos. M008 and M010 to Contract No. CW29248 to provide employee work uniforms and accessories to the District and to authorize payment for goods and services received and to be received under the contract modifications.

Modifications to Contract No. CW29248 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW29248 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. M0003 and proposed Modification Nos. M008 and M010 to Contract No. CW29248 with Morgan's Inc. T/A Jimmie Muscatello's to provide employee work uniforms and accessories to the District, and authorizes payment in the total amount of $4,028,949.04 for goods and services received and to be received under the contract modifications for the period from December 9, 2015, through December 8, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-363, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-671

Emergency Declaration Res. 21-465 21 DCStat 3315

Not Codified

To approve, on an emergency basis, Modification Nos. M020 and M021 and proposed Modification No. M023 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to continue to provide case management and traditional and therapeutic family-based foster care services for children, and to authorize payment for the services received and to be received under these modifications.

Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. (a) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. M020 and M021 and proposed Modification No. M023 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to continue to provide case management and traditional and therapeutic family-based foster care services for children, and authorizes payment in the total not-to-exceed amount of $10,563,472.10 for services received and to be received under these modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-364, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-674

Emergency Declaration Res. 21-443 21 DCStat 3285

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, and to establish a private club task force to provide a report making recommendations regarding the licensing and operation of venues at which marijuana may be consumed within the parameters of 401(a)(1) of the District of Columbia Uniform Controlled Substances Act of 1981; and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy, or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

Marijuana Possession Decriminalization Clarification Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marijuana Possession Decriminalization Clarification Congressional Review Emergency Amendment Act of 2016".

Note, § 48-911.01

Sec. 2. The Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; 61 DCR 3482), is amended as follows:

(a) Section 301 (D.C. Official Code § 48-911.01) is amended as follows:

(1) Subsection (a)(3) is amended to read as follows:

"(3) Any place to which the public is invited. For the purposes of this subsection, and notwithstanding any other provision of law, a private club, which includes any building, facility, or premises used or operated by an organization or association for a common avocational purpose, such as a fraternal, social, educational, or recreational purpose, is a place to which the public is invited; provided, that a private club does not include a private residence.".

(2) A new subsection (f) is added to read as follows:

"(f) No provision of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880), shall limit or be construed to limit the application of any provision of this section.".

Note, § 48-911.01

(b) A new Title III-A is added to read as follows:

"TITLE III-A STUDY OF MARIJUANA IN A PRIVATE CLUB.

"Sec. 310. Task force.

"(a) There is established a private club task force ("Task Force"). There shall be 7 members of the Task Force, who shall be appointed within 10 days after the effective date of the

Marijuana Possession Decriminalization Clarification Temporary Amendment Act of 2106, enacted on February 18, 2016 (D.C. Act 21-319; 63 DCR 2211).

"(b) The Task Force shall consist of the following persons, or their designees:

"(1) The Director of the Alcoholic Beverage Regulation Administration;

"(2) The Director of the Department of Consumer and Regulatory Affairs;

"(3) The Director of the Department of Health;

"(4) The Chief of the Metropolitan Police Department;

"(5) The Attorney General for the District of Columbia; and

"(6) Two members of the Council of the District of Columbia, as appointed by the Council.

"(c)(1) The Task Force shall provide a report making recommendations regarding the licensing and operation of venues at which marijuana may be consumed that are within the lawful parameters for the possession, use, and transfer of marijuana set forth in section 401(a)(1) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-904.01(a)(1)).

"(2) The report shall include the following:

"(A) Effective ways to regulate venues to ensure the health and safety of staff, members, and invitees and the health and safety of the nearby public and the general public;

"(B) Hours of operation;

"(C) Occupancy limits;

"(D) Whether food or beverages (alcoholic and non-alcoholic) may be sold on the premise;

"(E) The District agencies that should be involved in regulating the venues;

"(F) Security plans;

"(G) The amount of marijuana an individual shall be permitted to possess at the venue;

"(H) Whether a venue can store marijuana for a member, or invitee, of a venue;

"(I) Penalties for violating the regulations;

"(J) Licensing, including the requirements for licensure, such as proof of compliance with all applicable District laws, the application procedure, and fee structure;

"(K) Cost of membership or admission;

"(L) The limitations as to the location and the number of venues allowed to operate in the District;

"(M) How all District residents can utilize the benefits of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880);

"(N) Whether venues can operate in the District; and

"(O) Any other recommendations.

"(3) The Task Force shall complete its analysis and submit a report, along with any proposed recommendations, to the Council and the Mayor for review within 120 days after the creation of the Task Force.".

Note, § 47-2844

Sec. 3. Section 47-2844(a-1)(1) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the phrase "Title 48; or" and inserting the phrase "Title 48;" in its place.

(b) Subparagraph (C) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) Conduct that violates section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)). In addition, the Mayor shall revoke any certificate of occupancy or permit associated with the specific address or unit, whichever is more specific, of the holder of a certificate of occupancy or permit who knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)), to occur at the specific address or unit identified in the certificate of occupancy or permit.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-365, effective April 26, 2016 (Expiration date June 30, 2016)

AN ACT

Bill 21-676

Emergency Declaration Res. 21-442 21 DCStat 3284

To amend, on an emergency basis, due to congressional review, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to approve the salary of the Director of the Homeland Security and Emergency Management Agency.

Codification District of Columbia Official Code 2001 Edition

Director of the Homeland Security and Emergency Management Agency Salary Approval Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Director of the Homeland Security and Emergency Management Agency Salary Approval Congressional Review Emergency Amendment Act of 2016".

Note, § 1-610.52

Sec. 2. Section 1052(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b), is amended by adding a new paragraph (2B) to read as follows:

"(2B) Notwithstanding paragraph (1) of this subsection, the Council approves an annual salary of $215,035 for the position of Director of the Homeland Security and Emergency Management Agency Christopher Geldart.".

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of April 1, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-366, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-677

Emergency Declaration Res. 21-452 21 DCStat 3294

Codification District of Columbia Official Code 2001 Edition

DMPED Procurement Clarification Emergency Amendment Act of 2016

Note, § 2-1225.11

To amend, on an emergency basis, the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008 to clarify that certain contracts for development of Square 3128 are exempt from portions of the Procurement Practices Reform Act of 2010.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "DMPED Procurement Clarification Emergency Amendment Act of 2016".

Sec. 2. Section 20l of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.11), is amended by adding a new subsection (b-1) to read as follows:

"(b-1) Any contract between the Deputy Mayor for Planning and Economic Development and a developer for the development of Square 3128 related to Zoning Commission Order No. Z.C. 13-14, or amendment to that order, shall not be subject to titles IV, V, and VI, and sections 702 and 1101 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-351.01 *et seq*.).".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-367, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-679

Emergency Declaration Res. 21-454 21 DCStat 3297

Not Codified

To amend, on an emergency basis, the Education Licensure Commission Act of 1976 to require that postsecondary educational institutions providing degree-granting or non-degree-granting online programs or courses to District residents must be licensed by the Higher Education Licensure Commission or authorized to operate in the District pursuant to a reciprocity agreement.

Higher Education Licensure Commission Clarification Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Higher Education Licensure Commission Clarification Emergency Amendment Act of 2016".

Sec. 2. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

Note, § 38-1302

(a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

(1) Paragraph (4)(C) is amended by striking the phrase "through agents offers" and inserting the phrase "through agents or an online presence offers" in its place.

(2) A new paragraph (17) is added to read as follows:

"(17) "Reciprocity agreement" means an agreement joined by the District of Columbia with other member states, districts, or U.S. territories that establishes national standards for interstate offering of postsecondary distance education courses and programs.".

Note, § 38-1306

(b) Section 6(b)(3) (D.C. Official Code § 38-1306(b)(3)) is amended by striking the phrase "45-day" both times it appears and inserting the phrase "14-day" in its place.

Note, § 38-1307

(c) Section 7(e) (D.C. Official Code § 38-1307(5)) is amended as follows:

(1) Strike the phrase "agreements with other jurisdictions as it relates to the licensing" and insert the phrase "reciprocity agreements with other jurisdictions that relate to the authorization" in its place.

(2) Strike the word "instruction" and insert the phrase "online instruction" in its place..

Note, § 38-1309

(d) Section 9 (D.C. Official Code § 38-1309) is amended as follows:

(1) Subsection (a-1) is repealed.

(2) Subsection (c-1) is amended by adding a new paragraph (3) to read as follows:

"(3) Paragraph (1) of this subsection shall not apply to a postsecondary educational institution that provides degree-granting or non-degree-granting online instruction to residents of the District through an online presence and that is authorized to operate in the District pursuant to a reciprocity agreement.".

(e) A new section 9a is added to read as follows: **Note, New § 38-1309.01**

"Sec. 9a. Delivery of online instruction by a postsecondary educational institution.

"(a) A postsecondary educational institution may provide degree-granting or non-degree-granting online instruction to residents of the District through an online presence.

"(b) An educational institution that provides degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District, and shall either be:

"(1) Licensed by the Commission in accordance with this act; or

"(2) Authorized to operate in the District pursuant to a reciprocity agreement.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-368, effective April 27, 2016 (Expiration date June 30, 2016)

AN ACT

Bill 21-681

Emergency Declaration Res. 21-440 21 DCStat 3280

Codification District of Columbia Official Code 2001 Edition

Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Congressional Review Emergency Amendment Act of 2016

Note, § 1-610.52

To amend, on an emergency basis, due to congressional review, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to revise the salary limitation for the Chancellor of the District of Columbia Public Schools and to authorize the provision of certain employment benefits to the Chancellor.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Congressional Review Emergency Amendment Act of 2016".

Sec. 2. Section 1052(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($284,000)," and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson ($292,520)," in its place.

(b) Paragraph (3) is amended as follows:

(1) Designate the existing text as subparagraph (A).

(2) A new subparagraph (B) is added to read as follows:

"(B)(i) Notwithstanding subparagraph (A) of this paragraph and the Bonus and Special Pay Limitation Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), the Chancellor may be paid a recognition and renewal bonus of 5% of her annual base salary in 2016 and a performance bonus of up to 10% of her annual base salary for goals achieved by the end of the 2015-2016 school year.

"(ii) In addition to such other benefits as the Chancellor may be entitled to receive under existing law or regulation, and notwithstanding subparagraph (A) of this paragraph and section 1058, the Mayor may make a separation payment to the Chancellor of up to 24 weeks of the Chancellor's base salary if the Chancellor's contract is terminated for a reason other than criminal conduct, gross dereliction of duty, or gross misconduct, and the Mayor may make a payment to the Chancellor's executors, legal representatives, or administrators in the amount of 1/12 of the Chancellor's annual salary if the Chancellor dies during her term of employment.".

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of April 1, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-369, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-682

Emergency Declaration Res. 21-466 21 DCStat 3317

Not Codified

To approve, on an emergency basis, multiyear Contract No. CW41701 with Systems and Methods, Inc. for the operation and maintenance of the District's State Disbursement Unit in support of the Child Support Enforcement Program, and to authorize payment for the services received and to be received under the contract.

Contract No. CW41701 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW41701 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW41701 with Systems and Methods, Inc. for the operation and maintenance of the District's State Disbursement Unit in support of the Child Enforcement Program, and authorizes payment in the total amount of $8,340,000 for the services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-370, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-699

Emergency Declaration Res. 21-453 21 DCStat 3296

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Business Improvement Districts Act of 1996 to repeal the sunset provision.

Business Improvement Districts Sunset Repeal Emergency Amendment Act of 2016

Note, § 2-1215.01

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Business Improvement Districts Sunset Repeal Emergency Amendment Act of 2016".

Sec. 2. Section 24(b) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; 43 DCR 1698), is repealed.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-371, effective April 26, 2016 (Expiration date July 25, 2016)

AN ACT

Bill 21-701

Emergency Declaration Res. 21-441 21 DCStat 3282

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify that a District government attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals with the Department of Human Resources by December 15 of each year, to allow an attorney employed by the Council of the District of Columbia to file a Certificate of Good Standing with the Office of the Secretary to the Council of the District of Columbia, to allow the Director of the Department of Human Resources or the Secretary to the Council of the District of Columbia to verify good standing through electronic means, to clarify that the Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the Certificate of Good Standing filing requirement, and to authorize the Secretary to the Council of the District of Columbia to issue policy directives regarding timing, waiver, and notice of the Certificate of Good Standing filing requirement.

Certificate of Good Standing Filing Requirement Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Certificate of Good Standing Filing Requirement Congressional Review Emergency Amendment Act of 2016".

Note, § 1-608.81

Sec. 2. Section 881 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective July 25, 2002 (D.C. Law 14-182; D.C. Official Code § 1-608.81), is amended as follows:

(a) Subsection (a) is amended to read as follows:

"(a) Except as provided by the rules for temporary waiver of this requirement, each attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment, employed by the Mayor, the Office of the Attorney General, the Office of the Chief Financial Officer, or by any independent agency, shall file with the Department of Human Resources a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals by December 15 of each year; provided, that an attorney employed by the Council of the District of Columbia who is required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificates of Good Standing with the Office of the Secretary to the Council of the District of Columbia by December 15 of each year.".

(b) A new subsection (a-1) is added to read as follows:

"(a-1) The Director of Human Resources or the Secretary to the Council of the District of

Columbia may verify the good standing of an attorney, hearing officer, or administrative law judge subject to the requirement in subsection (a) of this section through electronic means with the Committee on Admissions of the District of Columbia Court of Appeals.".

(c) Subsection (b) is amended to read as follows:

"(b) The Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the filing requirements of subsection (a) of this section.".

(d) Subsection (c) is amended as follows:

(1) The lead-in language is amending by striking the phrase "Director of Personnel" and inserting the phrase "Director of the Department of Human Resources" in its place.

(2) Paragraph (3) is amended by striking the word "attorneys" and inserting the phrase "attorneys, hearing officers, or administrative law judges" in its place.

(e) A new subsection (c-1) is added to read as follows:

"(c-1) The Secretary of the Council of the District of Columbia may issue policy directives concerning:

"(1) The timing for filing the Certificate of Good Standing and associated procedures;

"(2) The standards governing when a temporary waiver of the filing requirement may be granted by the personnel authority for the Council of the District of Columbia attorney; and

"(3) The procedures by which attorneys shall be notified of the filing requirement and whether they are in compliance with the requirement.".

(f) Subsection (e) is amended by striking the phrase "an attorney" and inserting the phrase "an attorney, a hearing officer, or an administrative law judge" in its place.

Sec. 3. Applicability.

This act shall apply as of April 26, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-372, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-702

Emergency Declaration Res. 21-463 21 DCStat 3313

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Fiscal Year 1997 Budget Support Act of 1996 to authorize the Mayor to waive or reduce permit fees, except for application fees, for the use of public space, public rights of way, and public structures for projects that are conducted by a civic association; and to amend section 24-225 of the District of Columbia Municipal Regulations to allow for the waiver or reduction of permit fees, except for application fees, for the use of public space, public rights-of-way, and public structures for projects that are conducted by a civic association.

Civic Associations Public Space Permit Fee Waiver Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Civic Associations Public Space Permit Fee Waiver Emergency Amendment Act of 2016".

Note, § 10-1141.03a

Sec. 2. Section 603a of the Fiscal Year 1997 Budget Support Act of 1996, effective December 2, 2011 (D.C. Law 19-48; D.C. Official Code § 10-1141.03a), is amended as follows:

(a) Designate the existing text as subsection (a).

(b) The newly designated subsection (a)(1) is amended by striking the phrase "Is conducted by a" and inserting the phrase "Is conducted by a civic association or a" in its place.

(c) A new subsection (b) is added to read as follows:

"(b) For the purposes of this section, the term "civic association" means an organization that is:

"(1) Comprised of residents of the community within which the public space, public right of way, or public structure is located;

"(2) Operated primarily for the improvement of the community within which the public space, public right of way, or public structure is located; and

"(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).".

DCMR

Sec. 3. Section 24-225.12 of the District of Columbia Municipal Regulations is amended as follows:

(a) Designate the existing text as paragraph (a).

(b) The newly designated paragraph (a)(1) is amended by striking the phrase "Is conducted by a" and inserting the phrase "Is conducted by a civic association or a" in its place.

(c) A new paragraph (b) is added to read as follows:

"(b) For the purposes of this subsection, the term "civic association" means an

organization that is:

"(1) Comprised of residents of the community within which the public space, public right-of-way, or public structure is located;

"(2) Operated primarily for the improvement of the community within which the public space, public right-of-way, or public structure is located; and

"(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-373, effective April 27, 2016 (Expiration date July 26, 2016)

AN ACT

Bill 21-704

Emergency Declaration Res. 21-464 21 DCStat 3314

To amend, on an emergency basis, Chapter 13A of Title 47 of the District of Columbia Official Code to remove references to the discontinued Tax Sale Resource Center and to clarify the amounts required to be paid in order to receive a tax deed.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tax Sale Resource Center Clarifying Emergency Amendment Act of 2016".

Tax Sale Resource Center Clarifying Emergency Amendment Act of 2016

Sec. 2. Chapter 13A of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1341 is amended as follows:

Note, § 47-1341

(1) Subsection (a)(2) is amended by striking the phrase:

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.".

(2) Subsection (b-1)(2) is amended by striking the phrase:

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.".

(b) Section 47-1353.01(b) is amended by striking the phrase:

Note, § 47-1353.01

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.".

(c) Section 47-1382(b) is amended to read as follows:

Note, § 47-1382

"(b) Notwithstanding subsection (a)(1) of this section, upon issuance of a tax deed concerning a real property sold under § 47-1353(a)(3) or (b), the real property shall be free and clear of all prior taxes and liabilities owed by the real property to a taxing agency. The purchaser shall not be required to pay such prior taxes and liabilities to receive the tax deed.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-394, effective May 19, 2016 (Expiration date August 17, 2016)

AN ACT

Bill 21-713

Emergency Declaration Res. 21-472 21 DCStat 3271

Not Codified

To approve, on an emergency basis, Modification Nos. 0007 and 0008 to Contract No. CW25933 with Public Performance Management, LLC, to provide mission oriented business integrated services (MOBIS) and to authorize payment for the goods and services received and to be received under the contract.

Modifications to Contract No. CW25933 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW25933 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 0007 and 0008 to Contract No. CW25933 with Public Performance Management, LLC, and authorizes payment not to exceed $10,000,000 for goods and services received and to be received under the contract from January 29, 2016 through January 28, 2017.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-395, effective May 19, 2016 (Expiration date August 17, 2016)

AN ACT

Bill 21-719

Emergency Declaration Res. 21-476 21 DCStat 3336

Not Codified

To order, on an emergency basis, the closing of a portion of the public alley system in Square 342, bounded by Massachusetts Avenue, N.W., 10th Street, N.W., K Street, N.W., and 11th Street, N.W., in Ward 2.

Closing of a Public Alley in Square 342, S.O. 14-21629, Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 342, S.O. 14-21629, Emergency Act of 2016".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq*.), the Council finds the portion of the public alley system in Square 342, as shown on the Surveyor's plat filed in S.O. 14-21629, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this alley closing is contingent upon the satisfaction of all conditions in the official file for S.O. 14-21629 before the recordation of the alley closing.

Sec. 3. Transmittal.

The Council shall transmit a copies of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Closing of a Public Alley in Square 342, S.O. 14-21629, Act of 2016, passed on 2nd reading on April 19, 2016 (Enrolled version of Bill 21-446), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-396, effective May 19, 2016 (Expiration date August 17, 2016)

AN ACT

Bill 21-720

Emergency Declaration Res. 21-479 21 DCStat 3340

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow any applicant that received notification on July 25, 2014, that its medical marijuana cultivation center was eligible for registration to modify its application, to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants, not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1000.

Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2016".

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

Note, § 7-1671.01

(a) Section 2 (D.C. Official Code § 7-1671.01) is amended by adding a new paragraph (1A) to read as follows:

"(1A) "Adjacent" means located within the same physical structure as, and is abutting, adjoining, bordering, touching, contiguous to, or otherwise physically meeting.".

Note, § 7-1671.06

(b) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

(1) Subsection (d) is amended as follows:

(A) Paragraph (3) is amended by adding a new subparagraph (C) to read as follows:

"(C)(i) Notwithstanding 22 DCMR §§ C5003.2 and C5003.3, any applicant that received notification from the Department on July 25, 2014, that its cultivation center was eligible for registration shall be permitted to modify the location and premises identified on the application within 90 days after the effective date of the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2015, effective July 20, 2015 (D.C. Act 21-104; 62 DCR 9965), without negatively affecting the current status of the application or registration.

"(ii) Any application that is modified pursuant to sub-subparagraph (i) of this subparagraph shall be exempt from 22 DCMR § C5303.6, adopted on an emergency basis by the Department on May 19, 2015 (62 DCR 8351).".

(B) New paragraphs (4) and (5) are added to read as follows:

"(4) The Mayor may approve the holder of a cultivation center registration that also owns, or has a valid lease for, real property adjacent to its existing cultivation center to physically expand the registered cultivation center into that adjacent real property for the purpose of increasing production of marijuana plants, not to exceed the limit permitted under this act.

"(5) For the purposes of this subsection, the non-transferability of ownership provisions set forth in 22 DCMR §§ C5003 and C5501 shall not be construed as prohibiting the restructuring of ownership or changes between officers, directors, or other persons owning or controlling a percentage of the registered cultivation center or the entity named in the cultivation center registration application that was pending as of March 2, 2015, to operate a cultivation center at the same adjacent real property if the application received a score of at least 150 points from the Program's review panel.".

(2) Subsection (e)(2) is amended by striking the number "500" and inserting the number "1,000" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-397, effective May 19, 2016 (Expiration date August 17, 2016)

AN ACT

Bill 21-722

Emergency Declaration Res. 21-481 21 DCStat 3343

Not Codified

To approve, on an emergency basis, proposed Task Order 4 of Contract No. CFOPD-15-C-064A with Bert Smith & Company to continue to provide auditing services for Medicaid healthcare providers to the Office of the Chief Financial Officer on behalf of the Department of Healthcare Finance, and to authorize payment for the services received and to be received under the contract.

Contract No. CFOPD-15-C-064A Extension Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CFOPD-15-C-064A Extension Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Task Order 4 of Contract No. CFOPD-15-C-064A with Bert Smith & Company to continue to provide auditing services for Medicaid healthcare providers to the Office of the Chief Financial Officer on behalf of the Department of Healthcare Finance and authorizes payment in the not-to-exceed amount of $2,369,750 for services received and to be received under the contract from September 1, 2015, through August 31, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-398, effective May 19, 2016 (Expiration date August 17, 2016)

AN ACT

Bill 21-725

Emergency Declaration Res. 21-482 21 DCStat 3344

To amend Chapter 7 of Title 25 of the District of Columbia Official Code to clarify the penalties for sale to minors violations and the failure to ascertain the legal drinking age violations.

Codification District of Columbia Official Code 2001 Edition

Sale to Minors Penalty Clarification Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sale to Minors Penalty Clarification Emergency Amendment Act of 2016".

Sec. 2. Chapter 7 of Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-781 is amended as follows:

Note, § 25-781

(1) Subsection (f) is amended by striking the phrase "Upon finding that a licensee has violated subsection (a), (b), or (c) of this section in the preceding," and inserting the phrase "For violations of subsection (a), (b), or (c) of this section in the preceding" in its place.

(2) A new subsection (g) is added to read as follows:

"(g)(1) In determining whether a licensee has prior violations for the purposes of subsection (f) of this section, the 4-year period is the 4 years immediately preceding the date of the incident or conduct in the case pending before the Board for which the licensee has been found liable of violating subsection (a), (b), or (c) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine. A prior violation falls within the 4-year period if the date that the licensee was found liable of violating subsection (a), (b), or (c) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine, falls within the 4-year period.

"(2) For the purposes of this subsection, the term "offer-in-compromise" means a negotiation between the government and the respondent to settle the charges brought by the government for those violations committed by the respondent.".

(b) Section 25-783 is amended as follows:

Note, § 25-783

(1) Subsection (c) is amended by striking the phrase "Upon finding that a licensee has violated subsection (a) or (b) of this section in the preceding" and inserting the phrase "For violations of subsection (a) or (b) of this section in the preceding" in its place.

(2) A new subsection (c-1) is added to read as follows:

"(c-1)(1) In determining whether a licensee has prior violations for the purposes of

subsection (c) of this section, the 4-year period is the 4 years immediately preceding the date of the incident or conduct in the case pending before the Board for which the licensee has been found liable of violating subsection (a) or (b) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine. A prior violation falls within the 4-year period if the date that the licensee was found liable of violating subsection (a) or (b) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine, falls within the 4-year period.

"(2) For the purposes of this subsection, the term "offer-in-compromise" means a negotiation between the government and the respondent to settle the charges brought by the government for those violations committed by the respondent.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-399, effective May 19, 2016 (Expiration date August 17, 2016)

AN ACT

Bill 21-733

Emergency Declaration Res. 21-470 21 DCStat 3322

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Retired Police Officer Redeployment Amendment Act of 1992 to allow for the rehiring of retired Metropolitan Department officers by the Department of Forensic Sciences without jeopardy to the retirement benefits of the employee.

Crime Scene Investigator Hiring Clarification Congressional Review Emergency Amendment Act of 2016

Note, § 5-761

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Crime Scene Investigator Hiring Clarification Congressional Review Emergency Amendment Act of 2016".

Sec. 2. Section 2 of the Retired Police Officer Redeployment Amendment Act of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761), is amended as follows:

(a) A new subsection (a-1) is added to read as follows:

"(a-1) Except for a disability annuitant, a police officer retired from the Metropolitan Police Department shall be eligible for rehire at the discretion of the Director of the Department of Forensic Sciences as a temporary full-time or temporary part-time employee without jeopardy to the retirement benefits of the employee.".

(b) Subsection (b) is amended by striking the phrase "under this section" and inserting the phrase "under subsection (a) of this section" in its place.

(c) Subsection (d) is amended by striking the phrase "under this section" and inserting the phrase "under subsection (a) of this section" in its place.

(d) A new subsection (d-1) is added to read as follows:

"(d-1) A retired police officer who is rehired under subsection (a-1) of this section may be rehired in a supervisory or non-supervisory position and shall be paid a salary of no more than the highest grade available for the position assigned.".

(e) Subsection (e) is amended by striking the phrase "subsection (d) of this section" and inserting the phrase "subsections (d) and (d-1) of this section" in its place.

(f) Subsection (f) is amended by striking the phrase "Metropolitan Police Department." and inserting the phrase "Metropolitan Police Department and the Department of Forensic Sciences." in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-400, effective May 19, 2016 (Expiration date August 17, 2016)

AN ACT

Bill 21-734

Emergency Declaration Res. 21-474 21 DCStat 3332

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

Sale of Synthetic Drugs Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sale of Synthetic Drugs Emergency Amendment Act of 2016".

Note, § 47-2844

Sec. 2. Section 47-2844(a-2) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (1) is amended as follows:

(1) The lead-in language is amending by striking the phrase "subsection (a-1) of this section" and inserting the phrase "subsection (a-1) of this section and paragraph (1A) of this subsection" in its place.

(2) Subparagraph (A) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(3) Subparagraph (B) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(4) Subparagraph (C) is amended by striking the phrase "subsection" and inserting the phrase "paragraph" in its place.

(b) A new paragraph (1A) is added to read as follows:

"(1A) In addition to the provisions of subsection (a-1) of this section and paragraph (1) of this subsection, the Mayor or the Chief of Police, notwithstanding § 2-1801.04(a)(1)), may take the following actions against, or impose the following requirements upon, any licensee, or agent or employee of a licensee, that knowingly engages or attempts to engage in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug, including the possession of multiple units of a synthetic drug:

"(A) For the first violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $10,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or a portion of the premises, for up to 96 hours without a prior hearing;

"(iii) The Mayor may issue a notice to revoke all licenses issued to the licensee pursuant to this chapter.

"(iv)(I) Within 14 days after having a licensee's premises sealed for a violation of this paragraph, the Mayor shall require the licensee to submit a remediation plan to the Director of the Department of Consumer and Regulatory Affairs, that contains the licensee's plan to prevent any future recurrence of purchasing, selling, exchanging, or otherwise transacting any synthetic drug and acknowledgement that a subsequent occurrence of engaging in prohibited activities may result in the revocation of all licenses issued to the licensee pursuant to this chapter.

"(II) If the licensee fails to submit a remediation plan in accordance with this sub-subparagraph, or if the Mayor, in consultation with the Chief of Police, rejects the licensee's remediation plan, the Mayor shall provide written notice to the licensee of the defects in any rejected remediation plan and the Mayor's intent to revoke all licenses issued to the licensee pursuant to this chapter.

"(III) If the licensee cures the defects in a rejected remediation plan, the Mayor may suspend any action to revoke any license of the licensee issued pursuant to this chapter.

"(B) For any subsequent violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $20,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or portion of the premises, for up to 30 days without a prior hearing.

"(C) If a licensee's premises, or a portion of the premises, is sealed under subparagraph (A) or (B) of this paragraph, a licensee shall have the right to request a hearing with the Office of Administrative Hearings within 2 business days after service of notice of the sealing of the premises pursuant to subparagraph (D) of this paragraph.

"(D) At the time of the sealing of the premises, or a portion of the premises, under subparagraph (A) or (B) of this paragraph, the Director of the Department of Consumer and Regulatory Affairs shall post at the premises and serve on the licensee a written notice and order stating:

"(i) The specific action or actions being taken;

"(ii) The factual and legal bases for the action or actions;

"(iii) The right, within 2 business days after service of notice of the sealing of the premises, to request a hearing with the Office of Administrative Hearings;

"(iv) The right, within 2 business days of a timely request being received by the Office of Administrative Hearings, to a hearing before an administrative law judge; and

"(v) That it shall be unlawful for any person to enter the sealed premises for any purpose without written permission by the Director of the Department of Consumer and Regulatory Affairs.

"(E) A licensee shall pay a fine issued pursuant to subparagraph (A) or (B) of this paragraph within 20 days after adjudication. If the licensee fails to pay the fine within the specified time period, the Mayor may seal the premises until the fine is paid.

"(F) For the purposes of this paragraph, the term:

"(i) "Business days" means days in which the Office of Administrative Hearings is open for business.

"(ii) "Synthetic drug" means any product possessed, provided, distributed, sold, or marketed with the intent that it be used as a recreational drug, such that its consumption or ingestion is intended to produce effects on the central nervous system or brain function to change perception, mood, consciousness, cognition or behavior in ways that are similar to the effects of marijuana, cocaine, amphetamines or Schedule I narcotics under § 48-902.04. The term "synthetic drug" also includes any chemically synthesized product (including products that contain both a chemically synthesized ingredient and herbal or plant material) possessed, provided, distributed, sold or marketed with the intent that the product produce effects substantially similar to the effects created by compounds banned by District or federal synthetic drug laws or by the U.S. Drug Enforcement Administration pursuant to its authority under the Controlled Substances Act, approved October 27, 1970 (84 Stat. 1247; 21 U.S.C. § 812). The following factors shall be treated as indicia that a product is being marketed with the intent that it be used as a recreational drug:

"(I) The product is not suitable for its marketed use (such as a crystalline or powder product being marketed as "glass cleaner");

"(II) The individual or business providing, distributing, displaying or selling the product does not typically provide, distribute, or sell products that are used for that product's marketed use (such as liquor stores, smoke shops, or gas or convenience stores selling "plant food");

"(III) The product contains a warning label that is not typically present on products that are used for that product's marketed use including, "Not for human consumption", "Not for purchase by minors", "Must be 18 years or older to purchase", "100% legal blend", or similar statements;

"(IV) The product is significantly more expensive than products that are used for that product's marketed use;

"(V) The product resembles an illicit street drug (such as cocaine, methamphetamine, or Schedule I narcotic) or marijuana; or

"(VI) The licensee or any employee of the licensee has been warned by a District government agency or has received a criminal incident report, arrest report, or equivalent from any law enforcement agency that the product or a similarly labeled product contains a synthetic drug.".

Note, § 2-1801.06

Sec. 3. Section 106 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective March 8, 1991 (D.C. Law 8-237; D.C. Official Code § 2-1801.06), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Strike the phrase "premises are primarily used" and insert the phrase "premises are used" in its place.

(2) Add a new sentence at the end to read as follows:

"Purchasing, selling, exchanging, or otherwise transacting any synthetic drug, as defined in D.C. Official Code § 47-2844(a-2)(1A)(F)(ii), shall be a per se imminent danger to the health or safety of the residents of the District.".

(b) Subsection (c) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the phrase "A licensee" and inserting the phrase "Except as provided in paragraph (2) of this subsection, a licensee" in its place.

(3) A new paragraph (2) is added to read as follows:

"(2) A licensee engaged in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug in violation of D.C. Official Code § 47-2844(a-2)(1A) shall have the right to request a hearing within 2 business days after service of notice of the sealing of the premises. The Office of Administrative Hearings shall hold a hearing within 2 business days of receipt of a timely request, and shall issue a decision within 2 business days after the hearing.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-401, effective May 19, 2016 (Expiration date August 17, 2016)

AN ACT

Bill 21-744

Emergency Declaration Res. 21-480 21 DCStat 3342

Codification District of Columbia Official Code 2001 Edition

Mandatory Driver Instruction Regulation Emergency Amendment Act of 2016

DCMR

To amend, on an emergency basis, section 103 of Title 18 of the District of Columbia Municipal Regulations to repeal the requirement that every person who has never been issued a driver license must provide documentation that they have successfully completed an approved course of driver instruction before issuance of a provisional permit or driver license.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mandatory Driver Instruction Regulation Emergency Amendment Act of 2016".

Sec. 2. Section 103.11 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 103.11) is repealed.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-402, effective May 19, 2016 (Expiration date July 25, 2016)

AN ACT

Bill 21-747

Emergency Declaration Res. 21-477 21 DCStat 3337

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, Chapter 18 of Title 47 of the District of Columbia Official Code to clarify the franchise tax rates so that they correspond with existing law regarding tax reform procedure and priority.

Franchise Tax Clarification Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Franchise Tax Clarification Emergency Amendment Act of 2016".

Sec. 2. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

Note, § 47-1807.02

(a) Section 47-1807.02(a)(6) is amended by striking the phrase "9%" and inserting the phrase "9.2%, 9%" in its place.

Note, § 47-1808.03

(b) Section 47-1808.03(a)(6) is amended by striking the phrase "9%" and inserting the phrase "9.2%, 9%" in its place.

Retroactive Applicability

Sec. 3. Applicability.

This act shall apply as of April 26, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-403, effective May 20, 2016 (Expiration date August 18, 2016)

AN ACT

Bill 21-718

Emergency Declaration Res. 21-475 21 DCStat 3334

To amend, on an emergency basis, various acts to repeal outdated and unnecessary mandates for audits and other reports required of the District of Columbia Auditor.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Repeal of Outdated and Unnecessary Audit Mandates Emergency Amendment Act of 2016".

Repeal of Outdated and Unnecessary Audit Mandates Emergency Amendment Act of 2016

Sec. 2. The Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; D.C. Official Code § 1-301.181 *et seq*.), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-301.181) is amended as follows:

Note § 1-301.181

(1) Subsection (b) is amended as follows:

(A) Paragraph (1) is repealed.

(B) Paragraph (3) is amended by striking the phrase "sections 2350 and 2353" and inserting the phrase "section 2353" in its place.

(2) Subsection (c) is repealed.

(3) Subsection (d) is repealed.

(b) Section 3 (D.C. Official Code § 1-301.182) is amended as follows:

Note § 1-301.182

(1) Subsection (a) is repealed.

(2) Subsection (b) is repealed.

(3) Subsection (c) is amended by striking the phrase "sections 2350 and 2353" and inserting the phrase "section 2353" in its place.

(c) Section 4 (D.C. Official Code § 1-301.183) is repealed.

Note, Repeal § 1-301.183

(d) Section 4a (D.C. Official Code § 1-301.184) is amended as follows:

Note § 1-301.184

(1) Subsection (a) is amended by striking the phrase ", and the quarterly reports of each government corporation required by section 2350(f) of the Act".

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Strike the phrase "and the information that each government corporation is required to submit pursuant to section 2350(f) of the Act".

(ii) Strike the phrase "or government corporation's".

(B) Paragraph (2) is amended by striking the phrase "and government corporations".

Sec. 3. Section 10 of An Act To establish a District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 342; D.C. Official Code § 3-310), is repealed. **Note, Repeal § 3-310**

Sec. 4. Section 8(f) of the District of Columbia Boxing and Wrestling Commission Act, effective October 8, 1975 (D.C. Law 1-20; D.C. Official Code § 3-607(f)), is repealed. **Note, § 3-607**

Sec. 5. Section 305(a) of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1203.05(a)), is repealed. **Note, § 10-1203.05**

Sec. 6. Section 126n(d) of the District of Columbia Theft and White Collar Crimes Act of 1982, effective June 8, 2001 (D.C. Law 13-301; D.C. Official Code § 22-3226.14(d)), is repealed. **Note, § 22-3226.14**

Sec. 7. Paragraph 42(a)(6) of section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 984; D.C. Official Code § 34-912(a)(6)), is repealed. **Note, § 34-912**

Sec. 8. Section 4(c) of the Eastern Market Real Property Asset Management and Outdoor Vending Act of 1998, effective April 16, 1999 (D.C. Law 12-228; D.C. Official Code § 37-103(c)), is repealed. **Note, § 37-103**

Sec. 9. Section 9 of the District of Columbia Public School Food Services Act, approved October 8, 1951 (65 Stat. 370; D.C. Official Code § 38-807), is repealed. **Note, Repeal § 38-807**

Sec. 10. Section 2407 of the Auditor Personnel and Audit Reform Amendment Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 38-1231.01), is repealed. **Note, Repeal § 38-1231.01**

Sec. 11. Section 205 of the School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2973.05), is amended to read as follows: **Note, § 38-2973.05**

"Sec. 205. Audit of capital improvement projects.

"(a) No later than September 30, 2020, and every 3 years thereafter until the completion of all school modernization projects in the Capital Improvement Plan, the District of Columbia Auditor shall prepare a report to the public on the use of the capital funds by the District of Columbia Public Schools during the preceding fiscal years. The report shall include a school- and project-specific audit of all expenditures for school facility capital improvements, maintenance, repairs, and operating costs, and an assessment of whether the District has met the process, quality, schedule, and cost objectives of the Capital Improvement Plan and Budget.

"(b) No later than September 30, 2017, and each year thereafter until the completion of all school modernization projects in the Capital Improvement Plan, except in a year where a report is issued pursuant to subsection (a) of this section, the District of Columbia Auditor shall examine not less than a sample of capital projects related to school modernizations and shall determine whether the District has met the process, quality, schedule and cost objectives of sampled projects, and provide a report to the Council and the public on the findings.".

Sec. 12. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 1 is amended as follows:

(1) The table of contents is amended as follows:

(A) Strike the section designation "47-111. Disbursing Officer, appointment; bond; general powers and duties; audit of accounts." and insert the section designation "47-111. Disbursing Officer; appointment; bond; general powers and duties." in its place.

(B) Strike the section designation "47-120. Liability of Auditor or employees." and insert the section designation "47-120. Liability of Auditor or employees. [Repealed]." in its place.

(C) Strike the section designation "47-122. Checks to be countersigned." and insert the section designation "47-122. Checks to be countersigned. [Repealed]." in its place.

(D) Strike the section designation "47-123. Chief Clerk of Auditor's office." and insert the section designation "47-123. Chief Clerk of Auditor's office. [Repealed]." in its place.

(E) Strike the section designation "47-124. Accounts auditable by Auditor." and insert the section designation "47-124. Accounts auditable by Auditor. [Repealed]." in its place.

(2) Section 47-111 is amended as follows: **Note, § 47-111**

(A) Subsection (b) is amended by striking the phrase "audited and approved by the Auditor of the District of Columbia, and certified by the Mayor as required by § 47-409".

(B) Subsection (c) is repealed.

(3) Section 47-112 is amended by striking the phrase "nor the Auditor of the District of Columbia or" and inserting the phrase "nor" in its place. **Note, § 47-112**

(4) Section 47-116 is amended by striking the phrase "the Auditor of the District of Columbia in connection with the Disbursing Officer of the District of Columbia of the grounds of such objections resulting in said suspensions, in order that said Auditor in connection with said Disbursing Officer" and inserting the phrase "the Disbursing Officer of the District of Columbia of the grounds of such objections resulting in said suspensions, in order that said Disbursing Officer" in its place. **Note, § 47-116**

(5) Section 47-120 is repealed. **Note, Repeal §§ 47-120, 47-122, 47-123**

(6) Section 47-122 is repealed.

(7) Section 47-123 is repealed.

(8) Section 47-124 is repealed. **Note, Repeal § 47-124**

(b) Chapter 4 is amended as follows:

(1) The table of contents is amended as follows:

(A) Strike the section designation "47-409. Disbursement of taxes and appropriations; settlement of accounts." and insert the section designation "47-409. Disbursement of taxes and appropriations; settlement of accounts. [Repealed]." in its place.

(B) Strike the section designation "47-410. Payment of moneys into Treasury; requisitions and expenditures; disbursement accounts." and insert the section designation "47-410. Payment of moneys into Treasury; requisitions and expenditures; disbursement accounts. [Repealed]." in its place.

(C) Strike the section designation "47-411. Trust fund deposits and disbursements." and insert the section designation "47-411. Trust fund deposits and disbursements. [Repealed]." in its place.

(2) Section 47-409 is repealed. **Note, Repeal §§ 47-409, 47-410, 47-411**

(3) Section 47-410 is repealed.

(4) Section 47-411 is repealed.

(c) Chapter 28 is amended as follows:

(1) The table of contents is amended by striking the section designation "47-2851.17. Performance audit." and inserting the section designation "47-2851.17. Performance audit. [Repealed]." in its place.

(2) Section 47-2851.17 is repealed. **Note, Repeal § 47-2851.17**

Sec. 13. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 14. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-404, effective June 1, 2016 (Expiration date August 30, 2016)

AN ACT

Bill 21-725

Emergency Declaration Res. 21-487 21 DCStat 3350

Not Codified

To approve, on an emergency basis, Contract No. CW42754 with Capitol Paving of D.C., Inc. to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. CW42754 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW42754 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW42754 with Capitol Paving of D.C., Inc. to provide goods and services to the District during a declared state of emergency, and authorizes payment in the total amount of $3,170,707.75 for the goods and services received under the contract for the period from January 21, 2016, through February 5, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § l-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a

D.C. Act 21-405, effective June 1, 2016 (Expiration date August 30, 2016)

AN ACT

Bill 21-726

Emergency Declaration Res. 21-488 21 DCStat 3351

Not Codified

To approve, on an emergency basis, Contract No. CW42752 with Fort Myer Construction Corporation to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. CW42752 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW42752 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW42752 with Fort Myer Construction Corporation to provide goods and services to the District during a declared state of emergency, and authorizes payment in the total amount of $5,372,351 for the goods and services received under the contract for the period from January 21, 2016, through February 5, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § l-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-727

Emergency Declaration Res. 21-486 21 DCStat 3348

Not Codified

To approve, on an emergency basis, Contract No. DCKT-2016-C-0016 with BCI, Inc. dba Butler Company to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0016 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCKT-2016-C-0016 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DCKT-2016-C-0016 with BCI, Inc. dba Butler Company to provide goods and services to the District during a declared state of emergency, and authorizes payment in the total amount of $1,713,034.40 for the goods and services received under the contract for the period from January 21, 2016, through February 5, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § l-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-407, effective June 1, 2016 (Expiration date August 30, 2016)

AN ACT

Bill 21-730

Emergency Declaration Res. 21-484 21 DCStat 3346

Not Codified

To approve, on an emergency basis, the Human Care Agreement RM-15-HCA-SATS-002- UPO-BY4-CPS between the Department of Behavioral Health and United Planning Organization for methadone maintenance and counseling treatment services to eligible District residents and to authorize payment for the services received and to be received under the agreement.

Human Care Agreement RM-15-HCA-SATS-002-UPO-BY4-CPS Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Human Care Agreement RM-15-HCA-SATS-002-UPO-BY4-CPS Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the Human Care Agreement RM-15-HCA-SATS-002-UPO-BY4-CPS between the Department of Behavioral Health and United Planning Organization for methadone maintenance and counseling treatment services to eligible District residents and authorizes the payment of $1,060,000 for services received and to be received under the agreement from October 2, 2015, through September 30, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-408, effective June 1, 2016 (Expiration date August 30, 2016)

AN ACT

Bill 21-731

Emergency Declaration Res. 21-485 21 DCStat 3347

Not Codified

To approve, on an emergency basis, Change Order Nos. 001 through 004 to Contract No. DCAM-15-CS-0112 with District Veterans Contracting, Inc. for the renovation of the Wilson Building, and to authorize payment in the aggregate amount of $2,465,608.64 for the goods and services received and to be received under the change orders.

Change Order Nos. 001 through 004 to Contract No. DCAM-15-CS-0112 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 001 through 004 to Contract No. DCAM-15-CS-0112 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Order Nos. 001 through 004 to Contract No. DCAM-15-CS-0112 with District Veterans Contracting, Inc. for the renovation of the Wilson Building, and authorizes payment in the aggregate amount of $2,465,608.64 for the goods and services received and to be received under the change orders.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 203S; D.C. Official Code § l-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-409, effective June 1, 2016 (Expiration date August 30, 2016)

AN ACT

Bill 21-732

Emergency Declaration Res. 21-483 21 DCStat 3345

Not Codified

To approve, on an emergency basis, the Human Care Agreement RM-15-HCA-SATS-008- FCM-BY4-CPS between the Department of Behavioral Health and the Foundation for Contemporary Mental Health for methadone maintenance and counseling treatment services to eligible District residents and to authorize payment for the services received and to be received under the agreement.

Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS between the Department of Behavioral Health and the Foundation for Contemporary Mental Health for methadone maintenance and counseling treatment services to eligible District residents and authorizes payment of $1,060,000 for services received and to be received under the agreement from October 2, 2015, through September 30, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-410, effective June 1, 2016 (Expiration date August 30, 2016)

AN ACT

Bill 21-743

Emergency Declaration Res. 21-478 21 DCStat 3338

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify agency responsibilities with regard to school attendance, to deem an absence of a minor student from a public school unexcused where the school does not obtain an explanation for the absence from the student's parent or guardian verifying the reason for an absence within 5 days after a student's return to school, to prohibit the suspension, expulsion, or unenrollment of a minor from a public school due to an unexcused absence or due to a late arrival to school, to clarify attendance reporting requirements for public, independent, private, and parochial schools, to revise the protocol for a law enforcement officer who comes in contact with a minor and has reasonable grounds to believe the minor is truant, to revise the educational institution referral requirement for the Child and Family Services Administration, the Court Social Services Division of the Superior Court of the District of Columbia, and the Office of the Attorney General Juvenile Section to only include unexcused full school day absences with regard to attendance, to provide educational institutions with discretion on referrals if a student's 10th or 15th unexcused absence is accrued within the final 10 school days of the school year, and to require the State Superintendent of Education to provide written notice to each public, independent, private, or parochial school outlining the attendance and reporting requirements by July 1 of each year; to amend the District of Columbia School Reform Act of 1995 to conform it to the prohibitions against expulsion and suspension provided in An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes and the Pre-k Enhancement and Expansion Amendment Act of 2008; and to amend Chapter 21 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations to repeal the requirement that a public school notify the Metropolitan Police Department after each occurrence of a student's 10th unexcused absence, to require that an educational institution obtain an explanation for a student's absence within 5 days of the student's return to school, and to amend the terms "truancy rate" and "chronic absenteeism."

School Attendance Clarification Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Attendance Clarification Emergency Amendment Act of 2016".

Sec. 2. An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-201 *et seq.*), is amended as follows:

Note, § 38-201

(a) Section 1 of Article I (D.C. Official Code § 38-201) is amended as follows:

(1) A new paragraph (1A) is added to read as follows:

"(1A) "Chronic absenteeism" means the incidence of students missing more than 10% of school days, including excused and unexcused absences.".

(2) A new paragraph (2B) is added to read as follows:

"(2B) "Full school day" means the entirety of the instructional hours regularly provided on a single school day.".

(b) Section 1 of Article II (D.C. Official Code § 38-202) is amended as follows: **Note, § 38-202**

(1) Subsection (c) is amended by striking the phrase "Superintendent of Schools" and inserting the phrase "head of the educational institution in which the minor is enrolled" in its place.

(2) Subsection (d) is amended by striking the phrase "to govern the validity of applications for permission to be absent from school,".

(c) Section 2 of Article II (D.C. Official Code § 38-203) is amended as follows: **Note, § 38-203**

(1) Subsection (a) is amended by striking the phrase "Superintendent of Schools" and inserting the phrase "State Superintendent of Education" in its place.

(2) Subsection (b) is repealed.

(3) Subsection (c) is amended as follows:

(A) The existing text is designated as paragraph (1).

(B) A new paragraph (2) is added to read as follows:

"(2) An absence of a minor covered by section 1(a) of this article who is enrolled in a public school is deemed unexcused unless the minor's parent, guardian, or other person who has custody or control of the minor provides the school with a valid excuse for the minor's absence within 5 school days upon the minor's return to school.".

(4) New subsections (f-1) and (f-2) are added to read as follows:

"(f-1) Beginning school year 2016-2017, no minor covered by section 1(a) of this article who is enrolled in a public school may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school.

"(f-2) Beginning school year 2016-2017, no minor covered by section 1(a) of this article who is enrolled in a public school, other than an adult education program, may be unenrolled from the local education agency due to an unexcused absence or due to a late arrival to school unless the minor has accumulated 20 or more full school day consecutive unexcused absences.".

(5) Subsection (i) is amended by striking the phrase "to the Mayor, or the Mayor's designee, and make publicly available, the following data based on the preceding school year:" in the lead-in language and inserting the phrase "to the Office of the State Superintendent of Education, and make publicly available the following data for each school or campus under its authority based on the preceding school year:" in its place.

(6) A new subsection (k) is added to read as follows:

"(k) By October 1 of each year, the Office of the State Superintendent of Education shall publicly report on the state of absenteeism in the District based on data from the preceding school year, including an analysis of truancy and chronic absenteeism by school or campus and the impact of current laws on improving school attendance.".

(d) Section 4 of Article II (D.C. Official Code § 38-205) is amended to read as follows: **Note, § 38-205**

"Sec. 4. By October 5 of each year, each public, independent, private, and parochial school shall report to the Office of the State Superintendent of Education the name, address, sex, and date of birth of each minor who resides permanently or temporarily in the District who is

currently enrolled in their school. By the 5th of every month thereafter, each school shall report any changes in enrollment, including withdrawals, to the Office of the State Superintendent of Education.".

(e) Section 6(a) of Article II (D.C. Official Code § 38-207(a)) is amended to read as follows: **Note, § 38-207**

"(a)(1) A law enforcement officer who has reasonable grounds to believe, based on the minor's age and other factors, that a minor is truant from any public, independent, private, or parochial school on a day and during the hours when the school is in session shall take that minor into custody and deliver the minor to the public, independent, private, or parochial school where the minor is presently enrolled, so long as the school is located in the District.

"(2) If the minor is not currently enrolled at a public, independent, private, or parochial school, the law enforcement officer shall take the minor to the District of Columbia Public Schools placement office.

"(3) If a minor is enrolled in a public, independent, private, or parochial school located within the District of Columbia, the educational institution shall receive that minor from a law enforcement officer during the hours when the school is in operation.".

(f) Section 7 of Article II (D.C. Official Code § 38-208) is amended as follows: **Note, § 38-208**

(1) Subsection (a) is repealed.

(2) Subsection (c) is amended as follows:

(A) The lead-in language is amended by striking the phrase "subsections (a) and" and inserting the word "subsection" in its place.

(B) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended as follows:

(I) Strike the phrase "The educational institution" and insert the phrase "Beginning in the 2016-2017 school year, the educational institution" in its place.

(II) Strike the phrase "10 unexcused absences" and insert the phrase "10 unexcused full school day absences" in its place.

(ii) Subparagraph (B) is amended as follows:

(I) Strike the phrase "Beginning in the 2013-2014 school year" and insert the phrase "Beginning in the 2016-2017 school year" in its place.

(II) Strike the phrase "15 unexcused absences" and insert the phrase "15 unexcused full school day absences" in its place.

(C) A new subparagraph (C) is added to read as follows:

"(C) The educational institution shall have discretion with regard to the referral requirements set forth in subparagraphs (A) and (B) of this paragraph if a minor student accrues the 10th or 15th unexcused absence, respectively, within the final 10 school days of a school year.".

(3) A new subsection (d) is added to read as follows:

"(d) By July 1 of each year, the State Superintendent of Education shall send written notice to each educational institution outlining the attendance and reporting requirements outlined in this act.".

Note, § 38-1802.06

Sec. 3. Section 2206(g) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.06(g)), is amended to read as follows:

"(g) – *Expulsion and suspension*. – The principal of a public charter school may expel or suspend a student from the school based on criteria set forth in the charter granted to the school; provided, that:

"(1) Consistent with section 2(f-1) of Article II of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-203(f-1)), no student may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school; and

"(2) Consistent with section 303 of the Pre-k Enhancement and Expansion Amendment Act of 2008, effective June 23, 2015 (D.C. Law 21-12; D.C. Official Code § 38-273.03), no student of pre-k age:

"(A) May be expelled; or

"(B) Receive an out-of-school suspension unless it is determined by a school administrator that the student has willfully caused or attempted to cause bodily injury, or threatened serious bodily injury to another person, except in self-defense; provided, that no student of pre-k age may be suspended for longer than 3 days for any individual incident.".

DCMR

Sec. 4. Chapter 21 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations (5 DCMR § A2100 *et seq*.) is amended as follows:

(a) Section A2101.9(a) (5-A DCMR § 2101.9(a)) is repealed.

(b) Section A2102.4 (5-A DCMR § 2102.4) is amended to read as follows:

"2102.04 An educational institution shall obtain an explanation from the student's parent or guardian verifying the reason for an absence within no more than five (5) days upon the student's return to school, otherwise the absence shall be deemed unexcused.".

(c) Section A2199.1 (5-A DCMR § 2199.1) is amended as follows:

(1) The definition of "Chronic Absenteeism" is amended to read as follows:

" "Chronic absenteeism" – The incidence of a student missing more than 10% of school days, including excused and unexcused absences.".

(2) The definition of "Truancy rate" is amended to read as follows:

" "Truancy rate" – The incidence of students of compulsory attendance age, as defined by D.C. Official Code § 38-202(a), enrolled at a school at any point in a given school year who are absent without valid excuse as defined by 5-A DCMR § 2102.2 on ten (10) or more occasions within a single school year, divided by the total number of students of compulsory attendance age ever enrolled during the corresponding school year.".

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee reports for the School Attendance Clarification Amendment Act of 2016, passed on 2nd reading on May 3, 2016 (Enrolled version of Bill 21-508), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-415, effective June 15, 2016 (Expiration date September 13, 2016)

AN ACT

Bill 21-665

Emergency Declaration Res. 21-489 21 DCStat 3353

Codification District of Columbia Official Code 2001 Edition (Section 5 only)

Fiscal Year 2016 Second Revised Budget Request Emergency Adjustment Act of 2016

To adjust, on an emergency basis, certain allocations requested in the Fiscal Year 2016 Budget Request Act of 2015 pursuant to the Omnibus Appropriations Act, 2009.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Second Revised Budget Request Emergency Adjustment Act of 2016".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2016 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II—DISTRICT OF COLUMBIA FUNDS—SUMMARY OF EXPENSES

$39,971,000 is removed from local funds; and $3,000,000 is increased in other funds; to be allocated as follows:

Governmental Direction and Support

The appropriation for Governmental Direction and Support is increased by $25,000 in local funds; to be allocated as follows:

(1) Office of the Secretary. – $25,000 is added to be available in local funds.

Economic Development and Regulation

The appropriation for Economic Development and Regulation is decreased by $35,000 in local funds and increased by $3,000,000 in other funds; to be allocated as follows:

(1) Department of Employment Services. – ($100,000) is removed from local funds;

(2) Office of the Deputy Mayor for Planning and Economic Development. – $3,000,000 is added to be available in other funds; provided, that this amount shall be available for the Walter Reed Redevelopment Fund established by section 7 of the Walter Reed Development Omnibus Act of 2016, effective May 18, 2016 (D.C. Law 21-119; 63 DCR 4678);

(3) Office of Planning. – ($110,000) is removed from local funds; and

(4) Office of Zoning. – $175,000 is added to be available in local funds.

Public Safety and Justice

The appropriation for Public Safety and Justice is decreased by $1,650,000 in local funds; to be allocated as follows:

(1) Metropolitan Police Department. – ($1,100,000) is removed from local funds;

(2) Fire and Emergency Medical Services Department. – ($375,000) is removed from local funds;

(3) Criminal Justice Coordinating Council. – ($75,000) is removed from local funds; and

(4) Department of Forensic Sciences. – ($100,000) is removed from local funds.

Public Education System

The appropriation for the Public Education System is decreased by $768,000 in local funds; to be allocated as follows:

(1) Office of the State Superintendent of Education. – $144,000 is added to be available in local funds; provided, that of the total amount budgeted for the Office, $2,300,000 shall be transferred from Nutrition Services (program D500/D501, index LD500, PCA LF501, object 0506) to Professional Development Assistance (program D800/D805, index LD800, PCA LF805, object 0409);

(2) District of Columbia Public Library. – $88,000 is added to be available in local funds;

(3) Special Education Transportation. – ($1,000,000) is removed from local funds;

(4) District of Columbia Public Schools. – all funds deposited, without regard to fiscal year, into assigned local fund balance from the settlement in *United States ex rel. Mills v. Compass Group North America et al.*, 2013 CAB SLD 004624, are authorized for expenditure and shall remain available for expenditure until September 30, 2016; provided further, that the District of Columbia Public Schools ("DCPS") is authorized to spend appropriated funds to pay for DCPS-sponsored student travel, including the cost of transportation, lodging, meals, and admission fees for students and adult chaperones, to locations and venues outside DCPS facilities in accordance with rules promulgated by the Chancellor pursuant to section 105(c)(5) of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174(c)(5)); provided, that such travel be related to the students' curriculum or for the purpose of rewarding student curricular or extra-curricular achievement; and

(5) District of Columbia Public Charter Schools. - there shall be appropriated to the District of Columbia public charter schools on July 1, 2016 an amount equal to 35% or, for new charter school Local Education Agencies that opened for operations for the first time after December 31, 2015 an amount equal to 45%, of the total amount of the local funds appropriation request provided for payments to public charter schools in the proposed budget of the District of Columbia for Fiscal Year 2017 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments in Fiscal Year 2017.

Human Support Services

The appropriation for Human Support Services is decreased by $7,200,000 in local funds; to be allocated as follows:

(1) Department of Youth Rehabilitation Services. – ($5,000,000) is removed from local funds;

(2) Unemployment Compensation Fund. – ($1,000,000) is removed from local funds;

(3) Child and Family Services Agency. – ($350,000) is removed from local funds;

(4) Department of Health Care Finance. – ($200,000) is removed from local funds; and

(5) Department of Parks and Recreation. – ($650,000) is removed from local funds.

Public Works

The appropriation for Public Works is decreased by $8,900,000 in local funds; to be allocated as follows:

(1) Washington Metropolitan Area Transit Authority. – ($8,900,000) is removed from local funds.

Financing and Other

The appropriation for Financing and Other is decreased by $21,443,000 in local funds; to be allocated as follows:

(1) Repayment of Loans and Interest. – ($30,134,000) is removed from local funds;

(2) Settlements and Judgments. – $12,000,000 is added to be available in local funds;

(3) Emergency and Contingency Reserve Funds. – $65,591,000 is added to be available in local funds;

(4) District Retiree Health Contribution. – ($66,400,000) is removed from local funds; and

(5) Repayment of Interest on Short-Term Borrowings. – ($2,500,000) is removed from local funds.

Sec. 3. Remaining Fiscal Year 2016 unexpended revenue of $92,658,000 shall be carried over into Fiscal Year 2017 as fund balance and shall be available as set forth in the approved Fiscal Year 2017 Budget and Financial Plan.

Sec. 4. Of the Fiscal Year 2016 local funds included in the budget of the District of Columbia Housing Authority, $15,000,000 shall be deposited in the DCHA Rehabilitation and Maintenance Fund established by the Fiscal Year 2017 Budget Support Emergency Act of 2016.

Note, § 38-174

Sec. 5. Section 105(c)(5) of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174(c)(5)), is amended by striking the semicolon and inserting the phrase ", including rules and regulations governing the use of DCPS funds for DCPS-sponsored student travel, including the cost of transportation, lodging, meals, and admission fees for students and adult chaperones, to locations and venues outside DCPS facilities; provided, that such travel be related to the students' curriculum or for the purpose of rewarding student curricular or extra-curricular achievement;" in its place.

Sec. 6. Capital project rescissions.

In Fiscal Year 2016, the Chief Financial Officer shall rescind capital project allotments as set forth in the following tabular array, with the savings to be used in accordance with the Fiscal Year 2017 Local Budget Act of 2016:

Owner Agency	Project No	Project Title	Impl Agency	Fund Detail	Existing Allotment Adjustments
AM0 - DEPARTMENT OF GENERAL SERVICES	N1401B	GOVERNMENT CENTERS	AM0	0300	(7,239.86)
	PL102C	ELEVATOR POOL	AM0	0300	(25,361.94)
	PL105C	ARCHIVES RECORDER OF DEEDS	AM0	0300	(356,004.03)
	PL603C	WINDOW REPAIR AND RENOVATION POOL	AM0	0300	(89,931.23)
AT0 - OFFICE OF THE CHIEF FINANCIAL OFFICER	BF301C	SOAR MODERNIZATION	AT0	0300	(6,000,000.00)
BD0 - OFFICE OF PLANNING	PLN38C	SUSTAINABLE DC - AGENCY COMPETITION FUND	BD0	0300	(2,705,868.79)
				0301	(50,000.00)
CR0 - DEPT. OF CONSUMER AND REGULATORY AFFAIRS	EB301C	VACANT PROPERTY INSPECTION AND ABATEMENT	CR0	0300	(74,535.00)
				0301	(1,169.28)
				9000	(12,590.35)
DB0 - DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT	04002C	PROPERTY ACQUISITION & DISPOSITION	DB0	0301	(221,275.70)
	ANC02C	HOUSING RESOURCE CENTER DATABASE	ELC	0302	(159,619.55)
EB0 - DEPUTY MAYOR FOR PLANNING AND ECON DEV	ASC13C	SKYLAND DEVELOPMENT	EB0	0300	(1,235,221.00)
	EB008C	NEW COMMUNITIES	EB0	0300	(16,100,000.00)
FA0 - METROPOLITAN POLICE DEPARTMENT	PEQ22C	SPECIALIZED VEHICLES - MPD	FA0	0300	(230,334.00)
FB0 - FIRE AND EMERGENCY MEDICAL SERVICES	LB737C	ENGINE 5 COMPLETE RENOVATION	AM0	0300	(3,790.81)
	LE337C	ENGINE 16 RENOVATION	AM0	0300	(3,018.88)
HA0 - DEPARTMENT OF PARKS AND RECREATION	DPR08C	MASTER LEASE FOR VEHICLE PURCHASE	ELC	0302	(22,078.39)
	FTLPKC	FORT LINCOLN PARK	AM0	0300	(3,200,000.00)
				0301	(750,000.00)

	QB338C	ROPER / DEANWOOD RECREATION CENTER	AM0	0300	(54,775.22)
	QD137C	CAMP RIVERVIEW REHABILITATION	AM0	0300	(0.09)
	QH750C	PARK IMPROVEMENTS - PROJECT MANAGEMENT	HA0	0300	(200,000.00)
	QI438C	JUSTICE PARK	AM0	0300	(215.36)
	QI937C	ROSEDALE RECREATION CENTER	AM0	0300	(1,307.28)
	QM801C	BENNING TERRACE	AM0	0300	(0.20)
	QN701C	ATHLETIC FIELD IMPROVEMENTS	AM0	0300	(62.00)
	QG638C	KENILWORTH PARKSIDE RECREATION CENTER	AM0	0300	(1,265.13)
	RG001C	GENERAL IMPROVEMENTS - DPR	AM0	0300	(200,000.00)
	RG006C	SWIMMING POOL REPLACEMENT	AM0	0300	(670,713.69)
				0301	(312,300.00)
	RG008C	NOYES FIELD	AM0	0300	(18,700.00)
HT0 - DEPARTMENT OF HEALTH CARE FINANCE	UMC01C	EAST END MEDICAL CENTER	AM0	0300	(3,269,118.89)
JA0 - DEPARTMENT OF HUMAN SERVICES	JAPMSC	PRINTING AND MAILING PROCESSING SYSTEM	ELC	0302	(433,348.00)
	THK16C	TEMPORARY AND PERMANENT SUPPORTIVE HOUSI	AM0	0300	(3,000,000.00)
JZ0 - DEPARTMENT OF YOUTH REHABILITATION SVCS	SH632C	REPLACEMENT OF YES! TO FAMCARE	JZ0	0301	(14,283.37)
KA0 - DEPARTMENT OF TRANSPORTATION	6EQ02C	EQUIPMENT ACQUISITION - DDOT	KA0	0302	(2,501,614.72)
	AD306C	PEDESTRIAN & BICYCLE SAFETY ENHANCEMENTS	KA0	0330	(2,000,000.00)
	AD310C	SHERMAN STREET	KA0	0300	(3,596.14)
	BR005C	H STREET BRIDGE	KA0	0300	(5,000,000.00)
	CA305C	LOCAL ST REHAB SCOPE & DEV	KA0	0330	(226.66)
	CE307C	BRIDGE MAINTENANCE	KA0	0330	(1,500,000.00)
	CK301C	ADVANCED DESIGN & PROJECT DEVT	KA0	0330	(176.84)
	CKT59A	NY AVE SOUTH DAKOTA-DC LINE NH-1108(19)	KA0	0300	(52,927.14)
	ED302C	LOCAL STREETS PARKING STUDIES	KA0	0330	(227,753.29)
	ED303C	LOCAL STREETS TRAFFIC STUDIES	KA0	0330	(130,671.02)
	EDL06C	MINNESOTA AVE. STREETSCAPE IMPROVEMENTS	KA0	0300	(16,667.00)
	EDL07C	HOWARD THEATER STREETSCAPE IMPROVEMENTS	KA0	0300	(4,540.80)
	EDS01C	GREAT STREETS	KA0	0333	(126,721.78)
	EDS02C	GREAT STREETS	KA0	0300	(283,404.34)
				0333	(264,317.78)
	EDS03C	GREAT STREETS	KA0	0333	(14.68)
	EDS04C	GREAT STREETS	KA0	0333	(85,240.90)
	FLD01C	PREVENTION OF FLOODING IN BLOOMINGDALE/L	KA0	0300	(5,100,000.00)
KG0 - DEPARTMENT OF ENERGY AND ENVIRONMENT	SUS04C	SUSTAINABLE DC FUND-2	KG0	0300	(104,291.56)
Grand Total					**(56,826,292.69)**

Sec. 7. Designated fund transfers.
(a) Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year 2016 the following amounts from certified fund balances in the identified accounts to the General Fund of the District of Columbia:

Designated Fund Balance - Overview			
Agency Code	Fund No.	Fund Name	Amount
Budget Support Act:			
AE0		Pay for Success Contract Fund	$2,699,287
		Total	**$2,699,287**
Budget Reserves:			
EN0		Micro Loan/Small Business Capital Access Fund	$228,362
EN0		Streetscape Loan Relief Fund	$1,584,297
		Total	**$1,812,659**
Dedicated Taxes:			
HT0	0111	Healthy DC Fund	$6,908,762
HT0	0112	Stevie Sellows Quality of Care Improvement Fund	$165,764
LQ0	0110	Dedicated Taxes	$881,555
		Total	**$7,956,081**
Purpose Restrictions and Other Special Purposes:			
AT0	0606	Recorder of Deeds Surcharge	$3,000,000
AT0	6115	OFT Central Collection Unit Fund	$1,600,000
AT0	0602	Payroll Service Fees	$11,198
BE0	0639	Agreement with Independent Agencies	$34,682
CJ0	0600	Special Purpose Revenue	$15,332
CR0	6030	Green Building Fund	$1,689,850
CR0	6013	Basic Business License Fund	$268,332
CR0	6020	Board of Engineers Fund	$697,203
CR0	6040	Corporate Recordation Fund	$1,182,879
CR0	6045	Vending Regulations Fund	$1,284,622
CR0	6010	OPLA - Special Account	$26,999
CR0	6006	Nuisance Abatement	$44,862

CR0	6009	Real Estate Appraisal Fee	$30,564
CI0	0600	Cable Franchise Fees	$7,113,314
EB0	0630	Fund from NEDCO and EDFC	$562,550
EB0	0419	H St Retail Priority Area Grant Fund	$3,272,213
HC0	0632	Pharmacy Protection	$2,100,000
HC0	0644	Spay and Neutering Fund	$7,215
HC0	0661	ICF/MR Fees and Fines	$154,086
HC0	0606	Vital Records Revenues	$2,500,000
HC0	0605	SHPDA Fees	$200,000
HC0	0643	Board of Medicine	$600,000
HT0	0631	Medicaid Collections - 3rd Party Liability	$314,173
JA0	0603	SSI Payback	$1,000,000
KA0	6901	DDOT Enterprise Fund - Non Tax Revenues	$3,000,000
SR0	2911	Foreclosure Mediation Fund (Temporary)	$340,500
TO0	0602	DC Net Service Support	$4,800,000
		Total	**$35,850,574**
TOTAL			**$48,318,601**

(b) The total amount identified in subsection (a) of this section shall be made available as set forth in the approved Fiscal Year 2017 Budget and Financial Plan.

(c) In Fiscal Year 2016, the Chief Financial Officer shall transfer the entire fund balance of the GD0 – Credit Enhancement, Geneva Funds account to fund 0610, the Charter School Credit Enhancement Fund, within the Office of the State Superintendent of Education.

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 9. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-416, effective June 23, 2016 (Expiration date September 21, 2016)

AN ACT

Bill 21-746

Emergency Declaration Res. 21-492 21 DCStat 3356

Not Codified

To approve, on an emergency basis, Modification Nos. 0003 and 0004 to Contract No. CW22089 with MVS, Inc. to provide information technology equipment and software and to authorize payment in the not-to-exceed amount of $10,000,000 for the goods and services received and to be received during option year 3 of the contract.

Modifications to Contract No. CW22089 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW22089 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 0003 and 0004 to Contract No. CW22089 with MVS, Inc. to provide information technology equipment and software and authorizes payment in the not-to-exceed amount of $10,000,000 for the goods and services received and to be received during option year 3 of the contract, from April 1, 2016 through March 31, 2017.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-417, effective June 23, 2016 (Expiration date September 21, 2016)

AN ACT

Bill 21-756

Emergency Declaration Res. 21-494 21 DCStat 3359

Not Codified

To approve, on an emergency basis, Change Order Nos. 005 through 016, inclusive, to Contract No. DCAM-12-M-1031H-FM with MCN Build, LLC, for design-build services for Powell Elementary School and to authorize payment in the aggregate amount of $11,292,587.82 for the goods and services received and to be received under the change orders.

Change Orders to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Order Nos. 005 through 016, inclusive, with MCN Build, LLC, for design-build services for Powell Elementary School and authorizes payment in the aggregate amount of $11,292,587.82 for the goods and services received and to be received under the change orders.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-418, effective June 24, 2016 (Expiration date September 22, 2016)

AN ACT

Bill 21-757

Emergency Declaration Res. 21-495 21 DCStat 3361

Not Codified

To approve, on an emergency basis, Modification Nos. 0002 and 0004 to Contract No. DCRL-2016-R-0004 with the Far Southeast Family Strengthening Collaborative to provide community-based social welfare services and to authorize payment in the aggregate not-to-exceed amount of $1,067,202.37 for the goods and services received and to be received under the modifications.

Modifications to Contract No. DCRL-2016-R-0004 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. DCRL-2016-R-0004 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 0002 and 0004 to Contract No. DCRL-2016-R-0004 with the Far Southeast Family Strengthening Collaborative to provide community-based child welfare services and authorizes payment in the aggregate not-to-exceed amount of $1,067,202.37 for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-419, effective June 23, 2016 (Expiration date September 12, 2016)

AN ACT

Bill 21-760

Emergency Declaration Res. 21-490 21 DCStat 3354

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Prevention of Child Abuse and Neglect Act of 1977 to include in the definition of case plan an additional requirement for children 14 years of age and older, to define the reasonable and prudent parent standard, to require that foster children receive a credit report on an annual basis beginning at 14 years of age, and to require the use of the reasonable and prudent parent standard by foster parents and group homes; and to amend section 16-2323 of the District of Columbia Official Code to require additional reporting requirements for children who have been placed in another planned permanent living arrangement.

Supporting Normalcy and Empowering Children in Foster Care Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Supporting Normalcy and Empowering Children in Foster Care Congressional Review Emergency Amendment Act of 2016".

Note, § 4-1301.02

Sec. 2. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 4–1301.02) is amended as follows:

(1) Paragraph (3) is amended as follows:

(A) Subparagraph (B) is amended by striking the phrase "under the plan;" and inserting the phrase "under the plan. With respect to a child who has attained 14 years of age, the plan, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with up to 2 members of the case planning team who are chosen by the child and who are not a foster parent of, or caseworker for, the child. The agency may reject an individual selected by a child to be a member of the case planning team at any time if the agency has good cause to believe that the individual would not act in the best interests of the child. One individual selected by a child to be a member of the child's case planning team may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child." in its place.

(B) Subparagraph (D) is amended by striking the phrase "16 years of age" and inserting the phrase "14 years of age" in its place.

(2) A new paragraph (16A) is added to read as follows:

"(16A) "Reasonable and prudent parent standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth

of the child, that should be used when determining whether to allow a child to participate in extracurricular, enrichment, cultural, and social activities.".

Note, § 4-1303.03

(b) Section 303(a)(16)(A) (D.C. Official Code § 4–1303.03(a)(16)(A)) is amended as follows:

(1) Sub-subparagraph (ii) is amended by striking the phrase "District of Columbia; or" and inserting the phrase "District of Columbia;" in its place.

(2) Sub-subparagraph (iii) is amended by striking the phrase "terminated." and inserting the phrase "terminated; or" in its place.

(3) A new sub-subparagraph (iv) is added to read as follows:

"(iv) The ward reaches 14 years of age and on an annual basis thereafter.".

Note, § 4-1303.03f

(c) A new section 303f is added to read as follows

"Sec. 303f. Reasonable and prudent parent standard.

"(a) Foster parents and group homes for children who have been abused or neglected shall use the reasonable and prudent parent standard when determining whether to allow a ward to participate in extracurricular, enrichment, cultural, and social activities.

"(b) The Agency, foster parents, and group homes shall not be held liable for any civil damages resulting from the application of, or the failure to apply, the reasonable and prudent parent standard, except in cases constituting gross negligence.".

Note, § 16-2323

Sec. 3. Section 16-2323(d)(4) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the word "and".

(b) A new subparagraph (D) is added to read as follows:

"(D) For a child placed in another planned permanent living arrangement, the steps taken by the agency to ensure that the reasonable and prudent parent standard, as defined in section 102(16A) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(16A)), has been followed and that the child has opportunities to engage in age-appropriate or developmentally appropriate activities; and".

Retroactive Applicability

Sec. 4. Applicability.

This act shall apply as of June 14, 2016.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-420, effective June 23, 2016 (Expiration date September 13, 2016)

AN ACT

Bill 21-761

Emergency Declaration Res. 21-491 21 DCStat 3355

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 and the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000 to create incentives for the retention and recruitment of Metropolitan Police Department officers.

Metropolitan Police Department Officer Retention and Recruitment Incentives Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Metropolitan Police Department Officer Retention and Recruitment Incentives Congressional Review Emergency Amendment Act of 2016".

Note, § 1-611.03

Sec. 2. Section 1103 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.03), is amended as follows:

(a) Subsection (f)(1) is repealed.

(b) A new subsection (g) is added to read as follows:

"(g)(1) The Chief of Police may grant time off, to be considered FLSA-exempt, to uniformed members of the Metropolitan Police Department at the rank of Inspector and above, and the civilian equivalents, for work performed in excess of an 80-hour biweekly pay period, excluding roll call; provided, that:

"(A) FLSA-exempt time off granted to any individual employee shall not exceed a total of 80 hours in any consecutive 12-month period;

"(B) FLSA-exempt time off shall be forfeited if not used by the end of the leave year following the leave year in which it was earned; and

"(C) FLSA-exempt time off not used at the time of an employee's separation from service shall not be included in any form of leave payment.

"(2) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this subsection.".

Note, § 5-107.01

Sec. 3. Section 202(e) of the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.01(e)), is amended as follows:

(a) The lead-in language is amended by striking the phrase "As of the effective date of the Metropolitan Police Department Amendment Act of 2006, passed on 2nd reading on December 5, 2006 (Enrolled version of Bill 16-586), to" and inserting the word "To" in its place.

(b) Paragraph (2) is amended by striking the phrase "3 years" and inserting the phrase "2 years" in its place.

(c) Paragraph (3) is amended by striking the phrase "5 years" and inserting the phrase "3 years" in its place.

Retroactive Applicability

Sec. 4. Applicability.

This act shall apply as of June 15, 2016.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-421, effective June 23, 2016 (Expiration date September 21, 2016)

AN ACT

Bill 21-762

Emergency Declaration Res. 21-503 21 DCStat 3386

Not Codified

To approve, on an emergency basis, Modification 12 of Contract No. CFOPD-11-C-040 with eFunds Corporation to continue to provide electronic benefits transfer services to the Office of the Chief Financial Officer on behalf of the Office of Finance and Treasury, and to authorize payment for the services received and to be received under the contract.

Contract No. CFOPD-11-C-040 Extension Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CFOPD-11-C-040 Extension Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification 12 of Contract No. CFOPD-11-C-040 with eFunds Corporation to continue to provide electronic benefits transfer services to the Office of the Chief Financial Officer on behalf of the Office of Finance and Treasury and authorizes payment in the not-to-exceed amount of $2,004,817.19 for services received and to be received under the contract from April 14, 2016, through April 13, 2018.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-422, effective June 23, 2016 (Expiration date September 21, 2016)

AN ACT

Bill 21-770

Emergency Declaration Res. 21-506 21 DCStat 3391

Not Codified

To approve, on an emergency basis, Modification Nos. 005 and 006 and proposed Modification No. 007 to Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS with Good Hope Institute to continue to provide methadone maintenance and counseling treatment services to eligible District residents and to authorize payment for the services received and to be received under the modifications.

Modifications to Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 005 and 006 and proposed Modification No. 007 to Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS with Good Hope Institute to continue to provide methadone maintenance and counseling treatment services to eligible District residents and authorizes payment in the amount of $1,060,000 for services received and to be received under the modifications from October 2, 2015, through October 1, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-423, effective June 23, 2016 (Expiration date September 21, 2016)

AN ACT

Bill 21-771

Emergency Declaration Res. 21-518 21 DCStat 3409

Not Codified

To approve, on an emergency basis, Contract No. CW40550 with Riva Modeling Systems, Inc. to provide information technology services supporting the Asset Management Program, including Modification No. 0001 to that contract, and to authorize payment in the total amount of $1,395,000 for the goods and services received and to be received under the contract as modified by Modification No. 0001.

Contract No. CW40550 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW40550 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW40550 with Riva Modeling Systems, Inc. to provide information technology services supporting the Asset Management Program, including Modification No. 0001 to that contract, and authorizes payment in the total amount of $1,395,000 for goods and services received and to be received under the contract as modified by Modification No. 0001.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-424, effective June 23, 2016 (Expiration date September 21, 2016)

AN ACT

Bill 21-772

Emergency Declaration Res. 21-510 21 DCStat 3397

Not Codified

To approve, on an emergency basis, Modification Nos. M009, M010, and M011 and proposed Modification No. M012 to Contract No. CW18948 with Aramark Correctional Services, LLC to continue to provide food services to inmates of the Department of Corrections' Central Detention Facility and Correctional Treatment Facility and to authorize payment for the services received and to be received under the modifications.

Modifications to Contract No. CW18948 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. CW18948 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. M009, M010, and M011 and proposed Modification No. M012 to Contract No. CW18948 with Aramark Correctional Services, LLC to continue to provide food services to inmates of the Department of Corrections' Central Detention Facility and Correctional Treatment Facility and authorizes payment in the amount of $4,093,110.50 for services received and to be received under the contract modifications from March 1, 2016, through February 28, 2017.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-425, effective June 23, 2016 (Expiration date September 21, 2016)

AN ACT

Bill 21-773

Emergency Declaration Res. 21-507 21 DCStat 3393

Not Codified

To approve, on an emergency basis, Modification Nos. M020, M021, and M023, and proposed Modification No. M025 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to continue to provide case management and traditional and therapeutic family-based foster care services for children, and to authorize payment for the services received and to be received under these modifications.

Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Clarification Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Clarification Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. M020, M021, and M023, and proposed Modification No. M025 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to continue to provide case management and traditional and therapeutic family-based foster care services for children, and authorizes payment in the total not-to-exceed amount of $10,563,472.10 for services received and to be received under these modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-426, effective June 23, 2016 (Expiration date September 21, 2016)

AN ACT

Bill 21-776

Emergency Declaration Res. 21-505 21 DCStat 3389

Not Codified

To approve, on an emergency basis, Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008, and Modification Nos. 1 and 2 to Contract No. DCHT-2016-C-0003 with Universal Home Healthcare, Inc. to provide temporary staffing services for Personal Care Assistance to meet the needs of District Medicaid beneficiaries for the Department of Healthcare Finance and to authorize payment for the services received and to be received under these contracts and modifications.

Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008 Modification Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008 Modification Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008, and Modification Nos. 1 and 2 to Contract No. DCHT-2016-C-0003 with Universal Home Healthcare, Inc. to provide temporary staffing services for Personal Care Assistance to meet the needs of District Medicaid beneficiaries for the Department of Healthcare Finance and authorizes payment in the amount of $1,465,000 for services received and to be received under these contracts and modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-427, effective June 23, 2016 (Expiration date September 21, 2016)

AN ACT

Bill 21-782

Emergency Declaration Res. 21-504 21 DCStat 3387

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide certain medical marijuana cultivation center applicants with the ability to relocate to another election ward.

Medical Marijuana Cultivation Center Relocation Emergency Amendment Act of 2016

Note, § 7-1671.06

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Cultivation Center Relocation Emergency Amendment Act of 2016".

Sec. 2. Section 7(d)(3) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06(d)(3)), is amended by adding a new subparagraph (C) to read as follows:

"(C) Any applicant that submitted an application on July 19, 2015, for a registration to operate a cultivation center shall be allowed to modify the location of the cultivation center on its application without negatively affecting the current status of the application.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788, D.C. Official Code § 1-204.12(a)).

D.C. Act 21-428, effective June 28, 2016 (Expiration date September 26, 2016)

AN ACT

Bill 21-789

Emergency Declaration Res. 21-519 21 DCStat 3410

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Minimum Wage Act Revision Act of 1992 to progressively increase the minimum wage to $15 an hour by 2020, beginning in 2021 to increase the minimum wage during each successive year pursuant to the Consumer Price Index, to progressively increase the minimum wage for an employee who receives gratuities to $5 an hour by 2020, beginning in 2021 to increase the minimum wage for an employee who receives gratuities during each successive year pursuant to the Consumer Price Index, and to require the Mayor to submit a biannual compliance report to the Council; and to amend the Living Wage Act of 2006 to provide that the minimum wage requirements of the Minimum Wage Act Revision Act of 1992 shall apply to contracts and agreements for government assistance if the minimum wage is higher than the living wage.

Fair Shot Minimum Wage Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fair Shot Minimum Wage Emergency Amendment Act of 2016".

Sec. 2. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

Note, § 32-1002

(a) Section 3(3) (D.C. Official Code § 32-1002(3) is amended as follows:

(1) Strike the word "includes" and insert the phrase "includes the District of Columbia government," in its place.

(2) Strike the phrase "or the District of Columbia" and insert the word "government" in its place.

Note, § 32-1003

(b) Section 4 (D.C. Official Code § 32-1003) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (5) is amended to read as follows:

"(5)(A) Except as provided in subsection (h) of this section and subparagraph (B) of this paragraph, the minimum hourly wage required to be paid to an employee by an employer shall be as of:

"(i) July 1, 2016: $11.50;
"(ii) July 1, 2017: $12.50;
"(iii) July 1, 2018: $13.25;
"(iv) July 1, 2019: $14.00; and
"(v) July 1, 2020: $15.00.

"(B) If the minimum wage set by the United States government pursuant to the Fair Labor Standards Act ("U.S. minimum wage") is greater than the minimum hourly

wage currently being paid pursuant to subparagraph (A) of this paragraph, the minimum hourly wage paid to an employee by an employer shall be the U.S. minimum wage plus $1.".

(B) Paragraph (6) is amended as follows:

(i) Subparagraph (A) is amended by striking the date "July 1, 2017" and inserting the date "July 1, 2021," in its place.

(ii) Subparagraph (B) is repealed.

(2) Subsection (f) is amended to read as follows:

"(f)(1) The minimum hourly wage required to be paid by an employer to an employee who receives gratuities ("tipped minimum wage"), provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum hourly wage as set by subsection (a) of this section, shall be as of:

"(A) January 1, 2005: $2.77;

"(B) July 1, 2017: $3.33;

"(C) July 1, 2018: $3.89:

"(D) July 1, 2019: $ 4.45; and

"(E) July 1, 2020: $ 5.00.

"(2) Beginning on July 1, 2021, and no later than July 1 of each successive year, the tipped minimum wage shall be increased in proportion to the annual average increase, if any, in the Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor for the previous calendar year. Any increase under this paragraph shall be adjusted to the nearest multiple of $.05.".

(3) A new subsection (f-1) is added to read as follows:

"(f-1) The Mayor shall publish in the District of Columbia Register, on the Department of Employment Services website, and make available to employers in a bulletin, the adjusted minimum hourly wage to be paid by an employer to an employee pursuant to subsections (a)(5) and (6) and (f) of this section at least 30 days before an increase is scheduled to go into effect.".

Note, § 32-1009.01

(c) Section 10a(c)(2) (D.C. Official Code § 32-1009.01(c)(2)) is amended by striking the phrase "an annual" and inserting the phrase "a quarterly" in its place.

Note, New § 32-1007.01

(d) A new section 8a is added to read as follows:

"Sec. 8a. Reporting.

"The Mayor shall submit biannually a report to the Council regarding any audits or inspections conducted related to compliance with this act or any regulation issued pursuant to this act. Each report shall include:

"(1) The number of employers inspected for compliance due to complaints received, categorized by size of the employer based on the number of employees;

"(2) The number of employers inspected for compliance as a result of a random audit, categorized by size of the employer based on the number of employees;

"(3) The number of violations, by type of violation; and

"(4) An explication of the actions the Mayor took pursuant to section 12 against each employer charged with violating this act or any regulation issued pursuant to this act, including a list of fines assessed against the employer.".

Sec. 3. The Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *et seq.*), is amended as follows:

(a) Section 103 (D.C. Official Code § 2-220.03) is amended by adding a new subsection (f) to read as follows: **Note, § 2-220.03**

"(f) Notwithstanding the requirements of subsections (a), (b), and (c) of this section, at no time shall the living wage be less than the minimum wage established pursuant to section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).".

(b) Section 111 (D.C. Official Code § 2-220.11) is amended as follows: **Note, § 2-220.11**

(1) Subsection (a) is amended by striking the phrase "The requirements of" and inserting the phrase "Except as provided in subsection (c) of this section, the requirements of" in its place.

(2) Subsection (b) is repealed.

(3) A new subsection (c) is added to read as follows:

"(c) The minimum wage required by section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003) ("Minimum Wage Act"), shall apply to an agreement entered into, renewed, or extended on or after the effective date of the Fair Shot Minimum Wage Amendment Act of 2016, passed on 2nd reading on June 21, 2016 (Enrolled version of Bill 21-712); provided, that the living wage is lower than the minimum wage required by section 4 of the Minimum Wage Act.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-433, effective June 29, 2016 (Expiration date September 27, 2016)

AN ACT

Bill 21-748

Emergency Declaration Res. 21-513 21 DCStat 3401

Not Codified

To approve, on an emergency basis, Contract No. DCKT-2016-C-0017 with Strittmatter Metro, LLC to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0017 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCKT-2016-C-0017 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DCKT-2016-C-0017 with Strittmatter Metro, LLC to provide goods and services to the District during a declared state of emergency, and authorizes payment in the total amount of $4,475,467.50 for the goods and services received under the contract for the period from January 21, 2016, through February 5, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-434, effective June 29, 2016 (Expiration date September 27, 2016)

AN ACT

Bill 21-749

Emergency Declaration Res. 21-511 21 DCStat 3399

Not Codified

To approve, on an emergency basis, Contract No. DCKT-2016-C-0018 with JJ Prime Services, LLC to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0018 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCKT-2016-C-0018 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DCKT-2016-C-0018 with JJ Prime Services, LLC to provide goods and services to the District during a declared state of emergency, and authorizes payment in the total amount of $1,941,129.33 for the goods and services received under the contract for the period from January 21, 2016, through February 5, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-435, effective June 29, 2016 (Expiration date September 27, 2016)

AN ACT

Bill 21-750

Emergency Declaration Res. 21-493 21 DCStat 3357

Not Codified

To approve, on an emergency basis, the Amendment for Partial Exercise of Option Year 002 to Contract No. DCAM-14-NC-0046B, and Change Order Nos. 001 through 006, inclusive, to that Amendment, with Kramer Consulting, P.C. to provide program management services for the Department of Parks and Recreation's capital construction portfolio and to authorize payment in the aggregate not-to-exceed amount of $2,454,680 for the goods and services received and to be received during option year 2 of the contract.

Amendment and Change Orders to Contract No. DCAM-14-NC-0046B Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Amendment and Change Orders to Contract No. DCAM-14-NC-0046B Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the Amendment for Partial Exercise of Option Year 002 to Contract No. DCAM-14-NC-0046B, and Change Order Nos. 001 through 006, inclusive, to that Amendment, with Kramer Consulting, P.C. to provide program management services for the Department of Parks and Recreation's capital construction portfolio and authorizes payment in the aggregate not-to-exceed amount of $2,454,680 for the goods and services received and to be received during option year 2 of the contract, from October 1, 2015 through September 30, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-436, effective June 29, 2016 (Expiration date September 27, 2016)

AN ACT

Bill 21-755

Emergency Declaration Res. 21-512 21 DCStat 3400

Not Codified

To approve, on an emergency basis, Contract No. DCKT-2016-C-0020 with H.U.R.B. Landscaping, Inc. to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0020 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCKT-2016-C-0020 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DCKT-2016-C-0020 with H.U.R.B. Landscaping, Inc. to provide goods and services to the District during a declared state of emergency, and authorizes payment in the total amount of $1,557,607 for the goods and services received under the contract for the period from January 21, 2016, through February 5, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-437, effective June 29, 2016 (Expiration date September 27, 2016)

AN ACT

Bill 21-758

Emergency Declaration Res. 21-517 21 DCStat 3408

Not Codified

To approve, on an emergency basis, proposed multiyear Contract No. DCAM-14-CS-0123B with DC Solar JV to deploy solar energy generation systems at approximately 15 District government buildings, and to authorize payment for the power generated by the systems for a 20-year period.

Contract No. DCAM-14-CS-0123B Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCAM-14-CS-0123B Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.5l), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DCAM-14-CS-0123B with DC Solar JV to deploy solar energy generation systems at approximately 15 District government buildings, and authorizes payment for the power generated by the systems for a 20-year period.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-438, effective June 29, 2016 (Expiration date September 27, 2016)

AN ACT

Bill 21-767

Emergency Declaration Res. 21-514 21 DCStat 3401

Not Codified

To approve, on an emergency basis, Contract No. DCKT-2016-C-0019 with Total Civil Construction to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0019 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCKT-2016-C-0019 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. DCKT-2016-C-0019 with Total Civil Construction to provide goods and services to the District during a declared state of emergency, and authorizes payment in the total amount of $9,889,455.10 for the goods and services received under the contract for the period from January 21, 2016, through February 5, 2016.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-439, effective June 30, 2016 (Expiration date September 28, 2016)

AN ACT

Bill 21-768

Emergency Declaration Res. 21-515 21 DCStat 3404

Not Codified

To approve, on an emergency basis, Modification Nos. M014, M015, and M016 and proposed Modification No. M017 to Contract No. DCKA-2012-C-0089 with Capitol Paving of D.C., Inc. to provide local pavement street repairs and improvements, and to authorize payment for the services received and to be received under the modifications.

Modifications to Contract No. DCKA-2012-C-0089 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. DCKA-2012-C-0089 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. M014, M015, and M016 and proposed Modification No. M017 to Contract No. DCKA-2012-C-0089 with Capitol Paving of D.C., Inc. to provide local pavement street repairs and improvements, and authorizes payment in the total not-to-exceed amount of $27,980,239 for services received and to be received under the contract for the period from April 9, 2016, through April 8, 2017.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a

D.C. Act 21-440, effective June 30, 2016 (Expiration date September 28, 2016)

AN ACT

Bill 21-769

Emergency Declaration Res. 21-509 21 DCStat 3396

Not Codified

To approve, on an emergency basis, Change Orders Nos. 007 through 012 to Contract No. DCAM-13-CS-0136 with Smoot Gilbane II Joint Venture for design-build services for the Roosevelt High School modernization, and to authorize payment to Smoot Gilbane II Joint Venture for the goods and services received and to be received under these change orders.

Change Orders Nos. 007 through 012 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders Nos. 007 through 012 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Change Orders Nos. 007 through 012 to Contract No. DCAM-13-CS-0136 with Smoot Gilbane II Joint Venture, for the modernization of Roosevelt High School, in the aggregate amount of $1,737,232, and authorizes payment for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-441, effective June 30, 2016 (Expiration date September 28, 2016)

AN ACT

Bill 21-774

Emergency Declaration Res. 21-516 21 DCStat 3406

Not Codified

To approve, on an emergency basis, Modification Nos. 04 and 05 to Contract No. DCAM-15-NC-0085B with National Service Contractors, Inc. for ground maintenance services, and to authorize payment in the aggregate amount of $1,343,785.35 for the goods and services received and to be received under the modifications.

Modification Nos. 04 and 05 to Contract No. DCAM-15-NC-0085B Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. 04 and 05 to Contract No. DCAM-15-NC-0085B Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 04 and 05 to Contract No. DCAM-15-NC-0085B with National Service Contractors, Inc. for grounds maintenance services, and authorizes payment in the aggregate amount of $1,343,785.35 for the goods and services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-442, effective June 30, 2016 (Expiration date September 28, 2016)

AN ACT

Bill 21-775

Emergency Declaration Res. 21-508 21 DCStat 3395

Not Codified

To approve, on an emergency basis, the first amendment to the multiyear Washington Metropolitan Area Transit Authority Capital Funding Agreement to extend the term of the agreement to June 30, 2017, and to provide funding for a capital improvement program in the amount of $92.1 million.

First Amendment to the Washington Metropolitan Area Transit Authority Capital Funding Agreement Emergency Approval Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "First Amendment to the Washington Metropolitan Area Transit Authority Capital Funding Agreement Emergency Approval Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), the Council approves the First Amendment to the Local Capital Funding Agreement between the District and the Washington Metropolitan Area Transit Authority, submitted by the Mayor on June 3, 2016, to provide for a one-year extension of the Washington Metropolitan Area Transit Authority Capital Funding Agreement, approved by the Council on June 29, 2010 (Res. 18-534; 57 DCR 5868), from July 1, 2016, to June 30, 2017, and to provide additional funding to a capital improvement program for the Washington Metropolitan Area Transit Authority metro system in the amount of $92.1 million.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

A RESOLUTION

Proposed Resolution 21-302

To declare the sense of the Council in support of the development of a "Statehood or Else" multimedia campaign that produces a petition supporting District of Columbia statehood, collects one million signatures for the petition, and delivers the petition to the White House, to all 535 members of Congress, and to leadership at both the 2016 Republican National Convention and the 2016 Democratic National Convention.

Sense of the Council in Support of a 'Statehood or Else' Signature Campaign Resolution of 2015

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council in Support of a 'Statehood or Else' Signature Campaign Resolution of 2015".

Sec. 2. The Council finds that:

(1) Without statehood, the District of Columbia will continue to be denied democratic equality and its citizens will continue to suffer taxation without representation;

(2) Statehood is the most appropriate mechanism to grant the United States citizens who reside in the District of Columbia the full rights and privileges of American citizenship, which include not only equal representation in the United States House of Representatives and the United States Senate, but also full control over local affairs and budget autonomy;

(3) The District of Columbia, with 658,893 residents, has a larger population than both Vermont and Wyoming;

(4) The District of Columbia's gross domestic product is larger than that of New Mexico, Hawaii, West Virginia, New Hampshire, Idaho, Delaware, North Dakota, Alaska, Maine, South Dakota, Wyoming, Montana, Rhode Island, and Vermont;

(5) The District of Columbia's local economy is one of the strongest in the nation with excellent credit ratings from Wall Street;

(6) District of Columbia residents pay $1.6 billion a year in federal taxes, more per person than the residents of any state in the United States;

(7) The District of Columbia has a $12.5 billion budget, larger than that of 12 states;

(8) The New Columbia Statehood Commission ("Commission"), which consists of the Mayor, the Chairman of the Council, and the Statehood Delegation, should, within 30 days of the adoption of this resolution or as soon as feasible, create a "Statehood or Else" multimedia campaign and should work with Congresswoman Eleanor Holmes Norton and other individuals in the public and government spheres that the Commission considers necessary or appropriate;

(9) The goals of the "Statehood or Else" multimedia campaign should be to produce a petition supporting District of Columbia statehood and to collect at least one million signatures for the petition;

(10) The 2016 Republican National Convention will convene in Cleveland, Ohio from July 18 to 21, 2016, and the 2016 Democratic National Convention will convene in Philadelphia, Pennsylvania from July 25 to 28, 2016;

(11) Before each party chooses its nominees for President and Vice President of the United States for the 2016 election, copies of the petition supporting District of Columbia statehood should be delivered to the White House, to all 535 members of Congress, and to leadership at both the 2016 Republican National Convention and the 2016 Democratic National Convention to demonstrate the importance of statehood for the District of Columbia;

(12) At a July 21, 2014 town-hall meeting regarding the My Brother's Keeper Initiative at Walker-Jones Education Campus in Washington, D.C., President Barack Obama publicly endorsed statehood for the District of Columbia;

(13) District of Columbia Emancipation Day is the District of Columbia's only legal public holiday and commemorates the signing of the "District of Columbia Compensated Emancipation Act" on April 16, 1862, which ended slavery in Washington, D.C. and freed 3,100 individuals;

(14) District of Columbia Emancipation Day is recognized annually on April 16th and reminds us to reaffirm our commitment to forge a more just and united country that truly reflects the ideals of its founders and instills in its people a broad sense of duty to be responsible and conscientious stewards of freedom and democracy;

(15) In 2016, the entire nation will receive a 3-day tax-filing extension until Monday, April 18th because April 16th falls on a Saturday, causing the District officially to celebrate District of Columbia Emancipation Day on Friday, April 15, 2016. Residents of Maine and Massachusetts will receive an additional one-day tax-filing extension until Tuesday, April 19, 2016, due to the fact that those states celebrate a state holiday on April 18th, known as Patriots' Day, which commemorates the battles of Lexington and Concord in 1775. This nationally recognized tax-filing extension is an opportunity to educate the nation on the importance of District of Columbia Emancipation Day;

(16) President Barack Obama's last day as president will be January 20, 2017, and he should serve as the keynote speaker for the Emancipation Day Prayer Breakfast on Saturday, April 16, 2016, the final District of Columbia Emancipation Day celebration before his departure from office.

Sec. 3. It is the sense of the Council that the District of Columbia should further its efforts to achieve statehood by creating a "Statehood or Else" multimedia campaign that produces a petition supporting District of Columbia statehood, collects one million signatures for the petition, and delivers the petition to the White House, to all 535 members of Congress, and to leadership at both the 2016 Republican National Convention and the 2016 Democratic National Convention.

Sec. 4. The Council shall transmit copies of this resolution, upon its adoption, to the Mayor, the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the District of Columbia Democratic State Committee, and the District of Columbia Republican Party.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-661

See Emergency D.C. Act 21-394 21 DCStat 3201

To declare the existence of an emergency with respect to the need to approve Modification Nos. 0007 and 0008 to Contract No. CW25933 with Public Performance Management, LLC, to provide mission oriented business integrated services (MOBIS) and to authorize payment for the goods and services received and to be received under the contract.

Modifications to Contract No. CW25933 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW25933 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Modifications Nos. 0007 and 0008 to Contract No. CW25933 with Public Performance Management, LLC to provide mission oriented business integrated services (MOBIS) and to authorize payment for the goods and services received and to be received under that contract during option year 2, from January 29, 2016 through January 28, 2017.

(b) On January 29, 2014, the Office of Contracting and Procurement ("OCP") entered into Contract No. CW25933 with Public Performance Management, LLC to provide MOBIS for the base period January 29, 2014 through January 28, 2015, and 4 option years, in the not-to-exceed contract amount of $950,000.00. On January 29, 2015, by Modification No. 0002, the District partially exercised option year one of the contract for the period January 29, 2015 through March 2, 2015 in the not-to-exceed contract amount of $500,000.00. On March 3, 2015, by Modification No. 0003, the District exercised the balance of option year one for the period March 3, 2015 through January 28, 2016 and increased the not-to-exceed contract amount for option year one to $10,000,000.00. On January 28, 2016, by Modification No. 0004, the District partially exercised option year 2 of the contract for the period January 29, 2016 through April 28, 2016. On February 23, 2016, by Modification No. 0005, the District further partially exercised option year 2 for the period April 29, 2016 through May 28, 2016 in the not-to-exceed contract amount of $500,000.00.

(c) By Modification Nos. 0007 and 0008 to Contract No. CW25933, OCP now desires to exercise the balance of option year 2 for the period May 29, 2016 through January 28, 2017 and to increase the not-to-exceed contract amount for option year 2 from $500,000.00 to $10,000,000.00.

(d) The aggregate value of Modification Nos. 0007 and 0008 to Contract No. CW25933 exceeds the $1 million threshold under section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(e) Approval of Modifications Nos. 0007 and 0008 to Contract No. CW25933 is necessary to allow Public Performance Management, LLC to continue to provide these vital

services. Without this approval, Public Performance Management, LLC cannot be paid for services provided in excess of $1million during option year 2.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW25933 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-416, effective March 1, 2016

A RESOLUTION

Proposed Resolution 21-405

To approve the disposition of District-owned real property located between 1300 and 1100 Alabama Ave. S.E., and known for tax and assessment purposes as Lots 809, 811, 812, 813, and 823 in Square S-5868.

St. Elizabeths East Campus – Phase I Disposition Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "St. Elizabeths East Campus – Phase I Disposition Approval Resolution of 2016".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Act" means An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*).

(2) "CBE Act" means the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) "Certified Business Enterprise" means a business enterprise or joint venture certified pursuant to the CBE Act.

(4) "Developer" means Redbrick LMD, LLC, a Delaware limited liability company, with a business address of 1616 H Street, N.W., Suite 600, Washington, D.C. 20006, and Gragg-Cardona Partners, with a business address of 8630 Fenton Street, Suite 910, Silver Spring, MD 20910, and the single purpose entity formed by and between Redbrick LMD, LLC and Gragg-Cardona Partners for the purpose of developing the Property, or its successor, or one of its affiliates or assignees, as approved by the Mayor.

(5) "First Source Agreement" means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983), regarding job creation and employment generated as a result of the construction on the Property.

(6) "Property" means the real property located between 1300 and 1100 Alabama Ave. S.E., and known for tax and assessment as Lots 809, 811, 812, 813, and 823 in Square S-5868.

Sec. 3. Findings.

(a) The Property is approximately 15.8 acres in area and includes vacant parcels and historic vacant buildings.

(b) The intended use of the Property is as a mixed-use development providing affordable housing, residential market-rate housing, retail, and any ancillary uses allowed under applicable law, as further described in the term sheet submitted to the Council for consideration with this resolution pursuant to section 1(b-1)(2) of the Act (D.C. Official Code § 10-801(b-1)(2)).

(c) The Developer shall comply with the requirements of section 1(a-3) of the Act (D.C. Official Code § 10-801(a-3)) by dedicating 30% of all multi-family units as affordable-housing units.

(d) The Developer shall enter into an agreement that requires the Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract-dollar volume of the project, and requires, in accordance with section 2349a of the CBE Act (D.C. Official Code § 2-218.49a), at least 20% in equity participation and 20% in development participation of Certified Business Enterprises.

(e) The Developer shall enter into a First Source Agreement.

(f) The proposed method of disposition is a public or private sale to the bidder providing the most benefit to the District under section 1(b)(8)(F) of the Act (D.C. Official Code § 10-801(b)(8)(F)) for a portion of the Property, and a lease of greater than 20 years under section 1(b)(8)(C) of the Act (D.C. Official Code § 10-801(b)(8)(C)) for a portion of the Property, as further described in the documents submitted to the Council for consideration with this resolution.

(g) All documents that are submitted with this resolution pursuant to section 1(b-1) of the Act (D.C. Official Code § 10-801(b)) shall be consistent with the executed Memorandum of Understanding or term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act (D.C. Official Code § 10-801(b-1)(2)).

Sec. 4. Approval of disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a proposed resolution for approval of the disposition of the Property to the Developer.

(b) The Council approves the disposition of the Property.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 7. Effective date.
This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-474

To confirm the appointment of Ms. Anita Butani D'Souza to the Board of Zoning Adjustment.

Board of Zoning Adjustment Anita Butani D'Souza Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Zoning Adjustment Anita Butani D'Souza Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Anita Butani D'Souza
605 Q Street, N.W.
Washington, D.C. 20001
(Ward 6)

as a member of the Board of Zoning Adjustment, established by section 8 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes, approved June 20, 1938 (52 Stat. 799; D.C. Official Code § 6-641.07), for a term to end September 30, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-438, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-597

***See* Emergency D.C. Act 21-361 21 DCStat 3180**

To declare the existence of an emergency, due to congressional review, with respect to the need to create a rebate program for the installation and registration of a security camera system on the exterior of a building owned or leased as a residence, business, nonprofit, or religious institution, and to establish a special fund to implement the rebate program.

Private Security Camera Incentive Program Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Private Security Camera Incentive Program Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) On January 5, 2016, the Council passed the Private Security Camera Incentive Program Emergency Act of 2016, effective January 15, 2016 (D.C. Act 21-274; 63 DCR 803) (the "emergency legislation"), to create a rebate program for the installation and registration of a security camera system on the exterior of a building owned or leased as a residence, business, nonprofit, or religious institution, and to establish a special fund to implement the rebate program.

(b) On February 2, 2016, the Council passed a temporary version of the emergency legislation, the Private Security Camera Incentive Program Temporary Act of 2016, enacted on February 18, 2016 (D.C. Act 21-318; 63 DCR 2208) (the "temporary legislation"), with amendments.

(c) On March 1, 2016, the Council passed the Neighborhood Engagement Achieves Results Amendment Act of 2016, enacted on March 26, 2016 (D.C. Act 21-356; 63 DCR 4659) (the "permanent legislation"), which included, as subtitle K of title II, a permanent version of the temporary bill, with amendments to provide for a voucher program.

(d) This congressional review emergency is needed to ensure that there is no gap in the law between the expiration of the emergency legislation, which is set to expire on April 14, 2016, and the effective date of the temporary legislation, which is projected to become law on April 29, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Private Security Camera Incentive Program Congressional Review Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-439, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-628

***See* Emergency D.C. Act 21-359 21 DCStat 3157**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Accrued Sick and Safe Leave Act of 2008 to clarify that employees in the building and construction industry covered by a bona fide collective bargaining agreement shall be exempted from the paid leave requirements of the act only if the agreement expressly waives those requirements; to amend the Minimum Wage Act Revision Act of 1992 to exempt an employer from keeping precise time records for bona fide executive, administrative, professional, as well as certain other, employees, to require an employer or a temporary staffing firm to provide notice regarding payment to an employee in a second language if the Mayor has made available a translation of the sample notice template in that second language and the employer knows that second language to be the employee's primary language or the employee requests notice in that second language, and to require the Mayor to make available, in any language required for a vital document under the Language Access Act of 2004, a translation of the sample template to be used by an employer or a temporary staffing firm when providing notice to an employee regarding payment; and to amend An Act To provide for the payment and collection of wages to continue to exempt an employer from paying wages to bona fide executive, administrative, and professional employees at least twice during each calendar month, provided that the employer pays wages to such employees at least once per month.

Wage Theft Prevention Clarification Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Wage Theft Prevention Clarification Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) On July 14, 2014, the Council unanimously passed the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157) (the "Act"), to prevent employers' failure to pay earned wages through enforcement by the District and to create a private right of action for injured employees.

(b) Following the passage of the Act, the Council has identified several unintended consequences of the Act, including the requirement that all employees, including white-collar, salaried employees, be paid at least twice per month, the requirement that all employers keep records of the "precise time worked" each day and each workweek by all employees, and the requirement that an employer provide notice to an employee regarding payment in an employee's primary language, without providing a limit on the languages in which that notice must be furnished.

(c) It was not the Council's intent to require that white-collar, salaried employees be paid at least twice a month or to require an employer to keep records of the precise time worked by all employees, including those not compensated on an hourly or other unit-of-time basis. Further, requiring notice to be furnished in any language that might be an employee's primary language will be unnecessarily burdensome and costly.

(d) To address these unintended consequences, on February 3, 2015, the Council passed the Wage Theft Prevention Clarification Emergency Amendment Act of 2015, effective February 26, 2015 (D.C. Act 21-8; 62 DCR 2669) (the "initial emergency legislation"), and, on March 3, 2015, the Council passed the Wage Theft Prevention Clarification Temporary Amendment Act of 2015, effective June 4, 2015 (D.C. Law 21-2; 62 DCR 4552) (the "initial temporary legislation").

(e) Following the passage of the initial emergency legislation and the initial temporary legislation, it also has come to the Council's attention that the Act inadvertently deleted language allowing employees in the building and construction industry to bargain to waive the paid-leave requirements of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq*.), through a bona fide collective bargaining agreement from those paid-leave requirements, regardless of whether the agreement addresses sick leave. Blanket exemption of this group of employees from the paid-leave requirements was not the Council's intent.

(f) To prevent the provisions of the initial emergency legislation and the initial temporary legislation from expiring and to clarify that building and construction industry employees are not exempt from the paid-leave requirements of the Act, the Council, on January 5, 2016, passed the Wage Theft Prevention Clarification Emergency Amendment Act of 2016, effective January 27, 2016 (D.C. Act 21-291; 63 DCR 1207) (the "Emergency Act"), and, on February 2, 2016, passed the Wage Theft Prevention Clarification Temporary Amendment Act of 2016, enacted on February 18, 2016 (D.C. Act 21-322; 63 DCR 2220) (the "Temporary Act").

(g) The Emergency Act will expire on April 26, 2016, 3 days before the Temporary Act is projected to become law. A congressional review emergency is necessary to ensure that the provisions of the Emergency Act continue in effect, without interruption, until the Temporary Act becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Wage Theft Prevention Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-620

***See* Emergency D.C. Act 21-368 21 DCStat 3191**

Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Congressional Review Emergency Declaration Resolution of 2016

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to revise the salary limitation for the Chancellor of the District of Columbia Public Schools and to authorize the provision of certain employment benefits to the Chancellor.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) Kaya Henderson was appointed Interim Chancellor of the District of Columbia Public Schools ("DCPS") on November 1, 2010. On March 11, 2011, she was nominated to serve as Chancellor of DCPS and was unanimously confirmed by the Council on June 21, 2011. She has served as Chancellor continuously since that time.

(b) Over the past 5 1/2 years under Chancellor Henderson's leadership, DCPS has realized dramatic improvements toward the goals of increasing District-wide math and reading proficiency, improving the proficiency rates of DCPS' lowest-performing schools, increasing high school graduation rates, improving student satisfaction, and increasing DCPS' overall enrollment.

(c) According to the National Assessment of Education Progress's 2015 Trial Urban District Assessment results, DCPS continues to be the fastest-improving urban school district in the country. DCPS students grew by 8 points in 4th grade reading over the 2013 test, representing the biggest increase of any school district and the largest increase in the history of the 4th grade reading test. DCPS students also saw a 4-point increase in 4th grade math scores.

(d) The percentage of DCPS high school students who graduate in 4 years has increased by 6 percentage points, from 58% to 64%. Last school year, 52% more students took Advanced Placement exams compared to 5 years ago. Student satisfaction at DCPS has also vastly improved, going from 65% when Chancellor Henderson started in the role to 83% at the end of school year 2014-2015.

(e) Under Chancellor Henderson's leadership, DCPS has increased its audited enrollment with 4 consecutive years of growth, enrolling the highest number of students in over 5 years. DCPS is on track to meet its goal of enrolling more than 50,000 students by 2017.

(f) Based on the dramatic improvements achieved under the steady leadership of the Chancellor over the last 5 1/2 years and the commitment to continuing the progress of DCPS, the Mayor has signed a new contract that increases the Chancellor's present salary and provides for certain employment benefits.

(g) There is an immediate need to approve the salary and benefits provided under the contract in order to ensure the retention of the Chancellor and to allow for the prompt payment

of the negotiated salary. The Chancellor's previous contract has expired, and the new contract was signed effective January 2, 2016.

(h) On February 2, 2016, the Council passed the Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Emergency Amendment Act of 2016, effective February 18, 2016 (D.C. Act 21-313; 63 DCR 2197) ("Emergency Act"). It expired on April 1, 2016.

(i) Temporary legislation, the Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Temporary Amendment Act of 2016, enacted on March 3, 2016 (D.C. Act 21-323; 63 DCR 3652), was recently transmitted to Congress for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)). It is projected to become law on April 28, 2016, 27 days after the expiration of the Emergency Act.

(j) A congressional review emergency is needed to prevent a gap in the law as the Chancellor has already begun receiving the salary and benefits agreed to under the new contract and as provided in the Emergency Act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-630

***See* Emergency D.C. Act 21-371 21 DCStat 3195**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify that a District government attorney, hearing officer, or administrative law judge who is required to be a member of the District of Columbia Bar as a prerequisite of employment shall file a Certificate of Good Standing from the Committee on Admissions of the District of Columbia Court of Appeals with the Department of Human Resources by December 15 of each year, to allow an attorney employed by the Council of the District of Columbia to file a Certificate of Good Standing with the Office of the Secretary to the Council of the District of Columbia, to allow the Director of the Department of Human Resources or the Secretary to the Council of the District of Columbia to verify good standing through electronic means, to clarify that the Director of the Department of Human Resources and the Secretary to the Council of the District of Columbia shall publish in the District of Columbia Register, on an annual basis, a list of all attorneys, hearing officers, and administrative law judges who have not met the Certificate of Good Standing filing requirement, and to authorize the Secretary to the Council of the District of Columbia to issue policy directives regarding timing, waiver, and notice of the Certificate of Good Standing filing requirement.

Certificate of Good Standing Filing Requirement Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Certificate of Good Standing Filing Requirement Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) On December 17, 2014, the Council passed the District Government Certificate of Good Standing Filing Requirement Amendment Act of 2014, effective March 13, 2015 (D.C. Law 20-241; 62 DCR 1335) (the "2014 Act"), which clarified that hearing officers and administrative law judges are required to file a Certificate of Good Standing if their employment requires that they be members of the District of Columbia Bar. Previously, the law required only attorneys to file such certificates, but it was discovered in 2014 that certain administrative law judges and hearing officers were allegedly presiding over their cases without being in good standing with the District of Columbia Bar. In order to close this loophole, the Council passed the 2014 Act.

(b) Additionally, the 2014 Act transferred responsibility for collecting Certificates of Good Standing from the District's Department of Human Resources ("DCHR") to the Board of Ethics and Government Accountability ("BEGA"). However, enforcement and regulatory authority remains with the DCHR. Thus, the 2014 Act created a bifurcated process in which one agency, BEGA, acts solely as a repository for the Certificates of Good Standing, but another agency, DCHR, is responsible for ensuring that attorneys, hearing officers, and administrative law judges comply with the law and is the agency with rulemaking authority. In order to streamline the process and to prevent duplicity, it is necessary to transfer collection authority back to DCHR.

(c) Further, section 881 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective July 25, 2002 (D.C. Law 14-182; D.C. Official Code § 1-608.81) (the "1978 Act"), requires attorneys employed by an independent agency to file certificates of good standing with DCHR if they meet the applicable requirements. The 1978 Act, confusingly, and incorrectly, defines the Council of the District of Columbia as an "independent agency."

(d) Accordingly, the 1978 Act required attorneys employed by the Council of the District of Columbia to file their Certificates of Good Standing with DCHR, which falls under the executive branch of the District government. This violates the spirit of separation of powers, as it requires legislative branch employees to report to an agency overseen by the executive branch. Thus, on January 5, 2016, the Council passed the Certificate of Good Standing Filing Requirement Emergency Amendment Act of 2016, effective January 27, 2016 (D.C. Act 21-289; 63 DCR 1202) (the "emergency legislation"), and on February 2, 2016, passed the Certificate of Good Standing Filing Requirement Temporary Amendment Act of 2016, enacted on February 18, 2016 (D.C. Act 21-320; 63 DCR 2215) (the "temporary legislation"), to clarify that an attorney employed by the Council of the District of Columbia who is required to file a Certificate of Good Standing shall file his or her certificate with the Office of the Secretary to the Council of the District of Columbia and not with DCHR.

(e) In order to further aid DCHR and the Office of the Secretary to the Council of the District of Columbia in streamlining this process, and to reduce the burden on the District of Columbia Court of Appeals, DCHR, and the Office of the Secretary to the Council of the District of Columbia, the emergency legislation and the temporary legislation further allow DCHR and the Office of the Secretary to the Council of the District of Columbia to verify the good standing of attorneys, hearing officers, and administrative law judges through electronic means.

(f) The emergency legislation will expire on April 26, 2016, 3 days before the temporary legislation is projected to become law. A congressional review emergency is necessary to ensure that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Certificate of Good Standing Filing Requirement Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-616

See Emergency D.C. Act 21-365 21 DCStat 3188

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to approve the salary of the Director of the Homeland Security and Emergency Management Agency.

Director of the Homeland Security and Emergency Management Agency Salary Approval Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Homeland Security and Emergency Management Agency Salary Approval Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) There is an immediate need to pass the Director of the Homeland Security and Emergency Management Agency Salary Approval Congressional Review Emergency Amendment Act of 2016 to approve a salary increase for Christopher Geldart to correspond with his skills, experience, and accomplishments as the director of the Homeland Security and Emergency Management Agency.

(b) This bill is necessary to prevent a gap in the law as the emergency legislation, the Director of the Homeland Security and Emergency Management Agency Salary Approval Emergency Amendment Act of 2016, effective March 23, 2016 (D.C. Act 21-353; 63 DCR 4641), expires on April 1, 2016.

(c) The Director of the Homeland Security and Emergency Management Agency Salary Approval Temporary Amendment Act of 2016, passed on 1st reading on March 1, 2016 (Engrossed version of Bill 21-0637) will be on the agenda for the April 5, 2016, legislative meeting for final reading, but it will not become law until after the expiration of the emergency legislation. This congressional review emergency legislation is therefore necessary to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Director of the Homeland Security and Emergency Management Agency Salary Approval Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-443, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-612

***See* Emergency D.C. Act 21-364 21 DCStat 3185**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, and to establish a private club task force to provide a report making recommendations regarding the licensing and operation of venues at which marijuana may be consumed within the parameters of 401(a)(1) of the District of Columbia Uniform Controlled Substances Act of 1981; and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy, or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

Marijuana Possession Decriminalization Clarification Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Marijuana Possession Decriminalization Clarification Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) On January 5, 2016, the Council of the District of Columbia passed the Marijuana Possession Decriminalization Clarification Emergency Amendment Act of 2016, effective January 14, 2016 (D.C. Act 21-0273; 63 DCR 801). This emergency legislation will expire on April 13, 2016.

(b) On February 2, 2016, the Council passed the Marijuana Possession Decriminalization Clarification Temporary Amendment Act of 2016, enacted on February 18, 2016 (D.C. Act 21-0319; 63 DCR 2211), which is pending congressional review. The temporary legislation's projected law date is April 29, 2016.

(c) In order to prevent a gap in the law between the expiration of the emergency legislation and the temporary legislation taking effect, it is now necessary to pass congressional review emergency legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Marijuana Possession Decriminalization Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-563

To reappoint Mr. Joseph M. Bress to the District of Columbia Retirement Board.

District of Columbia Retirement Board Joseph M. Bress Reappointment Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Retirement Board Joseph M. Bress Reappointment Resolution of 2016".

Sec. 2. The Council of the District of Columbia reappoints:

Mr. Joseph M. Bress
3704 Harrison Street, N.W.
Washington, D.C. 20015
(Ward 3)

as a member of the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 869; D.C. Official Code § 1-711), for a 4-year term to end January 27, 2020.

Sec. 3. Transmittal.

The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the chairperson of the District of Columbia Retirement Board, and the Office of the Mayor.

Sec. 4. Effective date.

This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-528

To confirm the appointment of Dr. Brian D. Crane to the Historic Preservation Review Board.

Historic Preservation Review Board Brian D. Crane Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Review Board Brian D. Crane Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Dr. Brian D. Crane
913 Hughes Mews, N.W.
Washington, D.C. 20037
(Ward 2)

as an archeologist member of the Historic Preservation Review Board, established by Mayor's Order 83-119, issued May 6, 1983 (30 DCR 3031), pursuant to section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-535

To confirm the appointment of Ms. Archana Vemulapalli as the Chief Technology Officer of the District of Columbia.

Chief Technology Officer Archana Vemulapalli Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chief Technology Officer Archana Vemulapalli Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Archana Vemulapalli
1577 44th Street, N.W.
Washington, D.C. 20007
(Ward 3)

as the Chief Technology Officer of the District of Columbia, established by section 1812 of the Office of the Chief Technology Officer Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 1-1401), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-447, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-571

To confirm the appointment of Ms. Laura S. Newland as the Executive Director of the Office on Aging.

Executive Director of the Office on Aging Laura Newland Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Executive Director of the Office on Aging Laura Newland Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Laura S. Newland
2703 Blueridge Avenue
Silver Spring, MD 20902

as the Executive Director of the Office on Aging, established by section 301 of the District of Columbia Act on the Aging, effective October 29, 1975 (D.C. Law 1-24; D.C. Official Code § 7-503.01), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-532

To confirm the appointment of Ms. Susanne Slater to the Housing Production Trust Fund Board.

Housing Production Trust Fund Board Susanne Slater Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Housing Production Trust Fund Board Susanne Slater Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Susanne Slater
5700 Nebraska Avenue, N.W.
Washington, D.C. 20015
(Ward 3)

as a member, representing the financial services industry, of the Housing Production Trust Fund Board, established by section 3a of the Housing Production Trust Fund Act of 1988, effective June 8, 1990 (D.C. Law 8-133; D.C. Official Code § 42-2802.01), replacing David Bowers, for a term to end January 14, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-449, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-592

To confirm the appointment of Ms. Nakeisha Neal Jones to the District of Columbia Housing Authority Board of Commissioners.

District of Columbia Housing Authority Board of Commissioners Nakeisha Neal Jones Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Authority Board of Commissioners Nakeisha Neal Jones Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Nakeisha Neal Jones
32 Burns Street, N.E.
Washington, D.C. 20019
(Ward 8)

as a public member of the District of Columbia Housing Authority Board of Commissioners, established by section 12 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), replacing Bernadette Tolson, for a term to end July 12, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-450, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-567

To approve proposed rules to amend Chapter 8 of Title 23 of the District of Columbia Municipal Regulations to establish a methodology to be used by the Alcoholic Beverage Control Board for computing a licensee's history of violations.

Computation of ABC Violation History Regulations Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Computation of ABC Violation History Regulations Approval Resolution of 2016".

Sec. 2. Pursuant to D.C. Official Code § 25-211(b), the Mayor transmitted to the Council on February 5, 2016, proposed rules of the Alcoholic Beverage Control Board ("Board") to establish a methodology to be used by the Board to compute a licensee's violation history in order to assess a penalty against the licensee for a violation. The Council approves the proposed rules, published at 62 DCR 13029, to amend Chapter 8 of Title 23 of the District of Columbia Municipal Regulations.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chairperson of the Alcoholic Beverage Control Board.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

D.C. Resolution 21-451, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-522

To confirm the appointment of Mr. Christopher Shorter as the Director of the Department of Public Works.

Director of the Department of Public Works Christopher Shorter Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Public Works Christopher Shorter Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Christopher Shorter
5359 Call Place, S.E.
Washington, D.C. 20019
(Ward 7)

as the Director of the Department of Public Works, established by Reorganization Plan No. 4 of 1983, effective March 1, 1984 (part D of subchapter VI of Chapter 15 of Title 1 of the D. C. Official Code), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-618

See Emergency D.C. Act 21-366 21 DCStat 3189

To declare the existence of an emergency with respect to the need to amend the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008 to clarify that certain contracts for development of Square 3128 are exempt from portions of the Procurement Practices Reform Act of 2010.

DMPED Procurement Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "DMPED Procurement Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) The McMillan Reservoir Slow Sand Filtration Site ("McMillan Site") was conveyed to the District by the federal government in 1987.

(b) In March 2006, the District transferred jurisdiction of the property to the National Capital Revitalization Corporation ("NCRC") and NCRC selected Vision McMillan Partners ("VMP") to develop the McMillan Site in 2007. NCRC was largely exempt from the District's procurement laws, which at that time were set forth in the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq*.).

(c) In January 2008, the Council passed the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.01 *et seq*.) (the "Act"), legislation that dissolved the NCRC and transferred its projects to the District under the authority of the Deputy Mayor for Planning and Economic Development ("DMPED"). In order to transition the former NCRC projects to DMPED with minimal disruption, section 201(b) of the Act (D.C. Official Code § 2-1225.11(b)) provided that NCRC contracts transferred to DMPED would continue to be exempt from the District of Columbia Procurement Practices Act of 1985.

(d) By 2009, DMPED and VMP began execution of a series of changes to the original deal, eventually resulting in an agreement that the District would prepare the McMillan site's infrastructure, and VMP would have the exclusive right to negotiate and purchase the resulting development pads.

(e) In 2010, the Council passed the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.), which supplanted the majority of the District's procurement law contained in the District of Columbia Procurement Practices Act of 1985. At that time, however, the exemption from District procurement laws in section 201(b) of the Act was not updated to reflect the existence of a new body of procurement law.

(f) In 2014, the Council approved 3 resolutions authorizing the Mayor to dispose of property at the McMillan Site to VMP for redevelopment into a combination of healthcare facilities, apartment buildings, townhouses, a recreational center, and open green space. In November 2015, the Council approved a resolution to extend the authority provided by those resolutions to provide the District and VMP the time necessary to complete preparations of the McMillan Site for transfer to VMP.

(g) As a result of the realignment of duties between the District and VMP culminating in the planned unit development approved in 2014 by Zoning Commission Order No. Z.C. 13-14, the infrastructure work necessary to prepare the site for development is set to begin. The agreement between the District and VMP is such that the District bears financial responsibility for the infrastructure work and site preparation required to ready the McMillan Site for delivery to VMP. Under the agreement, VMP will perform the work on behalf of the District.

(h) Given the outdated exemption reference in the NCRC reorganization law to the District of Columbia Procurement Practices Act of 1985, there is ambiguity as to whether there is legal authority for the District to move forward with the necessary contracts between VMP and the District to complete the work. Those contracts are set to begin coming to the Council for approval this spring.

(i) Providing an exemption for the McMillan project from the Procurement Practices Reform Act of 2010 will clarify that DMPED and VMP may still move forward with the contracts as contemplated, which, because of the nature of the development agreement, do not allow for competition because VMP is performing the work associated with the pre-development costs paid by the District.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the DMPED Procurement Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-629

See Emergency D.C. Act 21-370 21 DCStat 3194

Business Improvement Districts Sunset Repeal Emergency Declaration Resolution of 2016

To declare the existence of an emergency with respect to the need to amend the Business Improvement Districts Act of 1996 to repeal the sunset provision.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Business Improvement Districts Sunset Repeal Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq*.) ("BID act"), was enacted with a sunset provision that provided that the act would expire 20 years from the effective date.

(b) Without timely action, the BID act shall expire in May. Emergency legislation is necessary to repeal the undesired expiration of the BID act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Business Improvement Districts Sunset Repeal Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-454, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-619

See Emergency D.C. Act 21-367 21 DCStat 3190

To declare the existence of an emergency with respect to the need to amend the Education Licensure Commission Act of 1976 to clarify requirements for postsecondary educational institutions providing degree-granting or non-degree-granting online programs or courses that are authorized to operate under a reciprocity agreement.

Higher Education Licensure Commission Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Higher Education Licensure Commission Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District of Columbia seeks to ensure that a wide array of postsecondary learning opportunities are available for our residents. Across the country, at least 7 million students are using online technology to access postsecondary courses. Postsecondary online distance education expands learning opportunities by providing flexible, accessible methods for acquiring new skills and fulfilling degree requirements.

(b) The rapid growth of distance education has brought to the forefront the need to provide a coherent and comprehensive structure that focuses on consumer protection and security while maintaining the unique features of online distances learning. Students in online distance education programs require stronger protections because they are completing their courses and programs outside the visibility of traditional oversight and monitoring structures. Many other states have already taken steps to protect their residents, and the District must move forward to keep up with best practices in postsecondary licensing.

(c) To address this need, the Council passed the Higher Education Licensure Commission Amendment Act of 2015, effective February 27, 2016 (D.C. Law 21-74; to be codified at § 38-1301 *et seq.*), which provided the Higher Education Licensure Commission ("HELC") with the authority to license distance education programs and enter into reciprocity agreements with other jurisdictions regarding licensing online distance education programs, which would result in ensuring security and consumer protections while making the process and costs for providing distance education far less involved.

(d) Since then, the HELC has been preparing its application to enter into the State Authorization Reciprocity Agreement ("SARA"). However, in preparing the application to enter into SARA, the HELC learned that it is statutorily prohibited from complying with the SARA membership requirements because the HELC cannot authorize any educational institution to operate in the District if the institution's title contains the words "United States, federal, American, national, or civil service, or any other words which might reasonably imply an

official connection with the government of the United States, . . . or the government of the District of Columbia[.]" (D.C. Official Code § 38-1309(c-1)).

(e) In order to join SARA, the HELC must agree to abide by SARA policies and procedures, which include not imposing additional regulatory requirements on SARA-approved institutions that want to provide distance education in the District. Therefore, this emergency legislation would provide a waiver from the naming prohibition for any postsecondary educational institutions providing degree-granting or non-degree-granting online instruction to residents of the District through an online presence that is authorized to operate under a reciprocity agreement.

(f) The HELC's SARA application will be reviewed on June 9, 2016 and must be submitted 6 weeks before that date. Without this emergency legislation, the HELC's SARA application will not be accepted because the HELC cannot comply with both its statutory mandate to prohibit the authorization of education institutions with prohibited names to operate in the District, while also upholding SARA's requirement that the District not impose additional regulatory requirements on SARA-approved institutions.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Higher Education Licensure Commission Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-584

See Emergency D.C. Act 21-360 21 DCStat 3160

To declare the existence of an emergency with respect to the need to amend the District of Columbia Uniform Controlled Substances Act of 1981 to add certain classes and substances to the list of Schedule I controlled substances.

Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Declaration Resolution of 2016".

Sec. 2. (a) The existing classification system has made it quite difficult to prosecute the possession and distribution of synthetic drugs.

(b) Prosecuting the possession and distribution of synthetic drugs is a key component in combating the public health issue evidenced by increased overdoses and related emergency medical services transports in the District.

(c) The Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Amendment Act of 2016 will reform the existing classification system in a way that enhances the effectiveness of prosecutions for the possession and distribution of synthetic drugs.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-456, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-613

***See* Emergency D.C. Act 21-358 21 DCStat 3155**

To declare the existence of an emergency with respect to the need to amend the District of Columbia Election Code of 1955 to change the procedures for presidential primary ballot access and clarify that the approved political party's presidential primary plan shall be transmitted to the Board of Elections no later than 24 hours after March 16; and to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to eliminate the requirement to file with the Director of Campaign Finance and with the principal campaign committee, if applicable, reports of receipts and expenditures 8 days before the June 2016 primary election.

Primary Election Filing Requirement Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Primary Election Filing Requirement Emergency Declaration Resolution of 2016".

Sec. 2. (a) Section 5(b)(2) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 700; D.C. Official Code § 1-1001.05(b)(2)), allows each political party to determine its own rules for ballot access.

(b) The next primary election will take place on June 14, 2016. Under current law, candidates must submit their petitions to the District of Columbia Board of Elections by March 16, 2016, to be listed on the ballot.

(c) The Democratic political party's plan stipulates that, if the candidate chooses to file with the political party in lieu of collecting signatures, the candidate's registration with the political party must be submitted by 7:00 p.m. on March 16. This party plan was approved by the Board of Elections.

(d) However, this registration deadline is beyond the closing time of the Board of Elections at 5:00 p.m. Therefore, the political party transmitted the certification on March 17.

(e) This emergency legislation clarifies that the political party, for purposes of the June 14, 2016, primary election, is permitted 24 hours after March 16 to transmit the certification, while recognizing that the political party's rules do not supersede the deadline under section 5(b)(2) (D.C. Official Code § 1-1001.05(b)(2)).

(f) Section 309 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1163.09), requires the treasurer of each political committee, political action committee, and independent expenditure committee to file reports of receipts and expenditures with the Director of Campaign Finance and, if applicable, with the principal campaign committee.

(g) Section 309(b) (D.C. Official Code § 1-1163.09(b)) prescribes mandatory filing dates in the 7 months preceding the date on which, and in each year during which, an election is held for the office sought, including the 10th day of June and 8 days before an election.

(h) This year, a primary election will be held on June 14, 2016. Reports of receipts and expenditures must therefore be filed on both June 6, 2016, and June 10, 2016.

(i) The additional filing on June 6, 2016, is unnecessary and will unduly burden filers and cause administrative redundancy for the Office of Campaign Finance. By enforcing the later deadline of June 10, 2016, the Office of Campaign Finance will be able to collect all relevant information in order to carry out its monitoring and auditing responsibilities.

(j) This emergency legislation eliminates the requirement for the filing of receipts and expenditures 8 days before only the June 14, 2016, primary election. The requirement will remain in effect for subsequent elections.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Primary Election Filing Requirement Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-457, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-610

***See* Emergency D.C. Res. 21-458 21 DCStat 3303**

District of Columbia Board of Elections Michael D. Gill Confirmation Emergency Declaration Resolution of 2016

To declare the existence of an emergency with respect to the need to confirm the appointment of Mr. Michael D. Gill to the District of Columbia Board of Elections.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections Michael D. Gill Confirmation Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District of Columbia Board of Elections ("Board") is a 3-member, independent agency that convenes to consider and vote on election administration, ballot access, and voter registration matters.

(b) Section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), provides that members of the Board shall be appointed for 3-year terms with the advice and consent of the Council. Further, "a member may be reappointed, and, if not reappointed, the member shall serve until his successor has been appointed and qualifies." The day-to-day operations and Board management is conducted by an Executive Director, General Counsel, and a number of support personnel.

(c) Since July 7, 2014, 2 sitting members of the Board have been holding over. One member of the Board was recently appointed and confirmed in January 2016, and the other 2 members continue to hold over.

(d) On February 17, 2016, Chairman Mendelson introduced, at the request of the Mayor, Proposed Resolution 21-0570, the District of Columbia Board of Elections Michael Gill Confirmation Resolution of 2016, to confirm the appointment of Mr. Michael D. Gill to the Board for a term to end July 7, 2017.

(e) On March 10, 2016, the Committee on the Judiciary held a public roundtable to consider Mr. Gill's nomination.

(f) As there is only one permanent member of the Board and no permanent Executive Director, it is necessary to confirm Mr. Gill on an emergency basis.

(g) Without this action, the Board will lack sufficient direction and be unable to adequately prepare for the June 2016 primary election and the November 2016 general election.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Board of Elections Michael D. Gill Emergency Confirmation Resolution of 2016 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-458, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-611

Emergency Declaration Res. 21-457 21 DCStat 3301

To confirm, on an emergency basis, the appointment of Mr. Michael D. Gill to the District of Columbia Board of Elections.

District of Columbia Board of Elections Michael D. Gill Emergency Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections Michael D. Gill Emergency Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Michael D. Gill
1824 Randolph Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a member of the District of Columbia Board of Elections, established by section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), for a term to end July 7, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-614

***See* Emergency D.C. Res. 21-460 21 DCStat 3306**

To declare the existence of an emergency with respect to the need to confirm the appointment of Mr. David Michael Bennett to the District of Columbia Board of Elections.

District of Columbia Board of Elections David Michael Bennett Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections David Michael Bennett Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District of Columbia Board of Elections ("Board") is a 3-member, independent agency that convenes to consider and vote on election administration, ballot access, and voter registration matters.

(b) Section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), provides that members of the Board shall be appointed for 3-year terms with the advice and consent of the Council. Further, "a member may be reappointed, and, if not reappointed, the member shall serve until his successor has been appointed and qualifies." D.C. Official Code § 1-1001.03(c). The day-to-day operations and Board management is conducted by an Executive Director, General Counsel, and a number of support personnel.

(c) Since July 7, 2014, 2 sitting members of the Board have been holding over. One member of the Board was recently appointed and confirmed in January 2016, and the other 2 members continue to hold over.

(d) On February 9, 2016, Chairman Mendelson introduced, at the request of the Mayor, Proposed Resolution 21-568, the District of Columbia Board of Elections Michael Bennett Confirmation Resolution of 2016, to confirm the appointment of Mr. David Michael Bennett to the Board for a term to end July 7, 2018.

(e) On March 10, 2016, the Committee on the Judiciary held a public roundtable to consider Mr. Bennett's nomination. During the public roundtable, the Committee noted Mr. Bennett's pending nomination to the Board of Governors of the United States Postal Service and the concerns – were he to be confirmed by the United States Senate – that his nomination might implicate D.C. Official Code § 1-1001.04(a)(3).

(f) As there is only one permanent member of the Board and no permanent Executive Director, it is necessary to confirm Mr. Bennett on an emergency basis.

(g) Many issues related to compliance with federal law, efficient vote tabulation, and equipment procurement remain unresolved. Without this action, the Board will lack sufficient leadership to solve these issues and will be unable to adequately prepare for the June 2016 primary election and the November 2016 general election.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Board of Elections David Michael Bennett Emergency Confirmation Resolution of 2016 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-615

Emergency Declaration Res. 21-459 21 DCStat 3304

District of Columbia Board of Elections David Michael Bennett Emergency Confirmation Resolution of 2016

To confirm, on an emergency basis, the appointment of Mr. David Michael Bennett to the District of Columbia Board of Elections.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections David Michael Bennett Emergency Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. David Michael Bennett
6679 32nd Place, N.W.
Washington, D.C. 20015
(Ward 4)

as a member of the District of Columbia Board of Elections, established by section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), for a term to end July 7, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-631

See Emergency D.C. Res. 21-462 21 DCStat 3309

Sense of the Council Regarding the 2011 Surplus Review of Groups Hospitalization and Medical Services, Inc. Emergency Declaration Resolution of 2016

To declare the existence of an emergency with respect to the need to declare the sense of the Council regarding the 2011 surplus review of Group Hospitalization and Medical Services, Inc.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Regarding the 2011 Surplus Review of Groups Hospitalization and Medical Services, Inc. Emergency Declaration Resolution of 2016".

Sec. 2. (a) Emergency legislation is necessary to immediately express the sense of the Council regarding the long-delayed 2011 surplus review of Group Hospitalization and Medical Services, Inc. ("GHMSI") under the Medical Insurance Empowerment Amendment Act of 2008 ("MIEAA").

(b) It has been 7 years since the Council enacted MIEAA to hold GHMSI accountable to its community reinvestment obligation and 3½ years since the District of Columbia Court of Appeals determined that the Department of Insurance, Securities, and Banking ("DISB") had failed to complete the surplus review as required by MIEAA. It has been more than a year since GHMSI filed a reinvestment plan and DISB has not issued a final order on the merits of that plan. In addition, it is now nearly 2½ years past the deadline for completion of the surplus review set by the District of Columbia Court of Appeals.

(c) These years of delay in implementing MIEAA have created the opportunity for Maryland, Virginia, and Congress to enact laws that undermine the District's authority as GHMSI's primary regulator, which in turn undermines the authority of the Council.

(d) The DISB Commissioner testified before the Committee on Business, Consumer, and Regulatory Affairs ("Committee") on October 7, 2015, October 28, 2015, and February 29, 2016, that a decision would be issued soon. At the February 29, 2016, hearing, members of the Committee advised DISB that they expected a prompt decision regarding the review of the 2011 surplus.

(e) To date, DISB has not issued a final order. This delay has allowed other jurisdictions to challenge the District's authority and has denied the public $56 million in excess surplus that by law was required to be dedicated to community health reinvestment.

(f) It is urgent that there be no further delay and that DISB promptly develop and order GHMSI to implement a plan for dedicating $56 million in excess 2011 surplus to community health reinvestment under MIEAA.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sense

of the Council Regarding the 2011 Surplus Review of Group Hospitalization and Medical Services., Inc. Emergency Resolution of 2016 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-632

Emergency Declaration Res. 21-461 21 DCStat 3307

To declare, on an emergency basis, the sense of the Council that the Department of Insurance, Securities, and Banking should promptly develop and order Group Hospitalization and Medical Services, Inc. to implement a plan for reinvesting $56 million in excess 2011 surplus pursuant to the Medical Insurance Empowerment Amendment Act of 2008.

Sense of the Council Regarding the 2011 Surplus Review of Group Hospitalization and Medical Services, Inc. Emergency Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Regarding the 2011 Surplus Review of Group Hospitalization and Medical Services, Inc. Emergency Resolution of 2016".

Sec. 2. The Council finds that:

(1) Group Hospitalization and Medical Services, Inc. ("GHMSI"), a subsidiary of CareFirst BlueCross BlueShield, is the District's only nonprofit hospital and medical services corporation, which was chartered by Congress in 1939 as a charitable and benevolent institution.

(2) On December 16, 2008, following a determination by the Committee on Public Services and Consumer Affairs that "deep uncertainty surrounding CareFirst's degree of dedication to its charitable public health mission" compelled the enactment of legislation to provide "a framework to ensure that CareFirst meets it public health obligation to the community," the Council unanimously enacted the Medical Insurance Empowerment Amendment Act of 2008, effective March 25, 2009 (D.C. Law 17-369; 56 DCR 1346) ("MIEAA").

(3) MIEAA requires the Department of Insurance, Securities, and Banking ("DISB") to review GHMSI's surplus at least every 3 years to determine if it is excessive. If it is determined to be excessive, DISB must order GHMSI to submit a fair and equitable plan for dedicating the portion of the excess attributable to the District for community health reinvestment.

(4) MIEAA further requires that if GHMSI fails to submit a plan as ordered, DISB shall deny rate increases for 12 months, or issue such orders as are necessary to enforce MIEAA, including developing a plan and ordering GHMSI to implement it.

(5) On October 29, 2010, DISB determined that GHMSI's 2008 surplus of $687 million was not excessive under MIEAA and ordered a subsequent review by July 31, 2012.

(6) On September 13, 2012, following an expedited petition for review of the October 29, 2010 decision, the District of Columbia Court of Appeals ("Court") unanimously determined that DISB had failed to apply MIEAA, as mandated by the Council, and remanded the case for the next surplus review, to be completed no later than 3 years from the date of the previous order.

(7) On December 30, 2014, DISB determined that GHMSI's 2011 surplus was excessive by $268 million over the target of $696 million (721% Risk Based Capital) ("RBC") and ordered GHMSI to submit a plan for dedicating $56 million of that excess attributable to the District to community health reinvestment by February 13, 2015, subsequently amended to March 16, 2015.

(8) On March 16, 2015, GHMSI submitted a plan claiming that its surplus was not excessive and that, in any case, it had already reinvested $56 million.

(9) One week after GHSMI submitted its plan to DISB, on March 23, 2015, Virginia enacted a law prohibiting GHMSI from reinvesting excess surplus pursuant to the Commissioner's order without the approval of the Virginia State Corporation Commission.

(10) One month after GHMSI submitted its statement to DISB, on April 14, 2015, Maryland enacted a law prohibiting GHMSI from reinvesting excess surplus pursuant to the Commissioner's order without the approval of the Commissioner of the Maryland Insurance Administration.

(11) On April 28, 2015, the Court denied petitions for review of the December 30, 2014 order by DISB. The Court determined that the petition was not ripe for review because DISB had "not yet determined whether the community health reinvestment plan submitted by GHMSI is 'fair and equitable'" under MIEAA.

(12) On December 18, 2015, Congress amended GHMSI's charter to prohibit it from reinvesting excess surplus without the agreement of the District, Maryland, and Virginia, but expressly exempted the pending 2011 surplus review from this requirement.

(13) On March 1, 2016, GHMSI reported a 2015 surplus of $960 million (882% RBC). This shows that a reinvestment of the $56 million ordered by the DISB would result in a surplus of $904 million (829% RBC), which far exceeds the target surplus of 721% RBC established by the December 30, 2014 order by DISB.

(14) To date, the Commissioner has not issued a final order in the 2011 GHMSI surplus review under MIEAA.

(15) It has been 7 years since the Council enacted MIEAA, and its intent to hold GHMSI accountable has never been effectuated, which undermines the Council's legislative authority.

(16) It has been more than 2 years since the date the Court determined that the remanded proceeding should be completed.

(17) It has been more than a year since GHMSI filed a reinvestment plan, and DISB has not issued a final order on the merits of that plan.

(18) During the delay, Maryland, Virginia, and Congress have taken steps to limit the District's authority as the GHMSI's primary regulator, which undermines the District's home rule.

(19) The delay means that $56 million in excess surplus funds have not yet been devoted to community health reinvestment as they should have been.

Sec. 3. It is the sense of the Council that DISB should promptly bring the 2011 surplus review to a conclusion by:

(1) Within 20 days of the effective date of this resolution, publishing notice of the agency's intent in the District of Columbia Register to develop a community reinvestment plan for $56 million in excess GHMSI 2011 surplus consistent with MIEAA;

(2) Allowing public comment on a community reinvestment plan until 30 days after publication of notice in the District of Columbia Register; and

(3) Approving the plan within 45 days of the deadline for public comment and ordering GHMSI to implement that plan within 30 days.

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Commissioner of the Department of Insurance, Securities, and Banking.

Sec. 5. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-633

See Emergency D.C. Act 21-372 21 DCStat 3198

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 1997 Budget Support Act of 1996 and section 24-225 of the District of Columbia Municipal Regulations to include civic associations as an entity for which the Mayor is authorized to waive or reduce public space permit fees, except for application fees.

Civic Associations Public Space Permit Fee Waiver Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Civic Associations Public Space Permit Fee Waiver Emergency Declaration Resolution of 2016".

Sec. 2. (a) Section 603a of the Fiscal Year 1997 Budget Support Act of 1996, effective December 2, 2011 (D.C. Law 19-48; D.C. Official Code § 10-1141.03a), authorizes the Mayor to waive or reduce permit fees, except for application fees, for the use of public space, public rights of way, and public structures for projects that:

(1) Are conducted by a Business Improvement District or Community Improvement District;

(2) In the Mayor's determination, serve a public benefit;

(3) Do not impose costs on the District government; and

(4) Do not involve commercial sponsorship.

(b) Under current law, public space permit fees are calculated by block face, resulting in substantial permit fees even for modest projects. While Business Improvement Districts and Community Improvement Districts may seek a waiver of these fees, civic associations are not eligible for a fee waiver despite their similar function.

(c) This emergency legislation redresses this issue by authorizing the Mayor to waive public space permit fees for civic associations, thereby removing a significant financial barrier to the implementation of projects that provide a public benefit, and encouraging the critical role that civic associations play in enhancing the District's public space. Moving this measure on an emergency basis will allow the Executive to consider waiver requests in time for the summer, whereas a permanent version of the bill may not become effective by then, due to congressional review.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Civic Associations Public Space Permit Fee Waiver Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-464, effective May 3, 2016

A RESOLUTION

Proposed Resolution 21-634

***See* Emergency D.C. Act 21-373 21 DCStat 3200**

To declare the existence of an emergency with respect to the need to amend Chapter 13A of Title 47 of the District of Columbia Official Code to remove references to the discontinued Tax Sale Resource Center and to clarify the amounts required to be paid to receive a tax deed.

Tax Sale Resource Center Clarifying Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Tax Sale Resource Center Clarifying Emergency Declaration Resolution of 2016".

Sec. 2. (a) The emergency legislation will remove references to the discontinued Tax Sale Resource Center and clarify the amounts required to be paid to receive a tax deed.

(b) Emergency legislation is necessary to update and clarify current law immediately and to give proper legal notice as required for due process.

(c) The emergency will also make a conforming amendment that was inadvertently omitted from previous legislation, which removes an obsolete cross reference.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Tax Sale Resource Center Clarifying Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-609

See Emergency D.C. Act 21-363 21 DCStat 3184

To declare the existence of an emergency with respect to the need to approve Modification Nos. M020 and M021 and proposed Modification No. M023 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to continue to provide case management and traditional and therapeutic family-based foster care services for children and youth, and to authorize payment for the services received and to be received under these modifications.

Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Modification Nos. M020 and M021 and proposed Modification No. M023 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to continue to provide case management and traditional and therapeutic family-based foster care services for children and youth, and to authorize payment for the services received and to be received under these modifications.

(b) The District awarded Human Care Agreement No. DCRL-2013-H-0039A to The National Center for Children and Families for a base year from December 12, 2013, through December 11, 2014.

(c) The first option year for Human Care Agreement No. DCRL-2013-H-0039A was exercised for the period from December 12, 2014, through December 11, 2015.

(d) By Modification No. M020, on December 9, 2015, the District exercised a partial option for the second option year of Human Care Agreement No. DCRL-2013-H-0039A in the not-to-exceed amount of $981,306.15 for the period from December 12, 2015, through January 14, 2016.

(e) By Modification No. M021, on January 12, 2016, the District exercised a partial option for the second option year of Human Care Agreement No. DCRL-2013-H-0039A in the not-to-exceed amount of $1,706,578.68 for the period from January 15, 2016, through March 15, 2016.

(f) Modification No. M022 was administrative in nature and did not increase the value of the human care agreement.

(g) By Modification No. M023, the District proposes to exercise the remainder of the second option year for the period from March 16, 2016, through December 11, 2016 in the not-to-exceed amount of $7,821,587.27, making the total not-to-exceed amount for option year two $10,563,472.10.

(h) Council approval is necessary because as a result of Modification No. M021 and proposed Modification No. M023 the value of the human care agreement is increased to be more than $1 million during a 12-month period.

(i) Approval is necessary to allow the continuation of these vital services. Without this approval, The National Center for Children and Families cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-466, effective April 5, 2016

A RESOLUTION

Proposed Resolution 21-606

See Emergency D.C. Act 21-369 21 DCStat 3194

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. CW41701with Systems and Methods, Inc. to operate and manage the District's State Disbursement Unit in support of the Child Enforcement Program, and to authorize payment for the services received and to be received under the contract.

Contract No. CW41701 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW41701 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Office of the Attorney General, Child Support Services Division, proposes to enter into a multiyear agreement with Systems and Methods, Inc. to operate and manage the State Disbursement Unit.

(b) The estimated total expenditure under this multiyear contract with Systems and Methods, Inc. is in the amount of $8,340,000.

(c) Approval is necessary to allow the District to receive the benefit of these vital services from Systems and Methods, Inc.

(d) These critical services can only be obtained through an award of this multiyear contract with Systems and Methods, Inc.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW41701 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-608

See Emergency D.C. Act 21-362 21 DCStat 3317

To declare the existence of an emergency with respect to the need to approve Modification No. M0003 and proposed Modification Nos. M008 and M010 to Contract No. CW29248 to provide employee work uniforms and accessories to the District and to authorize payment for the goods and services received and to be received under the contract modifications.

Modifications to Contract No. CW29248 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW29248 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Modification No. M0003 and proposed Modification Nos. M008 and M010 to Contract No. CW29248 with Morgan's Inc. T/A Jimmie Muscatello's to provide employee work uniforms and accessories to the District and to authorize payment for the goods and services received and to be received under the contract modifications.

(b) On December 7, 2015, by Modification No. M003, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Youth Rehabilitation Services, Fire and Emergency Medical Services, Metropolitan Police Department, and Office of the State Superintendent of Education, exercised a partial option for Option Year One of Contract No. CW29248 to provide employee work uniforms and accessories to the District for the period from December 9, 2015, to June 8, 2016, in the amount of $999,000.

(c) By proposed Modification No. M008, OCP intends to modify Contract No. CW29248 to include the following services within the scope of work: alterations of uniforms purchased during the period from June 9, 2016, through December 8, 2016, in the amount of $18,236.45.

(d) Modification No. M010 is now necessary to exercise the remainder of Option Year One for the period from June 9, 2016, through December 8, 2016, and increase the total estimated contract amount for Option Year One to $4,028,949.04.

(e) Council approval is necessary since these modifications increase the contract by more than $1 million during a 12-month period.

(f) Approval is necessary to allow the continuation of these vital services. Without this approval, Morgan's Inc. T/A Jimmie Muscatello's cannot be paid for goods and services provided in excess of $1 million for the contract period December 9, 2015, through December 8, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Modifications to Contract No. CW29248 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-547

To confirm the appointment of Ms. Barbara Somson to the Public Employee Relations Board.

Public Employee Relations Board Barbara Somson Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Barbara Somson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Barbara Somson
3915 McKinley Street, N.W.
Washington, D.C. 20025
(Ward 3)

as a labor member of the Public Employee Relations Board, established by section 501 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end December 12, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-548

To confirm the appointment of Mr. Douglas A. Warshof to the Public Employee Relations Board.

Public Employee Relations Board Douglas A. Warshof Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Douglas A. Warshof Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Douglas A. Warshof
3958 Georgetown Court, N.W.
Washington, D.C. 20007
(Ward 2)

as a neutral, public member of the Public Employee Relations Board, established by section 501 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), for a term to end December 12, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-470, effective May 3, 2016

A RESOLUTION

Proposed Resolution 21-699

***See* Emergency D.C. Act 21-399 21 DCStat 3321**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Retired Police Officer Redeployment Amendment Act of 1992 to allow for the rehiring of retired Metropolitan Department officers by the Department of Forensic Sciences without jeopardy to the retirement benefits of the employee.

Crime Scene Investigator Hiring Clarification Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Crime Scene Investigator Hiring Clarification Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to allow for the rehiring of retired Metropolitan Police Department officers by the Department of Forensic Sciences.

(b) On February 16, 2016, the Council of the District of Columbia passed the Crime Scene Investigator Hiring Clarification Emergency Amendment Act of 2016, effective March 3, 2016 (D.C. Act 21-327; 63 DCR 3665). This emergency legislation will expire on June 1, 2016.

(c) Permanent legislation, which is substantively identical to the emergency legislation – the Neighborhood Engagement Achieves Results Amendment Act of 2016 – was enacted on March 26, 2016 (D.C. Act 21-0356; 63 DCR 4659). The bill is undergoing congressional review and is not expected to become law until September 8, 2016.

(d) In order to prevent a gap in the law, it is now necessary to move this congressional review emergency legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Crime Scene Investigator Hiring Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-471, effective May 3, 2016

A RESOLUTION

Proposed Resolution 21-595

To appoint Ms. Brianne Nadeau, Councilmember of the District of Columbia, and Mr. Brandon Todd, Councilmember of the District of Columbia, as members of the Marijuana Private Club Task Force.

Marijuana Private Club Task Force Brianne Nadeau and Brandon Todd Appointment Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Marijuana Private Club Task Force Brianne Nadeau and Brandon Todd Appointment Resolution of 2016".

Sec. 2. The Council of the District of Columbia appoints:

Ms. Brianne Nadeau
1414 Belmont Street, N.W. #312
Washington, D.C. 20009
(Ward 1)

and

Mr. Brandon Todd
423 Buchanan Street, N.W.
Washington, D.C. 20011
(Ward 4)

to the Marijuana Private Club Task Force, established pursuant to section 2(b) of the Marijuana Possession Decriminalization Clarification Temporary Amendment Act of 2016, effective April 6, 2016 (D.C. Law 21-98; 63 DCR 2211), and Mayor's Order 2016-032 (March 3, 2016), for a term to end no later than 120 days after the creation of the task force.

Sec. 3. The Council shall transmit copies of this resolution, upon its adoption, to the appointees, the chairperson of the task force, and the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-640

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $10 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist The Institute of World Politics in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

The Institute of World Politics Revenue Bonds Project Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "The Institute of World Politics Revenue Bonds Project Approval Resolution of 2016".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be The Institute of World Politics, a nonprofit corporation organized under the laws of the District of Columbia, which is exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3) and organized under the laws of the District and which is liable for the repayment of the Bonds.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the

issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Mayor" means the Mayor of the District of Columbia.

(13) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) A portion of the costs of the acquisition, renovation, and equipping of 1521 16th Street, N.W., and 1523 16th Street, N.W., in Washington, D.C. (also known as 1531 Church Street, N.W.) (Lots 0114 and 0817, Square 0194), constituting approximately 25,470 square feet of above-grade improvements, plus an on-site parking lot and structure of approximately 4,000 square feet (collectively, "Facility");

(B) The purchase of certain equipment and furnishings, together with other property, real and personal, functionally related and subordinate to the Facility;

(C) Funding certain expenditures associated with the financing of the Facility, to the extent permissible, including credit enhancement costs, liquidity costs, debt service reserve fund, or working capital; and

(D) Paying costs of issuance and other related costs to the extent permissible.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 and may effect the financing,

refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed $10 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of facilities used to house and equip operation related to the study, development, application or production of innovative commercial or industrial technologies and social services, within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $10 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to either perform any

covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-700

See Emergency D.C. Act 21-400 21 DCStat 3211

To declare the existence of an emergency with respect to the need to amend section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

Sale of Synthetic Drugs Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Sale of Synthetic Drugs Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to amend section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

(b) On June 30, 2015, the Council of the District of Columbia passed the Sale of Synthetic Drugs Emergency Amendment Act of 2015, effective July 10, 2015 (D.C. Act 21-100; 62 DCR 9689). This emergency legislation expired on October 8, 2015.

(c) The Council passed identical temporary legislation, the Sale of Synthetic Drugs Temporary Amendment Act of 2015, effective October 21, 2015 (D.C. Law 21-34; 62 DCR 10898), on July 14, 2015. This temporary legislation will expire on June 2, 2016.

(d) The permanent version of this legislation, the Sale of Synthetic Drugs Amendment Act of 2015, as introduced on July 18, 2015 (Bill 21-0261), is pending in the Committee on the Judiciary. The Committee held a hearing on the bill on September 16, 2015.

(e) In order to prevent a gap in the law before the permanent legislation moves forward, it is necessary to pass this identical emergency and temporary legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sale of Synthetic Drugs Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-475, effective May 3, 2016

A RESOLUTION

Proposed Resolution 21-685

***See* Emergency D.C. Act 21-403 21 DCStat 3217**

To declare the existence of an emergency with respect to the need to amend various acts to repeal outdated and unnecessary mandates for audits and other reports required of the District of Columbia Auditor.

Repeal of Outdated and Unnecessary Audit Mandates Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Repeal of Outdated and Unnecessary Audit Mandates Emergency Declaration Resolution of 2016".

Sec. 2. (a) Three exists a need to approve emergency legislation to repeal and modify several mandates for audits and other reports required of the District of Columbia Auditor.

(b) The permanent version of this legislation, the Repeal of Outdated and Unnecessary Audit Mandates Amendment Act of 2016, passed on 2nd reading on April 19, 2016 (Enrolled version of Bill 21-377) (the "permanent legislation"), has not yet been transmitted for congressional review. Making most provisions of the permanent legislation effective sooner than the time needed for congressional review would allow the District of Columbia Auditor to better plan for audits necessary for the remainder of 2016 and going forward for 2017.

(c) The permanent legislation repeals or modifies numerous statutory mandates, but importantly does not reduce the District of Columbia Auditor's broad authority and discretion to audit any account, including those affected by the bill.

(d) One of the mandates repealed by the permanent legislation – for the audit of an inactive fund related to telephone solicitations – amends Title 22 of the District of Columbia Official Code, necessitating a 60-day congressional review period for the permanent legislation rather than the 30-day review.

(e) Because 2016 is a presidential election year, Congress is likely to have fewer days in session than usual – pushing the congressional review period for the permanent legislation well in to September.

(f) Making the provisions of the permanent legislation – other than those that are subject to appropriations – effective immediately will enable the District of Columbia Auditor to free up important resources to provide better and more useful work for the Council of the District of Columbia and the public.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Repeal of Outdated and Unnecessary Audit Mandates Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-476, effective May 3, 2016

A RESOLUTION

Proposed Resolution 21-686

***See* Emergency D.C. Act 21-395 21 DCStat 3203**

To declare the existence of an emergency with respect to the need to order the closing of a portion of the public alley system in Square 342, bounded by Massachusetts Avenue, N.W., 10th Street, N.W., K Street, N.W., and 11th Street, N.W., in Ward 2.

Closing of a Public Alley in Square 342, S.O. 14-21629, Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of a Public Alley in Square 342, S.O. 14-21629, Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close a portion of the public alley system in Square 342, S.O. 14-21629.

(b) The purpose of the alley closing is to facilitate the redevelopment of a parcel of land and the development of a new hotel one block from the Convention Center, in the Mount Vernon neighborhood. Lots 53 and 809, located within Square 342, are currently improved with 2 4-story 19th century buildings. Lots 4 and 5, also located within Square 342, are covered by a surface parking lot. Directly across the street from Square 342, to the west and south, are high-density mixed-use commercial buildings. The applicant is Jemal's Bulldog LLC.

(c) The proposed hotel will be constructed over the top of the existing alley, making continued access to that alley impossible. However, the alley system in Square 342 also includes a 12-foot-wide through-block public alley running east-west, as well as an 11-foot-wide north-south public alley.

(d) The Council has passed a permanent version of this legislation, the Closing of a Public Alley in Square 342, S.O. 14-21629, Act of 2016, enacted on May 4, 2016 (D.C. Act 21-387; 63 DCR ____). Making the closing effective sooner than congressional review will allow would enable the project to proceed without the risk of delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Public Alley in Square 342, S.O. 14-21629, Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-477, effective May 3, 2016

A RESOLUTION

Proposed Resolution 21-704

***See* Emergency D.C. Act 21-402 21 DCStat 3216**

To declare the existence of an emergency with respect to the need to amend Chapter 18 of Title 47 of the District of Columbia Official Code to clarify the franchise tax rates so that they correspond with existing law regarding tax reform procedure and priority.

Franchise Tax Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Franchise Tax Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) As part of the Tax Revision Commission Implementation Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 62 DCR 3601), the District triggered step reductions to the unincorporated and incorporated business franchise tax rate in addition to a number of other revisions to the District's tax code.

(b) The tax triggers, set forth at D.C. Official Code § 47-181, codified the step reductions and reduced the unincorporated and incorporated business franchise tax rate in 0.2 % increments. Thus, the unincorporated and incorporated business franchise tax rate would reduce from 9.4 % to 9.2 %, and in subsequent triggers from 9.2 % to 9.0 %.

(c) Although the tax reform procedure and priority in D.C. Official Code § 47-181 is clear, a corresponding amendment to the unincorporated and incorporated business franchise tax rate, codified at D.C. Official Code § 47-1807, is necessary to accurately reflect the tax reform procedure and implementation.

(d) The Council adopted an identical fix in the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2016, effective January 27, 2016 (D.C. Act 21-292; 63 DCR 1211). However, that provision, which went into effect on January 27, 2016, expired on April 26, 2016. As such, it is necessary to pass an emergency measure to continue this clarification until the permanent fix is adopted.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Franchise Tax Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-701

***See* Emergency D.C. Act 21-410 21 DCStat 3227**

To declare the existence of an emergency with respect to the need to amend An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify agency responsibilities with regard to school attendance, to deem an absence of a minor student from a public school unexcused where the school does not obtain an explanation for the absence from the student's parent or guardian verifying the reason for an absence within 5 days after a student's return to school, to prohibit the suspension, expulsion, or unenrollment of a minor from a public school due to an unexcused absence or due to a late arrival to school, to clarify attendance reporting requirements for public, independent, private, and parochial schools, to revise the protocol for a law enforcement officer who comes in contact with a minor and has reasonable grounds to believe the minor is truant, to revise the educational institution referral requirement for the Child and Family Services Administration, the Court Social Services Division of the Superior Court of the District of Columbia, and the Office of the Attorney General Juvenile Section to only include unexcused full school day absences with regard to attendance, to provide educational institutions with discretion on referrals if a student's 10th or 15th unexcused absence is accrued within the final 10 school days of the school year, and to require the State Superintendent of Education to provide written notice to each public, independent, private, or parochial school outlining the attendance and reporting requirements by July 1 of each year; to amend the District of Columbia School Reform Act of 1995 to conform it to the prohibitions against expulsion and suspension provided in An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes and the Pre-k Enhancement and Expansion Amendment Act of 2008; and to amend Chapter 21 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations to repeal the requirement that a public school notify the Metropolitan Police Department after each occurrence of a student's 10th unexcused absence, to require that an educational institution obtain an explanation for a student's absence within 5 days of the student's return to school, and to amend the terms "truancy rate" and "chronic absenteeism."

School Attendance Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "School Attendance Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) Over the past 5 years, the Council of the District of Columbia has passed 3 laws – D.C. Law 18-242, the Safe Children and Safe Neighborhoods Educational Neglect Mandatory Reporting Amendment Act of 2010; D.C. Law 19-141, the South Capitol Street Memorial Amendment Act of 2012; and D.C. Law 20-17, the Attendance Accountability Amendment Act of 2013 – with the goal of reducing chronic truancy.

(b) Schools have implemented the various mandates from the 3 different bills over the past 2 years and have worked diligently to reduce the truancy epidemic in the District. Such efforts have started to result in an annual reduction in truancy in both public education sectors

and has shed light on additional areas that need to be addressed in order to continue in a positive trend.

(c) To address the issues that have been raised through implementation of the 3 laws mentioned above, Chairman Mendelson and Councilmember Grosso introduced Bill 21-508, the School Attendance Clarification Amendment Act of 2015 on December 1, 2015. The various items in Bill 21-508 have been identified through the work of the Truancy Taskforce's policy committee. In some cases, the changes in Bill 21-508 reflect the actual practice occurring in the District, and in other cases the changes allow schools and the various District agencies (e.g. the Child and Family Services Administration, Office of the Attorney General, and the Court Social Services Division) to target resources to those students who need them most as the District continues to identify ways to combat not just truancy but chronic absenteeism.

(d) On January 21, 2016, the Committee of the Whole and the Committee on Education held a joint public hearing on Bill 21-508, and on February 24, 2016, the Committee on Education marked up Bill 21-508. As the bill is a product of collaboration and extensive feedback from the District of Columbia Public Schools, the public charter school sector, the private school sector, and the various District agencies involved with combating truancy in the District, the Committee of the Whole print, which was marked up on April 19, 2016, was virtually identical to the version marked up by the Committee on Education.

(e) On April 19, 2016, Bill 21-508 was adopted unanimously by the Council on first reading and is up for second reading on May 3, 2016. However, the bill will not become law until the summer, making it difficult for schools to plan for the upcoming changes in school year 2016-2017. Various provisions in Bill 21-508 will require schools to make changes to their data systems, parent handbooks, and attendance policies. In order for schools to have these changes in place when school starts, they must have ample notice and implementation time, especially since some of the schools in the District start in early August. Thus, an immediate need exists for this legislation, which mirrors verbatim the language in the permanent version.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the School Attendance Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-687

***See* Emergency D.C. Act 21-396 21 DCStat 3204**

To declare the existence of an emergency with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow any applicant that received notification on July 25, 2014, that its medical marijuana cultivation center was eligible for registration to modify its application, to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants, not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1,000.

Medical Marijuana Cultivation Center Expansion Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Cultivation Center Expansion Emergency Declaration Resolution of 2016".

Sec. 2. (a) This emergency is necessary to allow holders of cultivation center registrations that own or have valid leases for the real property immediately adjacent to, and located within the same physical structure as, their existing cultivation centers to expand their facilities into that adjacent real property for purposes of increasing production not to exceed the authorized limit. This emergency will also increase the number of living plants medical marijuana cultivation centers may possess at any time to 1,000.

(b) Pursuant to the Medical Marijuana Expansion Emergency Amendment Act of 2014, effective July 29, 2014 (D.C. Act 20-396; 61 DCR 8255), and the Medical Marijuana Expansion Temporary Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-163; 61 DCR 10753), the District increased the number of plants that a cultivation center could possess from 95 to 500 plants.

(c) To accommodate this growth, the District's cultivation centers must increase production, which for some registrants may necessitate expanding the physical size of their facilities, and for all facilities will require the ability to possess more than the current allotment of 500 living plants at any time.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-702

***See* Emergency D.C. Act 21-401 21 DCStat 3215**

To declare the existence of an emergency with respect to the need to amend section 103 of Title 18 of the District of Columbia Municipal Regulations to repeal the requirement that every person who has never been issued a driver license must provide documentation that they have successfully completed an approved course of driver instruction before issuance of a provisional permit or driver license.

Mandatory Driver Instruction Regulation Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mandatory Driver Instruction Regulation Emergency Declaration Resolution of 2016".

Sec. 2. (a) In January 2016, the Department of Motor Vehicles ("DMV") announced its intention to implement rules on May 1, 2016, mandating that "before receiving their first driver license, all new drivers, regardless of age, must successfully complete a DC DMV approved course in driver education that consists of 30 hours of classroom instruction and eight hours of behind-the-wheel instruction."

(b) The DMV has approved 15 private companies to provide the driver instruction courses in the District, with rates that range from $375 to $499 for 10 hours of instruction – amounting to approximately $1,000 for the total 30 or more mandated hours of driving instruction -- resulting in high costs to District residents seeking to obtain a provisional permit or driver license.

(c) 20% of District residents make less than $23,000 a year, meaning that a low-income resident would have to spend more than half a month's income on driver instruction.

(d) Until 2009, public schools in the District provided driver instruction funded in part by a fee added to driver license applications, but there is currently no low-cost or free option for a District resident seeking driver instruction.

(e) By not providing a low-cost or free option, the DMV's mandatory driver instruction rules will effectively prevent many low-income District residents from having equal access to provisional permits or driver licenses.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Mandatory Driver Instruction Regulation Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-690

***See* Emergency D.C. Act 21-397 21 DCStat 3206**

To declare the existence of an emergency with respect to the need to approve Task Order 4 of Contract No. CFOPD-15-C-046A with Bert Smith & Company to continue to provide auditing services for Medicaid healthcare providers to the Office of the Chief Financial Officer on behalf of the Department of Healthcare Finance and to authorize payment for the services received and to be received under the contract.

Contract No. CFOPD-15-C-064A Extension Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-15-C-064A Extension Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Task Order 4 of Contract No. CFOPD-15-C-064A with Bert Smith & Company to continue to provide auditing services for Medicaid healthcare providers to the Office of the Chief Financial Officer on behalf of the Department of Healthcare Finance and to authorize payment for the services received and to be received under the contract.

(b) On September 18, 2015, the Office of the Chief Financial Officer executed Task Order 1 under Contract No. CFOPD-15-C-064A in the amount of $399,584. On April 4, 2016, the amount of Task Order 1 was reduced to $306,055.

(c) On November 27, 2015, the Office of the Chief Financial Officer executed Task Order 2 under Contract No. CFOPD-15-C-064A in the amount of $401,064.

(d) On April 5, 2016, the Office of the Chief Financial Officer executed Task Order 3 under Contract No. CFOPD-15-C-064A in the amount of $285,840.

(e) Proposed Task Order 4 is in the amount of $1,376,791.

(f) Council approval is necessary because proposed Task Order 4 is in excess of $1 million and it increases the overall expenditures under Contract No. CFOPD-15-C-064A to more than $1 million during a 12-month period. Council approval is further necessary to allow the continuation of these vital services and to allow Bert Smith & Company to continue performance under the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CFOPD-15-C-064A Extension Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-482, effective May 3, 2016

A RESOLUTION

Proposed Resolution 21-695

See Emergency D.C. Act 21-398 21 DCStat 3207

To declare the existence of an emergency with respect to the need to amend Chapter 7 of Title 25 of the District of Columbia Official Code to clarify the penalties for sale to minors violations and the failure to ascertain the legal drinking age violations.

Sale to Minors Penalty Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sale to Minors Penalty Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) The current language in D.C. Official Code §§ 25-781(f) and 25-783(c) needs to be amended to eliminate existing confusion among licensed establishments cited for selling alcoholic beverages to a minor or for failing to check identification to clarify how the Board determines the penalties for subsequent sale to a minor and the failure to check identification violations.

(b) Emergency legislation is needed to immediately clarify the law for licensed establishments and to avoid any adverse impact on the Alcoholic Beverage Control Board when it imposes a penalty on an establishment that has violated the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sale to Minors Penalty Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-698

***See* Emergency D.C. Act 21-409 21 DCStat 3226**

To declare the existence of an emergency with respect to the need to approve the Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS between the Department of Behavioral Health and the Foundation for Contemporary Mental Health for methadone maintenance and counseling treatment services to eligible District residents and to authorize payment for the services received and to be received under the agreement.

Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS between the Department of Behavioral Health ("DBH") and the Foundation for Contemporary Mental Health ("Foundation") for methadone maintenance and counseling treatment services to eligible District residents.

(b) DBH anticipates an influx of about 400 new clients due to the unanticipated end of services by a current methadone provider in May. In addition, unexpected technical glitches in the electronic medical record and billing and claims system prevent a determination of Medicaid eligibility for enrolled clients and jeopardize the confidentiality of medical records as required by law during transfer of clients. This will delay the projected federal Medicaid reimbursements to support local dollars. To maintain continuity of care, the cost of the Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS ending September 30, 2016, must be increased to $1,060,000, thereby necessitating Council approval.

(c) Approval of Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS is required to allow methadone maintenance and counseling treatment services to continue uninterrupted and to avoid disruption in care from transferring about 700 clients now served by the Foundation to other methadone treatment providers.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Human Care Agreement RM-15-HCA-SATS-008-FCM-BY4-CPS Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-696

***See* Emergency D.C. Act 21-407 21 DCStat 3224**

To declare the existence of an emergency with respect to the need to approve the Human Care Agreement RM-15-HCA-SATS-002- UPO-BY4-CPS between the Department of Behavioral Health and United Planning Organization for methadone maintenance and counseling treatment services to eligible District residents and to authorize payment for the services received and to be received under the agreement.

Human Care Agreement RM-15-HCA-SATS-002-UPO-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement RM-15-HCA-SATS-002-UPO-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the Human Care Agreement RM-15-HCA-SATS-002-UPO-BY4-CPS between the Department of Behavioral Health ("DBH") and United Planning Organization for methadone maintenance and counseling treatment services to eligible District residents.

(b) DBH anticipates an influx of about 400 new clients due to the unanticipated end of services by a current methadone provider in May. In addition, unexpected technical glitches in the electronic medical record and billing and claims system prevent a determination of Medicaid eligibility for enrolled clients and jeopardize the confidentiality of medical records as required by law during transfer of clients. This will delay the projected federal Medicaid reimbursements to support local dollars. To maintain continuity of care, the cost of the Human Care Agreement RM-15-HCA-SATS-002-UPO-BY4-CPS ending September 30, 2016, was increased to $1,060,000, thereby necessitating Council approval.

(c) Approval of the Human Care Agreement RM-15-HCA-SATS-002-UPO-BY4-CPS is required to allow methadone maintenance and counseling treatment services to continue uninterrupted and to avoid disruption in care from transferring about 400 clients now served by UPO to other methadone treatment providers.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Human Care Agreement RM-15-HCA-SATS-002-UPO-BY4-CPS Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-697

***See* Emergency D.C. Act 21-408 21 DCStat 3225**

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 001 through 004 to Contract No. DCAM-15-CS-0112 with District Veterans Contracting, Inc. for the renovation of the Wilson Building, and to authorize payment in the aggregate amount of $2,465,608.64 for the goods and services received and to be received under the change orders.

Change Order Nos. 001 through 004 to Contract No. DCAM-15-CS-0112 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 001 through 004 to Contract No. DCAM-15-CS-0112 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 001 through 004 to Contract No. DCAM-15-CS-0112 with District Veterans Contracting, Inc. for the renovation of the Wilson Building, and to authorize payment in the aggregate amount of $2,465,608.64 for the goods and services received and to be received under the change orders.

(b) The underlying contract was previously deemed approved by the Council on November 23, 2015 (CA21-0238). The Department of General Services issued Change Order No. 001 ($0), Change Order No. 002 ($519,263.83), and Change Order No. 003 ($201,345.81). The aggregate value of those change orders was less than $1 million; thus, Change Order Nos. 001 through 003 did not require Council approval.

(c) Change Order No. 004 will cause the aggregate value of the change orders to exceed the $1 million threshold pursuant to section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)).

(d) In addition, Change Order No. 004 will cause Contract No. DCAM-15-CS-0112 to become a multiyear contract that requires Council approval pursuant to section 451(c) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)).

(e) Approval of Change Order Nos. 001 through 004 in the aggregate amount of $2,465,608.64 is necessary to compensate District Veterans Contracting Inc. for work completed and to be completed pursuant to the change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 001 through 004 to Contract No. DCAM-15-CS-0112 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-693

***See* Emergency D.C. Act 21-406 21 DCStat 3347**

To declare the existence of an emergency with respect to the need to approve Contract No. DCKT-2016-C-0016 with BCI, Inc. dba Butler Company to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0016 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKT-2016-C-0016 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCKT-2016-C-0016 with BCI, Inc. dba Butler Company to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

(b) The Office of the Mayor declared a state of emergency in Mayor's Order 2016-006 for the period from January 21, 2016, through February 5, 2016, because of a storm system which was expected to have serious widespread effects. The City Administrator, in consultation with the Homeland Security and Emergency Management Agency ("HSEMA"), was authorized to implement such measures as may be necessary or appropriate to protect persons and property in the District from the conditions caused by the snow storm. Section 5(b)(2) of the District of Columbia Public Emergency Act of 1981, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code §7-2304(b)(2)), authorized the District to procure any goods or services without regard to established operating procedures related to entering into contracts.

(c) Upon authorization by HSEMA of the need for goods or services, the Office of Contracting and Procurement obtained the vital goods and services from BCI, Inc. dba Butler Company.

(d) Council approval is necessary because the expenditures under the contract are in excess of $1 million during a 12-month period.

(e) Approval is necessary to allow payment for these vital services. Without this approval, BCI, Inc. dba Butler Company cannot be paid for the goods and services provided in excess of $1 million for the contract period of January 21, 2016, through February 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKT-2016-C-0016 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-691

See Emergency D.C. Act 21-404 21 DCStat 3221

To declare the existence of an emergency with respect to the need to approve Contract No. CW42754 to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. CW42754 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW42754 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Contract No. CW42754 with Capitol Paving of D.C., Inc., to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

(b) The Office of the Mayor declared a state of emergency in Mayor's Order 2016-006 for the period from January 21, 2016, through February 5, 2016, because of a storm system which was expected to have serious widespread effects. The City Administrator, in consultation with the Homeland Security and Emergency Management Agency ("HSEMA"), was authorized to implement such measures as may be necessary or appropriate to protect persons and property in the District from the conditions caused by the snow storm. Section 5(b)(2) of the District of Columbia Public Emergency Act of 1981, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(2)), authorized the District to procure any goods or services without regard to established operating procedures related to entering into contracts.

(c) Upon authorization by HSEMA of the need for goods or services, the Office of Contracting and Procurement obtained the vital goods and services from Capitol Paving of D.C., Inc.

(d) Council approval is necessary because the expenditures under the contract are in excess of $1 million during a 12-month period.

(e) Approval is necessary to allow payment for these vital services. Without this approval, Capitol Paving of D.C., Inc. cannot be paid for the goods and services provided in excess of $1 million for the contract period of January 21, 2016, through February 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW42754 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-488, effective May 3, 2016

A RESOLUTION

Proposed Resolution 21-692

***See* Emergency D.C. Act 21-405 21 DCStat 3222**

To declare the existence of an emergency with respect to the need to approve Contract No. CW42752 with Fort Myer Construction Corporation to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. CW42752 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW42752 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Contract No. CW42752 with Fort Myer Construction Corporation to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

(b) The Office of the Mayor declared a state of emergency in Mayor's Order 2016-006 for the period from January 21, 2016, through February 5, 2016, because of a storm system which was expected to have serious widespread effects. The City Administrator, in consultation with the Homeland Security and Emergency Management Agency ("HSEMA"), was authorized to implement such measures as may be necessary or appropriate to protect persons and property in the District of Columbia from the conditions caused by the snow storm. Section 5(b)(2) of the District of Columbia Public Emergency Act of 1981, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(2)), authorized the District to procure any goods or services without regard to established operating procedures related to entering into contracts.

(c) Upon authorization by HSEMA of the need for goods or services, the Office of Contracting and Procurement obtained the vital goods and services from Fort Myer Construction Corporation.

(d) Council approval is necessary because expenditures under the contract are in excess of $1 million during a 12-month period.

(e) Approval is necessary to allow payment for these vital services. Without this approval, Fort Myer Construction Corporation cannot be paid for the goods and services provided in excess of $1 million for the contract period of January 21, 2016, through February 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Contract No. CW42752 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-605

See Emergency D.C. Act 21-415 21 DCStat 3232

To declare the existence of an emergency with respect to the need to increase certain appropriations in the Fiscal Year 2016 Budget Request Act of 2015 pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2016 Second Revised Budget Request Adjustment Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2016 Second Revised Budget Request Adjustment Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Office of the Chief Financial Officer provided quarterly revised revenue estimates in September, December, and February that resulted in increased Fiscal Year 2016 revenues that are not allocated for a particular use.

(b) In conjunction with the proposed Fiscal Year 2017 Budget and Financial Plan, the Mayor proposed reducing budget authority for several agencies in Fiscal Year 2016 and identified additional amounts from fund balances and policy decisions to increase available resources.

(c) The Fiscal Year 2016 resources resulting from these changes are used to help balance the proposed Fiscal Year 2017 Budget and Financial Plan, to align agency budgets with expenditures in Fiscal Year 2016, and to ensure timely repayment of the Contingency Cash Reserve Fund.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2016 Second Revised Budget Request Emergency Adjustment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-778

***See* Emergency D.C. Act 21-419 21 DCStat 3243**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Prevention of Child Abuse and Neglect Act of 1977 to include in the definition of case plan an additional requirement for children 14 years of age and older, to define the reasonable and prudent parent standard, to require that foster children receive a credit report on an annual basis beginning at 14 years of age, and to require the use of the reasonable and prudent parent standard by foster parents and group homes; and to amend section 16-2323 of the District of Columbia Official Code to require additional reporting requirements for children who have been placed in another planned permanent living arrangement.

Supporting Normalcy and Empowering Children in Foster Care Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Supporting Normalcy and Empowering Children in Foster Care Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Supporting Normalcy and Empowering Children in Foster Care Emergency Amendment Act of 2016, effective March 16, 2016 (D.C. Act 21-333; 63 DCR 4306), will expire on June 14, 2016.

(b) The Supporting Normalcy and Empowering Children in Foster Care Temporary Amendment Act of 2016, enacted on April 27, 2016 (D.C. Act 21-377; 63 DCR 6866), is pending congressional review with a projected law date of June 24, 2016.

(c) The congressional review emergency is necessary to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Supporting Normalcy and Empowering Children in Foster Care Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-779

***See* Emergency D.C. Act 21-420 21 DCStat 3246**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 and the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000 to create incentives for the retention and recruitment of Metropolitan Police Department officers.

Metropolitan Police Department Officer Retention and Recruitment Incentives Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Metropolitan Police Department Officer Retention and Recruitment Incentives Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to create incentives for the retention and recruitment of Metropolitan Police Department officers.

(b) On March 1, 2016, the Council passed the Metropolitan Police Department Officer Retention and Recruitment Incentives Emergency Amendment Act of 2016, effective March 17, 2016 (D.C. Act 21-332; 63 DCR 4304). This emergency legislation will expire on June 15, 2016.

(c) Permanent legislation, which is substantively identical to the emergency legislation – Title II, Subtitle I of the Neighborhood Engagement Achieves Results Amendment Act of 2016 – was enacted on March 26, 2016 (D.C. Act 21-356; 63 DCR 4659). The permanent legislation is undergoing congressional review and is not expected to become law until September 8, 2016.

(d) In order to prevent a gap in the law, it is now necessary to move this congressional review emergency legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Metropolitan Police Department Officer Retention and Recruitment Incentives Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-703

***See* Emergency D.C. Act 21-416 21 DCStat 3240**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 0003 and 0004 to Contract No. CW22089 with MVS, Inc. to provide information technology equipment and software and to authorize payment in the not-to-exceed amount of $10,000,000 for the goods and services received and to be received during option year 3 of the contract.

Modifications to Contract No. CW22089 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW22089 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Modification Nos. 0003 and 0004 to Contract No. CW22089 with MVS, Inc., to provide information technology equipment and software and to authorize payment for the goods and services to be received during option year 3 of the contract.

(b) On March 28, 2016 by Modification No. 0003, the Office of Contracting and Procurement exercised option year 3 of Contract No. CW22089 for the period from April 1, 2016 to March 31, 2017, in the not-to-exceed amount of $950,000.00.

(c) Modification No. 0004 proposes to increase the total not-to-exceed amount for option year 3 of the contract to $10,000,000.00.

(d) Council approval of Modification Nos. 0003 and 0004 is necessary because these modifications increase the contract amount by more than $1,000,000 during a 12-month period.

(e) Approval of Modification Nos. 0003 and 0004 is necessary to allow the continuation of these vital services. Without this approval, MVS, Inc., cannot be paid for services provided in excess of $1,000,000.00 during option year 3 of the contract, from April 1, 2016 through March 31, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW22089 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-730

See Emergency D.C. Act 21-435 21 DCStat 3260

To declare the existence of an emergency with respect to the need to approve the Amendment for Partial Exercise of Option Year 002 to Contract No. DCAM-14-NC-0046B, and Change Order Nos. 001 through 006, inclusive, to that amendment with Kramer Consulting, P.C. to provide program management services for the Department of Parks and Recreation's capital construction portfolio and to authorize payment in the aggregate not-to-exceed amount of $2,454,680 for the goods and services received and to be received during option year 2 of the contract.

Amendment and Change Orders to Contract No. DCAM-14-NC-0046B Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Amendment and Change Orders to Contract No. DCAM-14-NC-0046B Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the Amendment for Partial Exercise of Option Year 002 to Contract No. DCAM-14-NC-0046B, and Change Order Nos. 001 through 006, inclusive, to that Amendment with Kramer Consulting, P.C. to provide program management services for the Department of Parks and Recreation's (the "Department's") capital construction portfolio and to authorize payment in the aggregate not-to-exceed amount of $2,454,680 for the goods and services received and to be received during option year 2 of the contract.

(b) The Department awarded the underlying contract to Kramer to provide program management services for the Department's capital construction portfolio, which was submitted to the Council and approved pursuant to CA20-0345. Subsequently, the Department exercised the first of the 2 one-year options to extend the term of the contract; that action was also submitted to the Council and approved pursuant to CA21-0014. Thereafter, the Department partially exercised the second of the 2 option years by issuing the Amendment for Partial Exercise of Option Year 002, which extended the contract term through November 15, 2015 and authorized the expenditure of an amount not to exceed $75,000. Change Order No. 001 to the Amendment increased the not-to-exceed amount for option year 2 to $250,000. Thereafter, Change Order Nos. 002 and 003 to the Amendment extended the contract term through February 15, 2016 and increased the not-to-exceed amount for option year 2 to $750,000, respectively. Change Order No. 004 to the Amendment extended the contract term through March 31, 2016 and increased the not-to-exceed amount for option year 2 to $995,000. Change Order No. 005 to the Amendment extended the contract term through May 15, 2016. The aggregate contract amount of the Amendment for Partial Exercise of Option Year 002, and Change Order Nos. 001 through 005 to that Amendment, was $995,000; thus, Council approval was not required.

(c) The Department now seeks to issue Change Order No. 006, which will extend the contract term through September 30, 2016, fully exercising option year 2, and increase the not-to-exceed amount of option year 2 to $2,454,680.

(d) Council approval of the Amendment for Partial Exercise of Option Year 002, and Change Order Nos. 001 through 006, inclusive, to that Amendment is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the Amendment and the change orders will increase contract amount by more than $1,000,000 during a 12-month period.

(e) Approval of the Amendment for Partial Exercise of Option Year 002, and Change Order Nos. 001 through 006, inclusive, to that Amendment is necessary to allow the continuation of these vital services. Without this approval, Kramer Consulting, P.C. cannot be paid for services provided in excess of $1,000,000 during option year 2 of the contract, from October 1, 2015 to September 30, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Amendment and Change Orders to Contract No. DCAM-14-NC-0046B Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-494, effective June 7, 2016

A RESOLUTION

Proposed Resolution 21-771

***See* Emergency D.C. Act 21-417 21 DCStat 3240**

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 005 through 016, inclusive, to Contract No. DCAM-12-M-1031H-FM with MCN Build, LLC for design-build services for Powell Elementary School and to authorize payment in the aggregate amount of $11,292,587.82 for the goods and services received and to be received under the change orders.

Change Orders to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Declaration Resolution 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Orders to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Declaration Resolution 2016".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 005 through 016, inclusive, to Contract No. DCAM-12-M-1031H-FM with MCN Build, LLC for design-build services for Powell Elementary School and to authorize payment in the aggregate amount of $11,292,587.82 for the goods and services received and to be received under the change orders.

(b) The underlying contract was approved by the Council pursuant to CA20-0106. Subsequently, Change Order Nos. 001 and 002 were issued; Change Order No. 002 required the approval of the Council and was approved pursuant to B20-798. Subsequently, Change Order Nos. 003 and 004 were issued; Change Order No. 004 required the approval of the Council and was approved pursuant to B21-198. Thereafter, the Department of General Services issued Change Order Nos. 005 through 015, which had a total aggregate value of $975,018.82; thus, Council approval was not required.

(c) The Department of General Services now seeks to issue Change Order No. 016, in the amount of $10,317,587.82.

(d) Council approval of Change Order Nos. 005 through 016, inclusive, is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because these change orders increase the contract amount by more than $1,000,000 during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, MCN Build, LLC cannot be paid for services provided pursuant to Change Order Nos. 005 through 016, inclusive, to the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Orders to Contract No. DCAM-12-M-1031H-FM Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-772

***See* Emergency D.C. Act 21-418 21 DCStat 3242**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 0002 and 0004 to Contract No. DCRL-2016-R-0004 with the Far Southeast Family Strengthening Collaborative to provide community-based social welfare services and to authorize payment in the aggregate not-to-exceed amount of $1,067,202.37 for the goods and services received and to be received under the modifications.

Modifications to Contract No. DCRL-2016-R-0004 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. DCRL-2016-R-0004 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Modification Nos. 0002 and 0004 to Contract No. DCRL-2016-R-0004 with the Far Southeast Family Strengthening Collaborative to provide co-location and youth transportation services for children and youth and to authorize payment in the aggregate not-to-exceed amount of $1,067,202.37 for the goods and services received and to be received under the modifications.

(b) The District awarded a sixty-one (61) day letter contract, Contract No. DCRL-2016-R-0004 to the Far Southeast Family Strengthening Collaborative on September 30, 2015. The letter contract merged with a definitized contract on November 24, 2015, and the merged contract, in the amount of $5,745,234.00, was deemed approved by the Council pursuant to CA21-237. On February 17, 2016, Modification No. 0002 in the amount of $998,093.37 was executed to include transitional housing services for youth and families under the Child and Family Services Administration's care. Modification No. 0004 would add an additional $69,109.00 to the contract amount for co-location and youth transportation services through September 30, 2016.

(c) Council approval of Modification Nos. 0002 and 0004 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because these modifications increase the contract amount by more than $1,000,000 during a 12-month period.

(d) Approval of Modification Nos. 0002 and 0004 is necessary to allow the continuation of these vital services. Without this approval, the Far Southeast Family Strengthening Collaborative cannot be paid for services provided in excess of $1,000,000 pursuant to Modification Nos. 0002 and 0004 to the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCRL-2016-R-0004 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-770

To approve an agreement to enter into a long-term subsidy contract for15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2014-LRSP-07A with South Capitol Improvements, LLC, for program units located at 4001 South Capitol Street, S.W.

Local Rent Supplement Program Contract No. 2014-LRSP-07A Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2014-LRSP-07A Approval Resolution of 2016".

Sec. 2. (a) In 2007, the District passed title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based and sponsored-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In April 2014, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development. Of the total proposals received, 12 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making from 0% to 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout Washington, D.C. Upon approval of the agreement to enter into a long-term subsidy contract ("ALTSC") by the Council, DCHA will execute the agreement with the selected housing providers under the LRSP.

(c) There exists an immediate need to approve the ALTSC with South Capitol Improvements, LLC, in order to provide long-term affordable housing units for extremely low-income households in the District for units located at 4001 South Capitol Street, S.W.

(d) The Council's approval authorizes the ALTSC between DHCA and South Capitol Improvements, LLC, with respect to the payment of rental subsidy, and allows the owner to lease 20 newly constructed units at South Capitol Multifamily and house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the ALTSC with South Capitol Improvements, LLC, for the creation of 20 affordable housing units, in an initial amount not to exceed $240,960 annually.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to DCHA and the Mayor.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

D.C. Resolution 21-497, effective June 7, 2016

A RESOLUTION

Proposed Resolution 21-625

To confirm the reappointment of Mr. Gregory McCarthy to the Board of Library Trustees.

Board of Library Trustees Gregory McCarthy Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Gregory McCarthy Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Gregory McCarthy
1334 Riggs Street, N.W.
Washington, D.C. 20009
(Ward 2)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2021.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-626

To confirm the appointment of Ms. Cleve Mesidor to the Board of Library Trustees.

Board of Library Trustees Cleve Mesidor Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Cleve Mesidor Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Cleve Mesidor
1501 27th Street, S.E. #309
Washington, D.C. 20020
(Ward 7)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2021.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-723

To confirm the appointment of Ms. Saba Bireda to the Public Charter School Board.

Public Charter School Board Saba Bireda Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA That this resolution may be cited as the "Public Charter School Board Saba Bireda Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Saba Bireda
1438 V Street, S.E.
Washington, D.C. 20020
(Ward 8)

as a member of the Public Charter School Board, established by section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), replacing Barbara Nophlin, for a term to end February 24, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-660

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $52 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist International Spy Museum in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

International Spy Museum Revenue Bonds Project Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "International Spy Museum Revenue Bonds Project Approval Resolution of 2016".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner, operator, manager, and user of the assets to be financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be the International Spy Museum, a corporation organized under the laws of the State of Ohio, and exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3).

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents other than Closing Documents that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq*.).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan contemplated thereby, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) Acquiring and constructing a new museum facility of approximately 110,000 square feet (together with associated parking facilities and other property, real and personal, functionally related and subordinate thereto) on certain air rights above a portion of the vacant land commonly known as the Center Parcel of L'Enfant Plaza, located at 900 L'Enfant Plaza, S.W., Washington, D.C. 20024 (Lot 7003, Square 387) to house the International Spy Museum;

(B) Paying certain working capital expenditures associated with the foregoing, to the extent financeable; and

(C) Paying allowable Issuance Costs.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may by resolution authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse and to assist in the financing, refinancing, or reimbursing of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in an aggregate principal amount not to exceed $52 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health,

education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of elementary, secondary and college and university facilities within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $52 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the

replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to

the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory

ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution, or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable

law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-689

To authorize and provide for the issuance, sale, and delivery in an aggregate principal amount not to exceed $7.5 million of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist Integrated Design and Electronics Academy Public Charter School in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

Integrated Design and Electronics Academy Public Charter School Revenue Bonds Project Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Integrated Design and Electronics Academy Public Charter School Revenue Bonds Project Approval Resolution of 2016".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be Integrated Design and Electronics Academy Public Charter School, a nonprofit corporation organized under the laws of the District of Columbia, which is exempt from federal income taxes under 26 U.S.C § 501(a) as an organization described in 26 U.S.C. § 501(c)(3) and organized under the laws of the District and which is liable for the repayment of the Bonds.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Mayor" means the Mayor of the District of Columbia.

(13) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) The acquisition, development, construction and renovation of a public charter high school campus located at 1027 45th Street, N.E., Washington, D.C. 20019 (Lot 0169, Square 5155) ("Facility"), including the refinancing of certain existing debt related to the Facility;

(B) The purchase of equipment and furnishings, together with other property, real and personal, functionally related and subordinate thereto;

(C) Funding certain working capital costs directly related to the Facility, to the extent financeable;

(D) Funding any credit enhancement costs, liquidity costs, or debt service reserve fund; and

(E) Paying Issuance Costs and other related costs to the extent permissible.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance,

or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed $7.5 million, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of elementary and secondary school facilities, within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $7.5 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant,

undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this resolution, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the Project to be financed, refinanced, or reimbursed with the proceeds of the Bonds. This resolution approving the issuance of the Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 20. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-731

To approve HFA21-0018, the District of Columbia Housing Finance Agency Second Amended Resolution As To The Eligibility Of Portner Flats For Tax-Exempt And/Or Taxable Multifamily Housing Mortgage Revenue Bond Financing, which would increase the not-to-exceed amount of tax-exempt and/or taxable multifamily housing mortgage revenue bond financing for the Portner Flats project to $30 million.

Portner Flats Mortgage Revenue Bond Financing Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Portner Flats Mortgage Revenue Bond Financing Approval Resolution of 2016".

Sec. 2. The Council finds that:

(1) Portner Flats, located in the 1400 block of U and V Streets, N.W., is in a rapidly gentrifying area where affordable housing is at a premium.

(2) With bonds, the development team will double the number of affordable units in a highly walkable neighborhood that is rapidly losing affordable units for working families.

(3) The original 2- and 3-bedroom units of Portner Place will be replicated in the new Portner Flats with 36 2-bedroom units and 12 3-bedroom units with Section 8 subsidy within the new 96-unit affordable building Portner Flats.

(4) Amenity spaces in the new building have been designed to meet the residents' needs and the developer's commitment to provide community spaces for an after-school program, playground, computer lab, community garden, and fitness center.

(5) The developer has committed to set up an endowment fund to sustain resident services.

(6) The Council has passively approved 2 previous financing resolutions from the District of Columbia Housing Finance Agency for this project.

Sec. 3. Pursuant to section 207 of the District of Columbia Housing Finance Agency Act, effective October 5, 1985 (D.C. Law 6-44; D.C. Official Code § 42-2702.07), the District of Columbia Housing Finance Agency transmitted to the Council on May 13, 2016, HFA 21-18, the District of Columbia Housing Finance Agency Second Amended Resolution As To The Eligibility of Portner Flans For Tax-Exempt And/Or Taxable Multifamily Housing Mortgage Revenue Bond Financing, which provided notice of the Board of Directors of the District of Columbia Housing Finance Agency's proposal to issue revenue bond financing in a not-to-exceed amount of $30 million for the Porter Flats project. The Council approves the proposed revenue bond financing.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the District of Columbia Housing Finance Agency.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-780

See Emergency D.C. Act 21-421 21 DCStat 3248

To declare the existence of an emergency with respect to the need to approve Modification 12 of Contract No. CFOPD-11-C-040 with eFunds Corporation to continue to provide electronic benefits transfer services to the Office of the Chief Financial Officer on behalf of the Office of Finance and Treasury, and to authorize payment for the services received and to be received under the contract.

Contract No. CFOPD-11-C-040 Extension Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-11-C-040 Extension Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve multiyear Modification 12 of Contract No. CFOPD-11-C-040 with eFunds Corporation to continue to provide electronic benefits transfer services to the Office of the Chief Financial Officer on behalf of the Office of Finance and Treasury and to authorize payment for the services received and to be received under the contract.

(b) On April 13, 2016, the Office of the Chief Financial Officer executed Modification 11 under Contract No. CFOPD-11-C-040, which partially exercised the multiyear option period from April 14, 2016, through July 13, 2016, in the amount of $250,000.

(c) Proposed Modification 12 will exercise the remaining 21 months of the multiyear option period, from July 14, 2016, through April 13, 2018, in the amount of $1,754,817.19.

(d) Council approval is necessary because proposed Modification 12 exercises a multiyear option. Council approval is further necessary to allow the continuation of these vital services and to allow eFunds Corporation to continue to perform under the contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CFOPD-11-C-040 Extension Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-800

***See* Emergency D.C. Act 21-427 21 DCStat 3254**

To declare the existence of an emergency with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide certain medical marijuana cultivation center applicants with the ability to relocate to another election ward.

Medical Marijuana Cultivation Center Relocation Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Cultivation Center Relocation Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Council passed the Medical Marijuana Cultivation Center Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-59; 60 DCR 15484) ("Act"), which amended the Legalization of Marijuana for Medical Treatment Initiative of 1999 to limit the number of medical marijuana cultivation centers and dispensaries that may locate in any election ward to 6.

(b) In 2015, 4 cultivation centers applied for the last available license in Ward 5, handing in their applications on the same day with the understanding that the applications would be processed, and the final registration awarded, on a first-come, first-serve basis. Instead, the Department of Health awarded the license based on other criteria.

(c) The District of Columbia Office of Administrative Hearings recently determined that the Department of Health's process in ascertaining which cultivation center would be awarded the final registration for Ward 5 was arbitrary, capricious, or was otherwise not in accordance with the law.

(d) Currently, applicants cannot modify the proposed cultivation center location on their applications subsequent to submission of that application. By allowing the affected applicants to modify the location listed on their pending application with the Department of Health, a new location for their cultivation center, in a different election ward, may be selected without forfeiting the "active" status of their application.

(e) This emergency legislation will permit cultivation centers applicants who were unable to secure the final license in Ward 5 due to an unclear process to change the location on their application and keep their "active" status as they continue to find a suitable location elsewhere within the District of Columbia.

(f) This legislation shall not result in the registration of more than 6 cultivation centers to operate within a single election ward established by the Council in section 4 of the Redistricting Procedure Act of 1981, effective March 16, 1982 (D.C. Law 4-87; D.C. Official Code § 1-1041.03).

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Cultivation Center Relocation Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-798

***See* Emergency D.C. Act 21-426 21 DCStat 3253**

To declare the existence of an emergency with respect to the need to approve Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008, and Modification Nos. 1 and 2 to Contract No. DCHT-2016-C-0003 with Universal Home Healthcare, Inc. to provide temporary staffing services for Personal Care Assistance to meet the needs of District Medicaid beneficiaries for the Department of Healthcare Finance and to authorize payment for the services received and to be received under these contracts and modifications.

Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008, and Modification Nos. 1 and 2 to Contract No. DCHT-2016-C-0003 with Universal Home Healthcare, Inc. to provide temporary staffing services for Personal Care Assistance to meet the needs of District Medicaid beneficiaries for the Department of Healthcare Finance ("DHCF") and to authorize payment for the services received and to be received under these contracts and modifications.

(b) The Office of Contracting and Procurement ("OCP"), on behalf of DHCF, entered into Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008, in the aggregate amount of $990,000 for the combined period from October 2, 2015, through September 30, 2016.

(c) OCP now proposes Modification No. 2 to Contract No. DCHT-2016-C-0003 to increase the amount of Contract DCHT-2016-C-0003 by $475,000, increasing Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008 to the not to exceed amount of $1,465,000.

(d) Council approval is necessary since this modification increases the aggregate contract amount for Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008 to more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, Universal Home Healthcare, Inc., cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract Nos. DCHT-2015-C-0003, DCHT-2016-C-0003, and DCHT-2016-C-0008

Modification Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-789

***See* Emergency D.C. Act 21-422 21 DCStat 3249**

To declare the existence of an emergency with respect to the need to approve Modification Nos. 005 and 006 and proposed Modification No. 007 to Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS with Good Hope Institute to continue to provide methadone maintenance and counseling treatment services to eligible District residents and to authorize payment for the services received and to be received under the modifications.

Modifications to Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 005 and 006 and proposed Modification No. 007 to Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS with Good Hope Institute to continue methadone maintenance and counseling treatment services to eligible District residents.

(b) The District awarded Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS to Good Hope Institute for a base year from October 2, 2014, through October 1, 2015.

(c) By Modification No. 005, on October 2, 2015, the District exercised Option Year One of Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS for the period from October 2, 2015, through September 30, 2016, in the not-to-exceed amount of $695,000.

(d) By Modification No. 006, on March 3, 2016, the District increased the not-to-exceed amount for Option Year One of Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS by $296,981 to the not-to-exceed amount of $991,981.

(e) By Modification No. 007, the District proposes to increase the not-to-exceed amount for Option Year One of Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS by $68,019 to the not-to-exceed amount of $1,060,000 and correct the term of Option Year One to end on October 1, 2016.

(f) Approval is necessary because the issuance of proposed Modification No. 007 would increase the contract value by more than $1 million during a 12-month period.

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, Good Hope Institute cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Modifications to Human Care Agreement No. RM-15-HCA-SATS-003-GHI-BY4-CPS Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-792

***See* Emergency D.C. Act 21-425 21 DCStat 3252**

To declare the existence of an emergency with respect to the need to approve Modification Nos. M020, M021, and M023 and proposed Modification No. M025 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to continue to provide case management and traditional and therapeutic family-based foster care services for children and youth, and to authorize payment for the services received and to be received under these modifications.

Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Clarification Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need for the Council to approve Modification Nos. M020, M021, and M023 and proposed Modification No. M025 to Human Care Agreement No. DCRL-2013-H-0039A with The National Center for Children and Families to continue to provide case management and traditional and therapeutic family-based foster care services for children and youth, and to authorize payment for the services received and to be received under these modifications.

(b) The District awarded Human Care Agreement No. DCRL-2013-H-0039A to The National Center for Children and Families for a base year from December 12, 2013, through December 11, 2014.

(c) The first option year for Human Care Agreement No. DCRL-2013-H-0039A was exercised for the period from December 12, 2014, through December 11, 2015.

(d) By Modification No. M020, on December 9, 2015, the District exercised a partial option for the second option year of Human Care Agreement No. DCRL-2013-H-0039A in the not-to-exceed amount of $981,306.15 for the period from December 12, 2015, through January 14, 2016.

(e) By Modification No. M021, on January 12, 2016, the District exercised a partial option for the second option year of Human Care Agreement No. DCRL-2013-H-0039A in the not-to-exceed amount of $1,706,578.68 for the period from January 15, 2016, through March 15, 2016.

(f) Modification No. M022 was administrative in nature and did not increase the value of the human care agreement.

(g) By Modification No. M023, on February 29, 2016, the District exercised a partial option for the second option year of Human Care Agreement No. DCRL-2013-H-0039A in the

not-to-exceed amount of $3,088,228.17 for the period from March 16, 2016, through June 30, 2016.

(h) Modification No. M024 was administrative in nature and did not increase the value of the human care agreement.

(i) By Modification No. M025, the District proposes to exercise the remainder of the second option year for the period from July 1, 2016, through December 11, 2016 in the not-to-exceed amount of $4,733,359.10, making the total not-to-exceed amount for option year two $10,563,472.10.

(j) Council approval is necessary because, as a result of Modification Nos. M021 and M023 and proposed Modification No. M025, the value of the human care agreement is increased to be more than $1 million during a 12-month period.

(k) Approval is necessary to allow the continuation of these vital services. Without this approval, The National Center for Children and Families cannot be paid for services provided in excess of $1 million.

(l) The Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Emergency Act of 2016, effective April 27, 2016 (D.C. Act 21-363; 63 DCR 6832), referred to a proposed Modification No. M023, but it did not expressly approve, or expressly authorize payment for, Modification No. M025. The Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Clarification Emergency Act of 2016 would supersede the Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Emergency Act of 2016 by explicitly approving Modification Nos. M020, M021, M023, and proposed Modification No. M025.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Human Care Agreement No. DCRL-2013-H-0039A Approval and Payment Authorization Clarification Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-794

***See* Emergency D.C. Act 21-442 21 DCStat 3267**

To declare the existence of an emergency with respect to the need to approve the first amendment to the multiyear Washington Metropolitan Area Transit Authority Capital Funding Agreement to extend the term of the agreement to June 30, 2017, and to provide funding for a capital improvement program in the amount of $92.1 million.

First Amendment to the Washington Metropolitan Area Transit Authority Capital Funding Agreement Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "First Amendment to the Washington Metropolitan Area Transit Authority Capital Funding Agreement Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve a first amendment to the Washington Metropolitan Area Transit Authority Capital Funding Agreement ("CFA") with the Washington Metropolitan Area Transit Authority ("WMATA") to provide additional capital funding for a one-year extension to a capital improvement program for the WMATA metro system from July 1, 2016, to June 30, 2017.

(b) On July 1, 2010, the Office of Contracting and Procurement, on behalf of the District Department of Transportation, executed the multiyear CFA with the WMATA to provide capital funding for a capital improvement program from July 1, 2010, through June 30, 2016, in the ceiling amount of $397,314,000.

(c) A first amendment is now necessary to extend the CFA to June 30, 2017, and to increase the amount for WMATA Fiscal Year 2017 by $92.1 million for a total ceiling amount of the CFA of $489,414,000.

(d) Council approval is necessary as these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital improvements. Without Council approval, WMATA cannot be paid for services provided in excess of $ 1 million for the contract period July 1, 2016, through June 30, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the First Amendment to the Washington Metropolitan Area Transit Authority Capital Funding Agreement Emergency Approval Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-788

See Emergency D.C. Act 21-440 21 DCStat 3265

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 007 through 012 to Contract No. DCAM-13-CS-0136 with Smoot Gilbane II Joint Venture for design-build services for the Roosevelt High School modernization, and to authorize payment for the goods and services received and to be received under these change orders.

Change Order Nos. 007 through 012 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 007 through 012 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2.(a) There exists an immediate need to approve Change Order Nos. 007 through 012 to Contract No. DCAM-13-CS-0136 with Smoot Gilbane II Joint Venture for the modernization of Roosevelt High School in the aggregate amount of $1,737,232, and to authorize payment for the goods and services received and to be received under these change orders.

(b) The underlying contract was previously approved by the Council (CA20-0277) and Change Order No. 001 was also approved by the Council (CA20-0424). The Department of General Services then submitted, and the Council approved, Change Order No. 002 through Change Order No. 006. Thereafter, the Department issued Change Order No. 007 ($0), Change Order No. 008 ($450,00), Change Order No. 009 ($0), Change Order No. 010 ($200,000), and Change Order No. 011 ($349,000). The aggregate value of these change orders was less than $1 million; thus, Change Orders Nos. 007 through 011 did not require Council approval.

(c) Change Order No. 012 will cause the aggregate value of the change orders issued, after the Council's last approval of Change Orders Nos. 002 through 006, to exceed $1,000,000 and require Council approval pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Order Nos. 007 through 012 is necessary to compensate Smoot Gilbane II Joint Venture for work completed and to be completed under these change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 007 through 012 to Contract No. DCAM-13-CS-0136 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-791

***See* Emergency D.C. Act 21-424 21 DCStat 3251**

To declare the existence of an emergency with respect to the need to approve Modification Nos. M009, M010, and M011 and proposed Modification No. M012 to Contract No. CW18948 with Aramark Correctional Services, LLC to continue to provide food services to inmates of the Department of Corrections' Central Detention Facility and Correctional Treatment Facility and to authorize payment for the services received and to be received under the modifications.

Modifications to Contract No. CW18948 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. CW18948 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M009, M010, and M011 and proposed Modification No. M012 to Contract No. CW18948 with Aramark Correctional Services, LLC to continue to provide food services to inmates of the Department of Corrections' Central Detention Facility and Correctional Treatment Facility.

(b) The District awarded multiyear Contract No. CW18948 to Aramark Correctional Services, LLC for a base term from March 1, 2013, through February 28, 2016.

(c) By Modification No. M009, on February 2, 2016, the District partially exercised the first option year for Contract No. CW18948 for the period from March 1, 2016, through March 31, 2016, in the not-to-exceed amount of $200,000.

(d) By Modification No. M010, on February 24, 2016, the District partially exercised the first option year for Contract No. CW18948 for the period from April 1, 2016, through May 31, 2016, in the not-to-exceed amount of $400,000.

(e) By Modification No. M011, on May 26, 2016, the District partially exercised the first option year for Contract No. CW18948 for the period from June 1, 2016, through July 31, 2016, in the not-to-exceed amount of $392,258.63.

(f) By Modification No. M012, the District proposes to exercise the remainder of the first option year of Contract No. CW18948, from August 1, 2016, through February 28, 2017, in the not-to-exceed amount of $3,100,851.37, which will increase the not-to-exceed amount of the first option year to $4,093,110.50.

(g) Approval is necessary because the issuance of proposed Modification No. M012 would increase the contract value by more than $1 million during a 12-month period.

(h) Approval is necessary to allow the continuation of these vital services. Without this approval, Aramark Correctional Services, LLC cannot be paid for services provided in excess of $1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. CW18948 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-714

See Emergency D.C. Act 21-434 21 DCStat 3259

To declare the existence of an emergency with respect to the need to approve Contract No. DCKT-2016-C-0018 with JJ Prime Services, LLC to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0018 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKT-2016-C-0018 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Contract No. DCKT-2016-C-0018 with JJ Prime Services, LLC to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

(b) The Office of the Mayor declared a state of emergency in Mayor's Order 2016-006 for the period from January 21, 2016, through February 5, 2016, because of a storm system which was expected to have serious widespread effects. The City Administrator, in consultation with the Homeland Security and Emergency Management Agency ("HSEMA"), was authorized to implement such measures as may be necessary or appropriate to protect persons and property in the District from the conditions caused by the snow storm. Section 5(b)(2) of the District of Columbia Public Emergency Act of 1981, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(2)), authorized the District to procure any goods or services without regard to established operating procedures related to entering into contracts.

(c) Upon authorization by HSEMA of the need for goods or services, the Office of Contracting and Procurement obtained the vital goods and services from JJ Prime Services, LLC.

(d) Council approval is necessary because the expenditures under the contract are in excess of $1 million during a 12-month period.

(e) Approval is necessary to allow payment for these vital services. Without this approval, JJ Prime Services, LLC cannot be paid for goods and services provided in excess of $1 million for the contract period of January 21, 2016, through February 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKT-2016-C-0018 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-749

See Emergency D.C. Act 21-436 21 DCStat 3261

To declare the existence of an emergency with respect to the need to approve Contract No. DCKT-2016-C-0020 with H.U.R.B. Landscaping, Inc. to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0020 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKT-2016-C-0020 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Contract No. DCKT-2016-C-0020 with H.U.R.B. Landscaping, Inc., to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

(b) The Office of the Mayor declared a state of emergency in Mayor's Order 2016-006 for the period from January 21, 2016, through February 5, 2016, because of a storm system which was expected to have serious widespread effects. The City Administrator, in consultation with the Homeland Security and Emergency Management Agency ("HSEMA"), was authorized to implement such measures as may be necessary or appropriate to protect persons and property in the District from the conditions caused by the snow storm. Section 5(b)(2) of the District of Columbia Public Emergency Act of 1981, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(2)), authorized the District to procure any goods or services without regard to established operating procedures related to entering into contracts.

(c) Upon authorization by HSEMA of the need for goods or services, the Office of Contracting and Procurement obtained the vital goods and services from H.U.R.B. Landscaping, Inc.

(d) Council approval is necessary because the expenditures under the contract are in excess of $1 million during a 12-month period.

(e) Approval is necessary to allow payment for these vital services. Without this approval, H.U.R.B. Landscaping, Inc., cannot be paid for goods and services provided in excess of $1 million for the contract period of January 21, 2016, through February 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKT-2016-C-0020 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-713

See Emergency D.C. Act 21-433 21 DCStat 3258

To declare the existence of an emergency with respect to the need to approve Contract No. DCKT-2016-C-0017 with Strittmatter Metro, LLC to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0017 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKT-2016-C-0017 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Contract No. DCKT-2016-C-0017 with Strittmatter Metro, LLC to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

(b) The Office of the Mayor declared a state of emergency in Mayor's Order 2016-006 for the period from January 21, 2016, through February 5, 2016, because of a storm system which was expected to have serious widespread effects. The City Administrator, in consultation with the Homeland Security and Emergency Management Agency ("HSEMA"), was authorized to implement such measures as may be necessary or appropriate to protect persons and property in the District of Columbia from the conditions caused by the snow storm. Section 5(b)(2) of the District of Columbia Public Emergency Act of 1981, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(2)), authorized the District to procure any goods or services without regard to established operating procedures related to entering into contracts.

(c) Upon authorization by HSEMA of the need for goods or services, the Office of Contracting and Procurement obtained the vital goods and services from Strittmatter Metro, LLC.

(d) Council approval is necessary because the expenditures under the contract are in excess of $1 million during a 12-month period.

(e) Approval is necessary to allow payment for these vital services. Without this approval, Strittmatter Metro, LLC cannot be paid for goods and services provided in excess of $1 million for the contract period of January 21, 2016, through February 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKT-2016-C-0017 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-786

See Emergency D.C. Act 21-438 21 DCStat 3263

To declare the existence of an emergency with respect to the need to approve Contract No. DCKT-2016-C-0019 with Total Civil Construction to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

Contract No. DCKT-2016-C-0019 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKT-2016-C-0019 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Contract No. DCKT-2016-C-0019 with Total Civil Construction to provide goods and services to the District during a declared state of emergency, and to authorize payment for the goods and services received under the contract.

(b) The Office of the Mayor declared a state of emergency in Mayor's Order 2016-006 for the period from January 21, 2016, through February 5, 2016, because of a storm system which was expected to have serious widespread effects. The City Administrator, in consultation with the Homeland Security and Emergency Management Agency ("HSEMA"), was authorized to implement such measures as may be necessary or appropriate to protect persons and property in the District of Columbia from the conditions caused by the snow storm. Section 5(b)(2) of the District of Columbia Public Emergency Act of 1981, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(2)), authorized the District to procure any goods or services without regard to established operating procedures related to entering into contracts.

(c) Upon authorization by HSEMA of the need for goods or services, the Office of Contracting and Procurement obtained the vital goods and services from Total Civil Construction.

(d) Council approval is necessary because the expenditures under the contract are in excess of $1 million during a 12-month period.

(e) Approval is necessary to allow payment for these vital services. Without this approval, Total Civil Construction cannot be paid for goods and services provided in excess of $1 million for the contract period of January 21, 2016, through February 5, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKT-2016-C-0019 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-787

See Emergency D.C. Act 21-439 21 DCStat 3264

To declare the existence of an emergency with respect to the need to approve Modification Nos. M014, M015, and M016 and proposed Modification No. M017 to Contract No. DCKA-2012-C-0089 with Capitol Paving of D.C., Inc. to provide local pavement street repairs and improvements, and to authorize payment for the services received and to be received under the modifications.

Modifications to Contract No. DCKA-2012-C-0089 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. DCKA-2012-C-0089 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M014, M015, and M016 and proposed Modification No. M017 to Contract No. DCKA-2012-C-0089 with Capitol Paving of D.C., Inc. to provide local pavement street repairs and improvements, and to authorize payment for the services received and to be received under the modifications.

(b) On April 7, 2016, by Modification No. M014, the District Department of Transportation exercised a partial Option Year 3 in the amount of $950,000. The period of performance for the partial option was April 9, 2016, through May 8, 2016.

(c) On May 6, 2016, by Modification No. M015, the District Department of Transportation exercised a partial Option Year 3 for the period from May 9, 2016, through May 31, 2016, at no cost.

(d) On May 23, 2016, by Modification No. M016, the District Department of Transportation exercised a partial Option Year 3 for the period of June 1, 2016, through June 30, 2016, at no cost.

(e) Proposed Modification No. M017 seeks to exercise the remainder of Option Year 3 for the period of July 1, 2016, through April 8, 2017, with an increased not-to-exceed amount of $27,950,239.

(f) Council approval is necessary because, with these modifications, expenditures under the contract would be in excess of $1 million during a 12-month period.

(g) Approval is necessary to allow the continuation of these services. Without this approval, Capitol Paving of D.C., Inc. cannot be paid for services provided in excess of $1 million for the contract period of April 9, 2016, through April 8, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCKA-2012-C-0089 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-793

***See* Emergency D.C. Act 21-441 21 DCStat 3266**

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-15-NC-0085B and Modification Nos. 04 and 05 to Contract No. DCAM-15-NC-0085B with National Service Contractors, Inc. for ground maintenance services, and to authorize payment in the aggregate amount of $1,343,785.35 for the goods and services received and to be received under the contract and the modifications.

Contract No. DCAM-15-NC-0085B and Modification Nos. 04 and 05 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-15-NC-0085B and Modification Nos. 04 and 05 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCAM-15-NC-0085B and Modification Nos. 04 and 05 to Contract No. DCAM-15-NC-0085B with National Service Contractors, Inc. for ground maintenance services, and to authorize payment in the aggregate amount of $1,343,785.35 for the goods and services received and to be received under the contract and the modifications thereto.

(b) Contract No. DCAM-15-NC-00085B was competitively bid and awarded to National Service Contractors, Inc. in the amount of $1,177,802 for the base year. Thereafter, the Department of General Services issued Modification No. 01 at no cost. Modification No. 02 increased the contract value by $150,000 to $1,327,802. Modification No. 3 increased the contract value by $5,271.59 to $ 1,333,073.59.

(c) Modification No. 04 exercised a portion of Option Year 1 in the amount of $707,889.09. Modification No. 05 exercised the remaining portion of Option Year 1 in the amount of $635,896.26.

(d) Modification Nos. 04 and 05 will cause the aggregate value of Contract No. DCAM-15-NC-0085B to exceed the $1 million threshold set forth in section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(e) Approval of Modification Nos. 04 and 05 in the amount of $1,343,785.35 is necessary to compensate National Service Contractors, Inc. for the services received and to be received during Option Year 1.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-15-NC-0085B and Modification Nos. 04 and 05 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-773

***See* Emergency D.C. Act 21-437 21 DCStat 3262**

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-14-CS-0123B with DC Solar JV to deploy solar energy generation systems at approximately 15 District government buildings, and to authorize payment for the power generated by the systems for a 20-year period.

Contract No. DCAM-14-CS-0123B Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-14-CS-0123B Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2.(a) There exists an immediate need to approve Contract No. DCAM-14-CS-0123B with DC Solar JV to deploy solar energy generation systems at approximately 15 District government buildings, and to authorize payment for the power generated by the systems for a 20-year period.

(b) Contract No. DCAM-14-CS-0123B is a multiyear contract that requires Council approval pursuant to section 451(c) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)), and section 202(b) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(b)).

(c) Approval of Contract No. DCAM-14-CS-0123B is necessary for the District to enter into a long-term agreement with DC Solar JV to deploy solar energy generation systems at District government buildings and to allow the government to purchase the power generated from the systems. The systems must be put in service by DC Solar JV before December 31, 2016, in order for the systems to qualify for solar investment tax credits, without which development of the systems will not be economically viable. Given the time required for the development of the systems, including engineering and construction, the District must act immediately.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-14-CS-0123B Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-790

***See* Emergency D.C. Act 21-423 21 DCStat 3250**

To declare the existence of an emergency with respect to the need to approve Contract No. CW40550 with Riva Modeling Systems, Inc. to provide information technology services supporting the Asset Management Program, including Modification No. 0001 to that contract, and to authorize payment in the total amount of $1,395,000 for the goods and services received and to be received under the contract as modified by Modification No. 0001.

Contract No. CW40550 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW40550 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Contract No. CW40550 with Riva Modeling Systems, Inc., to provide information technology services supporting the Asset Management Program, including Modification No. 0001 to that contract, and to authorize payment in the total amount of $1,395,000 for the goods and services received and to be received under the contract as modified by Modification No. 0001.

(b) On December 4, 2015, the Office of Contracting and Procurement awarded Contract No. CW40550 to Riva Modeling Systems, Inc. to provide information technology services supporting the Asset Management Program for the period from December 4, 2015 to December 3, 2016 in the amount of $880,000.00.

(c) Modification No. 0001 proposes to increase the total amount of the contract to $1,395,000.00 during that same 12-month period.

(d) Council approval of Contract No. CW40550 and Modification No. 0001 to the contract is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because they involve the expenditure of more than $1,000,000 during a 12-month period.

(e) Approval of Contract No. CW40550 and Modification No. 0001 to the contract, is necessary to allow the continuation of these vital services. Without this approval, Riva Modeling Systems, Inc., cannot be paid for services provided in excess of $1 million during the contract period from December 4, 2015 through December 3, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW40550 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-818

***See* Emergency D.C. Act 21-428 21 DCStat 3255**

To declare the existence of an emergency with respect to the need to amend the Minimum Wage Act Revision Act of 1992 to progressively increase the minimum wage to $15 an hour by 2020, beginning in 2021 to increase the minimum wage during each successive year pursuant to the Consumer Price Index, to progressively increase the tipped minimum wage to $5 an hour by 2020, and beginning in 2021 to increase the tipped minimum wage during each successive year pursuant to the Consumer Price Index; and to amend the Living Wage Act of 2006 to provide that the minimum wage requirements of the Minimum Wage Act Revision Act of 1992 shall apply to contracts and agreements for government assistance if the minimum wage is higher than the living wage.

Fair Shot Minimum Wage Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fair Shot Minimum Wage Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Fair Shot Minimum Wage Emergency Amendment Act of 2016, passed on 1st reading on June 7, 2016 (Engrossed version of Bill 21-712) ("Fair Shot Act"), still must have a second reading, complete the District legislative process, and complete the 30-day congressional review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(b) Congress, both the House and Senate, is set to adjourn in mid-July and not reconvene until early September. The congressional recess means a longer than usual congressional review period. As a result, the Fair Shot Act is unlikely to become law until near the end of 2016.

(c) It is important that this ground-breaking law be in place earlier than year's end to provide surety to employers and employees of the mandated progressive increases.

(d) The next scheduled adjustment to the minimum hourly wage is July 1, 2016.

(e) It is important that the requirement that the Mayor publish each adjustment to the minimum hourly wage and make bulletins of the information available to employers be law as soon as possible so that it applies to the upcoming July 1, 2016 increase.

Sec. 3. The Council of the District of Columbia determines that circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fair Shot Minimum Wage Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-641

To confirm the reappointment of Ms. Phylisa Carter to the Corrections Information Council Governing Board.

Corrections Information Council Governing Board Phylisa Carter Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Corrections Information Council Governing Board Phylisa Carter Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Phylisa Carter
314 V Street, N.E.
Apt. 102
Washington, D.C. 20002
(Ward 5)

as a member of the Corrections Information Council Governing Board, established by section 11201a of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01), for a term to end June 7, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-670

To confirm the reappointment of Mr. Paul Ashton to the Police Complaints Board.

Police Complaints Board Paul Ashton Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Paul Ashton Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Paul Ashton
1510 Columbia Road, N.W.
Washington, D.C. 20009
(Ward 1)

as a member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-688

To confirm the appointment of Ms. Susan Reinertson to the District of Columbia Homeland Security Commission.

District of Columbia Homeland Security Commission Susan Reinertson Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Homeland Security Commission Susan Reinertson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Susan Reinertson
400 Madison Street, #1107
Alexandria, VA 22314

as a member of the District of Columbia Homeland Security Commission, established by section 202 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 7-2271.02), in accordance with section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), for a 3-year term to end February 22, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-710

To confirm the reappointment of Dr. Alberto Figueroa-Garcia to the Commission on Human Rights.

Commission on Human Rights Alberto Figueroa-Garcia Confirmation Resolution of 2016

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Alberto Figueroa-Garcia Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Alberto Figueroa-Garcia
1028 Park Road, N.W.
Washington, D.C. 20010
(Ward 1)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-711

To confirm the appointment of Ms. Genora Reed to the Commission on Human Rights.

Commission on Human Rights Genora Reed Confirmation Resolution of 2016

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Genora Reed Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Genora Reed
729 Congress Street, S.E.
Washington, D.C. 20032
(Ward 8)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-783

To confirm the appointment of Ms. Norma Hutcheson to the District of Columbia Board of Ethics and Government Accountability.

District of Columbia Board of Ethics and Government Accountability Norma Hutcheson Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Ethics and Government Accountability Norma Hutcheson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Norma Hutcheson
3829 13th Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a member of the District of Columbia Board of Ethics and Government Accountability, established by section 202 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.02), for a 6-year term to end July 1, 2022.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-784

To confirm the appointment of Mr. Shomari Wade to the District of Columbia Board of Ethics and Government Accountability.

District of Columbia Board of Ethics and Government Accountability Shomari Wade Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Ethics and Government Accountability Shomari Wade Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Shomari Wade
1794 Lanier Place, N.W., Unit 212
Washington, D.C. 20009
(Ward 1)

as a member of the District of Columbia Board of Ethics and Government Accountability, established by section 202 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.02), for a 6-year term to end July 1, 2022.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-785

To confirm the reappointment of Dr. John D. Robinson to the Commission on Human Rights.

Commission on Human Rights John D. Robinson Confirmation Resolution of 2016

RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights John D. Robinson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. John D. Robinson
6735 13th Place, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-671

To confirm the reappointment of Mr. Darrell Darnell to the District of Columbia Homeland Security Commission.

District of Columbia Homeland Security Commission Darrell Darnell Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Homeland Security Commission Darrell Darnell Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Darrell Darnell
2840 Chancellors Way, N.E.
Washington, D.C. 20017
(Ward 5)

as a member of the District of Columbia Homeland Security Commission, established by section 202 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 7-2271.02), in accordance with section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), for a 3-year term to end February 22, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-672

To confirm the reappointment of Dr. Daniel Kaniewski to the District of Columbia Homeland Security Commission.

District of Columbia Homeland Security Commission Daniel Kaniewski Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Homeland Security Commission Daniel Kaniewski Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Daniel Kaniewsky
926 N. Columbus Street
Alexandria, VA 22314

as a member of the District of Columbia Homeland Security Commission, established by section 202 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 7-2271.02), in accordance with section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), for a 3-year term to end February 22, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-673

To confirm the reappointment of Dr. Rebecca Katz to the District of Columbia Homeland Security Commission.

District of Columbia Homeland Security Commission Rebecca Katz Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Homeland Security Commission Rebecca Katz Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Rebecca Katz
9407 Elsmere Court
Bethesda, MD 20814

as a member of the District of Columbia Homeland Security Commission, established by section 202 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 7-2271.02), in accordance with section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), for a 3-year term to end February 22, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-624

To confirm the reappointment of Ms. Karma Cottman to the Board of Library Trustees.

Board of Library Trustees Karma Cottman Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Karma Cottman Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Karma Cottman
3420 Texas Avenue, S.E.
Washington, D.C. 20020
(Ward 7)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2021.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-669

To confirm the appointment of Ms. Kamili Anderson to the Board of Library Trustees.

Board of Library Trustees Kamili Anderson Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Kamili Anderson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Kamili Anderson
1361 Tewksbury Place, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), succeeding Valerie Gisela Mallett, for a term to end January 5, 2020.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-831

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. CW43447 with Health Services for Children with Special Needs, Inc. to provide Child and Adolescent Supplemental Security Income Program services to eligible program enrollees.

***See* Emergency D.C. Res. 21-541 21 DCStat 3424**

Contract No. CW43447 Approval Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW43447 Approval Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Department of Health Care Finance, proposes to enter into a multiyear agreement with Health Services for Children with Special Needs, Inc. ("HSCSN") to provide Child and Adolescent Supplemental Security Income Program services.

(b) The contract price under this multiyear contract with HSCSN is in the not-to-exceed amount of $566,481,218.04.

(c) Approval is necessary to allow the District to receive the benefit of these vital health care services in a timely manner from HSCSN.

(d) These critical health care services can only be obtained through an award of the multiyear contract to HSCSN.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW43447 Emergency Approval Resolution of 2016 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-832

Emergency Declaration Res. 21-540 21 DCStat 3423

Contract No. CW43447 Emergency Approval Resolution of 2016

To approve, on an emergency basis, multiyear Contract No. CW43447 with Health Services for Children with Special Needs, Inc. to provide Child and Adolescent Supplemental Security Income Program services to eligible program enrollees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW43447 Emergency Approval Resolution of 2016".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW43447 with Health Services for Children with Special Needs, Inc. to provide Child and Adolescent Supplemental Security Income Program services to eligible program enrollees in the not-to-exceed amount of $566,481,218.04.

Sec. 3. Transmittal.
The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.
This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the appointment of Ms. Amy H. Dorr as a veterinary technician member of the District of Columbia Board of Veterinary Medicine.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "District of Columbia Board of Veterinary Medicine Amy H. Dorr Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Amy H. Dorr
254 8th Street, SE
Washington, DC 20003
(Ward 6)

as a veterinary technician member of the District of Columbia Board of Veterinary Medicine, established by section 221 of the Omnibus Health Regulation Amendment Act of 2014, effective March 26, 2014, (D.C. Law 20-96; D.C. Official Code § 3-1202.21), for a three year term from the approval of this appointment resolution.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the appointment of Mr. Don Smith to the Commission on Fathers, Men, and Boys.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Commission on Fathers, Men, and Boys Don Smith Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Don Smith
2119 First Street, NW
Washington, DC 20001
(Ward 5)

as a public voting member of the Commission on Fathers, Men, and Boys, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f) (2014 suppl.)) and pursuant to section1073 of the Commission on Fathers, Men, and Boys Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 3-732), for a term to end September 19, 2020.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the appointment of Mr. David Franco as a member of the Zoning Commission for the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Zoning Commission David Franco Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. David Franco
2303 14th Street, NW #825
Washington, DC 20009
(Ward 1)

as a member of the Zoning Commission in accordance with section 1 of the Act to regulate the height, area, and use of buildings in the District of Columbia and to create a Zoning Commission, and for other purposes, approved December 24, 1973 (87 Stat. 810; D.C. Official Code § 6-621.01), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), replacing Marcie Cohen, for a term to end February 3, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

_____

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

_____

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on _____.

To approve the proposed rules to implement the LGBTQ Homeless Youth Rules.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "LGBTQ Homeless Youth Rules Approval Resolution of 2016".

Sec. 2. Pursuant to section 31 of the Homeless Services Reform Act of 2005 (HSRA), effective October 21, 2005 (D.C. Law 16-35; D.C. Official Code § 4-756.02), the Mayor, on _____, 2016, transmitted to the Council the proposed rulemaking adopted by the Director of the Department of Human Services to implement the District of Columbia's LGBTQ Homeless Youth Rules as authorized by section 31(b) (D.C. Official Code § 4-756.02(b)), and pursuant to Mayor's Order 2017-177, dated July 23, 2014; Mayor's Order 2007-80, dated April 2, 1007; and Mayor's Order 2006-20, dated February 13, 2006. The Council approves the rulemaking, published at _____ DCR _____, to add a new Chapter 25 to Title 29 of the District of Columbia Municipal Regulations.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-602(c)(3)).

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the Department of Human Services, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the appointment of Ms. Sharon Young to the Board of Barber and Cosmetology.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Barber and Cosmetology Ms. Sharon Young Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Sharon Young
157 Rhode Island Ave., NE
Washington, DC 20002
(Ward 5)

as a specialty cosmetologist member of the Board of Barber and Cosmetology, in accordance section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01 (2014 Suppl.) and pursuant to the Omnibus Regulatory Bill, effective April 20, 1999, (D.C. Law 12-261; D. C. Official Code § 47-2853.06(c)), replacing Cynthia Wilkins, to serve for a term to end December 13, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Mr. Mark Wills to the Board of Barber and Cosmetology.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Barber and Cosmetology Mr. Mark Wills Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Mark Wills
4718 - 5th Street, NW
Washington, DC 20011
(Ward 4)

as a barber member of the Board of Barber and Cosmetology, in accordance section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01 (2014 Suppl.) and pursuant to the Omnibus Regulatory Bill, effective April 20, 1999, (D.C. Law 12-261; D. C. Official Code § 47-2853.06(c)), and to serve for a term to end December 13, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the appointment of Mr. Jared M. Scott to the Board of Barber and Cosmetology.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Barber and Cosmetology Mr. Jared M. Scott Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jared M. Scott
3904 2nd Street, SW
Washington, DC 20032
(Ward 8)

as a barber member of the Board of Barber and Cosmetology, in accordance section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01 (2014 Suppl.) and pursuant to the Omnibus Regulatory Bill, effective April 20, 1999, (D.C. Law 12-261; D. C. Official Code § 47-2853.06(c)), replacing Derek Davis, to serve for a term to end December 13, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Mr. Anwar Saleem to the Board of Barber and Cosmetology.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Barber and Cosmetology Mr. Anwar Saleem Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Anwar Saleem
1810 8th Street, NW
Washington, DC 20001
(Ward 1)

as a cosmetology member of the Board of Barber and Cosmetology, in accordance section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01 (2014 Suppl.) and pursuant to the Omnibus Regulatory Bill, effective April 20, 1999, (D.C. Law 12-261; D. C. Official Code § 47-2853.06(c)), and to serve for a term to end December 13, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Mr. Paul Roe to the Board of Barber and Cosmetology.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Barber and Cosmetology Mr. Paul Roe Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Paul Roe
2807 13th Street, NE
Washington, DC 20017
(Ward 5)

as a body artist member of the Board of Barber and Cosmetology, in accordance section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01 (2014 Suppl.) and pursuant to the Omnibus Regulatory Bill, effective April 20, 1999, (D.C. Law 12-261; D. C. Official Code § 47-2853.06(c), and to serve for a term to end December 13, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Mr. Raymond Kibler to the Board of Barber and Cosmetology.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Barber and Cosmetology Raymond Kibler Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Raymond Kibler
3418 Brothers Pl, SE
Washington, DC 20032
(Ward 8)

as a barber member of the Board of Barber and Cosmetology, in accordance section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01 (2014 Suppl.) and pursuant to the Omnibus Regulatory Bill, effective April 20, 1999, (D.C. Law 12-261; D. C. Official Code § 47-2853.06(c)), and to serve for a term to end December 13, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Dr. Richard DeCarlo to the Board of Barber and Cosmetology.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Barber and Cosmetology Richard DeCarlo Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Richard DeCarlo
4243 Blaine Street NE, #103
Washington, DC 20019
(Ward 7)

as a cosmetology member of the Board of Barber and Cosmetology, in accordance section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01 (2014 Suppl.) and pursuant to the Omnibus Regulatory Bill, effective April 20, 1999, (D.C. Law 12-261; D. C. Official Code § 47-2853.06(c)), and to serve for a term to end December 13, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve the proposed procedures and criteria to amend Workforce Investment Council's (WIC) policy 2013-009, Eligible Training Providers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Workforce Investment Council Eligible Training Providers Amendment Approval Resolution of 2016."

Sec. 2. Pursuant to Section 8(a)(1B) of the Workforce Investment Implementation Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-263; D.C. Official Code §32-1607), the Workforce Investment Council ("WIC") transmitted to the Council for approval the proposed procedures and criteria adopted by WIC. The Council approves the proposed procedures and criteria of the WIC.

Sec. 3. The Council adopts the fiscal impact statement contained in the committee report as the fiscal impact statement required by section 603(c)(3) of the District of Columbia Home

Rule Act, approved December 24, 1973 (87 Stat. 813;D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its adoption, to the Executive Director of the WIC.

Sec. 5. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on _____.

To approve proposed rules pertaining to the issuance of a Limited Purpose Driver License, Learner Permit, Provisional Permit or Identification Card.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Limited Purpose License, Permit and Identification Card Resolution of 2016".

Sec. 2. Pursuant to the authority set forth in sections 1825 and 1826 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code §§ 50-904 and 50-905 (2012 Repl)), and sections 6 , 7 and 8a of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03, 50-1401.01 and 50-1401.03 (2012 Repl)) and section 8c of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.05 (2014)), the Mayor submitted these proposed rules to amend the criteria for issuance of a Limited Purpose Driver License, Learner Permit, Provisional Permit or Identification Card. The Council

approves the proposed amendments to Chapter 1 of Title 18 of the District of Columbia Municipal Regulations.

Sec. 3. The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and Director of the D.C. Department of Motor Vehicles.

Sec. 5. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Mr. James Appleby to the Board of Pharmacy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Pharmacy James Appleby Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. James Appleby
218 Kentucky Avenue SE
Washington, D.C. 20003
(Ward 6)

as a licensed pharmacist member of the Board of Pharmacy, pursuant to section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08(2012 Repl.)), for a term to end March 12, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Dr. Daphne Bernard to the Board of Pharmacy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Pharmacy Daphne Bernard Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Daphne Bernard
6614 13th Street Place, NW
Washington, D.C. 20012
(Ward 4)

as a licensed pharmacist member of the Board of Pharmacy, pursuant to section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08(2012 Repl.)), for a term to end March 12, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Mr. Eddie Curry to the Board of Pharmacy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Pharmacy Eddie Curry Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Eddie Curry
1204 Linden Place NE
Washington, DC 20002
(Ward 6)

as a consumer member of the Board of Pharmacy, pursuant to section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08(2012 Repl.)), for a term to end March 12, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on _____

To confirm the appointment of Mr. Reginal Bellamy to the Board of Pharmacy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Pharmacy Reginal Bellamy Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Reginal Bellamy
2300 Washington Place NE
Apt. 224
Washington, DC 20018
(Ward 5)

as a licensed pharmacist member of the Board of Pharmacy, pursuant to section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08(2012 Repl.)), replacing Paul Beringer, for a term to end March 12, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on _____

To confirm the appointment of Mr. Brian Cooper to the Board of Industrial Trades.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Industrial Trades Mr. Brian Cooper Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Brian Cooper
4118 49th Street, NW
Washington, DC 20016
(Ward 3)

as a Licensed Elevator Contractor member of the Board of Industrial Trades, pursuant to section 1002(b) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code §47-2853.06(d), to fill a vacant seat, and to serve for a term to end June 26, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on _____

To confirm the reappointment of Mr. Keith Jones to the Board of Industrial Trades.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Industrial Trades Mr. Keith Jones Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Keith Jones
2122 14th Street, SE
Washington, DC 20020
(Ward 8)

as a Licensed Steam and Other Operating Engineer member of the Board of Industrial Trades, pursuant to section 1002(b) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code §47-2853.06(d), and to serve for a term to end June 26, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Ms. Victoria Leonard to the Board of Industrial Trades.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Industrial Trades Ms. Victoria Leonard Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Victoria Leonard
2218 Flagler Place, NW
Washington, DC 20001
(Ward 5)

as a Consumer Member member of the Board of Industrial Trades, pursuant to section 1002(b) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code §47-2853.06(d), and to serve for a term to end June 26, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on _____

To confirm the reappointment of Mr. Robert Louis Smith to the Board of Industrial Trades.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Industrial Trades Mr. Robert Louis Smith Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Robert Louis Smith
3027 Yost Place, NE
Washington, DC 20018
(Ward 5)

as a Licensed Master Electrician member of the Board of Industrial Trades, pursuant to section 1002(b) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code §47-2853.06(d), and to serve for a term to end June 26, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Mr. Alvin D. Venson, Sr. to the Board of Industrial Trades.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Industrial Trades Mr. Alvin D. Venson, Sr. Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Alvin D. Venson, Sr.
3201 Alabama Avenue, SE
Washington, DC 20020
(Ward 7)

as a Licensed Master Refrigeration and Air Conditioning Mechanic member of the Board of Industrial Trades, pursuant to section 1002(b) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code §47-2853.06(d), and to serve for a term to end June 26, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on _____

To confirm the appointment of Mr. Petrick Washington to the Board of Industrial Trades.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Industrial Trades Mr. Petrick Washington Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Petrick Washington
775 Wheeler Hill Drive, SE
Washington, DC 20032
(Ward 8)

as a Licensed Elevator Inspector member of the Board of Industrial Trades, pursuant to section 1002(b) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code §47-2853.06(d), to fill a vacant seat, and to serve for a term to end June 26, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Dr. Timothy Vidale to the Board of Physical Therapy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Physical Therapy Timothy Vidale Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Timothy Vidale
2505 Ralph Ellison Way NE
Washington, DC 20018
(Ward 5)

as a licensed physical therapist member and chairperson of the Board of Physical Therapy pursuant to section 2of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 20142; D.C. Official Code § 1-523.01(2014 suppl.)), and pursuant to section 209 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official § 3-1202.09), and to serve for a term to end April 16, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the appointment of Dr. Margaret Plack to the Board of Physical Therapy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Physical Therapy Margaret Plack Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Dr. Margaret Plack
1 Terrace Ct, NE
Washington DC 20002
(Ward 6)

as a licensed physical therapist member of the Board of Physical Therapy pursuant to section 2of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 20142; D.C. Official Code § 1-523.01(2014 suppl.)), and pursuant to section 209 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official § 3-1202.09), replacing Senora Simpson, and to serve for a term to end April 16, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on _____

To confirm the appointment of Mr. Joel Hemphill to the Board of Physical Therapy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Physical Therapy Joel Hemphill Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Joel Hemphill
5110 Sherier Place NW
Washington, DC 20016
(Ward 3)

as a licensed physical therapist member of the Board of Physical Therapy pursuant to section 2of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 20142; D.C. Official Code § 1-523.01(f)), and pursuant to section 209 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official § 3-1202.09), replacing Beverly Gordon, and to serve for a term to end April 16, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following rulemaking approval resolution, which was referred to the Committee on _____.

To approve the proposed rules to implement the Fee-Based-Use Permit Act of 2012 and the Revenue Generation Clarification Amendment Act of 2012.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this rulemaking approval resolution may be cited as the "Fee Based Use and Revenue Generation Regulation Approval Resolution of 2016".

Sec. 2. Pursuant to sections 5 and 7a of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code §§ 10-304 and 307), and sections 6 and 6a of An Act To vest in the Commissioners of the District of Columbia control of street parking in said District, effective March 16, 1995 (D.C. law 10-226; D.C. Official Code §§ 10-137 and 137.01), the Mayor, on _____2016, transmitted to the Council the proposed rulemaking adopted by the Director of the Department of Parks and Recreation to implement the Fee-Based-Use Permit and Revenue Generation Clarification sections of the Recreation Act of 1994, effective April 23, 2013 ((D.C. Law 19-280; D.C. Official Code §§ 10-301 *et seq.*).

The Council approves the rulemaking, published at 63 DCR Issue 1, to amend and add the following sections of Chapter 7 (Department of Parks and Recreation) of Title 19 (Amusements, Parks, and Recreation) of the District of Columbia Municipal Regulations (DCMR): 1) Section 716 (Establishment of Fees); 2) Section 717 (Precedence for Use of Recreation Properties); 3) Section 719 (Southeast Tennis Learning Center Fees); 4) Section 720 (Support for Parks, Facilities, Recreational Activities and Events); 5) Section 23 (Residency); 6) Section 724 (Recreational Activities); 7) Section 729 (Commercial Activities for the Sale of Goods); and 9) Section 799 (Definitions). The Department also intends to repeal and reserve in their entirety Sections 721, 722, and 726.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statements in the committee reports as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-602(c)(3)).

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Director of the Department of Parks and Recreation, and the Administrator of the Office of Documents and Administrative Issuances.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Mr. Chris G. Gardiner to the Not-For-Profit Hospital Corporation Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Not-For-Profit Hospital Corporation Board of Directors Chris G. Gardiner Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Chris G. Gardiner
4807 Foxhall Crescent, NW
Washington, D.C. 20007
(Ward 3)

as a member of the Not-For-Profit Hospital Corporation Board of Directors, established by section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04) (2012 Supp.)), for a term to end July 9, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Khadijah Tribble to the Not-For-Profit Hospital Corporation Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Not-For-Profit Hospital Corporation Board of Directors Khadijah Tribble Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Khadijah Tribble
3320 7th Street, S.E.
Washington, D.C. 20032
(Ward 8)

as a member of the Not-For-Profit Hospital Corporation Board of Directors, established by section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04) (2012 Supp.)), for a term to end July 9, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the appointment of Mr. Sean Ponder to the Not-For-Profit Hospital Corporation Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Not-For-Profit Hospital Corporation Board of Directors Sean Ponder Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Sean Ponder
1326 Allison St. NE
Washington, D.C. 20017
(Ward 5)

as a member of the Not-For-Profit Hospital Corporation Board of Directors, established by section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04) (2012 Supp.)), replacing Dr. Ricardo Brown, for a term to end July 9, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution, which was referred to the Committee on

To confirm the reappointment of Alison Garten to the Board of Podiatry.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Board of Podiatry Alison Garten Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Alison Garten
4600 Connecticut Ave #315
Washington, D.C. 20008
(Ward 3)

as a licensed podiatrist member of the Board of Podiatry, pursuant to section 210 of the District of Columbia Health Occupations Revision Ac of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.10)(2014 Suppl.), for a term to end April 16, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

AN ACT

Bill 21-230
Act 21-385
effective
May 4, 2016

To amend Chapter 22 of Title 21 of the District of Columbia Official Code to require hospitals to allow a patient the opportunity to designate, upon inpatient admission, a lay caregiver in the patient's medical record, to require a hospital to notify and meet with the designated lay caregiver along with the patient to discuss the patient's plan of care before the patient's discharge, and to require a hospital to instruct the designated lay caregiver in certain after-care tasks upon a patient's discharge to the patient's current residence.

Codification
District of Columbia Official Code 2001 Edition

Caregiver Advise, Record, and Enable Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Caregiver Advise, Record, and Enable Amendment Act of 2016".

Sec. 2. Chapter 22 of Title 21 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new Subchapter III to read as follows:

"Subchapter III. Hospital Discharge Planning.

"21-2231.01. Definitions.

"21-2231.02. Lay caregiver designation.

"21-2231.03. Hospital discharge plan.

"21-2231.04. Construction.

"21-2231.05. Rules.".

(b) A new Subchapter III is added to read as follows:

New Subchapter III, Chapter 22, Title 21

"Subchapter III. Hospital Discharge Planning.

"§ 21-2231.01. Definitions.

New § 21-2231.01

"For the purposes of this subchapter, the term:

"(1) "After-care" means any type of assistance that is not regulated under Chapter 12 of Title 3, or similar law, and that is provided by a lay caregiver to a patient after the patient's discharge and is limited to the patient's condition at the time of discharge.

"(2) "Authorized representative" means a person who is authorized to make a health-care decision on behalf of an incapacitated individual or minor in accordance with §§ 21-2205 and 21-2210.

"(3) "Discharge" means a patient's exit and release from a hospital to the patient's residence following an inpatient admission.

"(4) "Hospital" shall have the same meaning as provided in § 44-501(a)(1).

"(5) "Lay caregiver" means an individual who is designated by the patient or authorized representative to provide after-care to the patient at the patient's residence and accepts the role as the patient's lay caregiver.

"(6) "Residence" means a dwelling that the patient considers to be the patient's home and does not include a rehabilitation facility, hospital, nursing home, assisted living facility, or group home licensed by the Department of Health.

"§ 21-2231.02. Lay caregiver designation. **New § 21-2231.02**

"(a) A hospital shall provide each patient or authorized representative an opportunity to designate a lay caregiver as soon as practicable following the patient's inpatient admission into a hospital and before the patient's discharge.

"(b)(1) If the patient or authorized representative designates an individual as a lay caregiver, the hospital shall:

"(A) Provide notice to the lay caregiver as soon as practicable following the designation and before the patient's discharge;

"(B) Promptly request the written consent of the patient or authorized representative to release medical information to the patient's lay caregiver in accordance with the hospital's procedures for releasing personal health information and in compliance with all federal and District laws, including the Health Insurance Portability and Accountability Act of 1996, approved August 21, 1996 (Pub. L. No. 104-191; 110 Stat. 1936);

"(C) Record the patient's or authorized representative's designation of the lay caregiver, the relationship of the lay caregiver to the patient, and the name, telephone number, and address of the lay caregiver in the patient's medical record; and

"(D) Notify the lay caregiver of the patient's discharge to the patient's residence as soon as practicable; provided, that if the hospital is unable to contact the lay caregiver, the hospital shall document that in the patient's medical record as soon as practicable.

"(2) If a patient or authorized representative fails to authorize the release of medical information to the lay caregiver under paragraph (1)(B) of this subsection, the hospital is deemed to have met the requirements of the subchapter and no further action is needed.

"(3) A patient or authorized representative may elect to change the designation of a lay caregiver at any time before the patient's discharge; provided, that if a change is made, the hospital shall record that change in the patient's medical record as soon as practicable.

"(4) The designation of a lay caregiver by the patient or authorized representative does not obligate the lay caregiver to accept the designation or provide after-care.

"(5) A hospital is not obligated to determine the ability of a lay caregiver to understand or perform after-care tasks.

"§ 21-2231.03. Hospital discharge plan. **New § 21-2231.03**

"(a) As soon as practicable before the patient's discharge, the hospital shall:

"(1) Consult with the lay caregiver and the patient or authorized representative regarding the lay caregiver's capabilities and limitations;

"(2) Provide a copy of the discharge plan to the lay caregiver;

"(3) Consult with, and provide instruction to, the lay caregiver regarding the patient's discharge plan; and

"(4) Provide contact information for any health care, community resources, and long-term care services and supports necessary to carry out the patient's discharge plan.

"(b) At a minimum, the discharge plan described in subsection (a) of this section shall include:

"(1) The name and contact information of the lay caregiver;

"(2) A description of all after-care tasks necessary to maintain the patient's ability to reside in the patient's residence; and

"(3) Contact information for any health care, community resources, and long-term care services and supports necessary to carry out the patient's discharge plan.

"(c)(1) At a minimum, the instruction to the lay caregiver described in subsection (a) of this section shall include:

"(A) An opportunity for a demonstration at the hospital of the after-care tasks; and

"(B) An opportunity for the lay caregiver and the patient to ask questions and receive answers to questions about the after-care tasks; and

"(2) The instruction provided shall be documented in the patient's medical record and shall include, at minimum, the date, time, and contents of the instruction.

"§ 21-2231.04. Construction. **New § 21-2231.04**

"(a) Nothing in this subchapter shall be construed to delay the discharge of a patient or the transfer of a patient from a hospital to another facility, including the inability of the hospital to contact a designated lay caregiver;

"(b) Nothing in this subchapter shall be construed to create a private right of action not otherwise existing in the law for compliance or non-compliance with this subchapter.

"§ 21-2231.05. Rules. **New § 21-2231.05**

"The Mayor, pursuant to subchapter 1 of Chapter 5 of Title 2, may issue rules to implement the provisions of this subchapter.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-133, effective July 1, 2016
[Partial Delayed Applicability]

AN ACT

Bill 21-318
Act 21-386
effective
May 4, 2016

To amend the Urban Forestry Preservation Act of 2002 to decrease the size of a Special Tree, to increase the permit fees for Special Tree removal and the fines for unlawful removal of a Special Tree, to protect trees with a circumference of 100 inches or more, to expand the permissible uses of the Tree Fund, and to establish the Urban Forestry Advisory Council; and to amend the Department of Transportation Establishment Act of 2002 to expand the duties of the Operations Administration of the District Department of Transportation.

Codification
District of Columbia Official Code 2001 Edition

Tree Canopy Protection Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tree Canopy Protection Amendment Act of 2016".

Sec. 2. The Urban Forest Preservation Act of 2002, effective June 12, 2003 (D.C. Law 14-309; D.C. Official Code § 8-651.01 *et seq.*), is amended as follows:

Amend § 8-651.02 [Delayed Applicability]

(a) Section 102 (D.C. Official Code § 8-651.02) is amended as follows:

(1) A new paragraph (3A) is added to read as follows:

"(3A) "Heritage Tree" means a tree with a circumference of 100 inches or more.".

(2) Paragraph (5) is amended by striking the phrase "of 55 inches or more" and inserting the phrase "between 44 inches and 100 inches" in its place.

Amend § 8-651.04 [Delayed Applicability]

(b) Section 104 (D.C. Official Code § 8-651.04) is amended as follows:

(1) Subsection (b)(3) is amended by striking the phrase "equal to $35 for each inch" and inserting the phrase "not less than $55 for each inch" in its place.

(2) Subsection (d) is amended by striking the phrase "a fine of not less than $100" and inserting the phrase "a fine of not less than $300" in its place.

(3) A new subsection (e) is added to read as follows:

"(e) The Mayor may increase the fee described in subsection (b)(3) of this section or the fine described in subsection (d) of this section by regulation.".

New § 8-651.04a [Delayed Applicability]

(c) A new section 104a is added to read as follows:

"Sec. 104a. Protection of Heritage Trees.

"(a) It shall be unlawful for any person or nongovernmental entity, without a Heritage Tree removal permit issued by the Mayor, to top, cut down, remove, girdle, break, or destroy any Heritage Tree.

"(b)(1) The Mayor shall issue a Heritage Tree removal permit under this section where the applicant has:

"(A) Shown that the Heritage Tree in question is a Hazardous Tree; or

"(B) Shown that the Heritage Tree in question is of a species that has been identified, by regulation, as appropriate for removal.

"(2) The Mayor may issue a Heritage Tree removal permit under this section where the applicant has averred in the Heritage Tree removal permit application that the applicant will relocate and replant, in compliance with any applicable regulations, the Heritage Tree to an identified new location within the District, without significant harm to the tree; provided, that it shall be a violation of subsection (a) of this section if a Heritage Tree that is relocated and replanted pursuant to this paragraph dies within 3 years of replanting.

"(c) A violation of subsection (a) of this section, or a failure to comply with the conditions contained in a Heritage Tree removal permit, shall constitute a violation subject to a fine of not less than $300 per each inch of the circumference of the Heritage Tree in question.

"(d) The Mayor may increase the fine described in subsection (c) of this section by regulation.".

Amend § 8-651.07

(d) Section 107 (D.C. Official Code § 8-651.07) is amended as follows:

(1) Subsection (b) is amended to read as follows:

"(b)(1) The Fund shall be used to:

"(A) Plant trees on public space and on District-owned land, including parks and school property; and

"(B) Provide income-contingent subsidies to assist District residents with costs related to the removal and replacement of hazardous trees.

"(2) The Fund may be used:

"(A) In coordination with the District Department of the Environment, to support tree planting on private land;

"(B) To conduct survival checks of replacement trees planted on public or private land; and

"(C) For any associated costs incurred by the District in administering this title.".

(2) A new subsection (b-1) is added to read as follows:

"(b-1) The Mayor shall ensure that trees planted pursuant to this section are checked for survival at appropriate intervals to evaluate canopy replacement and inform future planting decisions.".

Amend § 8-651.09

(e) A new section 109 is added to read as follows:

"Sec. 109. Urban Forestry Advisory Council.

"(a) There is established an Urban Forestry Advisory Council ("UFAC").

"(b) The UFAC shall be composed of 12 members, as follows:

"(1) The Director of the District Department of Transportation, or the Director's designee;

"(2) The Director of the District Department of the Environment, or the Director's designee;

"(3) The Director of the Department of Parks and Recreation, or the Director's designee;

"(4) The Director of the Department of General Services, or the Director's designee;

"(5) The General Manager of District of Columbia Water and Sewer Authority, or the General Manager's designee;

"(6) A representative of the U.S. National Park Service;

"(7) A representative of the U.S. General Services Administration;

"(8) A representative of the District's electric utility;

"(9) Three community representatives appointed by the Mayor knowledgeable in the fields of urban forestry, public policy, environmental protection, public administration, or environmental justice and equity; and

"(10) One community representative appointed by the Chairperson of the Council committee with oversight of the District Department of the Environment.

"(c)(1) The community representatives shall be appointed for a term of 3 years, with initial staggered appointments of one community representative appointed for one year, 2 community representatives appointed for 2 years, and one community representative appointed for 3 years. The community representative to serve the one-year term, the community representatives to serve the 2-year term, and the community representative to serve the 3-year term shall be determined by lot at the first meeting of the UFAC.

"(2) Vacancies shall be filled in the same manner as the original appointment to the position that became vacant. Community representatives who are appointed to fill vacancies that occur before the expiration of a community representative's full term shall serve only the unexpired portion of the community representative's term.

"(d) The UFAC shall be co-chaired by the Director of the District Department of Transportation and the Director of the District Department of the Environment, or their designees. The UFAC may designate other officers and create temporary, ad-hoc committees as necessary.

"(e)(1) The UFAC shall hold at least 3 meetings per year.

"(2) The UFAC shall conduct its meetings in compliance with the Open Meetings Amendment Act of 2010, effective March 31, 2010 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*).

"(f) The purpose of the UFAC shall be to:

"(1) Ensure coordination between the District agencies responsible for achieving the District's tree canopy goals and partners engaged in programs and activities geared toward achieving those goals.

"(2) Advise District agencies responsible for achieving the District's tree canopy goals regarding policies, programs, and partnerships for the purpose of maintaining, protecting, and increasing the District's tree canopy; and

"(3) Provide input on the 5-year urban forest report and master plan required by section 103(c).

"(g) The District Department of Transportation and the District Department of the Environment shall provide the UFAC with an annual operating budget, which shall include funds to maintain a website where the UFAC shall provide a public listing of members, meeting notices, and meeting minutes.".

D.C. Law 21-133, effective July 1, 2016
[Partial Delayed Applicability]

Amend § 50-921.04

Sec. 3. Section 5(a)(3) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)(3)), is amended as follows:

(a) Subparagraph (D) is amended to read as follows:

"(D) Plant and maintain trees on public space and on District-owned land, including parks and school property;".

(b) New subparagraphs (D-i) and (D-ii) are added to read as follows:

"(D-i) Remove and trim trees citywide;

"(D-ii) Review construction plans for the District of Columbia Public Schools, the Department of General Services, the Department of Parks and Recreation, and other District agencies to ensure the tree canopy is protected;".

Note, §§ 8-651.02, 8-651.04, 8-651.04a

Delayed Applicability

Sec. 4. Applicability.

(a) Section 2(a), (b)(1), and (c) shall not apply to a person or nongovernmental entity who has an application for a Special Tree removal permit pending as of the effective date of this act.

(b)(1) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(2) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(3)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(B) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-446
Act 21-387
effective
May 4, 2016

To order the closing of a portion of the public alley system in Square 342, bounded by Massachusetts Avenue, N.W., 10th Street, N.W., K Street, N.W., and 11th Street, N.W., in Ward 2.

Not Codified

Closing of a Public Alley in Square 342, S.O. 14-21629, Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 342, S.O. 14-21629, Act of 2016".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq*.), the Council finds the portion of the public alley system in Square 342, as shown on the Surveyor's plat filed in S.O. 14-21629, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this alley closing is contingent upon the satisfaction of all conditions in the official file for S.O. 14-21629 before the recordation of the alley closing.

Sec. 3. Transmittal.

The Council shall transmit a copies of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-135, effective July 1, 2016
[Delayed Applicability]

AN ACT

Bill 21-514
Act 21-388
effective
May 3, 2016

To establish the Made in DC program within the Department of Small and Local Business Development, to establish the Made in DC Fund, and to require the Deputy Mayor for Planning and Economic Development to submit a report to the Mayor and the Council by a date certain on opportunities for establishing a District-sponsored Innovation Space and Marketplace.

Codification
District of
Columbia
Official Code
2001 Edition

Made in DC
Program
Establishment
Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Made in DC Program Establishment Act of 2016".

New
Subchapter
IV-B,
Chapter 12,
Title 2

New
§ 2-1208.31

Sec. 2. Definitions:

For the purposes of this act, the term:

(1) "Department" means the Department of Small and Local Business Development, established by the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(2) "District-based business" or "DBB" means a maker that:

(A) Maintains its primary office in the District;

(B) Possesses a current license pursuant to Chapter 28 of Title 47;

(C) Has certified that either the majority owners are District residents or 51% or more of its employees are District residents; and

(D) Is registered with the Department.

(3) "Fund" means the Made in DC Fund established by section 4.

(4) "Innovation Space and Marketplace" means studio space together with sales gallery space, space with high-end shared equipment, and classrooms that would be available to local makers on a low-cost membership basis.

(5) "Made in DC" means the brand name developed under the Made in DC program, established by section 3, which may be used by a maker who is registered with the Department as a DBB to promote a product that has been:

(A) Created, manufactured, or assembled in the District; and

(B) Approved by the Department.

(6) "Maker" means an individual, including an artisan or craftsperson, or a business, who creates, manufactures, or assembles a product through a process involving intellectual property, ingredients, raw materials, or other components.

(7) "Program" means the Made in DC program established by section 3.

Sec. 3. Made in DC program. **New § 2-1208.32**

(a) There is established within the Department a Made in DC program, which shall:

(1) Promote products created, manufactured, or assembled in the District;

(2) Develop and promote the Made in DC brand name as an identifier of products created, manufactured, or assembled in the District;

(3) Develop a logo for the Made in DC brand name to aid District-based businesses in marketing their products and to promote public recognition of the logo;

(4) Raise awareness of and pride in products created, manufactured, or assembled in the District that carry the Made in DC logo;

(5) Conduct a public awareness campaign, including producing public service announcements and distributing marketing materials, such as stickers, flyers, and digital logos, to promote the Made in DC brand name;

(6) Coordinate with Events DC and Destination DC to market the Made in DC brand name and products created, manufactured, or assembled in the District to conventions, tourists, and major events;

(7) Establish and maintain an online resource listing of products branded Made in DC;

(8) Establish an application process to approve an eligible product created, manufactured, or assembled in the District; provided, that the Department shall review each approval every 3 years to confirm a product's continued eligibility and revoke its approval for use of the Made in DC brand name of any product or DBB that no longer meets the requirements of this section;

(9) Provide technical assistance and other support to help eligible makers utilize the Made in DC brand name, including:

(A) Coordinating with the Department of Consumer and Regulatory Affairs to market the Program to eligible makers; and

(B) Developing an interactive network to enable designers and makers to connect to spur local product innovation and partnerships;

(10) Monitor the use of the Made in DC brand name to identify and stop the unauthorized use of the brand name and its logo; and

(11) Develop criteria to evaluate on an ongoing basis the effectiveness of the Program.

(b) The Department may engage a non-governmental organization with specific expertise in the District maker community to:

(1) Assist the Department with the duties listed in subsection (a) of this section;

(2) Identify makers who may be eligible to participate in the Program; and

(3) Assess obstacles, if any, to the viability of the District maker community and make recommendations to address those obstacles.

Sec. 4. Made in DC Fund. **New § 2-1208.33**

(a) There is established as a special fund the Made in DC Fund, which shall be administered by the Department in accordance with subsection (c) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Appropriated funds;

(2) Donations from the public;

(3) Donations and grants from private entities;

(4) Interest earned from funds in the Fund; and

(5) Any other available funding.

(c) Money in the Fund shall be used for the purposes set forth in section 3.

(d)(1)The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 5. Innovation Space and Marketplace report. **New § 2-1208.34**

(a) Within 180 days of the effective date of this act, the Deputy Mayor for Planning and Economic Development shall submit to the Mayor and the Council a report on opportunities for establishing a District-sponsored Innovation Space and Marketplace to support the local maker community by providing a central venue in which members can work and display and sell their products.

(b) The report shall:

(1) Identify District property for potential use as an Innovative Space and Marketplace;

(2) Estimate the cost of developing potential sites for such use;

(3) Estimate the costs of operating and maintaining the site;

(4) Assess the availability of public-private partnerships to develop an Innovation Space and Marketplace;

(5) Assess the availability of private donations, grants, or sponsorships to support the Innovation Space and Marketplace and the purchase of a wide range of equipment, such as tools for:

(A) 3D printing and prototyping;

(B) Woodworking;

(C) Metal working and welding;

(D) Sewing;

(E) Screen printing;

(F) Electronics; and

(G) Robotics; and

(6) Consider the most efficient management option for an Innovative Space and Marketplace.

(c) In preparing the report, the Deputy Mayor for Planning and Economic Development shall work with a variety of stakeholders, including:

(1) Diverse members of the maker community;

(2) Local creative organizations;

(3) Universities and colleges;

(4) The Commission on Arts and Humanities; and

(5) The Department.

Sec. 6. Rules.

New § 2-1208.35

The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), shall issue rules to implement the provisions of this act.

Sec. 7. Applicability.

New § 2-1208.36

Delayed Applicability

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 9. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-571
Act 21-389
effective
May 4, 2016

To order the closing of a portion of the public alley system in Square 697, bounded by K Street, S.E., Half Street, S.E., L Street, S.E., and South Capitol Street, S.E., in Ward 6.

Not Codified

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 697, S.O. 15-26230, Act of 2016".

Closing of a Public Alley in Square 697, S.O. 15-26230, Act of 2016

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq*.), the Council finds the portion of the public alley system in Square 697, as shown on the Surveyor's plat filed in S.O. 15-26230, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The approval of the Council of this alley closing is contingent upon:

(1) The recordation of a covenant establishing new portions of the alley system by easement as shown on the Surveyor's plat in S.O. 15-26230 that includes an agreement by the owner of the property encumbered by the easement to maintain the new portions of the alley system; and

(2) The satisfaction of all conditions in the official file for S.O. 15-26230 before the recordation of the alley closing.

Sec. 3. Transmittal.

The Council shall transmit copies of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813, D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-112
Act 21-390
effective
May 4, 2016

To amend An Act To establish a code of law for the District of Columbia to raise the fee charged by a notary public to, at minimum, $5 per notarial act.

Codification
District of Columbia
Official Code
2001 Edition

Notary Public Fee Enhancement Amendment Act of 2016

Amend
§ 1-1213

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Notary Public Fee Enhancement Amendment Act of 2016".

Sec. 2. Section 571 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1280; D.C. Official Code § 1-1213), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "charged by notaries public." and inserting the phrase "charged by notaries public; provided, that the schedule of fees shall not include a fee for a notarial act in an amount less than the fee established for that act by subsection (c) of this section." in its place.

(b) Subsection (c) is amended by striking the figure "$2" wherever it appears and inserting the figure "$5" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-107
Act 21-391
effective
May 9, 2016

To amend the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited, but does not include a private residence, and that the prohibition on consumption of marijuana in public is not limited by the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014; and to amend section 47-2844 of the District of Columbia Official Code to require the Mayor to revoke any license, certificate of occupancy, or permit held by an entity that knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014 to occur at the specific address or unit identified in the license, certificate of occupancy, or permit.

Codification
District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marijuana Possession Decriminalization Clarification Amendment Act of 2016".

Marijuana Possession Decriminalization Clarification Amendment Act of 2016

Sec. 2. Section 301 of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01), is amended as follows:

Amend § 48-911.01

(a) Subsection (a)(3) is amended to read as follows:

"(3) Any place to which the public is invited. For the purposes of this subsection, and notwithstanding any other provision of law, a private club, which includes any building, facility, or premises used or operated by an organization or association for a common avocational purpose, such as a fraternal, social, educational, or recreational purpose, is a place to which the public is invited; provided, that a private club does not include a private residence.".

(b) A new subsection (f) is added to read as follows:

"(f) No provision of the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; 62 DCR 880), shall limit or be construed to limit the application of any provision of this section.".

Sec. 3. Section 47-2844(a-1)(1) of the District of Columbia Official Code is amended as follows:

Amend § 47-2844

(a) Subparagraph (B) is amended by striking the phrase "Title 48; or" and inserting the phrase "Title 48;" in its place.

(b) Subparagraph (C) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) Conduct that violates section 301(a) of the Marijuana Possession

Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)). In addition, the Mayor shall revoke any certificate of occupancy or permit associated with the specific address or unit, whichever is more specific, of the holder of a certificate of occupancy or permit who knowingly permits a violation of section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)), to occur at the specific address or unit identified in the certificate of occupancy or permit.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-481
Act 21-393
effective
May 9, 2016

To amend the Home Purchase Assistance Fund Act of 1978 to require the Mayor to review and revise the repayment structure of the Home Purchase Assistance Program to include greater flexibility in the program by supplementing the program with additional repayment options for the lowest income loan recipients, and to increase the maximum amount of down payment assistance for the lowest income applicant available under the Program from $50,000 to $80,000; and to make conforming amendments to Title 14 of the District of Columbia Municipal Regulations.

Codification
District of Columbia Official Code
2001 Edition

Home Purchase Assistance Program Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Home Purchase Assistance Program Amendment Act of 2016".

New
§ 42-2602.01

Sec. 2. The Home Purchase Assistance Fund Act of 1978, effective September 12, 1978 (D.C. Law 2-103; D.C. Official Code § 42-2601 *et seq*.), is amended by adding a new section 3a to read as follows:

"Sec. 3a. (a) The Mayor shall review and revise the repayment structure of the Home Purchase Assistance Program ("Program"), established by Chapter 25 of Title 14 of the District of Columbia Municipal Regulations, to include greater flexibility in the Program by supplementing the Program with additional repayment options for the lowest income loan recipients.

"(1) Examples of additional repayment options include:

"(A) A graduated repayment system;

"(B) The postponement of the repayment of individual loans until the sale of a home; and

"(C) An exploration of the establishment of an incentive program to forgive a portion of the loan if cash refinancing is carried out within a certain timeframe.

"(2) The maximum amount of down payment assistance for the lowest income applicant available under the Program shall be $80,000, and shall be adjusted based on the applicant's income according to 14 DCMR § 2503.1(b)(1).

"(b) The Mayor shall submit the revised repayment system to the Council for review, pursuant to section 5(a), within 60 days after the effective date of the Home Purchase Assistance Program Amendment Act of 2016, passed on 2nd reading on April 19, 2016 (Enrolled version of Bill 21-481).".

DCMR

Sec. 3. The lead-in language of section 14-2503.1(b) of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2503.1(b)) is amended by striking the sentence "The maximum amount of down payment assistance for the lowest income applicant shall be

$50,000 and shall be adjusted based on the applicant's income according to subparagraph (1) of this paragraph.”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-508
Act 21-411
effective
June 1, 2016

To amend An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify agency responsibilities with regard to school attendance, to deem an absence of a minor student from a public school unexcused where the school does not obtain an explanation for the absence from the student's parent or guardian verifying the reason for an absence within 5 days after a student's return to school, to prohibit the suspension, expulsion, or unenrollment of a minor from a public school due to an unexcused absence or due to a late arrival to school, to clarify attendance reporting requirements for public, independent, private, and parochial schools, to revise the protocol for a law enforcement officer who comes in contact with a minor and has reasonable grounds to believe the minor is truant, to revise the educational institution referral requirement for the Child and Family Services Administration, the Court Social Services Division of the Superior Court of the District of Columbia, and the Office of the Attorney General Juvenile Section to only include unexcused full school day absences with regard to attendance, to provide educational institutions with discretion on referrals if a student's 10th or 15th unexcused absence is accrued within the final 10 school days of the school year, and to require the State Superintendent of Education to provide written notice to each public, independent, private, or parochial school outlining the attendance and reporting requirements by July 1 of each year; to amend the District of Columbia School Reform Act of 1995 to conform it to the prohibitions against expulsion and suspension provided in An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes and the Pre-k Enhancement and Expansion Amendment Act of 2008; and to amend Chapter 21 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations to repeal the requirement that a public school notify the Metropolitan Police Department after each occurrence of a student's 10th unexcused absence, to require that an educational institution obtain an explanation for a student's absence within 5 days of the student's return to school, and to amend the terms "truancy rate" and "chronic absenteeism."

Codification
District of
Columbia
Official Code
2001 Edition

School
Attendance
Clarification
Amendment
Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Attendance Clarification Amendment Act of 2016".

Sec. 2. An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-201 *et seq.*), is amended as follows:

Amend
§ 38-201

(a) Section 1 of Article I (D.C. Official Code § 38-201) is amended as follows:

(1) A new paragraph (1A) is added to read as follows:

"(1A) "Chronic absenteeism" means the incidence of students missing more than 10% of school days, including excused and unexcused absences.".

(2) A new paragraph (2B) is added to read as follows:

"(2B) "Full school day" means the entirety of the instructional hours regularly provided on a single school day.".

(b) Section 1 of Article II (D.C. Official Code § 38-202) is amended as follows: **Amend § 38-202**

(1) Subsection (c) is amended by striking the phrase "Superintendent of Schools" and inserting the phrase "head of the educational institution in which the minor is enrolled" in its place.

(2) Subsection (d) is amended by striking the phrase "to govern the validity of applications for permission to be absent from school,".

(c) Section 2 of Article II (D.C. Official Code § 38-203) is amended as follows: **Amend § 38-203**

(1) Subsection (a) is amended by striking the phrase "Superintendent of Schools" and inserting the phrase "State Superintendent of Education" in its place.

(2) Subsection (b) is repealed.

(3) Subsection (c) is amended as follows:

(A) The existing text is designated as paragraph (1).

(B) A new paragraph (2) is added to read as follows:

"(2) An absence of a minor covered by section 1(a) of this article who is enrolled in a public school is deemed unexcused unless the minor's parent, guardian, or other person who has custody or control of the minor provides the school with a valid excuse for the minor's absence within 5 school days upon the minor's return to school.".

(4) New subsections (f-1) and (f-2) are added to read as follows:

"(f-1) Beginning school year 2016-2017, no minor covered by section 1(a) of this article who is enrolled in a public school may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school.

"(f-2) Beginning school year 2016-2017, no minor covered by section 1(a) of this article who is enrolled in a public school, other than an adult education program, may be unenrolled from the local education agency due to an unexcused absence or due to a late arrival to school unless the minor has accumulated 20 or more full school day consecutive unexcused absences.".

(5) Subsection (i) is amended by striking the phrase "to the Mayor, or the Mayor's designee, and make publicly available, the following data based on the preceding school year:" in the lead-in language and inserting the phrase "to the Office of the State Superintendent of Education, and make publicly available the following data for each school or campus under its authority based on the preceding school year:" in its place.

(6) A new subsection (k) is added to read as follows:

"(k) By October 1 of each year, the Office of the State Superintendent of Education shall publicly report on the state of absenteeism in the District based on data from the preceding school year, including an analysis of truancy and chronic absenteeism by school or campus and the impact of current laws on improving school attendance.".

(d) Section 4 of Article II (D.C. Official Code § 38-205) is amended to read as follows: **Amend § 38-205**

"Sec. 4. By October 5 of each year, each public, independent, private, and parochial school shall report to the Office of the State Superintendent of Education the name, address, sex, and date of birth of each minor who resides permanently or temporarily in the District who is

currently enrolled in their school. By the 5th of every month thereafter, each school shall report any changes in enrollment, including withdrawals, to the Office of the State Superintendent of Education.".

Amend § 38-207

(e) Section 6(a) of Article II (D.C. Official Code § 38-207(a)) is amended to read as follows:

"(a)(1) A law enforcement officer who has reasonable grounds to believe, based on the minor's age and other factors, that a minor is truant from any public, independent, private, or parochial school on a day and during the hours when the school is in session shall take that minor into custody and deliver the minor to the public, independent, private, or parochial school where the minor is presently enrolled, so long as the school is located in the District.

"(2) If the minor is not currently enrolled at a public, independent, private, or parochial school, the law enforcement officer shall take the minor to the District of Columbia Public Schools placement office.

"(3) If a minor is enrolled in a public, independent, private, or parochial school located within the District of Columbia, the educational institution shall receive that minor from a law enforcement officer during the hours when the school is in operation.".

Amend § 38-208

(f) Section 7 of Article II (D.C. Official Code § 38-208) is amended as follows:

(1) Subsection (a) is repealed.

(2) Subsection (c) is amended as follows:

(A) The lead-in language is amended by striking the phrase "subsections (a) and" and inserting the word "subsection" in its place.

(B) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended as follows:

(I) Strike the phrase "The educational institution" and insert the phrase "Beginning in the 2016-2017 school year, the educational institution" in its place.

(II) Strike the phrase "10 unexcused absences" and insert the phrase "10 unexcused full school day absences" in its place.

(ii) Subparagraph (B) is amended as follows:

(I) Strike the phrase "Beginning in the 2013-2014 school year" and insert the phrase "Beginning in the 2016-2017 school year" in its place.

(II) Strike the phrase "15 unexcused absences" and insert the phrase "15 unexcused full school day absences" in its place.

(C) A new subparagraph (C) is added to read as follows:

"(C) The educational institution shall have discretion with regard to the referral requirements set forth in subparagraphs (A) and (B) of this paragraph if a minor student accrues the 10th or 15th unexcused absence, respectively, within the final 10 school days of a school year.".

(3) A new subsection (d) is added to read as follows:

"(d) By July 1 of each year, the State Superintendent of Education shall send written notice to each educational institution outlining the attendance and reporting requirements outlined in this act.".

Amend § 38-1802.06

Sec. 3. Section 2206(g) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.06(g)), is amended to read as follows:

"(g) – *Expulsion and suspension*. – The principal of a public charter school may expel or suspend a student from the school based on criteria set forth in the charter granted to the school; provided, that:

"(1) Consistent with section 2(f-1) of Article II of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-203(f-1)), no student may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school; and

"(2) Consistent with section 303 of the Pre-k Enhancement and Expansion Amendment Act of 2008, effective June 23, 2015 (D.C. Law 21-12; D.C. Official Code § 38-273.03), no student of pre-k age:

"(A) May be expelled; or

"(B) Receive an out-of-school suspension unless it is determined by a school administrator that the student has willfully caused or attempted to cause bodily injury, or threatened serious bodily injury to another person, except in self-defense; provided, that no student of pre-k age may be suspended for longer than 3 days for any individual incident.".

DCMR

Sec. 4. Chapter 21 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations (5 DCMR § A2100 *et seq*.) is amended as follows:

(a) Section A2101.9(a) (5-A DCMR § 2101.9(a)) is repealed.

(b) Section A2102.4 (5-A DCMR § 2102.4) is amended to read as follows:

"2102.04 An educational institution shall obtain an explanation from the student's parent or guardian verifying the reason for an absence within no more than five (5) days upon the student's return to school, otherwise the absence shall be deemed unexcused.".

(c) Section A2199.1 (5-A DCMR § 2199.1) is amended as follows:

(1) The definition of "Chronic Absenteeism" is amended to read as follows:

" "Chronic absenteeism" – The incidence of a student missing more than 10% of school days, including excused and unexcused absences.".

(2) The definition of "Truancy rate" is amended to read as follows:

" "Truancy rate" – The incidence of students of compulsory attendance age, as defined by D.C. Official Code § 38-202(a), enrolled at a school at any point in a given school year who are absent without valid excuse, as defined by 5-A DCMR § 2102.2, on ten (10) or more occasions within a single school year, divided by the total number of students of compulsory attendance age ever enrolled during the corresponding school year.".

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec.6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-620
Act 21-412
effective
June 13, 2016

To authorize the Mayor to use designated funds, appropriated for the purpose of developing replacement shelter facilities for the DC General Family Shelter and for the apartments used for temporary shelter at 1433 and 1435 Spring Road, N.W., to acquire specified parcels of land, including through the use of eminent domain, and to construct 7 new facilities, in Wards 1, 3, 4, 5, 6, 7, and 8, to provide temporary shelter for families experiencing homelessness.

Codification
District of Columbia Official Code 2001 Edition

Homeless Shelter Replacement Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Homeless Shelter Replacement Act of 2016".

Note, § 4-754.01

Sec. 2. The Council finds that:

(1) On a given night in the District, more than 7,000 men, women, and children experience homelessness.

(2) Each day, the DC General Family Shelter houses approximately 250 families experiencing homelessness.

(3) The DC General Family Shelter is antiquated and inadequate, and its current conditions limit the District's ability to provide necessary services and support to families experiencing homelessness.

(4) Best practices suggest that children and families do best when short-term housing is provided in smaller-scale, service-enriched, community-based settings, and it is therefore in the best interest of the District to replace the DC General Family Shelter with a series of facilities throughout the District that provide temporary shelter.

(5) The apartments used by the District to provide temporary shelter to families experiencing homelessness at 1433 and 1435 Spring Road, N.W. (the "Spring Road Shelter"), are antiquated and in need of replacement, and the District's lease of those apartments is expiring.

(6) In order to close the DC General Family Shelter and replace the Spring Road Shelter, the District needs to construct new facilities that are safe and dignified spaces for families experiencing homelessness.

(7) It is in the best interest of the District to construct these new temporary-shelter facilities on District-owned land, in part to avoid the disruption to the provision of services in the continuum of care that would accompany the eventual expiration of leases.

(8) The new shelter facilities will be constructed on District-owned land; however, for 2 sites, the District will need to acquire the necessary property; doing so will advance the important goals of ensuring that the District owns the land on which each of the facilities is constructed and that each of the facilities is located in a different Ward, which in turn

will allow the District to provide small-scale, community-based temporary housing services throughout the District.

Sec. 3. (a) The Council authorizes the Mayor to use designated funds, as provided in this section, to provide temporary shelter for families experiencing homelessness by acquiring land, including through the use of eminent domain if necessary, and constructing 6 facilities containing DC General Family Shelter replacement units, as defined in section 2(11A) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-25; D.C. Official Code § 4-751.01(11A)), to replace the DC General Family Shelter, and one facility containing apartment-style units, as defined in section 2(3) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-25; D.C. Official Code § 4-751.01(3)), as follows:

(1) The Mayor is authorized to use funds appropriated for capital project HSW01C – Ward 1 Shelter to:

(A) Acquire parcels of land located at 2105 and 2107 10th Street, N.W., and 933 V Street, N.W., Square 358, Lots 5, 6, and 802, including, if necessary, through the exercise of eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code, after the owner of the site pays any funds owed to the District government due to misclassification of that property that led to lost tax revenue; and

(B) Construct a facility to provide temporary shelter for families experiencing homelessness containing 29 2- and 3-bedroom apartment-style units on the land to be acquired by the District pursuant to subparagraph (A) of this paragraph; provided, that, notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.), the District may contract with the current property owner for the construction of the facility specified in this subparagraph as part of an agreement to acquire the land; provided further, that if no agreement can be reached with the current property owner for the construction of the facility specified in this subparagraph, the contract for the construction of the facility shall be awarded pursuant to a request for proposals to be issued by the Department of General Services;

(2) The Mayor is authorized to use funds appropriated for capital project HSW03C – Ward 3 Shelter to construct a facility to provide temporary shelter for families experiencing homelessness containing up to 50 DC General Family Shelter replacement units on District-owned land at 3320 Idaho Avenue, N.W., Square 1818, Lot 849; provided, that the contract for the construction of the facility shall be awarded pursuant to a request for proposals to be issued by the Department of General Services;

(3) The Mayor is authorized to use funds appropriated for capital project HSW04C – Ward 4 Shelter to:

(A) Acquire the parcel of land located at 5505 Fifth Street, N.W., Square 3260, Lot 54, including, if necessary, through the exercise of eminent domain in accordance with

the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code; and

(B) Construct a facility to provide temporary shelter for families experiencing homelessness containing 49 DC General Family Shelter replacement units on the land to be acquired by the District pursuant to subparagraph (A) of this paragraph; provided, that, notwithstanding the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.), the District may contract with the current property owner for the construction of the facility specified in this subparagraph as part of an agreement to acquire the land; provided further, that if no agreement can be reached with the current property owner for the construction of the facility specified in this subparagraph, the contract for the construction of the facility shall be awarded pursuant to a request for proposals to be issued by the Department of General Services;

(4) The Mayor is authorized to use funds appropriated for capital project HSW05C –Ward 5 Shelter to construct a facility to provide temporary shelter for families experiencing homelessness containing up to 50 DC General Family Shelter replacement units on District-owned land at 1700 Rhode Island Avenue, N.E., Square 4134, Lot 800; provided, that the contract for the construction of the facility shall be awarded pursuant to a request for proposals to be issued by the Department of General Services;

(5) The Mayor is authorized to use funds appropriated for capital project HSW06C – Ward 6 Shelter to construct a facility to provide temporary shelter for families experiencing homelessness containing 50 DC General Family Shelter replacement units on District-owned land at 850 Delaware Avenue, S.W., Square 590E, Lot 800; provided, that the contract for the construction of the facility shall be awarded pursuant to a request for proposals to be issued by the Department of General Services; and further provided, that the site also may be utilized to locate a health-services facility serving families experiencing homelessness and to locate an intake center to replace the services provided at the Virginia A. Williams Family Resource Center;

(6) The Mayor is authorized to use funds appropriated for capital project HSW07C – Ward 7 Shelter to construct a facility to provide temporary shelter for families experiencing homelessness containing 35 DC General Family Shelter replacement units on District-owned land at 5004 D Street, S.E., Square 5322, Lot 32; provided, that the contract for the construction of the facility shall be awarded pursuant to a request for proposals to be issued by the Department of General Services; and

(7) The Mayor is authorized to use funds appropriated for capital project HSW08C – Ward 8 Shelter to construct a facility to provide temporary shelter for families experiencing homelessness containing 50 DC General Family Shelter replacement units on District-owned land at 4200 (assumed) 6th Street, S.E., Square 6207, Lots 53, 54, 55, and 56; provided, that the contract for the construction of the facility shall be awarded pursuant to a request for proposals to be issued by the Department of General Services.

(b) There is authorized to be appropriated sums of money not exceeding $100 million for the purposes set forth in subsection (a) of this section.

(c) The Mayor is authorized to use funds appropriated for capital project THK16C – Temporary and Permanent Supportive Housing Pool Project for any acquisition or construction authorized by subsection (a) of this section, the cost of which exceeds the amounts appropriated for capital projects HSW01C – Ward 1 Shelter, HSW03C – Ward 3 Shelter, HSW04C – Ward 4 Shelter, HSW05C – Ward 5 Shelter, HSW06C – Ward 6 Shelter, HSW07C – Ward 7 Shelter, or HSW08C – Ward 8 Shelter. There is authorized to be appropriated sums of money not exceeding $25 million for the purposes of this subsection.

(d) Consistent with section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), the Mayor shall submit to the Council for its approval any contract entered into pursuant to this act involving expenditures in excess of $1 million during a 12-month period.

(e) Any use of funds appropriated for capital projects HSW01C – Ward 1 Shelter, HSW03C – Ward 3 Shelter, HSW04C – Ward 4 Shelter, HSW05C – Ward 5 Shelter, HSW06C – Ward 6 Shelter, HSW07C – Ward 7 Shelter, HSW08C – Ward 8 Shelter, or THK16C – Temporary and Permanent Supportive Housing Pool Project inconsistent with this act is prohibited.

(f) The District shall seek to issue tax-exempt bonds to finance these projects such that the Chief Financial Officer of the District shall be satisfied that the proposed business arrangements with respect to the use and user of a proposed project shall not create a private business use within the meaning of the applicable Internal Revenue Service rules and regulations.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-668
Act 21-414
effective
June 15, 2016

To adopt the local portion of the budget of the District of Columbia government for the fiscal year ending September 30, 2017.

Codification
District of Columbia
Official Code
2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2017 Local Budget Act of 2016".

Fiscal Year 2017 Local Budget Act of 2016

Sec. 2. Adoption of the local portion of the Fiscal Year 2017 budget.

Note, § 1-204.46

The following expenditure levels are approved and adopted as the local portion of the budget for the government of the District of Columbia for the fiscal year ending September 30, 2017.

DISTRICT OF COLUMBIA BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017

PART A--SUMMARY OF EXPENSES

The following amounts are appropriated for the District of Columbia government for the fiscal year ending September 30, 2017 ("Fiscal Year 2017"), out of the General Fund of the District of Columbia ("General Fund"), except as otherwise specifically provided; provided, that notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act, approved November 22, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a), and provisions of this act, the total amount appropriated in this act for operating expenses for the District of Columbia for Fiscal Year 2017 shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $13,385,233,120 (of which $7,600,401,547 shall be from local funds (including $305,718,205 from dedicated taxes), $1,036,219,177 shall be from Federal grant funds, $2,228,446,882 shall be from Medicaid payments, $609,941,985 shall be from other funds, and $1,321,339 shall be from private funds, and $122,930,000 shall be from funds requested to be appropriated by the Congress as Federal payments pursuant to the Fiscal Year 2017 Federal Portion Budget Request Act of 2016, which does not include funds appropriated under the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1, note), and $1,785,972,190 shall be from enterprise and other funds; provided further, that of the local funds, such amounts as may be necessary may be derived from the General Fund balance; provided further, that of these funds the intra-District authority shall be $728,693,228; in addition, for capital construction

projects, an increase of $1,941,189,000 of which $1,613,045,000 shall be from local funds, $102,786,000 is from the Local Transportation Fund, $9,000,000 is from Federal Payment funds, $57,193,000 is from the District of Columbia Highway Trust Fund, and $159,165,000 is from Federal grant funds, and a rescission of $635,202,000 of which $551,369,000 is from local funds, $62,753,000 is from the Local Transportation Fund, $14,553,000 is from the District of Columbia Highway Trust Fund, and $6,527,000 is from Federal grant funds appropriated under this heading in prior fiscal years, for a net amount of $1,305,987,000, to remain available until expended; in addition, provided, that all funds provided by this act shall be available only for the specific projects and purposes intended; provided further, that amounts appropriated under this act may be increased by the amount transferred from funds appropriated in this act as Pay-As-You-Go Capital funds; provided further, that amounts provided under this heading are to be available, allocated, and expended at the rates and subject to the provisions set forth under the heading "Division of Expenses"; provided further, that this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs; provided further, that such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1- 201.01 *et seq*.); provided further, that this amount may be further increased by such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government and such sums may be paid from the applicable or available funds of the District of Columbia; provided further, local funds are appropriated, without regard to fiscal year, in such amounts as may be necessary to pay vendor fees, including legal fees, that are obligated in this fiscal year, to be paid as a fixed percentage of District revenue recovered from third parties on behalf of the District under contracts that provided for payment of fees based upon and from such District revenue as may be recovered by the vendor; provided further, that amounts appropriated pursuant to this act as operating funds may be transferred to enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this act; provided further, that there may be reprogrammed or transferred for operating expenses any local funds transferred or reprogrammed in this or the 4 prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this act, except, that there may not be reprogrammed for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects; provided further, that the local funds (including dedicated tax) and other funds appropriated by this act may be reprogrammed and transferred as provided in subchapter IV of Chapter 3 of Title 47 of the District of Columbia Official Code, or as otherwise provided by law, through November 15, 2017; provided further, that the Chief Financial Officer shall take such steps as are necessary to assure that the foregoing requirements are met, including the apportioning by the Chief Financial Officer of the appropriations and funds made available during Fiscal Year 2017.

PART B - - DIVISION OF EXPENSES

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $819,065,644 (including $718,345,346 from local funds, $29,769,819 from Federal grant funds, $70,494,248 from other funds, and $456,232 from private funds): provided, that any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District, to be allocated as follows:

(1) Council of the District of Columbia. – $24,002,435 from local funds; provided, that not to exceed $25,000 shall be available for the Chairman from this appropriation for official reception and representation expenses and for purposes consistent with section 26 of the Discretionary Funds Act of 1973, approved October 26, 1973 (87 Stat. 509; D.C. Official Code § 1-333.10); provided, that all funds deposited, without regard to fiscal year, into the Council Technology Projects Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(2) Office of the District of Columbia Auditor. – $5,201,985 from local funds;

(3) Advisory Neighborhood Commissions. – $958,661 from local funds; provided, that all funds deposited, without regard to fiscal year, into the Agency Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(4) Uniform Law Commission. – $50,000 from local funds;

(5) Office of the Mayor. – $12,679,593 (including $9,144,175 from local funds and $3,535,417 from Federal grant funds); provided, that not to exceed $25,000 of such amount, from local funds, shall be available for the Mayor for official reception and representation expenses and for purposes consistent with section 26 of the Discretionary Funds Act of 1973, approved October 26, 1973 (87 Stat. 509; D.C. Official Code § 1-333.10); provided, that all funds deposited, without regard to fiscal year, into the Emancipation Day Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(6) Mayor's Office of Legal Counsel. – $1,641,664 from local funds;

(7) Office of the Senior Advisor. – $2,199,908 from local funds;

(8) Office of the Secretary. – $3,749,426 (including $2,649,426 from local funds and $1,100,000 from other funds);

(9) Office of the City Administrator. – $7,399,326 (including $7,069,326 from local funds and $330,000 from other funds); provided, that not to exceed $10,600 of such amount, from local funds, shall be available for the City Administrator for official reception and representation expenses and for purposes consistent with section 26 of the Discretionary Funds Act of 1973, approved October 26, 1973 (87 Stat. 509; D.C. Official Code § 1-333.10);

(10) Deputy Mayor for Greater Economic Opportunity. – $2,946,433 from local funds;

(11) Office of Risk Management. – $3,973,395 from local funds;

(12) Department of Human Resources. – $8,906,915 (including $8,427,785 from local funds and $479,130 from other funds);

(13) Office of Disability Rights. – $1,625,331 (including $1,103,158 from local funds and $522,173 from Federal grant funds);

(14) Captive Insurance Agency. – $2,308,123 (including $2,071,533 from local funds and $236,590 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Agency Fund (Free Standing Clinics/Insurance Fund) are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Captive Insurance Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(15) Office of Finance and Resource Management. – $23,787,099 (including $23,379,659 from local funds and $407,440 from other funds);

(16) Office of Contracting and Procurement. – $23,820,649 (including $23,445,649 from local funds and $375,000 from other funds);

(17) Office of the Chief Technology Officer. – $77,804,943 (including $65,603,491 from local funds, $48,200 from Federal grant funds, and $12,153,253 from other funds); provided, that all funds deposited, without regard to fiscal year, into the DC-NET Services Support Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(18) Contract Appeals Board. – $1,492,391 from local funds;

(19) Department of General Services. – $321,717,168 (including $314,156,024 from local funds and $7,561,144 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Eastern Market Enterprise Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(20) Board of Elections. – $7,623,411 from local funds;

(21) Office of Campaign Finance. – $2,833,463 from local funds;

(22) Public Employee Relations Board. – $1,317,934 from local funds;

(23) Office of Employee Appeals. – $1,815,293 from local funds;

(24) Metropolitan Washington Council of Governments. – $494,825 from local funds;

(25) Board of Ethics and Government Accountability. – $2,059,619 (including $1,909,619 from local funds and $150,000 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Lobbyist Administration and Enforcement Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Board of Ethics and Government Accountability Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(26) Office of the Attorney General for the District of Columbia. – $88,694,684 (including $61,459,260 from local funds, $22,570,451 from Federal grant funds, $4,208,741 from other funds, and $456,232 from private funds); provided, that not to exceed $10,600 of such amount, from local funds, shall be available for the Attorney General for official reception and representation expenses; provided further, that all funds deposited, without regard to fiscal

year, into the Child SPT - TANF/AFDC Collections Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Child SPT - Reimbursements and Fees Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Child SPT - Interest Income Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Litigation Support Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(27) Statehood Initiatives Agency. – $234,298 from local funds; provided, that all funds deposited, without regard to fiscal year, into the New Columbia Statehood Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(28) Office of the Inspector General. – $18,722,457 (including $16,153,879 from local funds and $2,568,578 from Federal grant funds); and

(29) Office of the Chief Financial Officer. – $169,004,216 (including $124,986,266 from local funds, $525,000 from Federal grant funds, and $43,492,950 from other funds); provided, that not to exceed $10,600 of such amount, from local funds, shall be available for the Chief Financial Officer for official reception and representation expenses; provided further, that amounts appropriated by this act may be increased by the amount required to pay banking fees for maintaining the funds of the District of Columbia; provided further, that all funds deposited, without regard to fiscal year, into the OFT Central Collection Unit Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Recorder of Deeds Surcharge Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $586,261,049 (including $284,711,352 from local funds (including $1,170,000 from dedicated taxes), $93,206,914 from Federal grant funds, $208,309,783 from other funds, and $33,000 from private funds), to be allocated as follows:

(1) Office of the Deputy Mayor for Planning and Economic Development. – $36,532,392 (including $13,800,964 from local funds, $1,756,490 from Federal grant funds, and $20,974,938 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Industrial Revenue Bond program are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the H Street Retail Priority Area Grant Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Soccer Stadium Financing

Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(2) Office of Planning. – $10,094,248 (including $9,459,248 from local funds, $525,000 from Federal grant funds, $100,000 from other funds, and $10,000 from private funds); provided, that all funds deposited, without regard to fiscal year, into the Historic Landmark and Historic District Filing Fees (Local) Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Historical Landmark and Historic District Filing Fees (O-Type) Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(3) Department of Small and Local Business Development. – $11,735,519 (including $11,156,857 from local funds and $578,662 from Federal grant funds); provided, that all funds deposited, without regard to fiscal year, into the Small Business Capital Access Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Streetscape Loan Relief Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(4) Office of Cable Television, Film, Music, and Entertainment. – $11,964,082 (including $1,624,586 from local funds and $10,339,496 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Film, Television and Entertainment Rebate Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Cable Franchise Fees Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(5) Office of Zoning. – $2,915,088 from local funds;

(6) Department of Housing and Community Development. – $69,720,548 (including $10,084,432 from local funds, $53,753,868 from Federal grant funds, and $5,882,249 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Compensation Units 1 and 2 Affordable Housing Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Department of Housing and Community Development Unified Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Land Acquisition for Housing Development Opportunities (LAHDO) Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the RLF Escrow Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Rehab Repay Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Home Again Revolving Fund are authorized for expenditure and shall remain available

for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the HPAP - Repay Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(7) Department of Employment Services. – $143,225,202 (including $63,769,697 from local funds, $35,349,506 from Federal grant funds, $44,104,999 from other funds, and $1,000 from private funds); provided, that all funds deposited, without regard to fiscal year, into the Workers' Compensation Administration Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the UI Administrative Assessment Tax Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the UI Interest/Penalties Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Workers' Compensation Special Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Reed Act Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(8) Real Property Tax Appeals Commission. – $1,702,654 from local funds;

(9) Department of Consumer and Regulatory Affairs. – $55,506,179 (including $19,988,252 from local funds and $35,517,927 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Basic Business License Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Green Building Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Real Estate Guaranty and Education Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Nuisance Abatement Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the OPLA – Special Account are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Board of Engineers Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Corporate Recordation Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(10) Office of the Tenant Advocate. – $2,982,566 from local funds;

(11) Commission on the Arts and Humanities. – $21,947,123 (including $21,055,223 from local funds, $691,900 from Federal grant funds, and $200,000 from other funds), to fund competitively awarded grants for nonprofit fine and performing arts organizations based in and primarily serving the District; provided, that all funds deposited, without regard to

fiscal year, into the Special Purpose Revenue Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(12) Alcoholic Beverage Regulation Administration. – $8,268,024 (including $1,170,000 from local funds (including $1,170,000 from dedicated taxes) and $7,098,024 from other funds); provided, that all funds deposited, without regard to fiscal year, into the ABC - Import And Class License Fees Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(13) Public Service Commission. – $13,889,207 (including $551,489 from Federal grant funds, $13,315,718 from other funds, and $22,000 from private funds); provided, that all funds deposited, without regard to fiscal year, into the Operating - Utility Assessment Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the PJM Settlement Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(14) Office of the People's Counsel. – $7,497,285 from other funds; provided, that all funds deposited, without regard to fiscal year, into the Advocate for Consumers Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(15) Department of Insurance, Securities, and Banking. – $26,279,148 from other funds; provided, that all funds deposited, without regard to fiscal year, into the Insurance Regulatory Trust Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Foreclosure Mediation Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Capital Access Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(16) Housing Authority Subsidy. – $69,947,560 from local funds; provided, that all funds deposited, without regard to fiscal year, into the DCHA Rehabilitation and Maintenance Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(17) Housing Production Trust Fund Subsidy. – $55,054,224 from local funds; and

(18) Business Improvement Districts Transfer. – $37,000,000 from other funds.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, $1,365,534,618 (including $1,154,200,540 from local funds, $159,573,472 from Federal grant funds, $60,000 from Medicaid payments, $48,665,607 from other funds, $450,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for the District of Columbia National Guard" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016, $2,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment to the Criminal Justice Coordinating Council" in the Fiscal Year 2017 Federal Portion Budget Request

Act of 2016, and $585,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for Judicial Commissions" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016), to be allocated as follows:

(1) Metropolitan Police Department. – $527,563,428 (including $516,469,990 from local funds, $3,229,460 from Federal grant funds, and $7,863,978 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Asset Forfeiture Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(2) Fire and Emergency Medical Services Department. – $253,887,508 (including $249,840,363 from local funds, $3,022,145 from Federal grant funds, and $1,025,000 from other funds);

(3) Police Officers' and Firefighters' Retirement System. – $146,456,000 from local funds;

(4) Department of Corrections. – $146,572,113 (including $126,404,140 from local funds and $20,167,973 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Correction Trustee Reimbursement Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Welfare Account are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Correction Reimbursement-Juveniles Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(5) District of Columbia National Guard. – $13,302,616 (including $5,139,621 from local funds, $7,712,995 from Federal grant funds, and $450,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for the District of Columbia National Guard" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016); provided, that the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard; provided further, that such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available pursuant to this act, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved;

(6) Homeland Security and Emergency Management Agency. – $136,498,075 (including $4,667,223 from local funds and $131,830,852 from Federal grant funds);

(7) Commission on Judicial Disabilities and Tenure. – $310,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for Judicial Commissions" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016;

(8) Judicial Nomination Commission. – $275,000 from Federal payment funds

requested to be appropriated by the Congress under the heading "Federal Payment for Judicial Commissions" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016;

(9) Office of Police Complaints. – $2,449,188 from local funds;

(10) District of Columbia Sentencing Commission. – $1,086,544 from local funds;

(11) Office of the Chief Medical Examiner. – $11,422,664 from local funds;

(12) Office of Administrative Hearings. – $8,986,440 (including $8,926,440 from local funds and $60,000 from Medicaid payments);

(13) Criminal Justice Coordinating Council. – $2,630,068 (including $630,068 from local funds, and $2,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment to the Criminal Justice Coordinating Council" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016);

(14) Office of Unified Communications. – $49,735,696 (including $31,924,557 from local funds, and $17,811,139 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Emergency and Non-Emergency Number Telephone Calling Systems Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(15) Department of Forensic Sciences. – $23,255,124 (including $22,879,234 from local funds and $375,890 from Federal grant funds);

(16) Office of the Deputy Mayor for Public Safety and Justice. – $1,275,002 from local funds;

(17) Corrections Information Council. – $497,297 from local funds;

(18) Office of Victim Services and Justice Grants. – $38,630,950 (including $23,431,304 from local funds, $13,402,130 from Federal grant funds, and $1,797,516 from other funds); provided, that $5,028,000 shall be made available to award a grant to the District of Columbia Bar Foundation for the purpose of providing support to nonprofit organizations that deliver civil legal services to low-income and under-served District residents of which not less than $200,000 shall be available to fund the District of Columbia Poverty Lawyer Loan Repayment Assistance Program, established by section 401 of the Access to Justice Initiative Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 4-1704.01); provided further, that all funds deposited, without regard to fiscal year, into the Crime Victims Assistance Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Domestic Violence Shelter and Transitional Housing Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Community-Based Violence Reduction Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Private Security Camera Incentive Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; and

(19) Criminal Code Reform Commission. – $700,905 from local funds.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national-defense education programs, $2,361,127,337 (including $1,996,075,891 from local funds (including $4,282,274 from dedicated taxes), $268,541,858 from Federal grant funds, $16,271,732 from other funds, $237,855 from private funds, $40,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for Resident Tuition Support" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016, and $40,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for School Improvement" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016), to be allocated as follows:

(1) District of Columbia Public Schools. – $804,156,985 (including $756,389,181 from local funds, $21,647,522 from Federal grant funds, $5,900,727 from other funds, $219,555 from private funds, and $20,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for School Improvement" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016); provided, that not to exceed $10,600 of such local funds shall be available for the Chancellor for official reception and representation expenses; provided further, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2017, an amount equal to 10 percent of the total amount of the local funds appropriations provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for Fiscal Year 2018 (as transmitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools for Fiscal Year 2018; provided further, that all funds deposited, without regard to fiscal year, into the E-Rate Education Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the ROTC Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the DHHS Afterschool Program-Copayment Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the At-Risk Supplemental Allocation Preservation Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into assigned local fund balance from the settlement in *United States ex rel. Mills v. Compass Group North America et al.*, 2013 CAB SLD 004626, are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that the District of Columbia Public Schools ("DCPS") is authorized to spend appropriated funds to pay for DCPS-sponsored student travel, including the cost of transportation, lodging, meals, and admission fees for students and adult chaperones, to locations and venues outside DCPS facilities in accordance with rules promulgated by the Chancellor pursuant to section 105(c)(5) of the District of Columbia Public Education Reform Amendment

Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174(c)(5)); provided further, that such travel be related to the students' curriculum or for the purpose of rewarding student curricular or extra-curricular achievement.

(2) Teachers' Retirement System. – $56,781,000 from local funds;

(3) Office of the State Superintendent of Education. – $457,504,103 (including $150,486,807 from local funds (including $4,282,274 from dedicated taxes), $245,970,278 from Federal grant funds, $1,047,018 from other funds, $40,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for Resident Tuition Support" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016, and $20,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for School Improvement" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016); provided, that of the amounts provided to the Office of the State Superintendent of Education, $1,000,000 from local funds shall remain available until June 30, 2017, for an audit of the student enrollment of each District of Columbia public school and of each District of Columbia public charter school; provided further, that all funds deposited, without regard to fiscal year, into the Blackman and Jones Consent Decree Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Charter School Credit Enhancement Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Student Residency Verification Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the State Athletic Acts Program and Office Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Community Schools Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(4) District of Columbia Public Charter Schools. – $723,717,252 from local funds; provided, that there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of the fiscal year; provided further, that if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall remain available until expended for public education in accordance with section 2403(b)(2) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(b)(2)); provided further, that of the amounts made available to District of Columbia public charter schools, $230,000 shall be made available to the Office of the Chief Financial Officer as authorized by section 2403(b)(6) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(b)(6)); provided further, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2017, an amount equal to 35 percent, or

for new charter school Local Education Agencies that opened for the first time after December 31, 2016 an amount equal to 45 percent, of the total amount of the local funds appropriations provided for payments to public charter schools in the proposed budget of the District of Columbia for Fiscal Year 2018 (as transmitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments for Fiscal Year 2018; provided further, that the annual financial audit for the performance of an individual District of Columbia public charter school shall be funded by the charter school;

(5) University of the District of Columbia Subsidy Account. – $76,680,000 from local funds; provided, that this appropriation shall not be available to subsidize the education of nonresidents of the District at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2017, a tuition-rate schedule that establishes the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area; provided further, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the University of the District of Columbia on July 1, 2017, an amount equal to 10 percent of the total amount of the local funds appropriations provided for the University of the District of Columbia in the proposed budget of the District of Columbia for Fiscal Year 2018 (as transmitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the University of the District of Columbia for Fiscal Year 2018; provided further, that not to exceed $10,600 of the amount provided for the University of the District of Columbia Subsidy Account shall be available for the President of the University of the District of Columbia for official reception and representation expenses;

(6) District of Columbia Public Library. – $60,257,866 (including $58,023,808 from local funds, $924,058 from Federal grant funds, and $1,310,000 from other funds); provided, that not to exceed $8,500 of such amount, from local funds, shall be available for the Public Librarian for official reception and representation expenses; provided further, that all funds deposited, without regard to fiscal year, into the Copies and Printing Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the SLD E-Rate Reimbursement Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Library Collections Account are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(7) District of Columbia Public Charter School Board. – $8,013,987 from other funds;

(8) Non-Public Tuition. – $74,460,953 from local funds;

(9) Special Education Transportation. – $94,314,009 from local funds; provided, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the Special Education Transportation agency under the direction of the Office of the State Superintendent of Education, on July 1, 2017, an amount

equal to 10 percent of the total amount of the local funds appropriations provided for the Special Education Transportation agency in the proposed budget for the District of Columbia for Fiscal Year 2018 (as transmitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the Special Education Transportation agency for Fiscal Year 2018; provided further, that amounts appropriated under this paragraph may be used to offer financial incentives as necessary to reduce the number of routes serving 2 or fewer students;

(10) State Board of Education. – $1,498,516 (including $1,480,216 from local funds and $18,300 from private funds); and

(11) Office of the Deputy Mayor for Education. – $3,742,667 from local funds; provided, that all funds deposited, without regard to fiscal year, into the Common Lottery Board Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017.

HUMAN SUPPORT SERVICES

Human support services, $4,599,320,135 (including $1,898,831,671 from local funds (including $81,907,017 from dedicated taxes), $427,233,229 from Federal grant funds, $2,228,386,882 from Medicaid payments, $39,274,101 from other funds, $594,252 from private funds, and $5,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for Testing and Treatment of HIV/AIDS" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016; to be allocated as follows;

(1) Department of Human Services. – $500,810,454 (including $298,901,140 from local funds, $172,627,662 from Federal grant funds, $26,806,652 from Medicaid payments, and $2,475,000 from other funds; provided, that all funds deposited, without regard to fiscal year, into the SSI Payback Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(2) Child and Family Services Agency. – $231,572,145 (including $166,553,240 from local funds, $63,778,428 from Federal grant funds, $1,200,000 from other funds, and $40,477 from private funds);

(3) Department of Behavioral Health. – $255,014,333 (including $226,757,748 from local funds, $20,012,409 from Federal grant funds, $3,430,545 from Medicaid payments, $4,269,856 from other funds, and $543,775 from private funds); provided, that all funds deposited, without regard to fiscal year, into the APRA - Choice in Drug Treatment (HCSN) Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that in addition to the funds otherwise appropriated under this act, the Department of Behavioral Health may expend any funds that are or were paid by the United States Virgin Islands to the District in Fiscal Year 2015, Fiscal Year 2016, or Fiscal Year 2017 to compensate the District for care previously provided by the District to patients at St. Elizabeth's Hospital and are not otherwise appropriated under this act; provided further, that the availability of the funds be certified by the Chief Financial Officer before any expenditure; provided further, that the funds shall be expended in a manner determined by the Director of the Department of

Behavioral Health;

(4) Department of Health. – $228,129,476 (including $76,856,609 from local funds, $128,204,619 from Federal grant funds, $18,068,249 from other funds, and $5,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for Testing and Treatment of HIV/AIDS" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016); provided, that all funds deposited, without regard to fiscal year, into the Health Professional Recruitment Fund (Medical Loan Repayment) are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Board of Medicine Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Pharmacy Protection Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the SHPDA Fees Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Civic Monetary Penalties Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the SHPDA Admission Fee Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the ICF/MR Fees and Fines are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Human Services Facility Fee Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Communicable and Chronic Disease Prevention and Treatment Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(5) Department of Parks and Recreation. – $48,563,071 (including $45,963,071 from local funds and $2,600,000 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Department of Recreation Enterprise Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(6) Office on Aging. – $39,032,550 (including $30,263,426 from local funds, $7,731,645 from Federal grant funds, and $1,037,479 from Medicaid payments);

(7) Unemployment Compensation Fund. – $6,887,000 from local funds;

(8) Employees' Compensation Fund. – $21,521,002 from local funds; provided, that all funds deposited, without regard to fiscal year, into the Worker's Compensation Rev-Settlement Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Agency Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(9) Office of Human Rights. – $4,380,225 (including $4,058,275 from local funds and $321,950 from Federal grant funds);

(10) Office on Latino Affairs. – $2,811,873 from local funds;

(11) Children and Youth Investment Collaborative. – $4,920,000 from local funds;

(12) Office on Asian and Pacific Islander Affairs. – $854,987 from local funds;

(13) Office of Veterans' Affairs. – $413,399 (including $408,399 from local funds and $5,000 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Office of Veterans Affairs Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(14) Department of Youth Rehabilitation Services. – $101,528,794 from local funds; provided, that of the local funds appropriated for the Department of Youth Rehabilitation Services, $12,000 shall be used to fund the requirements of the Interstate Compact for Juveniles;

(15) Department of Disability Services. – $166,557,744 (including $118,738,285 from local funds, $31,640,389 from Federal grant funds, $9,005,813 from Medicaid payments, $7,163,257 from other funds, and $10,000 from private funds); provided that all funds deposited, without regard to fiscal year, into the Randolph Shepherd Unassigned Facilities Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Cost of Care-Non-Medicaid Clients Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Contribution to Costs of Supports Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(16) Department of Health Care Finance. – $2,982,027,908 (including $787,512,649 from local funds (including $81,907,017 from dedicated taxes), $2,916,127 from Federal grant funds, $2,188,106,393 from Medicaid payments, and $3,492,739 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Healthy DC Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Nursing Homes Quality of Care Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Stevie Sellows Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Medicaid Collections-3rd Party Liability Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Bill of Rights (Grievance and Appeals) Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Hospital Provider Fee Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Hospital Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(17) Not-for-Profit Hospital Corporation Subsidy. – $2,000,000 from local funds;

and

(18) Office of the Deputy Mayor for Health and Human Services. – $2,295,172 from local funds.

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and 3 passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $782,895,164 (including $579,003,663 from local funds (including $66,670,000 from dedicated taxes), $39,631,708 from Federal grant funds, and $164,259,793 from other funds), to be allocated as follows:

(1) Department of Public Works. – $145,057,202 (including $137,496,202 from local funds and $7,561,000 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Solid Waste Disposal Fee Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Super Can Program Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(2) Department of Transportation. – $111,517,390 (including $75,404,779 from local funds, $11,695,000 from Federal grant funds, and $24,417,610 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Bicycle Sharing Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Performance Parking Program Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Tree Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the DDOT Enterprise Fund-Non Tax Revenues Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Sustainable Transportation Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that, in addition, there are appropriated any amounts received, or to be received, from the Potomac Electric Power Company, or any of its related companies, successors, or assigns, for the purpose of paying or reimbursing the District Department of Transportation for the costs of designing, constructing, acquiring, and installing facilities, infrastructure, and equipment for use and ownership by the Potomac Electric Power Company, or any of its related companies, successors, or assigns, related to or associated with the undergrounding of electric transmission lines in the District of Columbia, and any interest earned on those funds, which amounts and interest shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, but shall be continually available for expenditure until September 30, 2017 for the designated purposes; provided further, that all funds deposited, without regard to fiscal year, into the Vision Zero Pedestrian and Bicycle Safety Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

provided further, that all funds deposited, without regard to fiscal year, into the Transportation Infrastructure Project Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(3) Department of Motor Vehicles. – $40,062,925 (including $30,199,232 from local funds and $9,863,693 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Motor Vehicle Inspection Station Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(4) Department of Energy and Environment. – $107,037,918 (including $18,126,168 from local funds, $27,936,708 from Federal grant funds, and $60,975,042 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Storm Water Permit Review Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, all funds deposited, without regard to fiscal year, into the Sustainable Energy Trust Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Brownfield Revitalization Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Anacostia River Clean Up and Protection Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Wetlands Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Energy Assistance Trust Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the LUST Trust Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Soil Erosion/Sediment Control Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the DC Municipal Aggregation Program Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Fishing License Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Renewable Energy Development Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Special Energy Assessment Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Air Quality Construction Permits Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the WASA Utility Discount Program Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(5) Department of For-Hire Vehicles. – $11,909,966 (including $4,067,518 from local funds, and $7,842,448 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Taxicab Assessment Act Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Public Vehicles for Hire Consumer Service Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(6) Washington Metropolitan Area Transit Commission. – $139,038 from local funds; and

(7) Washington Metropolitan Area Transit Authority. – $367,170,726 (including $313,570,726 from local funds (including $66,670,000 from dedicated taxes) and $53,600,000 from other funds); provided, that all funds deposited, without regard to fiscal year, into the Dedicated Taxes Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017; provided further, that all funds deposited, without regard to fiscal year, into the Parking Meter WMATA Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017.

FINANCING AND OTHER

Financing and Other, $1,085,056,983 (including $969,233,085 from local funds (including $151,688,914 from dedicated taxes), $18,262,177 from Federal grant funds, $62,666,721 from other funds, and $34,895,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016), to be allocated as follows:

(1) Repayment of Loans and Interest. – $642,681,238 (including $619,100,061 from local funds, $18,262,177 from Federal grant funds, and $5,319,000 from other funds), for payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code §§ 1- 204.62, 1-204.75, and 1-204.90);

(2) Repayment of Interest on Short-Term Borrowings. – $1,250,000 from local funds for payment of interest on short-term borrowing;

(3) Debt Service - Issuance Costs. – $6,000,000 from local funds for the payment of debt service issuance costs;

(4) Schools Modernization Fund. – $13,522,513 from local funds for the Schools Modernization Fund, established by section 4042 of the Schools Modernization Amendment Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 1-325.41);

(5) Repayment of Revenue Bonds. – $7,835,339 from local funds (including $7,835,339 from dedicated taxes) for the repayment of revenue bonds;

(6) Settlements and Judgments. – $21,292,448 from local funds for making refunds and for the payment of legal settlements or judgments that have been entered against the

District of Columbia government; provided, that this amount may be increased by such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government and such sums may be paid from the applicable or available funds of the District of Columbia;

(7) John A. Wilson Building Fund. –$4,369,093 from local funds for expenses associated with the John A. Wilson building;

(8) Workforce Investments. – $18,025,000 from local funds for workforce investments; provided, that all funds deposited, without regard to fiscal year, into the Compensation Units 1 and 2 Compensation and Classification Reform Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2017;

(9) Non-Departmental. – $7,223,786 (including $3,804,080 from local funds and $3,419,706 from other funds), to be transferred by the Mayor of the District of Columbia within the various appropriations headings in this act, to account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget;

(10) Emergency Planning and Security Fund. – $34,895,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016; provided, that, notwithstanding any other law, obligations and expenditures that are pending reimbursement under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia" may be charged to this appropriations heading;

(11) Master Equipment Lease/Purchase Program. – $29,380,873 from local funds;

(12) Pay-As-You-Go Capital Fund. – $120,541,890 (including $66,613,875 from local funds and $53,928,015 from other funds) to be transferred to the Capital Fund, in lieu of capital financing;

(13) District Retiree Health Contribution. – $31,000,000 from local funds for a District Retiree Health Contribution;

(14) Highway Transportation Fund - Transfers. – $24,753,575 from local funds (including $24,753,575 from dedicated taxes); and

(15) Convention Center Transfer. – $122,286,228 from local funds (including $119,100,000 from dedicated taxes).

ENTERPRISE AND OTHER FUNDS

The amount of $1,785,972,190 from enterprise and other funds, shall be provided to enterprise funds as follows; provided, that, in the event that certain dedicated revenues exceed budgeted amounts, the General Fund budget authority may be increased as needed to transfer all such revenues, pursuant to local law, to the Highway Trust Fund, the Washington Convention Center and Sports Authority, and the Washington Metropolitan Area Transit Authority.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For operation of the District of Columbia Water and Sewer Authority, $535,825,000 from

enterprise and other funds, of which no outstanding debt exists for repayment of loans and interest incurred for capital improvement projects and payable to the District's debt service fund. For construction projects, $3,111,561,000, to be distributed as follows: $628,523,000 for Wastewater Treatment; $473,150,000 for the Sanitary Sewer System; $574,118,000 for the Water System; $62,060,000 for Non Process Facilities; $1,107,275,000 for the Combined Sewer Overflow Program; $97,371,000 for the Washington Aqueduct; $20,133,000 for the Stormwater Program; and $148,931,000 for the capital equipment program; in addition, $14,000,000 from Federal payment funds requested to be appropriated by the Congress under the heading "Federal Payment to the District of Columbia Water and Sewer Authority" in the Fiscal Year 2017 Federal Portion Budget Request Act of 2016; provided, that the requirements and restrictions that are applicable to General Fund capital improvement projects and set forth in this act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct, $59,769,966 from enterprise and other funds.

D.C. LOTTERY AND CHARITABLE GAMES CONTROL BOARD

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriations Act, 1982, approved December 4, 1981 (Pub. L. No. 97-91; 95 Stat. 1174), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; codified in scattered cites in the D.C. Official Code), $215,000,000 from enterprise and other funds; provided, that, after notification to the Mayor, amounts appropriated herein may be increased by an amount necessary for the Lottery and Charitable Games Enterprise Fund to make transfers to the General Fund of the District of Columbia and to cover prizes, agent commissions, and gaming related fees directly associated with unanticipated excess lottery revenues not included in this appropriation.

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established pursuant to section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711), $39,095,618 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board; provided, that the District of Columbia Retirement Board shall provide to the Congress and the Mayor and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds; provided further, that the District of Columbia Retirement Board shall provide to the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

WASHINGTON CONVENTION AND SPORTS AUTHORITY

For the Washington Convention Center Enterprise Fund, including for functions previously performed by the District of Columbia Sports and Entertainment Commission, $146,958,776 from enterprise and other funds.

HOUSING FINANCE AGENCY

For the Housing Finance Agency, $11,740,000 from enterprise and other funds.

UNIVERSITY OF THE DISTRICT OF COLUMBIA

For the University of the District of Columbia, $162,543,336 from enterprise and other funds; provided, that these funds shall not revert to the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available until expended, without regard to fiscal year limitation.

D.C. PUBLIC LIBRARY AGENCY TRUST FUND

For the District of Columbia Public Library Trust Fund, $17,000 from enterprise and other funds.

UNEMPLOYMENT INSURANCE TRUST FUND

For the Unemployment Insurance Trust Fund, $194,147,200 from enterprise and other funds.

HOUSING PRODUCTION TRUST FUND

For the Housing Production Trust Fund, $100,000,000 from enterprise and other funds; provided, that all funds deposited into the Housing Production Trust Fund are, without regard to fiscal year, authorized for expenditure and shall remain available until expended.

TAX INCREMENT FINANCING (TIF) PROGRAM

For Tax Increment Financing, $54,755,587 from enterprise and other funds.

BALLPARK REVENUE FUND

For the Ballpark Revenue Fund, $68,485,000 from enterprise and other funds.

REPAYMENT OF PILOT FINANCING

For Repayment of Payment in Lieu of Taxes Financing, $31,113,441 from enterprise and other funds.

NOT-FOR-PROFIT HOSPITAL CORPORATION

For the Not-For-Profit Hospital Corporation, $132,000,000 from enterprise and other funds.

HEALTH BENEFIT EXCHANGE AUTHORITY

For the District of Columbia Health Benefit Exchange Authority, $34,521,266 from enterprise and other funds.

CASH FLOW RESERVE ACCOUNT

All funds deposited, without regard to fiscal year, into the Cash Flow Reserve Account, established pursuant to D.C. Official Code § 47-392.02(j-2) are authorized for expenditure and shall remain available for expenditure until September 30, 2017.

FISCAL STABILIZATION RESERVE ACCOUNT

All funds deposited, without regard to fiscal year, into the Fiscal Stabilization Reserve Account, established pursuant to D.C. Official Code § 47-392.02(j-1) are authorized for expenditure and shall remain available for expenditure until September 30, 2017.

CAPITAL OUTLAY

For capital construction projects, an increase of $1,941,189,000 of which $1,613,045,000 shall be from local funds, $102,786,000 is from the Local Transportation Fund, $9,000,000 is from Federal payment funds, $57,193,000 is from the District of Columbia Highway Trust Fund, and $159,165,000 is from Federal grant funds, and a rescission of $635,202,000, of which $551,369,000 is from local funds, $62,753,000 is from the Local Transportation Fund, $14,553,000 is from the District of Columbia Highway Trust Fund, and $6,527,000 is from Federal grant funds appropriated under this heading in prior fiscal years, for a net amount of $1,305,987,000, to remain available until expended; provided further, that all funds provided by this appropriation heading shall be available only for the specific projects and purposes intended; provided further, that amounts appropriated under this heading may be increased by the amount transferred from funds appropriated in this act as Pay-As-You-Go Capital funds.

Sec. 3. Local portion of the budget.

The budget adopted pursuant to this act constitutes the local portion of the annual budget for the District of Columbia government under section 446(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46(a)).

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

As provided in section 446(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46(a)), this act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to

override the veto), a 30-day period of congressional review as provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-143, effective August 17, 2016
[Partial Delayed Applicability]

AN ACT

Bill 21-377
Act 21-392
effective
May 10, 2016

To amend various acts to repeal outdated and unnecessary mandates for audits and other reports required of the District of Columbia Auditor.

Codification District of Columbia Official Code 2001 Edition

Repeal of Outdated and Unnecessary Audit Mandates Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Repeal of Outdated and Unnecessary Audit Mandates Amendment Act of 2016".

Sec. 2. The Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; D.C. Official Code § 1-301.181 *et seq.*), is amended as follows:

Amend § 1-301.181

(a) Section 2 (D.C. Official Code § 1-301.181) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Paragraph (1) is repealed.

(B) Paragraph (3) is amended by striking the phrase "sections 2350 and 2353" and inserting the phrase "section 2353" in its place.

(2) Subsection (c) is repealed.

(3) Subsection (d) is repealed.

Amend § 1-301.182

(b) Section 3 (D.C. Official Code § 1-301.182) is amended as follows:

(1) Subsection (a) is repealed.

(2) Subsection (b) is repealed.

(3) Subsection (c) is amended by striking the phrase "sections 2350 and 2353" and inserting the phrase "section 2353" in its place.

Repeal § 1-301.183

(c) Section 4 (D.C. Official Code § 1-301.183) is repealed.

Amend § 1-301.184

(d) Section 4a (D.C. Official Code § 1-301.184) is amended as follows:

(1) Subsection (a) is amended by striking the phrase ", and the quarterly reports of each government corporation required by section 2350(f) of the Act".

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Strike the phrase "and the information that each government corporation is required to submit pursuant to section 2350(f) of the Act".

(ii) Strike the phrase "or government corporation's".

(B) Paragraph (2) is amended by striking the phrase "and government corporations".

Sec. 3. Section 10 of An Act To establish a District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 342; D.C. Official Code § 3-310), is repealed. **Repeal § 3-310**

Sec. 4. Section 8(f) of the District of Columbia Boxing and Wrestling Commission Act, effective October 8, 1975 (D.C. Law 1-20; D.C. Official Code § 3-607(f)), is repealed. **Amend § 3-607**

Sec. 5. Section 305(a) of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1203.05(a)), is repealed. **Amend § 10-1203.05**

Sec. 6. Section 126n(d) of the District of Columbia Theft and White Collar Crimes Act of 1982, effective June 8, 2001 (D.C. Law 13-301; D.C. Official Code § 22-3226.14(d)), is repealed. **Amend § 22-3226.14**

Sec. 7. The lead-in language of section 16 of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.15), is amended as follows: **Amend § 32-131.15 [Delayed Applicability]**

(a) Strike the phrase "District of Columbia Auditor" both times it appears and insert the phrase "Department of Employment Services" in its place.

(b) Strike the phrase "audit a sample of District businesses" and insert the phrase "obtain a sample of statistics on District businesses" in its place.

Sec. 8. Paragraph 42(a)(6) of section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 984; D.C. Official Code § 34-912(a)(6)), is repealed. **Amend § 34-912**

Sec. 9. Section 4(c) of the Eastern Market Real Property Asset Management and Outdoor Vending Act of 1998, effective April 16, 1999 (D.C. Law 12-228; D.C. Official Code § 37-103(c)), is repealed. **Amend § 37-103**

Sec. 10. Section 9 of the District of Columbia Public School Food Services Act, approved October 8, 1951 (65 Stat. 370; D.C. Official Code § 38-807), is repealed. **Repeal § 38-807**

Sec. 11. Section 2407 of the Auditor Personnel and Audit Reform Amendment Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 38-1231.01), is repealed. **Repeal § 38-1231.01**

Sec. 12. Section 205 of the School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2973.05), is amended to read as follows: **Amend § 38-2973.05**

"Sec. 205. Audit of capital improvement projects.

"(a) No later than September 30, 2020, and every 3 years thereafter until the completion of all school modernization projects in the Capital Improvement Plan, the District of Columbia Auditor shall prepare a report to the public on the use of the capital funds by the District of Columbia Public Schools during the preceding fiscal years. The report shall include a school- and project-specific audit of all expenditures for school facility capital improvements, maintenance, repairs, and operating costs, and an assessment of whether the District has met the process, quality, schedule, and cost objectives of the Capital Improvement Plan and Budget.

"(b) No later than September 30, 2017, and each year thereafter until the completion of all school modernization projects in the Capital Improvement Plan, except in a year where a report is issued pursuant to subsection (a) of this section, the District of Columbia Auditor shall examine not less than a sample of capital projects related to school modernizations and shall determine whether the District has met the process, quality, schedule and cost objectives of sampled projects, and provide a report to the Council and the public on the findings.".

Sec. 13. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 1 is amended as follows:

(1) The table of contents is amended as follows:

(A) Strike the section designation "47-111. Disbursing Officer, appointment; bond; general powers and duties; audit of accounts." and insert the section designation "47-111. Disbursing Officer; appointment; bond; general powers and duties." in its place.

(B) Strike the section designation "47-120. Liability of Auditor or employees." and insert the section designation "47-120. Liability of Auditor or employees. [Repealed]." in its place.

(C) Strike the section designation "47-122. Checks to be countersigned." and insert the section designation "47-122. Checks to be countersigned. [Repealed]." in its place.

(D) Strike the section designation "47-123. Chief Clerk of Auditor's office." and insert the section designation "47-123. Chief Clerk of Auditor's office. [Repealed]." in its place.

(E) Strike the section designation "47-124. Accounts auditable by Auditor." and insert the section designation "47-124. Accounts auditable by Auditor. [Repealed]." in its place.

(2) Section 47-111 is amended as follows: **Amend § 47-111**

(A) Subsection (b) is amended by striking the phrase "audited and approved by the Auditor of the District of Columbia, and certified by the Mayor as required by § 47-409".

(B) Subsection (c) is repealed.

(3) Section 47-112 is amended by striking the phrase "nor the Auditor of the District of Columbia or" and inserting the phrase "nor" in its place. **Amend § 47-112**

(4) Section 47-116 is amended by striking the phrase "the Auditor of the District of Columbia in connection with the Disbursing Officer of the District of Columbia of the **Amend § 47-116**

grounds of such objections resulting in said suspensions, in order that said Auditor in connection with said Disbursing Officer" and inserting the phrase "the Disbursing Officer of the District of Columbia of the grounds of such objections resulting in said suspensions, in order that said Disbursing Officer" in its place.

Repeal §§ 47-120, 47-122, 47-123, 47-124

(5) Section 47-120 is repealed.
(6) Section 47-122 is repealed.
(7) Section 47-123 is repealed.
(8) Section 47-124 is repealed.

(b) Chapter 4 is amended as follows:

(1) The table of contents is amended as follows:

(A) Strike the section designation "47-409. Disbursement of taxes and appropriations; settlement of accounts." and insert the section designation "47-409. Disbursement of taxes and appropriations; settlement of accounts. [Repealed]." in its place.

(B) Strike the section designation "47-410. Payment of moneys into Treasury; requisitions and expenditures; disbursement accounts." and insert the section designation "47-410. Payment of moneys into Treasury; requisitions and expenditures; disbursement accounts. [Repealed]." in its place.

(C) Strike the section designation "47-411. Trust fund deposits and disbursements." and insert the section designation "47-411. Trust fund deposits and disbursements. [Repealed]." in its place.

Repeal §§ 47-409, 47-410, 47-411

(2) Section 47-409 is repealed.
(3) Section 47-410 is repealed.
(4) Section 47-411 is repealed.

(c) Chapter 28 is amended as follows:

(1) The table of contents is amended by striking the section designation "47-2851.17. Performance audit." and inserting the section designation "47-2851.17. Performance audit. [Repealed]." in its place.

Repeal § 47-2851.17

(2) Section 47-2851.17 is repealed.

Sec. 14. Applicability.

Partial Delayed Applicability

(a) Section 7 shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of section 7.

Sec. 15. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 16. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

AN ACT

Bill 21-712
Act 21-429
effective
June 27, 2016

To amend the Minimum Wage Act Revision Act of 1992 to progressively increase the minimum wage to $15 an hour by 2020, beginning in 2021 to increase the minimum wage during each successive year pursuant to the Consumer Price Index, to progressively increase the minimum wage for an employee who receives gratuities to $5 an hour by 2020, beginning in 2021 to increase the minimum wage for an employee who receives gratuities during each successive year pursuant to the Consumer Price Index, and to require the Mayor to submit a biannual compliance report to the Council; and to amend the Living Wage Act of 2006 to provide that the minimum wage requirements of the Minimum Wage Act Revision Act of 1992 shall apply to contracts and agreements for government assistance if the minimum wage is higher than the living wage.

Codification
District of
Columbia
Official Code
2001 Edition

Fair Shot
Minimum
Wage
Amendment
Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fair Shot Minimum Wage Amendment Act of 2016".

Sec. 2. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

Amend
§ 32-1002

(a) Section 3(3) (D.C. Official Code § 32-1002(3) is amended as follows:

(1) Strike the word "includes" and insert the phrase "includes the District of Columbia government," in its place.

(2) Strike the phrase "or the District of Columbia" and insert the word "government" in its place.

Amend
§ 32-1003

(b) Section 4 (D.C. Official Code § 32-1003) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (5) is amended to read as follows:

"(5)(A) Except as provided in subsection (h) of this section and subparagraph (B) of this paragraph, the minimum hourly wage required to be paid to an employee by an employer shall be as of:

"(i) July 1, 2016: $11.50;
"(ii) July 1, 2017: $12.50;
"(iii) July 1, 2018: $13.25;
"(iv) July 1, 2019: $14.00; and
"(v) July 1, 2020: $15.00.

"(B) If the minimum wage set by the United States government pursuant to the Fair Labor Standards Act ("U.S. minimum wage") is greater than the minimum hourly wage currently being paid pursuant to subparagraph (A) of this paragraph, the minimum hourly wage paid to an employee by an employer shall be the U.S. minimum wage plus $1.".

(B) Paragraph (6) is amended as follows:

(i) Subparagraph (A) is amended by striking the date "July 1, 2017" and inserting the date "July 1, 2021," in its place.

(ii) Subparagraph (B) is repealed.

(2) Subsection (f) is amended to read as follows:

"(f)(1) The minimum hourly wage required to be paid by an employer to an employee who receives gratuities ("tipped minimum wage"), provided that the employee actually receives gratuities in an amount at least equal to the difference between the hourly wage paid and the minimum hourly wage as set by subsection (a) of this section, shall be as of:

"(A) January 1, 2005: $2.77;

"(B) July 1, 2017: $3.33;

"(C) July 1, 2018: $3.89:

"(D) July 1, 2019: $ 4.45; and

"(E) July 1, 2020: $ 5.00.

"(2) Beginning on July 1, 2021, and no later than July 1 of each successive year, the tipped minimum wage shall be increased in proportion to the annual average increase, if any, in the Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor for the previous calendar year. Any increase under this paragraph shall be adjusted to the nearest multiple of $.05.".

(3) A new subsection (f-1) is added to read as follows:

"(f-1) The Mayor shall publish in the District of Columbia Register, on the Department of Employment Services website, and make available to employers in a bulletin, the adjusted minimum hourly wage to be paid by an employer to an employee pursuant to subsections (a)(5) and (6) and (f) of this section at least 30 days before an increase is scheduled to go into effect.".

Amend § 32-1009.01

(c) Section 10a(c)(2) (D.C. Official Code § 32-1009.01(c)(2)) is amended by striking the phrase "an annual" and inserting the phrase "a quarterly" in its place.

New § 32-1007.01

(d) A new section 8a is added to read as follows:

"Sec. 8a. Reporting.

"The Mayor shall submit biannually a report to the Council regarding any audits or inspections conducted related to compliance with this act or any regulation issued pursuant to this act. Each report shall include:

"(1) The number of employers inspected for compliance due to complaints received, categorized by size of the employer based on the number of employees;

"(2) The number of employers inspected for compliance as a result of a random audit, categorized by size of the employer based on the number of employees;

"(3) The number of violations, by type of violation; and

"(4) An explication of the actions the Mayor took pursuant to section 12 against each employer charged with violating this act or any regulation issued pursuant to this act, including a list of fines assessed against the employer.".

Sec. 3. The Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code § 2-220.01 *et seq.*), is amended as follows:

Amend § 2-220.03

(a) Section 103 (D.C. Official Code § 2-220.03) is amended by adding a new subsection (f) to read as follows:

"(f) Notwithstanding the requirements of subsections (a), (b), and (c) of this section, at no time shall the living wage be less than the minimum wage established pursuant to section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).".

Amend § 2-220.11

(b) Section 111 (D.C. Official Code § 2-220.11) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "The requirements of" and inserting the phrase "Except as provided in subsection (c) of this section, the requirements of" in its place.

(2) Subsection (b) is repealed.

(3) A new subsection (c) is added to read as follows:

"(c) The minimum wage required by section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003) ("Minimum Wage Act"), shall apply to an agreement entered into, renewed, or extended on or after the effective date of the Fair Shot Minimum Wage Amendment Act of 2016, passed on 2nd reading on June 21, 2016 (Enrolled version of Bill 21-712); provided, that the living wage is lower than the minimum wage required by section 4 of the Minimum Wage Act.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-145, effective August 19, 2016
[Delayed Applicability]

AN ACT

Bill 21-178
Act 21-430
effective
June 29, 2016

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property of the New Bethany Baptist Church described as Lots 31, 32, and 806, Square 339 and Lots 23, 71, 72, 811, and 812, Square 367; and to provide equitable tax relief.

Codification
District of Columbia Official Code 2001 Edition

New Bethany Baptist Church Real Property Tax Exemption Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "New Bethany Baptist Church Real Property Tax Exemption Act of 2016".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1098. New Bethany Baptist Church; Lots 31, 32, and 806, Square 339; and Lots 23, 71, 72, 811, and 812, Square 367.".

(b) A new section 47-1098 is added to read as follows:

New § 47-1098

"§ 47-1098. New Bethany Baptist Church; Lots 31, 32, and 806, Square 339; and Lots 23, 71, 72, 811, and 812, Square 367.

"(a) The real property described as Lots 31, 32, and 806, Square 339 and Lots 23, 71, 72, 811, and 812, Square 367 ("Property"), subject to subsection (b) of this section, shall be exempt from the tax imposed by Chapter 8 of this title as long as the:

"(1) Real property is owned by New Bethany Baptist Church;

"(2) Reports required by § 47-1007 are properly filed by New Bethany Baptist Church; and

"(3) New Bethany Baptist Church does not accept payment for any motor vehicle to park or to otherwise occupy space on the Property.

"(b)(1) Within 5 years of the effective date of this section, New Bethany Baptist Church shall in good faith negotiate an agreement with the Mayor to provide affordable housing on the Property, excluding that portion of the Property upon which the church building is located and which is reasonably required and actually used for carrying on the activities and purposes of New Bethany Baptist Church.

"(2) If New Bethany Baptist Church fails to enter into an agreement with the Mayor as described in paragraph (1) of this subsection, the real property tax exemption provided pursuant to subsection (a) of this section shall terminate, unless the Mayor grants a waiver of the

requirement set forth in paragraph (1) of this subsection or an extension of time to fulfill the requirement.

"(3) If the tax exemption provided pursuant to subsection (a) of this section is terminated pursuant to this subsection, or if the Mayor grants a waiver or extension pursuant to paragraph (2) of this subsection, the Mayor shall notify the Office of Tax and Revenue ("OTR") of the termination, waiver, or extension. The notification shall identify:

"(A) The property to which the notice applies by square and lot number;

"(B) The full legal name of the owner, including the taxpayer identification number;

"(C) The tax or taxes to which the notice applies;

"(D) The portion of the property that is or will be ineligible;

"(E) The date on which the property became or will become ineligible; and

"(F) Any other information OTR shall require to administer the termination, waiver, or extension.

"(c) The termination of the tax exemption provided pursuant to this section shall not preclude New Bethany Baptist Church from applying for an exemption pursuant to § 47-1002.

"(d) For the purposes of this section, the term "affordable housing" means residential housing provided in conformity with the standards of any affordable housing program established under the law of the United States or the District of Columbia.".

Sec. 3. Equitable tax relief.

The Council orders that all unpaid real property taxes, fees, penalties, fines, and interest assessed against the real property described as Lots 31, 32, and 806, Square 339 and Lots 23, 71, 72, 811, and 812, Square 367 beginning with tax year 2009 through the 1st day of the month following the effective date of this act and any sales or income taxes outstanding from public parking sales be forgiven and that any payment already made for this period be refunded.

Delayed Applicability

Sec. 4. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-228
Act 21-446
effective
June 30, 2016

To designate the public alley in Square 2258 that runs parallel to the 4600 block of Broad Branch Road, N.W., in Ward 3, as Fieldstone Lane.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fieldstone Lane Designation Act of 2016".

Fieldstone Lane Designation Act of 2016

Sec. 2. Pursuant to sections 401 and 403 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03) ("Act"), and notwithstanding the requirements of sections 407 and 408 of the Act (D.C. Official Code §§ 9-204.07 and 9-204.08), the Council designates the alley in Square 2258 that runs parallel to the 4600 block of Broad Branch Road, N.W., as "Fieldstone Lane".

Note, § 9-204.01

Sec. 3. Implementation of alley designation.

(a)(1) The name designated pursuant to section 2 shall be the official name of the alley.

(2) For the purposes of this act, the term "official name" means the legal designation of the alley for mailing address and other official purposes.

(b) The Mayor shall:

(1) Update relevant records of the District of Columbia to reflect the official name of the alley, including:

(A) Fire and Emergency Medical Services Department records;

(B) Homeland Security and Emergency Management Agency records;

(C) District of Columbia maps; and

(D) Any other record of the District of Columbia used for way finding or address purposes;

(2) Notify the United States Postal Service, other relevant government agencies, and relevant private sector entities of the official name of the alley; and

(3) Install signage indicating the official name of the alley using procedures established by the District Department of Transportation, and remove any signs with a previous name.

Sec. 4. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Mayor, the District Department of Transportation, and the Office of the Surveyor.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code §1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.

AN ACT

Bill 21-341
Act 21-447
effective
June 30, 2016

To designate the alley in Square 1042 between D and E Streets, S.E., in Ward 6, as Carry's Way and the alley in Square 1042 between 13th and 14th Streets, S.E., in Ward 6, as Guethler's Court.

Codification
District of
Columbia
Official Code
2001 Edition

Carry's Way and Guethler's Court Designation Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Carry's Way and Guethler's Court Designation Act of 2016".

Note, § 9-204.01

Sec. 2. Pursuant to section 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01) ("Act"), and notwithstanding sections 403, 406, 407, and 408 of the Act (D.C. Official Code §§ 9-204.03, 9-204.06, 9-204.07 and 9-204.08), the Council designates the alley in Square 1042 that runs north and south between D Street, S.E., and E Street, S.E., in Ward 6, as "Carry's Way".

Sec. 3. Pursuant to section 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01) ("Act"), and notwithstanding sections 403, 406, 407, and 408 of the Act (D.C. Official Code §§ 9-204.03, 9-204.06, 9-204.07, and 9-204.08), the Council designates the alley in Square 1042 that runs east and west parallel to D Street, S.E., and E Street, S.E., in Ward 6, as "Guethler's Court".

Sec. 4. Implementation of alley designations.

(a)(1) The name designated pursuant to section 2 shall be the official name of the alley described in that section and the name designated pursuant to section 3 shall be the official name of the alley described in that section.

(2) For the purposes of this act, the term "official name" means the legal designation of the alley for mailing address and other official purposes.

(b) The Mayor shall:

(1) Update relevant records of the District of Columbia to reflect the official names of the alleys, including:

(A) Fire and Emergency Medical Services Department records;

(B) Homeland Security and Emergency Management Agency records;

(C) District of Columbia maps; and

(D) Any other record of the District of Columbia used for way finding or

address purposes;

(2) Notify the United States Postal Service, other relevant government agencies, and relevant private sector entities of the official names of the alleys; and

(3) Install signage indicating the official names of the alleys using procedures established by the District Department of Transportation, and remove any signs with a previous name.

Sec. 5. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Mayor, the District Department of Transportation, and the Office of the Surveyor.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code §1-301.47a).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.

D.C. Law 21-126, effective July 1, 2016 (Expiration date February 11, 2017, 2016)
(Related Emergency Legislation is Act 21-366, 21 DCSTAT 3189)

AN ACT

Bill 21-678
Act 21-379
effective
May 4, 2016

To amend, on a temporary basis, the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008 to clarify that certain contracts for development of Square 3128 are exempt from portions of the Procurement Practices Reform Act of 2010.

Codification District of Columbia Official Code 2001 Edition

DMPED Procurement Clarification Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "DMPED Procurement Clarification Temporary Amendment Act of 2016".

Note, § 2-1225.11

Sec 2. Section 20l of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.11), is amended by adding a new subsection (b-1) to read as follows:

"(b-1) Any contract between the Deputy Mayor for Planning and Economic Development and a developer for the development of Square 3128 related to Zoning Commission Order No. Z.C. 13-14, or amendment to that order, shall not be subject to titles IV, V, and VI, and sections 702 and 1101 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.).".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-127, effective July 1, 2016 (Expiration date February 11, 2017)
(Related Emergency Legislation is Act 21-367, 21 DCSTAT 3190)

AN ACT

Bill 21-680
Act 21-380
effective
May 4, 2016

To amend, on a temporary basis, the Education Licensure Commission Act of 1976 to require that postsecondary educational institutions providing degree-granting or non-degree-granting online programs or courses to District residents must be licensed by the Higher Education Licensure Commission or authorized to operate in the District pursuant to a reciprocity agreement.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Higher Education Licensure Commission Clarification Temporary Amendment Act of 2016".

Higher Education Licensure Commission Clarification Temporary Amendment Act of 2016

Sec. 2. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

Note, § 38-1302

(1) Paragraph (4)(C) is amended by striking the phrase "through agents offers" and inserting the phrase "through agents or an online presence offers" in its place.

(2) A new paragraph (17) is added to read as follows:

"(17) "Reciprocity agreement" means an agreement joined by the District of Columbia with other member states, districts, or U.S. territories that establishes national standards for interstate offering of postsecondary distance education courses and programs.".

(b) Section 6(b)(3) (D.C. Official Code § 38-1306(b)(3)) is amended by striking the phrase "45-day" both times it appears and inserting the phrase "14-day" in its place.

Note, § 38-1306

(c) Section 7(5) (D.C. Official Code § 38-1307(5)) is amended as follows:

Note, § 38-1307

(1) Strike the phrase "agreements with other jurisdictions as it relates to the licensing" and insert the phrase "reciprocity agreements with other jurisdictions that relate to the authorization" in its place.

(2) Strike the word "instruction" and insert the phrase "online instruction" in its place.

(d) Section 9 (D.C. Official Code § 38-1309) is amended as follows:

Note, § 38-1309

(1) Subsection (a-1) is repealed.

(2) Subsection (c-1) is amended by adding a new paragraph (3) to read as follows:

"(3) Paragraph (1) of this subsection shall not apply to a postsecondary educational institution that provides degree-granting or non-degree-granting online instruction to residents of the District through an online presence and that is authorized to operate in the District pursuant to a reciprocity agreement.".

(e) A new section 9a is added to read as follows:

Note, New § 38-1309.01

"Sec. 9a. Delivery of online instruction by a postsecondary educational institution.

"(a) A postsecondary educational institution may provide degree-granting or non-degree-granting online instruction to residents of the District through an online presence.

"(b) An educational institution that provides degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District, and shall either be:

"(1) Licensed by the Commission in accordance with this act; or

"(2) Authorized to operate in the District pursuant to a reciprocity agreement.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-128 effective July 1, 2016 (Expiration date February 11, 2017)
(Related Emergency Legislation is Act 21-370, 21 DCSTAT 3195)

AN ACT

Bill 21-700
Act 21-381
effective
May 4, 2016

To amend, on a temporary basis, the Business Improvement Districts Act of 1996 to repeal the sunset provision.

Codification
District of Columbia Official Code 2001 Edition

Business Improvement Districts Sunset Repeal Temporary Amendment Act of 2016

Note, § 2-1215.01

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Business Improvement Districts Sunset Repeal Temporary Amendment Act of 2016".

Sec. 2. Section 24(b) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; 43 DCR 1698), is repealed.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-129, effective July 1, 2016 (Expiration date February 11, 2017)
(Related Emergency Legislation is Act 21-372, 21 DCSTAT 3198)

AN ACT

Bill 21-703
Act 21-382
effective
May 4, 2016

To amend, on a temporary basis, the Fiscal Year 1997 Budget Support Act of 1996 to authorize the Mayor to waive or reduce permit fees, except for application fees, for the use of public space, public rights of way, and public structures for projects that are conducted by a civic association; and to amend section 24-225 of the District of Columbia Municipal Regulations to allow for the waiver or reduction of permit fees, except for application fees, for the use of public space, public rights-of-way, and public structures for projects that are conducted by a civic association.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Civic Associations Public Space Permit Fee Waiver Temporary Amendment Act of 2016".

Civic Associations Public Space Permit Fee Waiver Temporary Amendment Act of 2016

Sec. 2. Section 603a of the Fiscal Year 1997 Budget Support Act of 1996, effective December 2, 2011 (D.C. Law 19-48; D.C. Official Code § 10-1141.03a), is amended as follows:

Note, § 10-1141.03a

(a) Designate the existing text as subsection (a).

(b) The newly designated subsection (a)(1) is amended by striking the phrase "Is conducted by a" and inserting the phrase "Is conducted by a civic association or a" in its place.

(c) A new subsection (b) is added to read as follows:

"(b) For the purposes of this section, the term "civic association" means an organization that is:

"(1) Comprised of residents of the community within which the public space, public right of way, or public structure is located;

"(2) Operated primarily for the improvement of the community within which the public space, public right of way, or public structure is located; and

"(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).".

DCMR

Sec. 3. Section 24-225.12 of the District of Columbia Municipal Regulations is amended as follows:

(a) Designate the existing text as paragraph (a).

(b) The newly designated paragraph (a)(1) is amended by striking the phrase "Is conducted by a" and inserting the phrase "Is conducted by a civic association or a" in its place.

(c) A new paragraph (b) is added to read as follows:

"(b) For the purposes of this subsection, the term "civic association" means an organization that is:

"(1) Comprised of residents of the community within which the public space, public right-of-way, or public structure is located;

"(2) Operated primarily for the improvement of the community within which the public space, public right-of-way, or public structure is located; and

"(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-130, effective July 1, 2016 (Expiration date February 11, 2017)
(Related Emergency Legislation is Act 21-373, 21 DCSTAT 3200)

AN ACT

Bill 21-705
Act 21-383
effective
May 4, 2016

To amend, on a temporary basis, Chapter 13A of Title 47 of the District of Columbia Official Code to remove references to the discontinued Tax Sale Resource Center and to clarify the amounts required to be paid in order to receive a tax deed.

Codification
District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tax Sale Resource Center Clarifying Temporary Amendment Act of 2016".

Tax Sale Resource Center Clarifying Temporary Amendment Act of 2016

Sec. 2. Chapter 13A of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1341 is amended as follows:

Note, § 47-1341

(1) Subsection (a)(2) is amended by striking the phrase:

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.".

(2) Subsection (b-1)(2) is amended by striking the phrase:

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.".

(b) Section 47-1353.01(b) is amended by striking the phrase:

Note, § 47-1353.01

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.".

(c) Section 47-1382(b) is amended to read as follows:

Note, § 47-1382

"(b) Notwithstanding subsection (a)(1) of this section, upon issuance of a tax deed concerning a real property sold under § 47-1353(a)(3) or (b), the real property shall be free and clear of all prior taxes and liabilities owed by the real property to a taxing agency. The purchaser shall not be required to pay such prior taxes and liabilities to receive the tax deed.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-131, effective July 1, 2016 (Expiration date February 11, 2017)
(Related Emergency Legislation is Act 21-360, 21 DCSTAT 3160)

AN ACT

Bill 21-634
Act 21-384
effective
May 4, 2016

To amend, on a temporary basis, the District of Columbia Uniform Controlled Substances Act of 1981 to add certain classes and substances to the list of Schedule I controlled substances.

Codification District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Revised Synthetics Abatement and Full Enforcement Drug Control Temporary Amendment Act of 2016".

Revised Synthetics Abatement and Full Enforcement Drug Control Temporary Amendment Act of 2016

Sec. 2. The District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-901.01 *et seq*.), is amended as follows:

(a) Section 102 (27) (D.C. Official Code § 48-901.02(27)) is amended as follows

(1) Strike the phrase "as used in section 204(3) and section 206(1)(D)" and insert the phrase "as used in section 204(3), (5), and (6) and section 206(1)(D)" in its place.

(2) Strike the phrase "As used in section 204(3)" and insert the phrase "As used in section 204(3), (5), and (6)" in its place.

Note, § 48-901.02

(b) Section 204 (D.C. Official Code § 48-902.04) is amended as follows:

(1) Paragraph (3) is amended as follows:

(A) The lead-in language is amended by striking the phrase "(for purposes of this paragraph only, the term "isomer" includes the optical, position, and geometric isomers)".

(B) New subparagraphs (G-i) through (G-xii) are added to read as follows:

"(G-i) 25I-NBOMe (also known as 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine);

"(G-ii) 25B-NBOMe (also known as 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine);

"(G-iii) 25C-NBOMe (also known as 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine);

"(G-iv) 5-APB (also known as 1-(benzofuran-5-yl)propan-2-amine);

"(G-v) 5-APDB (also known as 1-(2,3-dihydrobenzofuran-5-yl)propan-2-amine);

"(G-vi) 6-APB (also known as 1-(1-benzofuran-6-yl)propan-2-amine);

"(G-vii) 6-APDB (also known as1-(2,3-dihydrobenzofuran-6-yl)propan-2-amine);

"(G-viii) 3-methoxy-PCE (also known as *N*-ethyl-1-(3-methoxyphenyl)cyclohexanamine);

Note, § 48-902.04

"(G-ix) 3-methoxy-PCP (also known as 1-[1-(3-methoxyphenyl)cyclohexyl]piperidine);

"(G-x) 4-methoxy-PCP (also known as 1-[1-(4-methoxyphenyl)cyclohexyl]piperidine);

"(G-xi) 5-MeO-DALT (also known as *N*,*N*-diallyl-5-methoxytryptamine);

"(G-xii) 4-AcO-DMT (also known as 5-acetoxy-*N*,*N*-dimethyltryptamine);".

(C) A new subparagraph (M-i) is added to read as follows:

"(M-i) Methoxetamine (also known as 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexanone);".

(D) Subparagraph (JJ) is amended by striking the word "and".

(E) Subparagraph (KK) is amended by striking the phrase "(2C-P);" and inserting the phrase "(2C-P); and" in its place.

(F) A new subparagraph (LL) is added to read as follows:

"(LL) Cathinone;".

(2) Paragraph (5) is repealed.

(3) A new paragraph (5A) is added to read as follows:

"(5A) Synthetic Cathinones, which includes any material, compound, mixture, or preparation that is not otherwise listed as a controlled substance in this schedule or in Schedules II through V, is not approved by the Food and Drug Administration as a drug, and is structurally derived from or contains any quantity of the following substances, their salts, isomers, homologues, analogues, and salts of isomers, homologues, and analogues, unless specifically excepted, whenever the existence of these salts, isomers, homologues, analogues, and salts of isomers, homologues, and analogues is possible within the specific chemical designation:

"(A) Classified Synthetic Cathinones:

"(i) Any compound containing a 2-amino-1-propanone structure with substitution at the 1-position with a monocyclic or fused polycyclic ring system and a substitution at the nitrogen atom by an alkyl group, cycloalkyl group, or incorporation into a heterocyclic structure. Examples of this structural class include:

"(I) α-pyrrolidinopropiophenone, also known as:

"(aa) 1-phenyl-2-(1-pyrrolidinyl)-1-propanone; or

"(bb) α-PPP;

"(II) Dimethylcathinone, also known as:

"(aa) 2-(dimethylamino)-1-phenyl-1-propanone; or

"(bb) N,N-Dimethylcathinone; and

"(III) Ethcathinone, also known as:

"(aa) 2-(ethylamino)-1-phenyl-1-propanone;

"(bb) Ethylcathinone;

"(cc) N-Ethylcathinone; or

"(dd) 2-Ethylaminobuphedro;

"(ii) Any compound containing a 2-amino-1-propanone structure with substitution at the 1-position with a monocyclic or fused polycyclic ring system and a substitution at the 3-position carbon with an alkyl, haloalkyl, or alkoxy group. Examples of this structural class include naphyrone (also known as 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one);

"(iii) Any compound containing a 2-amino-1-propanone structure with substitution at the 1-position with a monocyclic or fused polycyclic ring system and a substitution at any position of the ring system with an alkyl, haloalkyl, halogen, alkylenedioxy, or alkoxy group, whether or not further substituted at any position on the ring system to any extent. Examples of this structural class include:

"(I) 3-fluoromethylone;

"(II) Mephedrone, also known as:

"(aa) 2-(methylamino)-1-(4-methylphenyl)-1-propanone;

"(bb) 4-MeMC;

"(cc) 4-Methylmethcathinone;

"(dd) 4-Methylephedrone; or

"(ee) 4-MMC; and

"(III) Methylone, also known as

"(aa) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)-1-propanone; or

"(bb) 3,4-Methylenedioxy-N-methylcathinone);

"(iv) Any compound containing or structurally derived from a piperazine, or diethylenediamine, structure with or without substitution at one of the nitrogen atoms of the piperazine ring to any extent. Examples include:

"(I) BZP, also known as:

"(aa) 1-(phenylmethyl)-piperazine;

"(bb) 1-Benzylpiperazine; or

"(cc) N-Benzylpiperazine; and

"(II) TMFPP, also known as:

"(aa) 1-[3-(trifluoromethyl)phenyl]-piperazine;

"(bb) 1-(m-Trifluoromethylphenyl) piperazine; or

"(cc) 3-Trifluoromethylphenylpiperazine;

"(B) Unclassified Synthetic Cathinones:

"(i) Aminorex (also known as (RS)-5-phenyl-4,5-dihydro-1,3-oxazol-2-amine);

"(ii) α-ET, also known as:

"(I) α-ethyl-1H-indole-3-ethanamine;

"(II) α-ethyltryptamine; or
"(III) 3-Indolybutylamine;
"(iii) α-MT, also known as:
"(I) α-methyl-1H-indole-3-ethanamine; or
"(II) α-methyltryptamine;
"(iv) α-PBP, also known as:
"(I) 1-phenyl-2-(1-pyrrolidinyl)-1-butanone; or
"(II) α-pyrrolidinobutiophenone;
"(v) α-PVP (also known as α-pyrrolidinopentiophenone);
"(vi) bk-MDDMA, also known as:
"(I) 1-(1,3-benzodioxol-5-yl)-2-(dimethylamino)propan-1-one;
"(II) Dimethylone;
"(III) *N*,*N*-dimethyl-3′,4′-methylenedioxycathinone;
"(IV) *N*,*N*-dimethyl-3,4-methylenedioxycathinone; or
"(V) N,N-Dimethyl MDCATH;
"(vii) Buphedrone, also known as:
"(I) 2-(methylamino)-1-phenylbutan-1-one; or
"(II) MABP;
"(viii) Butylone (also known as 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one);
"(ix) 3,4-DMMC, also known as:
"(I) 1-(3,4-dimethylphenyl)-2-(methylamino)-1-propanone; or
"(II) 3,4-Dimethylmethcathinone;
"(x) EMA, also known as:
"(I) N-ethyl-α-methyl-benzeneethanamine; or
"(II) N-Ethylamphetamine;
"(xi) EMC, also known as:
"(I) 1-(4-ethylphenyl)-2-(methylamino)propan-1-one;
"(II) 4-EMC; or
"(III) 4-Ethylmethcathinone;
"(xii) Ethylone, also known as:
"(I) 3,4-Methylenedioxy-N-ethylcathinone; or
"(II) MDEC;
"(xiii) Fenethylline (also known as (RS)-1,3-dimethyl- 7-[2-(1-bpphenylpropan-2-ylamino)ethyl]purine-2,6-dione);
"(xiv) Fluoromethcathinone (also known as 1-(4-fluorophenyl)-2-(methylamino) propan-1-one);
"(xv) 3-FMC (also known as 3-fluoro-N-methylcathinone);

"(xvi) 4-FMC, also known as:
"(I) 1-(4-fluorophenyl)-2-(methylamino)propan-1-one;
"(II) 4-fluoro-N-methylcathinone; or
"(III) Flephedrone;
"(xvii) MDPBP, also known as:
"(I) 1-(1,3-benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-butanone; or
"(II) 3,4-Methylenedioxy-α-Pyrrolidinobutiophenone;
"(xviii) MDPPP, also known as:
"(I) 1-(1,3-benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-propanone; or
"(II) 3,4-Methylenedioxy-α-Pyrrolidinopropiophenone;
"(xix) MDPV, also known as:
"(I) 1-(1,3-benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone; or
"(II) 3,4-Methylenedioxy Pyrovalerone;
"(xx) 4-MeBP, also known as:
"(I) 2-(methylamino)-1-(4-methylphenyl)-1-butanone;
"(II) 4-Methylbuphedrone;
"(III) 4-methyl BP; or
"(IV) 4-MeMABP
"(xxi) 3-MEC, also known as:
"(I) 2-(ethylamino)-1-(m-tolyl)propan-1-one; or
"(II) 3-Methyl-N-ethylcathinone;
"(xxii) 4-MEC, also known as:
"(I) 2-(ethylamino)-1-(4-methylphenyl)-1-propanone; or
"(II) 4-Methyl-N-ethylcathinone;
"(xxiii) 4-MePPP, also known as
"(I) 4'-methyl-α-Pyrrolidinopropiophenone;
"(II) 4'-methyl PPP; or
"(III) 2-(pyrrolidin-1-yl)-1-(p-tolyl)propan-1-one;
"(xxiv) 3-MMC, also known as:
"(I) 2-(methylamino)-1-(3-methylphenyl)-1-propanone;
"(II) 3-methyl MS; or
"(III) 3-Methylmethcathinone;
"(xxv) Methedrone (also known as 1-(4-methoxyphenyl)-2-(methylamino)-1-propanone);
"(xxvi) 4'-methyl PHP, also known as:
"(I) 4′-methyl-α-pyrrolidinohexanophenone;
"(II) MPHP;

"(III) 4'-methyl- α-PHP; or
"(IV) PV4;
"(xxvii) Naphyrone, also known as:
"(I) 1-(2-naphthalenyl)-2-(1-pyrrolidinyl)-1-pentanone; or
"(II) Naphpyrovalerone;
"(xxviii) N-hydroxy MDA, also known as:
"(I) MDOH;
"(I) N-hydroxy-α-methyl-1,3-benzodioxole-5-ethanamine; or
"(II) N-Hydroxy-3,4-methylenedioxyamphetamine;
"(xxix) N,N-DMA, also known as:
"(I) N,N,α-trimethyl-benzeethanamine;
"(II) N,N-Dimethylamphetamine;
"(III) Dimetamfetamine; or
"(III) Metrotonin;
"(xxx) Pentedrone (also known as 2-(methylamino)-1-phenylpentan-1-one); and
"(xxxi) Pentylone (also known as 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one);".

(4) A new paragraph (6) is added to read as follows:

"(6) Synthetic Cannabimimetic Agents (also known as synthetic cannabinoids), which includes, unless specifically exempted, unless listed in another schedule, or unless approved by the Food and Drug Administration as a drug, any material, mixture, preparation, any compound structurally derived from, or that contains any quantity of the following synthetic substances, their salts, isomers, homologues, analogues and salts of isomers, homologues, and analogues, whenever the existence of these salts, isomers, homologues, analogues, and salts of isomers, homologues, and analogues is possible within the specific chemical designation:

"(A) Classified Synthetic Cannabimimetic Agents:

"(i) Adamantanoylindoles: Any compound containing or structurally derived from an adamantanyl-(1H-indol-3-yl)methanone structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent. Examples include:

"(I) AB-001, also known as:
"(aa) (1s,3s)-adamantan-1-yl(1-pentyl-1H-indol-3-yl)methanone; or
"(bb) JWH 018 adamantyl analog; and

"(II) AM-1248, also known as:

"(aa) [1-[(1-methyl-2-piperidinyl)methyl]-1H-indol-3-yl]tricyclo[3.3.1.13,7]dec-1-yl-methanone; or

"(bb) AM1248;

"(ii) Adamantoylindazoles: or any compound containing or structurally derived from 3-(1-adamantoyl) indole, 3-(1-adamantoyl)indazole, 3-(2-adamantoyl)indole, N-(1-adamantyl)-1H-indole-3-carboxamide, or N-(1-adamantyl)-1H-indazole-3-carboxamide by substitution at the nitrogen atom of the indole or indazole ring with alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole or indazole ring to any extent and whether or not substituted in the adamantyl ring to any extent. This category includes adamantyl carboxamide indazoles;

"(iii) Adamantylamidoindoles: Any compound containing or structurally derived from an N-(adamantyl)-indole-3-carboxamide structure, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent;

"(iv) Adamantylindazoles: Any compound containing or structurally derived from an N-(adamantyl)-indazole-3-carboxamide structure with substitution at a nitrogen atom of the indazole ring, whether or not further substituted on the indazole ring to any extent, whether or not substituted on the adamantyl ring to any extent. Examples include:

"(I) 5F-APINACA, also known as:

"(aa) 5-fluoro-APINACA

"(bb) 5F-AKB-48;

"(cc) 5F-AKB48;

"(dd) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide; or

"(ee) *N*-(1-adamantyl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide); and

"(II) APINACA, also known as:

"(aa) AKB-48;

"(bb) AKB48;

"(cc) 1-pentyl-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indazole-3-carboxamide; or

"(dd) *N*-(1-adamantyl)-1-pentyl-1*H*-indazole-3-carboxamide;

"(v) Adamantylindoles: Any compound containing or structurally derived from an N-(adamantyl)-indole-3-carboxamide with substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, and whether or not substituted on the adamantyl ring to any extent. Examples include:

"(I) 2NE1, also known as:
"(aa) APICA;
"(bb) JWH 018 adamantyl carboxamide; or
"(cc) 1-pentyl-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indole-3-carboxamide;
"(II) Adamantyl carboxamide indoles; and
"(III) STS-135, also known as:
"(aa) 1-(5-fluoropentyl)-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indole-3-carboxamide;
"(bb) N-adamantyl-1-fluoropentylindole-3-Carboxamide;
"(cc) 5F-APICA; or
"(dd) 5-fluoro-APICA;

"(vi) Benzimidazole Ketone: Any compound containing or structurally derived from (benzimidazole-2-yl) methanone structure with or without substitution at either nitrogen atom of the benzimidazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, with substitution at the carbon of the methanone group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3, 3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3, 3-dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not further substituted in the benzimidazole, adamantyl, naphthyl, phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent. Benzimidazole Ketones include:
"(I) FUBIMINA, also known as:
"(aa) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone; or
"(bb) AM2201 benzimidazole analog; and
"(II) JWH-018 benzimidazole analog, also known as:
"(aa) naphthalen-1-yl(1-pentyl-1H-benzo[d]imidazol-2-yl)methanone; or
"(bb) BIM-018;

"(vii) Benzoylindoles: Any compound containing or structurally derived from a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Examples include:
"(I) AM-630, also known as:

"(aa) [6-iodo-2-methyl-1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl](4-methoxyphenyl)-methanone;

"(bb) AM630; or

"(cc) Iodopravadoline ;

"(II) AM-661 (also known as 1-(N-methyl-2-piperidine)methyl-2-methyl-3-(2-iodo)benzoylindole);

"(III) AM-679, also known as:

"(aa) (2-iodophenyl)(1-pentyl-1H-indol-3 yl)methanone; or

"(bb) AM679;

"(IV) AM-694, also known as:

"(aa) [1-(5-fluoropentyl)-1H-indol-3-yl](2-iodophenyl)-methanone;

"(bb) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole; or

"(cc) AM694;

"(V) AM-1241, also known as:

"(aa) (2-iodo-5-nitrophenyl)-(1-(1-methylpiperidin-2-ylmethyl)-1H-indol-3-yl)methanone; or

"(bb) AM1241;

"(VI) AM-2233, also known as:

"(aa) (2-iodophenyl)[1-[(1-methyl-2piperidinyl)methyl]-1H-indol-3-yl]-methanone; or

"(bb) AM2233;

"(VII) RCS-4, also known as:

"(aa) (4-methoxyphenyl)(1-pentyl-1H-indol-3-yl)methanone; or

"(bb) SR-19; and

"(VIII) WIN 48,098, also known as

"(aa) (4-methoxyphenyl)[2-methyl]-1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-methanone; or

"(bb) "Pravadoline";

"(viii) Carbazole Ketone: Any compound containing or structurally derived from (9H-carbazole-3-yl) methanone structure with or without substitution at the nitrogen atom of the carbazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group with substitution at the carbon of the methanone group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3, 3-dimethyl-1-oxobutan-2-yl, 1-

methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3, 3-dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not further substituted at the carbazole, adamantyl, naphthyl, phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent. Carbazole Ketones include naphthalen-1-yl(9-pentyl-9H-carbazol-3-yl)methanone ("EG-018");

"(ix) Carboxamideindazoles: Any compound containing or structurally derived from 3-carboxamide-1H-indazoles, whether or not substituted in the indazole ring to any extent and substituted to any degree on the carboxamide nitrogen and 3-carboxamide-1H-indoles, whether or not substituted in the indole ring to any extent and substituted to any degree on the carboxamide nitrogen. Examples include:

"(I) AB-CHMINACA (also known as N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide);

"(II) AB-FUBINACA (also known as N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide);

"(III) AB-PINACA (also known as N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide);

"(IV) 5F AB-PINACA, also known as:

"(aa) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide); or

"(bb) 5-fluoro AB-PINACA;

"(V) ADB-FUBINACA (also known as N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1-H-indazole-3-carboxamide);

"(VI) ADB-PINACA (also known as N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide);

"(VII) 5F ADB-PINACA, also known as:

"(aa) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1 (5-fluoropentyl)-1H-indazole-3-carboxamide); or

"(bb) 5-fluoro ADB-PINACA;

"(VIII) FUB-AMB, also known as:

"(aa) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate; or

"(bb) AMB-FUBINACA;

"(IX) MAB-CHMINACA (also known as N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide);

"(X) MMB CHMINACA, also known as:

"(aa) methyl (S)-2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate; or

"(bb) MDMB-CHMICA; and

"(XI) 5F MN-18, also known as:

"(aa) 1-(5-fluoropentyl)-N-1-naphthalenyl-1H-indazole-3-carboxamide; or

"(bb) 5-fluoro MN-18;

"(x) Cycloalkanemethanone Indoles: whether or not substituted at the nitrogen atom on the indole ring, whether or not further substituted in the indole ring to any extent, and whether or not substituted on the cycloalkane ring to any extent;

"(xi) Cyclohexylphenols: Any compound containing or structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the cyclohexyl ring to any extent. Examples include:

"(I) CP 47,497 (also known as 2-[(1S,3R)-3-hydroxycyclohexyl]- 5-(2-methyloctan-2-yl)phenol);

"(II) CP 47,497 C8 homologue, also known as:

"(aa) rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol; or

"(bb) Cannabicyclohexanol;

"(III) CP 55,490;

"(IV) CP 55,940 (also known as 5-(1,1-dimethylheptyl)-2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-phenol); and

"(V) CP 56,667;

"(xii) Cyclopropanoylindoles: Any compound containing or structurally derived from 3-(cyclopropylmethanoyl)indole, 3-(cyclopropylmethanone)indole, 3-(cyclobutylmethanone)indole or 3-(cyclopentylmethanone)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, and whether or not substituted on the cyclopropyl, cyclobutyl, or cyclopentyl rings to any extent;

"(xiii) Cyclopropylmethanone Indole: Any compound containing or structurally derived from 3-Cyclopropylmethanone indole or 3-Cyclobutylmethanone indole or 3-Cyclopentylmethanone indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent andwhether or not substituted on the cyclopropyl, cyclobutyl or cyclopentyl rings to any extent;

"(xiv) Hexahydrodibenzopyrans: Any compound containing or structurally derived from Hexahydrodibenzopyrans, whether or not substituted in the tricyclic ring system except where contained in cannabis or cannabis resin;

"(xv) Hydroxycyclohexylphenol: Any compound containing or structurally derived from 2-(3-hydroxycyclohexyl)phenol structure, also known as cyclohexylphenols, with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not substituted on the cyclohexyl ring to any extent. Examples of this structural class include:

"(I) CP-47,497 (also known as rel-5-(1,1-dimethylheptyl)-

2-[(1R,3S)-3-hydroxycyclohexyl]-phenol);

"(II) CP 47,497-C8-homolog, also known as:

"(aa) rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol; or

"(bb) cannabicyclohexanol; and

"(III) CP-55,940 (also known as 2-((1S,2S,5S)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl)-5-(2-methyloctan-2-yl)phenol);

"(xvi) Indazole Ester (also known as carboxylateindazole): Any compound containing or structurally derived from 3-carboxylate-indazoles, whether or not substituted in the indazole ring to any extent or substituted to any degree on the carboxylate, whether or not substituted in the indazole ring to any extent and substituted to any degree on the carboxylate oxygen. Examples of indazole esters include 5-fluoro SDB-005, also known as:

"(I) naphthalen-1-yl 1-(5-fluoropentyl)-1H-indazole-3-carboxylate; or

"(II) 5F SDB-005;

"(xvii) Indole Amides: Any compound containing or structurally derived from or containing a 1H-Indole-3-carboxamide structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not substituted at the carboxamide group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3, 3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3, 3-dimethyl-1-oxobutan-2-yl or pyrrole group and whether or not further substituted in the indole, adamantyl, naphthyl, phenyl, pyrrole, quninolinyl, or cycloalkyl rings to any extent. Indole Amides include:

"(I) 5F ABICA, also known as:

"(aa) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide;

"(bb) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide; or

"(cc) 5-fluoro ABICA;

"(II) ADBICA (also known as N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indole-3-carboxamide));

"(III) 5F-ADBICA, also known as:

"(aa) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide; or

"(bb) 5-fluoro-ADBICA;

"(IV) NNE1 (also known as N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide);

"(V) 5F-NNE1, also known as:

"(aa) 1-(5-fluoropentyl)-N-(naphthalene-1-yl)-1H-indole-3-carboxamide); or

"(bb) 5-fluoro-NNE1

"(VI) SDB-006 (also known as N-benzyl-1-pentyl-1H-indole-3-carboxamide); and

"(VII) 5F-SDB-006, also known as:

"(aa) N-benzyl-1-(5-fluoropentyl)-1H-indole-3-carboxamide); or

"(bb) 5-fluoro-SDB-006;

"(xviii) Indole Esters: Any compound containing or structurally derived from a 1H-Indole-3-carboxylate structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not substituted at the carboxylate group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3, 3-dimethyl-1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3, 3-dimethyl-1-oxobutan-2-yl or pyrrole group and whether or not further substituted in the indole, adamantyl, naphthyl, phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent. Indole Esters may also be referred to as Quinolinylindolecarboxylates. Indole Esters include:

"(I) BB-22, also known as:

"(aa) 1-(cyclohexylmethyl)-8-quinolinyl ester-1H-indole-3-carboxylic acid;

"(bb) quinolin-8-yl 1-(cyclohexylmethyl)-1H-indole-3-carboxylate; or

"(cc) QUCHIC;

"(II) FDU-PB-22 (also known as naphthalen-1-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate);

"(III) FUB-PB-22, also known as:

"(aa) 1-[(4-fluorophenyl)methyl]-1H-indole-3-carboxylic acid, 8-quinolinyl ester; or

"(bb) Quinolin-8-yl 1-(4-fluorobenzyl)-1*H*-indole-3-carboxylate;

"(IV) NM2201, also known as:

"(aa) naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate; or

"(bb) CBL-2201;

"(V) PB-22, also known as:

"(aa) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid;

"(bb) quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate;

"(cc) 8-Quinolinyl 1-pentyl-1H-indole-3-carboxylate; or

"(dd) "QUPIC"; and

"(VI) 5F-PB-22, also known as:

"(aa) 1-(5-fluoropentyl)-8-quinolinyl ester-1H-indole-3-carboxylic acid;

"(bb) quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate;

"(cc) 8-Quinolinyl 1-(5-fluoropentyl)-1H-indole-3-carboxylate;

"(dd) 5-fluoro-PB-22; or

"(ee) 5-fluoro QUPIC;

"(xix) Naphthoylindoles: Any compound containing or structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl group, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the naphthyl ring to any extent. Napthoylindoles include the following: AM-678, AM-1220, AM-1221, AM-1235, AM-2232, EAM-2201, JWH-004, JWH-007, JWH-009, JWH-011, JWH-015, JWH-016, JWH-018, JWH-019, JWH-020, JWH-022, JWH-046, JWH-047, JWH-048, JWH-049, JWH-050, JWH-070, JWH-071, JWH-072, JWH-073, JWH-076, JWH-079, JWH-080, JWH-081, JWH-082, JWH-094, JWH-096, JWH-098, JWH-116, JWH-120, JWH-122, JWH-148, JWH-149, JWH-164, JWH-166, JWH-180, JWH-181, JWH-182, JWH-189, JWH-193, JWH-198, JWH-200, JWH-210, JWH-211, JWH-212, JWH-213, JWH-234, JWH-235, JWH-236, JWH-239, JWH-240, JWH-241, JWH-242, JWH-258, JWH-262, JWH-386, JWH-387, JWH-394, JWH-395, JWH-397, JWH-398, JWH-399, JWH-400, JWH-412, JWH-413, JWH-414, JWH-415, JWH-424, MAM-2201, WIN 55,212. Napthoylindoles also include:

"(I) AM-2201 (also known as (1-(5-fluoropentyl)-3-(1-naphthoyl)indole); and

"(II) WIN 55,212-2, also known as: *

"(aa) (R)-(+)-[2,3-dihydro-5-methyl-3- (4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone; or

"(bb) [2,3-Dihydro-5-methyl- 3-(4-

morpholinylmethyl)pyrrolo[(1,2,3-de)-1,4-benzoxazin-6-yl]-1-napthalenylmethanone);

"(xx) Naphthoylnaphthalenes: Any compound containing or structurally derived from naphthalene-1-yl-(naphthalene-1-yl) methanone with substitutions on either of the naphthalene rings to any extent, including CB-13 (also known as 1-naphthalenyl[4-(pentylox)-1-naphthalenyl]-methanone or CRA-13);

"(xxi) Naphthoylpyrroles: Any compound containing or structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including the following: JWH-030, JWH-031, JWH-145, JWH-146, JWH-147, JWH-150, JWH-156, JWH-243, JWH-244, JWH-245, JWH-246, JWH-292, JWH-293, JWH-307, JWH-308, JWH-309, JWH-346, JWH-348, JWH-363, JWH-364, JWH-365, JWH-367, JWH-368, JWH-369, JWH-370, JWH-371, JWH-373, JWH-392;

"(xxii) Naphthylamidoindoles: Any compound containing or structurally derived from a N-(naphthyl)-indole-3-carboxamide structure, whether or not further substituted in the indole ring to any extent or whether or not substituted in the naphthyl ring to any extent;

"(xxiii) Naphthylmethylindenes: Any compound containing or structurally derived from a 1-(1-naphthylmethylene)indene structure with or without substitution at the 3-position of the indene ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted on the indene group to any extent, and whether or not substituted on the naphthyl group to any extent. Naphthylmethylindenes include JWH-176 (also known as 1-[(E)-(3-pentyl-1H-inden-1-ylidene)methyl]-naphthalene or (1-(3-pentyl)-1H-inden-1-ylidene)methylnaphthalene);

"(xxiv) Naphthylmethyl indoles: Any compound containing or structurally derived from 1H-indol-3-yl-(1-naphthyl)methane structure, also known as napthylme-thylindoles, with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl ring to any extent. Examples of this structural class include:

"(I) JWH-175 (also known as 3-(1-naphthalenylmethyl)-1-pentyl-1H-indole); and

"(II) JWH-184 (also known as 3-[(4-methyl-1-naphthalenyl)methyl]-1-pentyl-1H-indole);

"(xxv) Naphthylmethylindenes: Any compound containing or

structurally derived from a naphthylideneindene structure or that is structurally derived from 1-(1-naphthylmethyl)indene with substitution at the 3-position of the indene ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples include JWH-171, JWH-176, and JWH-220;

"(xxvi) Naphthylmethylindoles: Any compound containing or structurally derived from an H-indol-3-yl-(1-naphthyl) methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples include JWH-175, JWH-184, JWH-185, JWH-192, JWH-194, JWH-195, JWH-196, JWH-197, and JWH-199;

"(xxvii) Phenylacetylindoles: Any compound containing or structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Examples include: JWH-167, JWH-201, JWH-202, JWH-203, JWH-204, JWH-205, JWH-206, JWH-207, JWH-208, JWH-209, JWH-237, JWH-248, JWH-249, JWH-250, JWH-251, JWH-253, JWH-302, JWH-303, JWH-304, JWH-305, JWH-306, JWH-311, JWH-312, JWH-313, JWH-314, JWH-315, JWH-316, RCS-8, SR-18, and Cannabipiperidiethanone (also known as 2-(2-methoxyphenyl)-1-[1-[(1-methyl-2-piperidinyl)methyl]-1H-indol-3-yl]-ethanone);

"(xxviii) Quinolinoyl Pyrazole: Any compound containing or structurally derived from Quinolinoyl pyrazole carboxylate (also known as Quinolinyl fluoropentyl fluorophenyl pyrazole carboxylate);

"(xxix) Quinolinyl Ester Indoles: Any compound containing or structurally derived from Quinolinyl ester indoles, being any compound containing or structurally derived from 1H-indole-3carboxylic acid-8-quinolinyl ester, whether or not substituted in the indole ring to any extent or the quinolone ring to any extent;

"(xxx) Tetrahydrobenzochromen: Any compound containing or structurally derived from (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol. Examples of this structural class include:

"(I) AM-087 (also known as (6aR,10aR)-3-(2-methyl-6-bromohex-2-yl)- 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol);

"(II) AM-411 (also known as (6aR,10aR)-3-(1-adamantyl)-

6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol);

"(III) HU-210, also known as:

"(aa) 3-(1,1'-dimethylheptyl)-6aR,7,10,10aR-tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyran-9-methanol;

"(bb) [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a- tetrahydrobenzo[c]chromen-1-ol;

"(cc) 1,1-Dimethylheptyl-11-hydroxytetrahydrocannabinol; or

"(dd) 1,1-dimethylheptyl-11-hydroxy-delta8-tetrahydrocannabinol;

"(IV) HU-211, also known as:

"(aa) 3-(1,1-dimethylheptyl)-6aS,7,10,10aS-tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyran-9-methanol;

"(bb) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

"(cc) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol; or

"(dd) "Dexanabinol";

"(V) HU-243, also known as

"(aa) (6aR,8S,9S,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-tetrahydro-6aH-benzo[c]chromen-1-ol; or

"(bb) 3-dimethylheptyl-11-hydroxyhexahydrocannabinol;

"(VI) JWH-051 (also known as (6aR,10aR)-6,6-dimethyl-3- (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-9-yl)methanol);

"(VII) JWH-133 (also known as (6aR,10aR)-3-(1,1-Dimethylbutyl) -6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran); and

"(VIII) JWH-359 (also known as (6aR,10aR)- 1-methoxy-6,6,9-trimethyl- 3-[(2R)-1,1,2-trimethylbutyl]- 6a,7,10,10a-tetrahydrobenzo[c]chromene);

"(xxxi) Δ8 Tetrahydrocannabinol: Any compound containing or structurally derived from 11-hydroxy-Δ8-tetrahydrocannabinol structure, also known as dibenzopyrans, with further substitution on the 3-pentyl group by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkyethyl, 1-(n-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group;

"(xxxii) Tetrahydrodibenzopyrans: Any compound containing or structurally derived from whether or not substituted in the tricyclic ring system except where contained in cannabis or cannabis resin;

"(xxxiii)Tetramethylcyclopropanoylindoles: Any compound

containing or structurally derived from 3-tetramethylcyclopropanoylindole, 3-(1 tetramethylcyclopropyl)indole, 3-(2,2,3,3-tetramethylcyclopropyl)indole or 3-(2,2,3,3-tetramethylcyclopropylcarbonyl)indole with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the tetramethylcyclopropanoyl ring to any extent. Tetramethylcyclopropanoylindoles include cyclopropoylindoles, any compound containing or structurally derived from a 3-(cyclopropoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl,1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,1-(N-methyl-2-pyrrolidinyl)methyl,1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the cyclopropoyl ring to any extent. Examples of tetramethylcyclopropanoylindoles include:

"(I) A-796,260, also known as:

"(aa) [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)-methanone; or

"(bb) A-796260;

"(II) A-834,735, also known as:

"(aa) [1-[(tetrahydro-2H-pyran-4-yl)methyl]-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)-methanone; or

"(bb) A-834735;

"(III) AB-034 (also known as [1-[(N-methylpiperidin-2-yl)methyl]-1H-indole-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone);

"(IV) UR-144 (also known as 1-pentyl-3-(2, 2, 3, 3-tetramethylcyclopropoyl)indole);

"(V) 5-bromo-UR-144, also known as:

"(aa) [1-(5-bromopentyl)-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)-methanone; or

"(bb) UR-144 N-(5-bromopentyl) analog;

"(VI) 5-chloro-UR-144, also known as:

"(aa) 1-(5-chloropentyl)-3-(2, 2, 3, 3-tetramethylcyclopropoyl)indole; or

"(bb) 5Cl-UR-144; and

"(VII) XLR11, also known as:

"(aa) 1-(5-fluoropentyl)-3-(2,2,3, 3-tetramethylcyclopropoyl)indole;

"(bb) 5-FUR-144; or

"(cc) 5-fluoro UR-144;

"(xxxiv) Tetramethylcyclopropane-Thiazole Carboxamides: Any compound containing or structurally derived from 2,2,3,3-tetramethyl-N-(thiazol-2-ylidene)cyclopropanecarboxamide by substitution at the nitrogen atom of the thiazole ring by alkyl, haloalkyl, benzyl, halobenzyl, alkenyl, haloalkenyl, alkoxy, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)alkyl, (4-tetrahydropyran)alkyl, or 2-(4-morpholinyl)alkyl, whether or not further substituted in the thiazole ring to any extent and whether or not substituted in the tetramethylcyclopropyl ring to any extent. Examples of tetramethylcyclopropane-thiazole carboxamides include the group tetramethylcyclopropyl thiazoles, or any compound containing or structurally derived from 2,2,3,3-tetramethyl-N-(thiazol- 2-ylidene)cyclopropanecarboxamide by substitution at the nitrogen atom of the thiazole ring, whether or not further substituted in the thiazole ring to any extent, whether or not substituted in the tetramethylcyclopropyl ring to any extent. Tetramethylcyclopropane-thiazole carboxamides also include A-836,339, also known as:

"(I) [N(Z)]-N-[3-(2-methoxyethyl)-4,5-dimethyl-2(3H)-thiazolylidene]-2,2,3,3-tetramethyl-cyclopropanecarboxamide;

"(II) N-[3-(2-Methoxyethyl)-4,5-dimethyl-1,3-thiazol-2(3H)-ylidene]-2,2,3,3-tetramethylcyclopropanecarboxamide: or

"(III) A-836339;

"(B) Unclassified Synthetic Cannabimimetic Agents:

"(i) AM-356, also known as:

"(I) AM356;

"(II) arachidonyl-1'-hydroxy-2'-propylamide;

"(III) N-(2-hydroxy-1R-methylethyl)-5Z,8Z,11Z,14Z-eicosatetraenamide

"(IV) (R)-(+)-Arachidonyl-1'-Hydroxy-2'-Propylamide;

"(V) Methanandamide; or

"(VI) R-1 Methanandamide;

"(ii) AM-855 (also known as (4aR,12bR)-8-hexyl-2,5,5-trimethyl-1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol);

"(iii) AM-905 (also known as (6aR,9R,10aR)-3-[(E)-hept-1-enyl]-9-(hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydrobenzo[c]chromen-1-ol);

"(iv) AM-906 (also known as (6aR,9R,10aR)-3-[(Z)-hept-1-enyl] 9-(hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydrobenzo[c]chromen-1-ol);

"(v) AM-2389 (also known as (6aR,9R,10aR)-3-(1-hexyl-cyclobut-1-yl) -6a,7,8,9,10,10a - hexahydro -6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9-diol);

"(vi) BAY38-7271 (also known as (-)-(R)-3-(2-Hydroxymethylindanyl -4-oxy) phenyl-4,4,4-trifluorobutyl-1-sulfonate);

"(vii) CP 50,556-1, also known as:

"(I) 9-hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5,6,

6a,7,8,9,10,10a-octahydrophenanthridin-1-yl]acetate;

"(II) [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-; octahydrophenanthridin-1-yl] acetate;

"(III) [9-hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10, 10a-octahydrophenanthridin-1-yl]acetate; or

"(IV) "Levonantradol";

"(viii) FUB-144 (also known as (1-(4-fluorobenzyl)-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone);

"(ix) FUB-AMB, also known as:

"(I) AMB-FUBINACA; or

"(II) Methyl (1-(4-fluorobenzyl)-1 H-indazole-3-carbonyl) valinate; and

"(x) 5-fluoro-AMB (also known as (S)- methyl 2- (1- (5-fluoropentyl)- 1H- indazole- 3-carboxamido)- 3- methylbutanoate);

"(xi) HU-308 (also known as (91R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]methanol);

"(xii) HU-331 (also known as 3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione);

"(xiii) JTE-907 (also known as N-(benzol[1,3]dioxol-5-ylmethyl) – 7-methoxy-2-oxo-8-pentyloxy-1,2-dihydroquinoline-3-carboxamide);

"(xiv) JWH-057 (also known as (6aR,10aR)-3-(1,1-dimethylheptyl) -6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-Dibenzo[b,d]pyran);

"(xv) Mepirapim (also known as (4-methylpiperazin-1-yl)(1-pentyl-1H-indol-3-yl) Methanone);

"(xvi) URB597 (also known as [3-(3-carbamoylphenyl)phenyl] – N-Cyclohexylcarbamate);

"(xvii) URB602, also known as:

"(I) [1,1'-Biphenyl]-3-yl-carbamic acid, cyclohexyl ester; or

"(II) cyclohexyl [1,1'-biphenyl]-3-ylcarbamate;

"(xviii)URB754 (also known as 6-methyl-2-[(4-methylphenyl)amino] -4H-3,1-benzoxazin-4-one);

"(xix) URB937 (also known as 3'-carbamoyl-6-hydroxy-[1,1'-biphenyl]-3-yl Cyclohexylcarbamate);

"(xx) SDB-006 (also known as N-benzyl-1-pentyl-1H-indole-3-carboxamide);

"(xxi) THJ-2201 (also known as [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone); and

"(xxii) THJ-018 (also known as Naphthalen-1-yl(1-pentyl-1*H*-indazol-3-yl)methanone).".

(c) Section 208(a)(7) (D.C. Official Code § 48-902.08(a)(7)) is repealed.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-146, effective August 19, 2016 (Expiration date April 1, 2017)
(Related Emergency Legislation is Act 21-396, 21 DCSTAT 3204)

AN ACT

Bill 21-721
Act 21-431
effective
June 29, 2016

To amend, on a temporary basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants, not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1000.

Codification District of Columbia Official Code 2001 Edition

Medical Marijuana Cultivation Center Expansion Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Cultivation Center Expansion Temporary Amendment Act of 2016".

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

Note, § 7-1671.01

(a) Section 2 (D.C. Official Code § 7-1671.01) is amended by adding a new paragraph (1A) to read as follows:

"(1A) "Adjacent" means located within the same physical structure as, and is abutting, adjoining, bordering, touching, contiguous to, or otherwise physically meeting.".

Note, § 7-1671.06

(b) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

(1) Subsection (d) is amended by adding a new paragraph (4) to read as follows:

"(4) The Mayor may approve the holder of a cultivation center registration that also owns, or has a valid lease for, real property adjacent to its existing cultivation center to physically expand the registered cultivation center into that adjacent real property for the purpose of increasing production of marijuana plants, not to exceed the limit permitted under this act.".

(2) Subsection (e)(2) is amended by striking the number "500" and inserting the number "1000" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-147, effective August 19, 2016 (Expiration date April 1, 2017)
(Related Emergency Legislation is Act 21-398, 21 DCSTAT 3207)

AN ACT

Bill 21-729
Act 21-432
effective
June 29, 2016

To amend Chapter 7 of Title 25 of the District of Columbia Official Code to clarify the penalties for sale to minor violations and the failure to ascertain the legal drinking age violations.

Codification
District of Columbia
Official Code
2001 Edition

Sale to Minors Penalty Clarification Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sale to Minors Penalty Clarification Temporary Amendment Act of 2016".

Sec. 2. Chapter 7 of Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-781 is amended as follows:

Note, § 25-781

(1) Subsection (f) is amended by striking the phrase "Upon finding that a licensee has violated subsection (a), (b), or (c) of this section in the preceding," and inserting the phrase "For violations of subsection (a), (b), or (c) of this section in the preceding" in its place.

(2) A new subsection (g) is added to read as follows:

"(g)(1) In determining whether a licensee has prior violations for the purposes of subsection (f) of this section, the 4-year period is the 4 years immediately preceding the date of the incident or conduct in the case pending before the Board for which the licensee has been found liable of violating subsection (a), (b), or (c) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine. A prior violation falls within the 4-year period if the date that the licensee was found liable of violating subsection (a), (b), or (c) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine, falls within the 4-year period.

"(2) For the purposes of this subsection, the term "offer-in-compromise" means a negotiation between the government and the respondent to settle the charges brought by the government for those violations committed by the respondent.".

(b) Section 25-783 is amended as follows:

Note, § 25-783

(1) Subsection (c) is amended by striking the phrase "Upon finding that a licensee has violated subsection (a) or (b) of this section in the preceding" and inserting the phrase "For violations of subsection (a) or (b) of this section in the preceding" in its place.

(2) A new subsection (c-1) is added to read as follows:

"(c-1)(1) In determining whether a licensee has prior violations for the purposes of subsection (c) of this section, the 4-year period is the 4 years immediately preceding the date of

the incident or conduct in the case pending before the Board for which the licensee has been found liable of violating subsection (a) or (b) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine. A prior violation falls within the 4-year period if the date that the licensee was found liable of violating subsection (a) or (b) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine, falls within the 4-year period.

"(2) For the purposes of this subsection, the term "offer-in-compromise" means a negotiation between the government and the respondent to settle the charges brought by the government for those violations committed by the respondent.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-148, effective August 20, 2016 (Expiration date April 2, 2017)
(Related Emergency Legislation is Act 21-415, 21 DCSTAT 3232)

AN ACT

Bill 21-666
Act 21-443
effective
June 30, 2016

To adjust, on a temporary basis, certain allocations requested in the Fiscal Year 2016 Budget Request Act of 2015 pursuant to the Omnibus Appropriations Act, 2009.

Codification
District of
Columbia
Official Code
2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Second Revised Budget Request Temporary Adjustment Act of 2016".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2016 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II—DISTRICT OF COLUMBIA FUNDS—SUMMARY OF EXPENSES

$39,971,000 is removed from local funds; and $3,000,000 is increased in other funds; to be allocated as follows:

Governmental Direction and Support

The appropriation for Governmental Direction and Support is increased by $25,000 in local funds; to be allocated as follows:

(1) Office of the Secretary. – $25,000 is added to be available in local funds.

Economic Development and Regulation

The appropriation for Economic Development and Regulation is decreased by $35,000 in local funds and increased by $3,000,000 in other funds; to be allocated as follows:

(1) Department of Employment Services. – ($100,000) is removed from local funds;

(2) Office of the Deputy Mayor for Planning and Economic Development. – $3,000,000 is added to be available in other funds; provided, that this amount shall be available for the Walter Reed Redevelopment Fund established by section 7 of the Walter Reed Development Omnibus Act of 2016, effective May 18, 2016 (D.C. Law 21-119; 63 DCR 4678);

(3) Office of Planning. – ($110,000) is removed from local funds; and

(4) Office of Zoning. – $175,000 is added to be available in local funds.

Public Safety and Justice

The appropriation for Public Safety and Justice is decreased by $1,650,000 in local funds; to be allocated as follows:

(1) Metropolitan Police Department. – ($1,100,000) is removed from local funds;

(2) Fire and Emergency Medical Services Department. – ($375,000) is removed from local funds;

(3) Criminal Justice Coordinating Council. – ($75,000) is removed from local funds; and

(4) Department of Forensic Sciences. – ($100,000) is removed from local funds.

Public Education System

The appropriation for the Public Education System is decreased by $768,000 in local funds; to be allocated as follows:

(1) Office of the State Superintendent of Education. – $144,000 is added to be available in local funds; provided, that of the total amount budgeted for the Office, $2,300,000 shall be transferred from Nutrition Services (program D500/D501, index LD500, PCA LF501, object 0506) to Professional Development Assistance (program D800/D805, index LD800, PCA LF805, object 0409);

(2) District of Columbia Public Library. – $88,000 is added to be available in local funds;

(3) Special Education Transportation. – ($1,000,000) is removed from local funds;

(4) District of Columbia Public Schools. – all funds deposited, without regard to fiscal year, into assigned local fund balance from the settlement in *United States ex rel. Mills v. Compass Group North America et al.*, 2013 CAB SLD 004624, are authorized for expenditure and shall remain available for expenditure until September 30, 2016; provided, that the District of Columbia Public Schools ("DCPS") is authorized to spend appropriated funds to pay for DCPS-sponsored student travel, including the cost of transportation, lodging, meals, and admission fees for students and adult chaperones, to locations and venues outside DCPS facilities in accordance with rules promulgated by the Chancellor pursuant to section 105(c)(5) of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174(c)(5)); provided further, that such travel be related to the students' curriculum or for the purpose of rewarding student curricular or extra-curricular achievement; and

(5) District of Columbia Public Charter Schools. - there shall be appropriated to the District of Columbia public charter schools on July 1, 2016 an amount equal to 35% or, for new charter school Local Education Agencies that opened for operations for the first time after December 31, 2015 an amount equal to 45%, of the total amount of the local funds appropriation request provided for payments to public charter schools in the proposed budget of the District of Columbia for Fiscal Year 2017 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments in Fiscal Year 2017.

Human Support Services

The appropriation for Human Support Services is decreased by $7,200,000 in local funds;

to be allocated as follows:

(1) Department of Youth Rehabilitation Services. – ($5,000,000) is removed from local funds;

(2) Unemployment Compensation Fund. – ($1,000,000) is removed from local funds;

(3) Child and Family Services Agency. – ($350,000) is removed from local funds;

(4) Department of Health Care Finance. – ($200,000) is removed from local funds; and

(5) Department of Parks and Recreation. – ($650,000) is removed from local funds.

Public Works

The appropriation for Public Works is decreased by $8,900,000 in local funds; to be allocated as follows:

(1) Washington Metropolitan Area Transit Authority. – ($8,900,000) is removed from local funds.

Financing and Other

The appropriation for Financing and Other is decreased by $21,443,000 in local funds; to be allocated as follows:

(1) Repayment of Loans and Interest. – ($30,134,000) is removed from local funds;

(2) Settlements and Judgments. – $12,000,000 is added to be available in local funds;

(3) Emergency and Contingency Reserve Funds. – $65,591,000 is added to be available in local funds;

(4) District Retiree Health Contribution. – ($66,400,000) is removed from local funds; and

(5) Repayment of Interest on Short-Term Borrowings. – ($2,500,000) is removed from local funds.

Sec. 3. Remaining Fiscal Year 2016 unexpended revenue of $92,658,000 shall be carried over into Fiscal Year 2017 as fund balance and shall be available as set forth in the approved Fiscal Year 2017 Budget and Financial Plan.

Sec. 4. Of the Fiscal Year 2016 local funds included in the budget of the District of Columbia Housing Authority, $15,000,000 shall be deposited in the DCHA Rehabilitation and Maintenance Fund established by the Fiscal Year 2017 Budget Support Emergency Act of 2016.

Sec. 5. Section 105(c)(5) of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174(c)(5)), is amended by striking the semicolon and inserting the phrase ", including rules and regulations governing the use of DCPS funds for DCPS-sponsored student travel, including the cost of transportation, lodging, meals, and admission fees for students and adult chaperones, to locations and venues outside DCPS facilities; provided, that such travel be related to the students' curriculum or for the purpose of rewarding student curricular or extra-curricular achievement;" in its place.

Sec. 6. Capital project rescissions.

In Fiscal Year 2016, the Chief Financial Officer shall rescind capital project allotments as set forth in the following tabular array, with the savings to be used in accordance with the Fiscal Year 2017 Local Budget Act of 2016:

Owner Agency	Project No	Project Title	Impl Agency	Fund Detail	Existing Allotment Adjustments
AM0 - DEPARTMENT OF GENERAL SERVICES	N1401B	GOVERNMENT CENTERS	AM0	0300	(7,239.86)
	PL102C	ELEVATOR POOL	AM0	0300	(25,361.94)
	PL105C	ARCHIVES RECORDER OF DEEDS	AM0	0300	(356,004.03)
	PL603C	WINDOW REPAIR AND RENOVATION POOL	AM0	0300	(89,931.23)
AT0 - OFFICE OF THE CHIEF FINANCIAL OFFICER	BF301C	SOAR MODERNIZATION	AT0	0300	(6,000,000.00)
BD0 - OFFICE OF PLANNING	PLN38C	SUSTAINABLE DC - AGENCY COMPETITION FUND	BD0	0300	(2,705,868.79)
				0301	(50,000.00)
CR0 - DEPT. OF CONSUMER AND REGULATORY AFFAIRS	EB301C	VACANT PROPERTY INSPECTION AND ABATEMENT	CR0	0300	(74,535.00)
				0301	(1,169.28)
				9000	(12,590.35)
DB0 - DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT	04002C	PROPERTY ACQUISITION & DISPOSITION	DB0	0301	(221,275.70)
	ANC02C	HOUSING RESOURCE CENTER DATABASE	ELC	0302	(159,619.55)
EB0 - DEPUTY MAYOR FOR PLANNING AND ECON DEV	ASC13C	SKYLAND DEVELOPMENT	EB0	0300	(1,235,221.00)
	EB008C	NEW COMMUNITIES	EB0	0300	(16,100,000.00)
FA0 - METROPOLITAN POLICE DEPARTMENT	PEQ22C	SPECIALIZED VEHICLES - MPD	FA0	0300	(230,334.00)
FB0 - FIRE AND EMERGENCY MEDICAL SERVICES	LB737C	ENGINE 5 COMPLETE RENOVATION	AM0	0300	(3,790.81)
	LE337C	ENGINE 16 RENOVATION	AM0	0300	(3,018.88)
HA0 - DEPARTMENT OF PARKS AND RECREATION	DPR08C	MASTER LEASE FOR VEHICLE PURCHASE	ELC	0302	(22,078.39)
	FTLPKC	FORT LINCOLN PARK	AM0	0300	(3,200,000.00)
				0301	(750,000.00)
	QB338C	ROPER / DEANWOOD RECREATION CENTER	AM0	0300	(54,775.22)
	QD137C	CAMP RIVERVIEW REHABILITATION	AM0	0300	(0.09)
	QH750C	PARK IMPROVEMENTS - PROJECT	HA0	0300	(200,000.00)

		MANAGEMENT			
	QI438C	JUSTICE PARK	AM0	0300	(215.36)
	QI937C	ROSEDALE RECREATION CENTER	AM0	0300	(1,307.28)
	QM801C	BENNING TERRACE	AM0	0300	(0.20)
	QN701C	ATHLETIC FIELD IMPROVEMENTS	AM0	0300	(62.00)
	QG638C	KENILWORTH PARKSIDE RECREATION CENTER	AM0	0300	(1,265.13)
	RG001C	GENERAL IMPROVEMENTS - DPR	AM0	0300	(200,000.00)
	RG006C	SWIMMING POOL REPLACEMENT	AM0	0300	(670,713.69)
				0301	(312,300.00)
	RG008C	NOYES FIELD	AM0	0300	(18,700.00)
HT0 - DEPARTMENT OF HEALTH CARE FINANCE	UMC01C	EAST END MEDICAL CENTER	AM0	0300	(3,269,118.89)
JA0 - DEPARTMENT OF HUMAN SERVICES	JAPMSC	PRINTING AND MAILING PROCESSING SYSTEM	ELC	0302	(433,348.00)
	THK16C	TEMPORARY AND PERMANENT SUPPORTIVE HOUSI	AM0	0300	(3,000,000.00)
JZ0 - DEPARTMENT OF YOUTH REHABILITATION SVCS	SH632C	REPLACEMENT OF YES! TO FAMCARE	JZ0	0301	(14,283.37)
KA0 - DEPARTMENT OF TRANSPORTATION	6EQ02C	EQUIPMENT ACQUISITION - DDOT	KA0	0302	(2,501,614.72)
	AD306C	PEDESTRIAN & BICYCLE SAFETY ENHANCEMENTS	KA0	0330	(2,000,000.00)
	AD310C	SHERMAN STREET	KA0	0300	(3,596.14)
	BR005C	H STREET BRIDGE	KA0	0300	(5,000,000.00)
	CA305C	LOCAL ST REHAB SCOPE & DEV	KA0	0330	(226.66)
	CE307C	BRIDGE MAINTENANCE	KA0	0330	(1,500,000.00)
	CK301C	ADVANCED DESIGN & PROJECT DEVT	KA0	0330	(176.84)
	CKT59A	NY AVE SOUTH DAKOTA-DC LINE NH-1108(19)	KA0	0300	(52,927.14)
	ED302C	LOCAL STREETS PARKING STUDIES	KA0	0330	(227,753.29)
	ED303C	LOCAL STREETS TRAFFIC STUDIES	KA0	0330	(130,671.02)
	EDL06C	MINNESOTA AVE. STREETSCAPE IMPROVEMENTS	KA0	0300	(16,667.00)
	EDL07C	HOWARD THEATER STREETSCAPE IMPROVEMENTS	KA0	0300	(4,540.80)
	EDS01C	GREAT STREETS	KA0	0333	(126,721.78)
	EDS02C	GREAT STREETS	KA0	0300	(283,404.34)
				0333	(264,317.78)
	EDS03C	GREAT STREETS	KA0	0333	(14.68)
	EDS04C	GREAT STREETS	KA0	0333	(85,240.90)
	FLD01C	PREVENTION OF FLOODING IN BLOOMINGDALE/L	KA0	0300	(5,100,000.00)
KG0 - DEPARTMENT OF ENERGY AND ENVIRONMENT	SUS04C	SUSTAINABLE DC FUND-2	KG0	0300	(104,291.56)
Grand Total					**(56,826,292.69)**

Sec. 7. Designated fund transfers.

(a) Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year 2016 the following amounts from certified fund balances in the identified accounts to the General Fund of the District of Columbia:

Designated Fund Balance - Overview			
Agency Code	Fund No.	Fund Name	Amount
Budget Support Act:			
AE0		Pay for Success Contract Fund	$2,699,287
		Total	**$2,699,287**
Budget Reserves:			
EN0		Micro Loan/Small Business Capital Access Fund	$228,362
EN0		Streetscape Loan Relief Fund	$1,584,297
		Total	**$1,812,659**
Dedicated Taxes:			
HT0	0111	Healthy DC Fund	$6,908,762
HT0	0112	Stevie Sellows Quality of Care Improvement Fund	$165,764
LQ0	0110	Dedicated Taxes	$881,555
		Total	**$7,956,081**
Purpose Restrictions and Other Special Purposes:			
AT0	0606	Recorder of Deeds Surcharge	$3,000,000
AT0	6115	OFT Central Collection Unit Fund	$1,600,000
AT0	0602	Payroll Service Fees	$11,198
BE0	0639	Agreement with Independent Agencies	$34,682
CJ0	0600	Special Purpose Revenue	$15,332
CR0	6030	Green Building Fund	$1,689,850
CR0	6013	Basic Business License Fund	$268,332
CR0	6020	Board of Engineers Fund	$697,203
CR0	6040	Corporate Recordation Fund	$1,182,879
CR0	6045	Vending Regulations Fund	$1,284,622
CR0	6010	OPLA - Special Account	$26,999
CR0	6006	Nuisance Abatement	$44,862

CR0	6009	Real Estate Appraisal Fee	$30,564
CI0	0600	Cable Franchise Fees	$7,113,314
EB0	0630	Fund from NEDCO and EDFC	$562,550
EB0	0419	H St Retail Priority Area Grant Fund	$3,272,213
HC0	0632	Pharmacy Protection	$2,100,000
HC0	0644	Spay and Neutering Fund	$7,215
HC0	0661	ICF/MR Fees and Fines	$154,086
HC0	0606	Vital Records Revenues	$2,500,000
HC0	0605	SHPDA Fees	$200,000
HC0	0643	Board of Medicine	$600,000
HT0	0631	Medicaid Collections - 3rd Party Liability	$314,173
JA0	0603	SSI Payback	$1,000,000
KA0	6901	DDOT Enterprise Fund - Non Tax Revenues	$3,000,000
SR0	2911	Foreclosure Mediation Fund (Temporary)	$340,500
TO0	0602	DC Net Service Support	$4,800,000
		Total	**$35,850,574**
TOTAL			**$48,318,601**

(b) The total amount identified in subsection (a) of this section shall be made available as set forth in the approved Fiscal Year 2017 Budget and Financial Plan.

(c) In Fiscal Year 2016, the Chief Financial Officer shall transfer the entire fund balance of the GD0 – Credit Enhancement, Geneva Funds account to fund 0610, the Charter School Credit Enhancement Fund, within the Office of the State Superintendent of Education.

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 9. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-149, effective August 20, 2016 (Expiration date April 2, 2017)
(Related Emergency Legislation is Act 21-400, 21 DCSTAT 3211)

AN ACT

Bill 21-735
Act 21-444
effective
June 30, 2016

To amend, on a temporary basis, section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

Codification
District of Columbia Official Code 2001 Edition

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sale of Synthetic Drugs Temporary Amendment Act of 2016".

Sec. 2. Section 47-2844(a-2) of the District of Columbia Official Code is amended as follows:

Note, § 47-2844

(a) Paragraph (1) is amended as follows:

(1) The lead-in language is amending by striking the phrase "subsection (a-1) of this section" and inserting the phrase "subsection (a-1) of this section and paragraph (1A) of this subsection" in its place.

(2) Subparagraph (A) is amended by striking the word "subsection" and inserting the word "paragraph" in its place.

(3) Subparagraph (B) is amended by striking the word "subsection" and inserting the word "paragraph" in its place.

(4) Subparagraph (C) is amended by striking the word "subsection" and inserting the word "paragraph" in its place.

(b) A new paragraph (1A) is added to read as follows:

"(1A) In addition to the provisions of subsection (a-1) of this section and paragraph (1) of this subsection, the Mayor or the Chief of Police, notwithstanding § 2-1801.04(a)(1)), may take the following actions against, or impose the following requirements upon, any licensee, or agent or employee of a licensee, that knowingly engages or attempts to engage in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug, including the possession of multiple units of a synthetic drug:

"(A) For the first violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $10,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or a portion of the premises, for up to 96 hours without a prior hearing;

"(iii) The Mayor may issue a notice to revoke all licenses issued to the licensee pursuant to this chapter; and

"(iv)(I) Within 14 days after having a licensee's premises sealed for a violation of this paragraph, the Mayor shall require the licensee to submit a remediation plan to the Director of the Department of Consumer and Regulatory Affairs that contains the licensee's plan to prevent any future recurrence of purchasing, selling, exchanging, or otherwise transacting any synthetic drug and acknowledgement that a subsequent occurrence of engaging in prohibited activities may result in the revocation of all licenses issued to the licensee pursuant to this chapter.

"(II) If the licensee fails to submit a remediation plan in accordance with this sub-subparagraph, or if the Mayor, in consultation with the Chief of Police, rejects the licensee's remediation plan, the Mayor shall provide written notice to the licensee of the defects in any rejected remediation plan and the Mayor's intent to revoke all licenses issued to the licensee pursuant to this chapter.

"(III) If the licensee cures the defects in a rejected remediation plan, the Mayor may suspend any action to revoke any license of the licensee issued pursuant to this chapter.

"(B) For any subsequent violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $20,000; and

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or portion of the premises, for up to 30 days without a prior hearing.

"(C) If a licensee's premises, or a portion of the premises, is sealed under subparagraph (A) or (B) of this paragraph, a licensee shall have the right to request a hearing with the Office of Administrative Hearings within 2 business days after service of notice of the sealing of the premises pursuant to subparagraph (D) of this paragraph.

"(D) At the time of the sealing of the premises, or a portion of the premises, under subparagraph (A) or (B) of this paragraph, the Director of the Department of Consumer and Regulatory Affairs shall post at the premises and serve on the licensee a written notice and order stating:

"(i) The specific action or actions being taken;

"(ii) The factual and legal bases for the action or actions;

"(iii) The right, within 2 business days after service of notice of the sealing of the premises, to request a hearing with the Office of Administrative Hearings;

"(iv) The right, within 2 business days of a timely request being received by the Office of Administrative Hearings, to a hearing before an administrative law judge; and

"(v) That it shall be unlawful for any person to enter the sealed premises for any purpose without written permission by the Director of the Department of Consumer and Regulatory Affairs.

"(E) A licensee shall pay a fine issued pursuant to subparagraph (A) or (B) of this paragraph within 20 days after adjudication. If the licensee fails to pay the fine within the specified time period, the Mayor may seal the premises until the fine is paid.

"(F) For the purposes of this paragraph, the term:

"(i) "Business days" means days in which the Office of Administrative Hearings is open for business.

"(ii) "Synthetic drug" means any product possessed, provided, distributed, sold, or marketed with the intent that it be used as a recreational drug, such that its consumption or ingestion is intended to produce effects on the central nervous system or brain function to change perception, mood, consciousness, cognition, or behavior in ways that are similar to the effects of marijuana, cocaine, amphetamines, or Schedule I narcotics under § 48-902.04. The term "synthetic drug" also includes any chemically synthesized product (including products that contain both a chemically synthesized ingredient and herbal or plant material) possessed, provided, distributed, sold, or marketed with the intent that the product produce effects substantially similar to the effects created by compounds banned by District or federal synthetic drug laws or by the U.S. Drug Enforcement Administration pursuant to its authority under the Controlled Substances Act, approved October 27, 1970 (84 Stat. 1247; 21 U.S.C. § 812). The following factors shall be treated as indicia that a product is being marketed with the intent that it be used as a recreational drug:

"(I) The product is not suitable for its marketed use (such as a crystalline or powder product being marketed as "glass cleaner");

"(II) The individual or business providing, distributing, displaying, or selling the product does not typically provide, distribute, or sell products that are used for that product's marketed use (such as liquor stores, smoke shops, or gas or convenience stores selling "plant food");

"(III) The product contains a warning label that is not typically present on products that are used for that product's marketed use including, "Not for human consumption", "Not for purchase by minors", "Must be 18 years or older to purchase", "100% legal blend", or similar statements;

"(IV) The product is significantly more expensive than products that are used for that product's marketed use;

"(V) The product resembles an illicit street drug (such as cocaine, methamphetamine, or Schedule I narcotic) or marijuana; or

"(VI) The licensee or any employee of the licensee has been warned by a District government agency or has received a criminal incident report, arrest report, or equivalent from any law enforcement agency that the product or a similarly labeled product contains a synthetic drug.".

Note, § 2-1801.06

Sec. 3. Section 106 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective March 8, 1991 (D.C. Law 8-237; D.C. Official Code § 2-1801.06), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Strike the phrase "premises are primarily used" and insert the phrase "premises are used" in its place.

(2) Add a new sentence at the end to read as follows:

"Purchasing, selling, exchanging, or otherwise transacting any synthetic drug, as defined in D.C. Official Code § 47-2844(a-2)(1A)(F)(ii), shall be a per se imminent danger to the health or safety of the residents of the District.".

(b) Subsection (c) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the phrase "A licensee" and inserting the phrase "Except as provided in paragraph (2) of this subsection, a licensee" in its place.

(3) A new paragraph (2) is added to read as follows:

"(2) A licensee engaged in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug in violation of D.C. Official Code § 47-2844(a-2)(1A) shall have the right to request a hearing within 2 business days after service of notice of the sealing of the premises. The Office of Administrative Hearings shall hold a hearing within 2 business days of receipt of a timely request, and shall issue a decision within 2 business days after the hearing.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

D.C. Law 21-150, effective August 20, 2016 (Expiration date April 2, 2017)
(Related Emergency Legislation is Act 21-401, 21 DCSTAT 3215)

AN ACT

Bill 21-745
Act 21-445
effective
June 30, 2016

To amend, on a temporary basis, section 103 of Title 18 of the District of Columbia Municipal Regulations to repeal the requirement that every person who has never been issued a driver license must provide documentation that they have successfully completed an approved course of driver instruction before issuance of a provisional permit or driver license.

Not Codified in the D.C. Official Code

Mandatory Driver Instruction Regulation Temporary Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mandatory Driver Instruction Regulation Temporary Amendment Act of 2016".

DCMR

Sec. 2. Section 103.11 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 103.11) is repealed.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

AN ACT

Bill 21-667

To adopt, as a request to Congress for appropriation and authorization, the federal portion of the budget of the government of the District of Columbia for the fiscal year ending September 30, 2017.

Codification District of Columbia Official Code 2001 Edition

Fiscal Year 2017 Federal Portion Budget Request Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2017 Federal Portion Budget Request Act of 2016".

Note, § 1-204.46

Sec. 2. Adoption of the federal portion of the Fiscal Year 2017 budget.

There is adopted, as a request to Congress for appropriation and authorization, the following federal portion of the budget of the government of the District of Columbia for the fiscal year ending September 30, 2017.

DISTRICT OF COLUMBIA FEDERAL FUNDS APPROPRIATION REQUEST

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $274,681,000, to be allocated as follows: for the District of Columbia Court of Appeals, $14,414,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $125,961,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $75,585,000, of which not to exceed $2,500 is for official reception and representation expenses; and $58,721,000, to remain available until September 30, 2018, for capital improvements for District of Columbia courthouse facilities: Provided, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $6,000,000 of the funds provided under this heading among the items and entities funded under this heading: Provided further, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5,

United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21-2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $49,890,000, to remain available until expended: Provided, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $40,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students, and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made, and the purpose therefor.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of

Columbia, $43,200,000, to remain available until expended, for payments authorized under the Scholarship for Opportunity and Results Act (division C of Public Law 112–10): Provided, That within funds provided for opportunity scholarships $3,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) and 3009 of such Act.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $14,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: Provided, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $2,000,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2018, to the Commission on Judicial Disabilities and Tenure, $310,000, and for the Judicial Nomination Commission, $275,000.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $450,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $5,000,000.

FEDERAL PAYMENT FOR THE FEDERAL CITY SHELTER

For a Federal payment to the District of Columbia for activities to support the redevelopment of the site of the Federal City Shelter, including the development of a replacement shelter and permanent supportive housing, $9,000,000.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $34,895,000, to remain available until expended, for the costs of providing public

safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: Provided, That, of the amount provided under this heading, $19,995,000 shall be used for costs associated with the Presidential Inauguration.

APPROPRIATION OF CERTAIN INTEREST EARNED

All interest earned on the funds that the District of Columbia received pursuant to the District of Columbia Appropriations Act, 2000, approved November 29, 1999 (113 Stat. 1501; Pub. L. No. 106-113), under the heading "Federal Payment for the Incentives for Adoption of Children" and for the establishment of a scholarship fund for District of Columbia children without parents due to the September 11, 2001 terrorist attack under this same heading, pursuant to the District of Columbia Appropriations Act, 2001, approved December 21, 2001 (115 Stat. 923; Pub. L. No. 107-96), shall be retained in the respective funds without reversion to the General Fund of the District of Columbia and shall be available to the District of Columbia for the purposes of such funds until expended.

Sec. 3. Federal portion of the budget.

The federal funds for which appropriation by Congress is requested by this act constitute the federal portion of the Fiscal Year 2017 annual budget for the District of Columbia government under section 446(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46(a)).

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect as provided in section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46).

D.C. Act 21-448, effective July 15, 2016 (Expiration date October 13, 2016)

AN ACT

Bill 21-808

Emergency Declaration Res. 21-537 21 DCStat 3773

Codification District of Columbia Official Code 2001 Edition

Gas Station Advisory Board Emergency Amendment Act of 2016

Note, § 36-304.01

To amend, on an emergency basis, the Retail Services Station Act of 1976 to provide that certain prohibitions to discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015, and August 1, 2015.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Gas Station Advisory Board Emergency Amendment Act of 2016".

Sec. 2. Section 5-301(b) of the Retail Services Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-304.01(b)), is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) The newly designated paragraph (1) is amended by striking the phrase "No retail station" and inserting the phrase "Except as provided in paragraph (2) of this subsection, no retail station" in its place.

(c) A new paragraph (2) is added to read as follows:

"(2) This subsection shall not apply to any retail service station for which an application was on file with the Zoning Commission between May 2, 2015, and August 1, 2015.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-450, effective July 15, 2016 (Expiration date October 13, 2016)

AN ACT

Bill 21-794

Emergency Declaration Res. 21-539 21 DCStat 3775

Not Codified

To approve, on an emergency basis, Contract No. CW42132 with Measured Progress, Inc. to implement, maintain, and assist ongoing development of the criterion-referenced alternate assessment for the Office of the State Superintendent of Education, and to authorize payment for the services received and to be received under the contract.

Contract No. CW42132 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW42132 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW42132, with Measured Progress, Inc. to implement, maintain, and assist ongoing development of the criterion-referenced alternate assessment, and authorizes payment in the total not-to-exceed amount of $482,830 for services received and to be received under the contract from March 11, 2016, through December 31, 2018.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-451, effective July 15, 2016 (Expiration date October 13, 2016)

AN ACT

Bill 21-795

Emergency Declaration Res. 21-543 21 DCStat 3777

Not Codified

To approve, on an emergency basis, the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A with Adrian L. Merton, Inc. for HVAC capital improvement services, and to authorize payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A with Adrian L. Merton, Inc., for HVAC capital improvement services, and authorizes payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47(a)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-452, effective July 15, 2016 (Expiration date October 13, 2016)

AN ACT

Bill 21-798

Emergency Declaration Res. 21-549 21 DCStat 3787

Not Codified

To approve, on an emergency basis, Change Order Nos. 006 and 007 to Contract No. DCAM-15-CS-0074 with MCN Build, Inc. for design build services for the modernization of Hyde-Addison Elementary School, and to authorize payment in the aggregate amount of $1,675,000 for goods and services received and to be received under the change orders.

Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 with MCN Build, Inc. for design build services for the modernization of Hyde-Addison Elementary School, and authorizes payment in the aggregate amount of $1,675,000 for the goods and services received and to be received and under the change orders.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act, approved October 16, 2006 (120 Stat. 2083; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-453, effective July 15, 2016 (Expiration date October 13, 2016)

AN ACT

Bill 21-799
Emergency Declaration Res. 21-544
21 DCStat 3778

Not Codified

To approve, on an emergency basis, the Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B with R&R Mechanical, Inc. for HVAC capital improvement services, and to authorize payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B with R&R Mechanical, Inc. for HVAC capital improvement services, and authorizes payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-454, effective July 15, 2016 (Expiration date October 13, 2016)

AN ACT

Bill 21-800

Emergency Declaration Res. 21-542 21 DCStat 3776

Not Codified

To approve, on an emergency basis, Modification Nos. 8 and 9 and proposed Modification No. 10 to Contract No. DCKA-2013-C-0007 with Capitol Paving of DC, Inc. to provide construction for the rehabilitation and restoration of the District's alleyway system, and to authorize payment in the total amount of $13,277,232 for the goods and services received and to be received under the modifications for Option Year 2.

Modifications to Contract No. DCKA-C-2013-0007 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. DCKA-C-2013-0007 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 8 and 9 and proposed Modification No. 10 to Contract No. DCKA-2013-C-0007 with Capitol Paving of DC, Inc. to provide construction for the rehabilitation and restoration of the District's alleyway system, and authorizes payment in the total amount of $13,277,232 for the goods and services received and to be received under the modifications for Option Year 2.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-455, effective July 15, 2016 (Expiration date October 13, 2016)

AN ACT

Bill 21-810

Emergency Declaration Res. 21-535 21 DCStat 3770

Codification District of Columbia Official Code 2001 Edition

Washington Metropolitan Area Transit Authority Compact Emergency Amendment Act of 2016

Note, § 9-1107.01

To amend, on an emergency basis, Title III of the Washington Metropolitan Area Transit Regulation Compact, known as the Washington Metropolitan Area Transit Authority Compact, to provide that the Secretary of the United States Department of Transportation appoints the federal government representatives to the Board of Directors of the Washington Metropolitan Area Transit Authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Metropolitan Area Transit Authority Compact Emergency Amendment Act of 2016".

Sec. 2. Paragraph 5(a) of Article III of Title III of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01(5)(a)), is amended by striking the phrase "Administrator of General Services" both times it appears and inserting the phrase "Secretary of the United States Department of Transportation" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

D.C. Act 21-456, effective July 20, 2016 (Expiration date October 18, 2016)

AN ACT

Bill 21-796

Emergency Declaration Res. 21-546 21 DCStat 3782

Not Codified

To approve, on an emergency basis, the exercise of Option Year 1 via Change Order No. 004 to Contract No.DCAM-14-NC-0133D with W.L. Gary Company, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

Exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D with W.L. Gary Company, Inc. for HVAC capital improvement services, and authorizes payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § l-301.47(a)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-457, effective July 20, 2016 (Expiration date October 18, 2016)

AN ACT

Bill 21-797

Emergency Declaration Res. 21-545 21 DCStat 3780

Not Codified

To approve, on an emergency basis, the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C with RSC Electrical & Mechanical Contractors, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C with RSC Electrical & Mechanical Contractors, Inc. for HVAC capital improvement services, and authorizes payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-458, effective July 20, 2016 (Expiration date October 18, 2016)

AN ACT

Bill 21-801

Emergency Declaration Res. 21-550 21 DCStat 3789

Not Codified

To approve, on an emergency basis, Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design build services for the modernization of Kramer Middle School and to authorize payment in the aggregate amount of $2,685,013.14 for the goods and services received and to be received under the change orders.

Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design build services for the modernization of Kramer Middle School, and authorizes payment in the aggregate amount of $2,685,013.14 for the goods and services received and to be received and under the change orders.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-459, effective July 20, 2016 (Expiration date October 18, 2016)

AN ACT

Bill 21-802

Emergency Declaration Res. 21-547 21 DCStat 3784

Not Codified

To approve, on an emergency basis, Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 with the Whiting-Turner Contracting Company for design build services for the modernization of Van Ness Elementary School, and to authorize payment in the aggregate amount of $1,220,169 for the goods and services received and to be received under the change orders.

Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 with The Whiting-Turner Contracting Company for design build services for the modernization of Van Ness Elementary School, and authorizes payment in the aggregate amount of $1,220,169 for the goods and services received and to be received and under the change orders.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-460, effective July 20, 2016 (Expiration date October 18, 2016)

AN ACT

Bill 21-803

Emergency Declaration Res. 21-548 21 DCStat 3785

Not Codified

To approve, on an emergency basis, Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc. for design build services for the modernization of Stanton Elementary School, and to authorize payment in the aggregate amount of $1,028,928 for the goods and services received and to be received under the change orders.

Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc. for design build services for the modernization of Stanton Elementary School, and authorizes payment in the aggregate amount of $1,028,928 for the goods and services received and to be received and under the change orders.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-461, effective July 20, 2016 (Expiration date October 18, 2016)

AN ACT

Bill 21-805

Emergency Declaration Res. 21-536 21 DCStat 3771

Codification District of Columbia Official Code 2001 Edition

To establish, on an emergency basis, that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

Grocery Store Restrictive Covenant Prohibition Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Grocery Store Restrictive Covenant Prohibition Emergency Act of 2016".

Note, § 2-1212.21

Sec. 2. (a) It shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction in a contract for the sale, or other transfer, or lease of real property being used as a grocery store that prohibits the subsequent use of the real property as a grocery store.

(b) Any contract, including a private agreement, that includes a restrictive land covenant or use restriction on real property as described in subsection (a) of this section shall be void and unenforceable.

(c) The prohibition imposed by this section shall not apply to an owner or operator of a grocery store or food retail store that terminates operations at a site for purposes of relocating the grocery or food retail store into a comparable or larger store located within the District of Columbia within one-half mile of the site where the prior operation was terminated; provided, that relocation and commencement of the operation of the new grocery store or food retail store at the new site occurs within 2 years of the sale, transfer, or lease of the prior site, and the restrictive covenant imposed on the prior site does not have a term in excess of 3 years. If the new grocery store or food retail store is not relocated within the District within one-half mile of the prior site within 2 years, the restrictive land covenant or use restriction shall not be enforceable.

(d) For the purposes of this act, the term:

(1) "Grocery store" means a retail establishment with a primary business of selling grocery products and includes a selling area that is used for a general line of food and nonfood grocery products.

(2) "Private agreement" means a mutually agreed upon and entered into exchange of promises.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-462, effective July 20, 2016 (Expiration date October 18, 2016)

AN ACT

Bill 21-807

Emergency Declaration Res. 21-520 21 DCStat 3766

Not Codified in the D.C. Official Code

To amend, on an emergency basis, due to congressional review, section 103 of Title 18 of the District of Columbia Municipal Regulations to repeal the requirement that every person who has never been issued a driver license must provide documentation that they have successfully completed an approved course of driver instruction before issuance of a provisional permit or driver license.

Mandatory Driver Instruction Regulation Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mandatory Driver Instruction Regulation Congressional Review Emergency Amendment Act of 2016".

DCMR

Sec. 2. Section 103.11 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 103.11) is repealed.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

AN ACT

Bill 21-812

Emergency Declaration Res. 21-538 21 DCStat 3774

Codification District of Columbia Official Code 2001 Edition

To enact and amend, on an emergency basis, provisions of law necessary to support the Fiscal Year 2017 budget.

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Fiscal Year 2017 Budget Support Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2017 Budget Support Emergency Act of 2016".

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. BONUS PAY AND SPECIAL AWARDS PAY

Sec. 1001. Short title.

This subtitle may be cited as the "Bonus Pay and Special Awards Pay Emergency Act of 2016".

Sec. 1002. Bonus pay and special awards pay; generally.

(a) Unless authorized pursuant to this subtitle, no funds shall be used to support the categories of bonus pay or special awards pay. The prohibition on the use of funds under this subtitle shall include funds appropriated to any agency, department, unit, or instrumentality of the District of Columbia government, and, unless specifically authorized in a grant agreement, any funds disbursed by the District through a grant.

(b) Notwithstanding subsection (a) of this section, an agency, department, unit, or instrumentality of the District of Columbia government may use funds to support the categories of bonus pay or special awards pay if the agency, department, unit, or instrumentality establishes a Performance Based Rewards Program pursuant to section 1003 and meets the other requirements of this subtitle.

Sec. 1003. Bonus pay and special awards pay; Performance Based Rewards Program.

(a) In order to use funds for bonus pay or special awards pay, a District agency, department, unit, or instrumentality shall establish a Performance Based Rewards Program ("Program") that is approved by the personnel authority for the relevant agency, department, unit, or instrumentality.

(b) A Program established pursuant to this subtitle shall include detailed regulations for the payment of bonus pay or special awards pay to employees that, at a minimum:

(1) Limit the authorization period for bonus pay and special awards pay to the fourth quarter of the fiscal year;

(2) Limit the issuance of bonus pay or special awards pay to a one-time basis, without any promise or suggestion of continuing payments;

(3) Limit the issuance of bonus pay or special awards pay to employees on an individual basis, and not to a group or class of employees unless each of the employees in the group or class individually warrants such payment;

(4) Require any issuance of bonus pay or special awards pay to be based on performance, with the employee having exceeded the expectations of the supervisor or employer;

(5) Require that an employee have had a performance evaluation, in writing, no earlier than 90 days before the issuance of a bonus pay or special awards pay;

(6) Require written justification for the bonus pay or special awards pay by the employee's immediate supervisor or the head of the agency, department, unit, or instrumentality

(7) Cap the amount of bonus pay or special awards pay that can be received at 10% of the employee's base rate of pay or, for an employee paid at an hourly rate, an amount not to exceed 10% of the employee's wages for the 12 months preceding the award; and

(8) Limit the availability of any bonus pay or special awards pay to one payment per calendar year and prohibit an employee from receiving bonus pay and special awards pay within the same calendar year.

(c) Any Program for an Executive branch agency, department, unit, or instrumentality, including an independent agency, shall be approved by the District of Columbia Human Resources Department before its implementation.

Sec. 1004. Bonus pay and special awards pay; reporting requirements.

In addition to any other requirements under this subtitle, any payment of bonus pay or special awards pay made pursuant to section 1002(b) shall be followed, within 60 days of the payment, by notification in writing to the relevant personnel authority of the issuance of the payment and a description of the basis for the payment that includes the employee's name, title, salary, payment amount, and a detailed justification for the payment.

Sec. 1005. Bonus pay and special awards pay; subordinate agency heads ineligible.

Any authorization under this subtitle for the use of funds to support the categories of bonus pay or special awards pay shall not extend to a payment to a subordinate agency head in the Executive Service established by Title X-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.51 *et seq*.).

Sec. 1006. Bonus pay and special awards pay; exceptions to prohibition.

(a) Notwithstanding the prohibition in section 1002(a), funds may be used to pay:

(1) Retirement awards;

(2) Hiring bonuses for difficult-to-fill positions;

(3) Additional income allowances for difficult-to-fill positions; provided, that this is not a waiver of section 1005;

(4) Agency awards or bonuses funded by private grants or donations;

(5) Employee awards pursuant to section 1901 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-619.01);

(6) Safe-driving awards;

(7) Gainsharing incentives in the Department of Public Works;

(8) Suggestion or invention awards;

(9) Quality steps;

(10) Salary incentives negotiated through collective bargaining; or

(11) Any other award or bonus required by an existing contract or collective bargaining agreement that was entered into before the effective date of this subtitle.

(b) Notwithstanding the prohibition in section 1002(a) or any other provision of law, no restrictions on the use of funds to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply to employees of the District of Columbia Public Schools who are based at a local school or who provide services directly to individual students.

(c) Notwithstanding the prohibition in section 1002(a) or any other provision of law, the Office of the Attorney General shall pay employees of the Office of the Attorney General all performance allowance payments to which they are entitled or may become entitled under any approved compensation agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the American Federation of Government Employees, Local 1403, AFL-CIO for the period from October 1, 2013, through September 30, 2017. These payments are necessary to satisfy the requirements of section 857 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-608.57), which requires the Attorney General's performance-management system to link pay to performance.

SUBTITLE B. BEGA LOBBYIST FEE AND NOMINEE REVIEW PERIOD AMENDMENT

Sec. 1011. Short title.

This subtitle may be cited as the "BEGA Lobbyist Fee and Nominee Review Period Emergency Amendment Act of 2016".

Sec. 1012. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

(a) Section 203 (D.C. Official Code § 1-1162.03) is amended as follows:

(1) Subsection (b)(1) is amended by striking the phrase "45-day" both times it appears and inserting the phrase "90-day" in its place.

(2) Subsection (c) is amended by striking the phrase "Chairman of the Ethics Board" and inserting the phrase "Chairperson of the Ethics Board" in its place.

(b) Section 205 (D.C. Official Code § 1-1162.05) is amended by striking the word "Chairman" both times it appears and inserting the word "Chairperson" in its place.

(c) Section 227(b)(2) (D.C. Official Code § 1-1162.27(b)(2)) is amended to read as follows:

"(2) The registration fee for lobbyists who lobby solely for nonprofit organizations shall be $50. For the purposes of this paragraph, the term "nonprofit organization" means an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).".

SUBTITLE C. EMPLOYEES' COMPENSATION FUND AMENDMENT

Sec. 1021. Short title.

This subtitle may be cited as the "Employees' Compensation Fund Clarification Emergency Amendment Act of 2016".

Sec. 1022. Section 2342 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-623.42), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraph (1) is repealed.

(2) Paragraph (2) is amended by striking the phrase "expenses, except administrative expenses, authorized by this title or any extension or application thereof, except as otherwise provided by this subtitle or other statute." and inserting the phrase "expenses incurred to implement the provisions of this act." in its place.

(3) Paragraph (3) is repealed.

(b) Subsection (b) is repealed.

Sec. 1023. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE D. CAPTIVE INSURANCE AGENCY AMENDMENT

Sec. 1031. Short title.

This subtitle may be cited as the "Captive Insurance Agency Emergency Amendment Act of 2016".

Sec. 1032. The Captive Insurance Agency Establishment Act of 2008, effective July 18, 2008 (D.C. Law 17-196; D.C. Official Code § 1-307.81 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 1-307.82) is amended as follows:

(1) Subsection (b)(2) is amended to read as follows:

"(2) Provide insurance for District real property assets and District personal property assets.".

(2) Subsection (c) is amended to read as follows:

"(c) The liability of the Agency for medical malpractice liability, property insurance policies, and any other policies provided for pursuant to this act shall be limited to the funds in the Captive Trust Fund.".

(b) Section 4(a) (D.C. Official Code § 1-307.83(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "By delegation from the Mayor, to exercise" and inserting the word "Exercise" in its place.

(2) Paragraph (4A) is amended by striking the word "property".

(c) Section 6(i)(2A) (D.C. Official Code § 1-307.85(i)(2A)) is amended by striking the word "property".

(d) Section 8(b)(4A) (D.C. Official Code § 1-307.87(b)(4A)) is amended to read as follows:

"(4A) Establish procedures for the offering of insurance for District real property assets and District personal property assets;".

(e) Section 11(a)(2) (D.C. Official Code § 1-307.90(a)(2)) is amended to read as follows:

"(2) Insurance for the benefit of the District for District real property assets and District personal property assets consistent with coverage offered in the market.".

(f) Section 12(b) (D.C. Official Code § 1-307.91(b)) is amended as follows:

(1) Paragraph (5) is amended by striking the word "and" at the end.

(2) Paragraph (6) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (7) is added to read as follows:

"(7) Beginning with payments made from the Fund on or after December 1, 2014, the purchase of insurance on behalf of the District of Columbia government.".

(g) Section 13 (D.C. Official Code § 1-307.92) is amended to read as follows:

"Sec. 13. Exemption from certain laws.

"The Agency shall not be subject to the:

"(1) Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*);

"(2) Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.); or

"(3) District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*.).".

Sec. 1033. Section 40 of the Fire and Casualty Act, approved October 9, 1940 (54 Stat. 1080; D.C. Official Code § 31-2502.40), is amended by adding a new subsection (c) to read as follows:

"(c)(1) Each agent or broker engaged by the District of Columbia government to procure insurance on its behalf shall be exempt from the requirement, as set forth in subsection (a) of this section, to pay the 2 per centum of the amount of the gross premiums upon all kinds of policies procured by the agent or broker on behalf of the District of Columbia government.

"(2) To claim this exemption, the agent or broker shall include a statement identifying, for each item enumerated in the affidavit required by subsection (a) of this section, the portion allocated to policies procured on behalf of the District of Columbia government.

"(3) The exemption provided in this subsection shall not be construed to exempt any agent or broker from any other requirement imposed by this section.".

SUBTITLE E. PUBLIC-PRIVATE PARTNERSHIPS

Sec 1041. Short title.

This subtitle may be cited as the "Public-Private Partnerships Emergency Amendment Act of 2016".

Sec. 1042. The Public-Private Partnership Act of 2014, effective March 11, 2015 (D.C. Law 20-228; D.C. Official Code § 2-271.01 *et seq.*), is amended as follows:

(a) Section 105(c) (D.C. Official Code § 2-272.04(c)) is amended by striking the phrase "sections 107 and 109" and inserting the phrase "this act" in its place.

(b) Section 108(f) (D.C. Official Code § 2-273.03(f)) is amended by striking the phrase "response period" and inserting the phrase "evaluation period as part of the report submitted to the Council pursuant to section 114(a)(1)" in its place.

(c) Section 109(b)(2) (D.C. Official Code § 2-273.04(b)(2)) is amended by striking the phrase "the unsolicited proposal" and inserting the phrase "notice of the favorable evaluation of the unsolicited proposal, including a link to where a copy of the proposal may be publicly accessed on the Internet," in its place.

(d) Section 301(a) (D.C. Official Code § 2-274.01(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "projects; and" and inserting the phrase "projects;" in its place.

(2) Paragraph (2) is amended by striking the phrase "agreement." and inserting the phrase "agreement; and" in its place.

(3) A new paragraph (3) is added to read as follows:

"(3) Rules to address surety and bonding requirements of public-private partnership projects, including consistent baseline requirements across projects.".

Sec. 1043. Section 105(c)(19) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)(19)), is amended by striking the phrase "titles VII and X" and inserting the phrase "Title X" in its place.

SUBTITLE F. OIG BUDGET PROCESS CLARIFICATION AMENDMENT

Sec. 1051. Short title.

This subtitle may be cited as the "Office of the Inspector General Budget Process Clarification Emergency Amendment Act of 2016".

Sec. 1052. Section 208(a)(2)(A) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1-301.115a(a)(2)(A)), is amended as follows:

(a) Strike the phrase "without revision but subject to recommendations." and insert the phrase "without revision but subject to recommendations, including recommendations on reallocating any funds from the Inspector General's estimates to other items in the District budget." in its place.

(b) Strike the phrase "Notwithstanding any other provision of such Act, the Council may comment or make recommendations concerning such estimates, but shall have no authority to revise such estimates.".

Sec. 1053. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE G. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY

Sec. 1061. Short title.

This subtitle may be cited as the "Use of Official Vehicles During an Emergency Emergency Amendment Act of 2016".

Sec. 1062. Section 3602 of the Restrictions on the Use of Official Vehicles Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204), is amended by adding a new subsection (e) to read as follows:

"(e)(1) Notwithstanding any other provision of this section, during an emergency declared pursuant to section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304), the Mayor may authorize an officer or employee of the District of Columbia government to use an official vehicle; provided, that the officer or employee may use the official vehicle only in the performance of the officer's or employee's duties, to conduct official business, or to travel between the officer's or employee's residence and workplace when the use of an official vehicle is necessary for that officer or employee to assist the District in responding to an emergency.

"(2) Authorization provided pursuant to this subsection shall expire concurrent with the end date of the declared emergency.

"(3) No later than 30 days after the end date of a declared emergency, the Mayor shall submit to the Council a report listing the following information for each officer or employee whom the Mayor authorized to use an official vehicle pursuant to this subsection:

"(A) The officer or employee's name;

"(B) The officer or employee's title and agency;

"(C) The length of time for which the officer or employee used an official vehicle; and

"(D) A detailed justification of the necessity for the officer or employee to have access to and use an official vehicle.".

SUBTITLE H. BALLOT ACCESS MODERNIZATION

Sec. 1071. Short title.

This subtitle may be cited as the "Ballot Access Modernization Emergency Amendment Act of 2016".

Sec. 1072. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding new paragraphs (29) and (30) to read as follows:

"(29) "Mobile application" means specialized software, designed for a mobile device, in which electronic signatures are collected on an electronic petition.

"(30) "Mobile device" means a handheld, portable, wireless computing device, including a tablet computer or mobile phone.".

(b) Section 5 (D.C. Official Code § 1-1001.05) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (17) is amended by striking the word "and".

(B) Paragraph (18) is amended by striking the period and inserting the phrase "; and" in its place.

(C) A new paragraph (19) is added to read as follows:

"(19)(A) Obtain or develop a mobile application that:

"(i) Connects the user to the Board's computerized voter registration list to immediately confirm that a petition signer is a registered qualified elector;

"(ii) Maintains an up-to-date count of the number of electronic signatures collected; and

"(iii) Allows signed petitions to be printed out for submission to the Board;

"(B) No later than October 1, 2017, implement a pilot program that provides a limited number, as determined by the Board, of candidates, qualified petition circulators, and proposers with the option to use a mobile application, in addition to the paper circulation process, to gather electronic signatures on a mobile device registered with the Board for the June 2018 Primary Election;

"(C) For the November 2018 General Election, and all subsequent elections, make a mobile application available to all candidates, qualified petition circulators, and proposers to install on a mobile device registered with the Board; and

"(D) Issue rules to implement the use of a mobile application for all elections, including how to register a mobile device with the Board in order to utilize the mobile application; provided, that the rules shall require signed petitions from the mobile application to be printed out and submitted to the Board.".

(2) A new subsection (l) is added to read as follows:

"(l) For the purposes of implementing the duties under subsection (a)(19) of this section, the Board may loan a mobile device to a candidate, qualified petition circulator, or proposer to

utilize the mobile application. The Board may charge a reasonable refundable deposit for the use of the mobile device.".

(c) Section 16(g) (D.C. Official Code § 1-1001.16(g)) is amended as follows:

(1) Strike the phrase "same size as the original." and insert the phrase "same size as the original or shall utilize the mobile application made available under section 5(a)(19)." in its place.

(2) Strike the phrase "ward numbers, and shall have printed on it, in a manner prescribed by the Board, the following:" and insert the phrase "ward numbers." in its place.

(3) A new sentence is added at the end of the lead-in language to read as follows: "Each petition sheet shall have printed on it, and each mobile application shall electronically display, the following information:".

(d) Section 17(e) (D.C. Official Code § 1-1001.17(e)) is amended as follows:

(1) Strike the phrase "as the original" and insert the phrase "as the original or shall utilize the mobile application made available under section 5(a)(19)" in its place.

(2) Strike the phrase "ward numbers, and shall have printed on it the following:" and insert the phrase "ward numbers." in its place.

(3) A new sentence is added at the end of the lead-in language to read as follows: "Each petition sheet shall have printed on it, and each mobile application shall electronically display, the following information:".

Sec. 1073. Section 1603.8 of Chapter 16 of Title 3 of the District of Columbia Municipal Regulations is repealed.

SUBTITLE I. DIRECTOR OF THE MAYOR'S OFFICE OF COMMUNITY AFFAIRS GRANT-MAKING

Sec. 1081. Short title.

This subtitle may be cited as the "Mayor's Office of Community Affairs Limited Grant-making Emergency Amendment Act of 2016".

Sec. 1082. (a) In Fiscal Year 2017, the Director of the Mayor's Office of Community Affairs ("Director") shall have grant-making authority for the purpose set forth in subsection (b) of this section.

(b)(1) In Fiscal Year 2017, the Director shall award a grant of up to $75,405 to provide housing-related assistance to members of the Caribbean population of the District; provided, that the funds shall be used only for research, reports, and outreach that promote housing initiatives for the Caribbean population of need.

(2) Before issuing the grant, the Director shall consult with the Mayor's Advisory Commission on Caribbean Community Affairs regarding grant solicitation.

SUBTITLE J. NEW COLUMBIA STATEHOOD COMMISSION DISCRETIONARY FUNDING

Sec. 1091. Short title.

This subtitle may be cited as the "New Columbia Statehood Commission Discretionary Fund Emergency Amendment Act of 2016".

Sec. 1092. The District of Columbia Statehood Constitutional Convention Initiative of 1979, effective May 2, 2015 (D.C. Law 20-271; D.C. Official Code § 1-129.31 *et seq.*), is amended as follows:

(a) Section 32(c) (D.C. Official Code § 1-129.32(c)) is amended as follows:

(1) Designate the existing text as paragraph (1).

(2) A new paragraph (2) is added to read as follows:

"(2)(A) Except as provided in subparagraph (B) of this paragraph, the Commission is authorized to provide for the expenditure of up to $24,000 per year from the Fund for the purposes provided in section 35(a).

"(B) For Fiscal Year 2016, the Commission is authorized to provide for the expenditure of up to $12,000.".

(b) Section 35(a) (D.C. Official Code § 1-129.35(a)) is amended to read as follows:

"(a) Except as provided in subsection (b) of this section, a member of the Statehood Delegation shall use New Columbia Statehood Fund monies for:

"(1) Any expense closely and directly related to the operation of his or her office; or

"(2) Any expense that the Commission deems necessary for appropriate purposes related to the purposes of the Commission; provided, that the Commission's determination of necessity shall be final and conclusive, and its certificate shall be sufficient voucher for the expenditure of appropriations made pursuant to this section.".

Sec. 1093. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE K. PDS CREDITABLE SERVICE CLARIFICATION

Sec. 1101. Short title.

This subtitle may be cited as the "Public Defender Service Creditable Service Clarification Emergency Amendment Act of 2016".

Sec. 1102. Section 2604(1) of the District of Colombia Government Comprehensive Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27, D.C. Official Code § 1-626.04(1)), is amended by adding a new subparagraph (C) to read as follows:

"(C)(i) For purposes of vesting pursuant to section 2610(b), and notwithstanding any other provision of law or any prior agreement with the Public Defender Service for the District of Columbia, creditable service with the District for

employees of the Public Defender Service of the District of Columbia hired on or after October 1, 1987 and before September 16, 1991 shall be calculated to include service beginning as of the commencement of employment.

"(ii) This subparagraph shall apply as of October 1, 1987.".

Sec. 1103. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE L. RETIREMENT SURVIVOR EQUITY BENEFIT

Sec. 1111. Short title.

This subtitle may be cited as the "Equity in Survivor Benefits Clarification Emergency Amendment Act of 2016".

Sec. 1112. Section 4 of the District of Columbia Spouse Equity Act of 1988, effective March 16, 1989 (D.C. Law 7-214; D.C. Official Code § 1-529.03), is amended by adding a new subsection (f) to read as follows:

"(f) The Mayor is not obligated to comply with a qualifying court order issued after an employee's or retiree's death.".

SUBTITLE M. ARCHIVES EMINENT DOMAIN AUTHORITY

Sec. 1121. Short title.

This subtitle may be cited as the "Archives Eminent Domain Authority Emergency Act of 2016".

Sec. 1122. Findings.

The Council finds that:

(1) The District of Columbia Office of Public Records and Archives ("the Archives") is currently headquartered at 1300 Naylor Court, N.W.

(2) The Fiscal Year 2017 Local Budget Act of 2016, enacted on June 15, 2016 (D.C. Act 21-414; 63 DCR 8786), provides funding to allow the Archives to relocate to a site that meets several criteria outlined in a report commissioned by the Department of General Services, which found that the preferred alternative would be a stand-alone, purpose-built, new facility requiring approximately 135,000 gross building square feet.

(2) The Archives building is to be a mix of high-quality, environmentally controlled storage space, and several thousand square feet of space for the public to access the Archives, office space, and meeting space.

(3) The District desires to relocate the Archives to a new facility to be developed on Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 ("W Street Site") that, combined, comprise approximately 147,000 square feet.

(4) The W Street Site is currently occupied by a private trash transfer station.

(5) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(6) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin, and have complained that there is an increased incidence of health concerns.

(7) The W Street Site trash transfer station continues to operate as an open-air trash transfer station, which allows its pungent odors to reach much farther than they would if the facility were closed.

(8) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

(9) The W Street Site will provide an opportunity to construct and establish a state-of-the-art archival government facility that is centrally located within the District of Columbia and in close proximity to Metrorail and Metrobus service.

Sec. 1123. Exercise of eminent domain.

The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in section 1122.

SUBTITLE N. ADVISORY NEIGHBORHOOD COMMISSIONS SIGN-LANGUAGE INTERPRETERS PILOT PROGRAM

Sec. 1131. Short title.

This subtitle may be cited as the "Advisory Neighborhood Commissions Access to Sign-Language Interpreters Emergency Amendment Act of 2016".

Sec. 1132. Section 18 of the Advisory Neighborhood Commissions Act of 1975, effective June 27, 2000 (D.C. Law 13-135; D.C. Official Code § 1-309.15), is amended by adding a new subsection (d) to read as follows:

"(d)(1) Beginning October 1, 2016, the Office shall conduct a one-year pilot program to provide sign-language interpreters, upon request, for Commission meetings and subcommittee meetings; provided, that:

"(A) The Office shall establish a procedure for a Commission to submit a request for an interpreter.

"(B) The provision of an interpreter shall be subject to the availability of funding.

"(2) On April 1, 2017, the Office shall submit a report to the Council that includes the following information, current as of that date, regarding the pilot program:

"(A) The total number of interpreters requested;

"(B) The total number of requests that the Office approved;

"(C) The average length of time for which an interpreter was needed;
"(D) The average hourly cost of an interpreter;
"(E) The total amount spent on the pilot program; and
"(F) An assessment of the effectiveness of the pilot program, including recommendations regarding its future.".

SUBTITLE O. CONSTITUENT SERVICES EXPENDITURE LIMIT

Sec. 1141. Short title.

This subtitle may be cited as the "Constituent Services Expenditures Limit Emergency Amendment Act of 2016".

Sec. 1142. Section 338(a) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1163.38(a)), is amended by striking the phrase "expend a maximum of $40,000" and inserting the phrase "expend a maximum of $60,000" in its place.

SUBTITLE P. UNIVERSAL PAID LEAVE IMPLEMENTATION FUND

Sec. 1151. Short title.

This subtitle may be cited as the "Universal Paid Leave Implementation Fund Emergency Act of 2016".

Sec. 1152. Universal Paid Leave Implementation Fund.

(a) There is established as a special fund the Universal Paid Leave Implementation Fund ("Fund"), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

(b) There shall be deposited into the Fund $20,039,000 of local funds in Fiscal Year 2016.

(c) Money in the Fund shall be used to fund the implementation of the Universal Paid Leave Act of 2016, as introduced on October 6, 2015 (Bill 21-415).

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 1153. Applicability.

This subtitle shall apply as of the effective date of this act.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. CREATIVE AND OPEN SPACE MODERNIZATION AMENDMENT

Sec. 2001. Short title.

This subtitle may be cited as the "Creative and Open Space Modernization Emergency Amendment Act of 2016".

Sec. 2002. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "Qualified High Technology Company interior renovation tax rebate" and inserting the phrase "Creative and Open Space Modernization tax rebate" in its place.

(b) Section 47-4665 is amended to read as follows:

"§ 47-4665. Creative and Open Space Modernization tax rebate.

"(a) For the purposes of this section, the term:

"(1) "Directly related entity" means a qualified entity that is closely associated with an occupant, including:

"(A) A subsidiary or parent company of an occupant;

"(B) A special purpose vehicle of an occupant;

"(C) A holding company of an occupant;

"(D) An operating company of an occupant;

"(E) A flow-through entity of an occupant;

"(F) A company otherwise substantially sharing, directly or indirectly, common directors, officers, employees, facilities, or profits with an occupant.

"(2) "Eligible building" means:

"(A) A nonresidential building; or

"(B) A building used for both residential and nonresidential purposes.

"(3) "Eligible premises" means a nonresidential, interior portion of an eligible building that is used as an office (including ancillary uses) by a qualified entity under a lease, sublease, or purchase and sale agreement.

"(4) "Occupancy commencement" means the date on which an occupant or a directly related entity takes possession of eligible premises or the occupancy date for eligible premises agreed to in a lease, sublease, or purchase and sale agreement by an occupant, whichever occurs first.

"(5) "Occupant" means a qualified entity that executes:

"(A) A lease or sublease for at least 50,000 square feet of net rentable area of eligible premises within the District for a minimum term of 12 years, under which the qualified entity or a directly related entity occupies and uses the eligible premises, or will occupy and use the eligible premises, on or after the commencement date; or

"(B) A purchase and sale agreement for at least 50,000 square feet of net area of eligible premises within the District, under which the qualified entity or a directly related entity occupies and uses the eligible premises, or will occupy and use the eligible premises, on or after the commencement date.

"(6) "Public benefit" means an undertaking by an occupant or a directly related entity that the Mayor, in the Mayor's sole discretion, determines will have a material, positive impact on the District. The term "public benefit" may include:

"(A) Providing employment or contracting opportunities for District residents and Certified Business Enterprises;

"(B) Providing low-income or underserved individuals or communities in the District with reduced-price or free products, services, or commercial or community space;

"(C) Providing economic opportunities, training, or jobs for individuals or communities beyond those offered through the normal course of business; or

"(D) Providing innovation-and-technology-related educational, training, or internship opportunities for students in the District.

"(7)(A) "Qualified entity" means an individual or entity:

"(i) Organized for profit and leasing or owning an office in the District;

"(ii) Having 2 or more employees in the District; and

"(iii) Deriving at least 51% of its gross revenues earned in the District from:

"(I) Internet-related services and sales, including website design, maintenance, hosting, or operation; Internet-related training, consulting, advertising, or promotion services; the development, rental, lease, or sale of Internet-related applications, connectivity, or digital content; or products and services that may be considered e-commerce;

"(II) Information and communication technologies, equipment and systems that involve advanced computer software and hardware, data processing, visualization technologies, or human interface technologies, whether deployed on the Internet or other electronic or digital media, including operating and applications software; Internet-related services, including design, strategic planning, deployment, and management services and artificial intelligence; computer modeling and simulation; high-level software languages; neural networks; processor architecture; animation and full-motion video; graphics hardware and software; speech and optical character recognition; high-volume information storage and retrieval; data compression; and multiplexing, digital signal processing, and spectrum technologies;

"(III) Advanced materials and processing technologies that involve the development, modification, or improvement of one or more materials or methods to produce devices and structures with improved performance characteristics or special functional attributes, or to activate, speed up, or otherwise alter chemical, biochemical, or medical processes, including metal alloys; metal matrix and ceramic composites; advanced polymers; thin films; membranes; superconductors; electronic and photonic materials; bioactive materials;

bioprocessing; genetic engineering; catalysts; waste emissions reduction; pharmaceuticals; and waste processing technologies;

"(IV) Engineering, production, biotechnology, and defense technologies that involve knowledge-based control systems and architectures; advanced fabrication and design processes, equipment, and tools; propulsion, navigation, guidance, nautical, aeronautical and astronautical ground and airborne systems, instruments, and equipment, including computer-aided design and engineering; computer-integrated manufacturing; robotics and automated equipment; integrated circuit fabrication and test equipment; sensors; biosensors; signal and image processing; medical and scientific instruments; precision machining and forming; biological and genetic research equipment; environmental analysis, remediation, control, and prevention equipment; defense command and control equipment; avionics and controls; guided missile and space vehicle propulsion units; military aircraft; space vehicles; and surveillance, tracking, and defense warning systems;

"(V) Electronic and photonic devices and components for use in producing electronic, optoelectronic, mechanical equipment and products of electronic distribution with interactive media content, including microprocessors; logic chips; memory chips; lasers; printed circuit board technology; electroluminescent, liquid crystal, plasma, and vacuum fluorescent displays; optical fibers; magnetic and optical information storage; optical instruments, lenses, and filters; simplex and duplex data bases; and solar cells; or

"(VI) The sale or advertising of original media content that the individual or entity transmits digitally and produces within a facility that it leases or owns inside the District that includes permitted production space utilized by the individual or entity specifically for the creation of original media content.

"(B) The term "qualified entity" shall not include:

"(i) An individual or entity that derives 51% or more of its gross revenues from the operation in the District of:

"(I) An on-line or brick and mortar retail store;

"(II) An electronic equipment facility that is primarily occupied, or intended to be occupied, by electronic and computer equipment that provides electronic data switching, transmission, or telecommunication functions between computers, both inside and outside the facility; or

"(III) A building or construction company; or

"(ii) A professional athletic team, as defined in § 47-2002.05(a)(3).

"(8) "Qualified occupant improvement" means an improvement to eligible premises made pursuant to a lease, sublease, or purchase and sale agreement by an occupant or a directly related entity that is substantially completed no later than one year after occupancy commencement.

"(9) "Total value of qualified occupant improvements" means the amount expended by an occupant or a directly related entity to make qualified occupant improvements.

"(b) An occupant that leases, subleases, or executes a purchase and sale agreement for eligible premises taxable under Chapter 8 of this title shall receive, to the extent provided by this

section, a rebate of the real property tax paid with respect to the eligible premises for the portion of the tax year that the eligible premises are occupied by the occupant or a directly related entity if:

"(1) The occupant is liable under the lease, sublease, or purchase and sale agreement for its proportionate share of the real property tax for the tax lot on which the eligible building is located;

"(2) The occupant has been certified as eligible for a rebate by the Mayor under subsection (e) of this section;

"(3) The real property tax has been paid for the year during which the rebate is sought;

"(4) The occupant complies with the requirements of subsection (d) of this section during the tax year for which the rebate is sought; and

"(5) No abatement of the real property tax on the eligible building pursuant to § 47-811.03 has been claimed for the tax year for which the rebate is sought.

"(c)(1) The amount of the rebate provided pursuant to this section to a single occupant or any directly related entity in a single year shall be equal to the least of the following:

"(A) 10% of the total value of any qualified occupant improvements substantially completed during the preceding 5 years, as certified by the Mayor pursuant to subsection (e)(3) of this section;

"(B) The portion of the real property tax paid during the year for which the rebate is sought, either directly or indirectly, by the occupant or by a directly related entity under the occupant's or directly related entity's lease, sublease, or purchase and sale agreement; or

"(C) $1 million.

"(2) The amount of the rebate calculated pursuant to paragraph (1) of this subsection shall be reduced by the amount of any grant received by the occupant or by a directly related entity pursuant to section 3(c)(4) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.172(c)(4)), as certified by the Mayor to the Office of Tax and Revenue.

"(3) No later than December 31 of the year following the tax year for which the taxes to be rebated were paid, payment of the rebate of real property tax shall be made to the person who paid the tax; provided, that the payer is eligible to receive the rebate payment.

"(d) No later than September 15 of the tax year in which the tax was paid as provided under § 47-811, the Mayor shall certify to the Office of Tax and Revenue, in a form and medium specified by the Office of Tax and Revenue, each property or portion thereof eligible to receive the rebate provided by this section and the amount of the rebate. The certification shall be accompanied by a statement from the Mayor specifying the amount of funds available under subsection (f) of this section for real property tax abatement for each property identified in the certification. The rebate paid for any property shall not exceed the amount of tax paid with respect to such property for the tax year, taking into account any other applicable abatements, exemptions, or reductions. Each applicant for a rebate shall furnish to the Mayor:

"(1) A copy of the occupant's lease, sublease, or purchase and sale agreement including any provisions requiring the occupant to pay a portion of the property tax for the tax lot on which the eligible building is located;

"(2) Documentation that the occupant has paid its proportional share of the real property tax to date, as required under the lease, sublease, or purchase agreement for the eligible premises, to be supplemented by the occupant once it has made its final payment for the calendar year; and

"(3) An itemization of the square footage of the eligible premises actually occupied by the occupant or a directly related entity and the period of such occupancy during the tax year.

"(e)(1) An occupant who seeks to be considered eligible for a rebate provided under this section shall file with the Mayor on or after June 1, 2016, in a manner and form as the Mayor may prescribe, an eligibility certification application, which shall include:

"(A) The identity of the occupant, including the occupant's taxpayer identification number, and the identity of any directly related entity that may be occupying all or part of the eligible premises, including the directly related entity's taxpayer identification number;

"(B) A description of the eligible building, by square and lot, parcel, or reservation number, and of the eligible premises, including floors, location, and square footage;

"(C) The estimated cost of making any qualified occupant improvements to the eligible premises;

"(D) The date of occupancy commencement and the anticipated duration of the lease or sublease or the holding period if purchased;

"(E) A description of the public benefit that the occupant proposes to furnish; and

"(F) Any other information that the Mayor considers necessary.

"(2) The Mayor shall review the occupant's eligibility certification application. If the Mayor determines that the occupant has proposed to furnish a public benefit and that the tenant is otherwise eligible, the Mayor shall certify the tenant's eligibility to receive a rebate pursuant to this section. The certification shall be made before the date of occupancy commencement or within 45 days after the eligibility certification application is received, whichever is later in time.

"(3) Within 60 days following substantial completion of qualified occupant improvements, the occupant shall submit to the Mayor an itemization of the total value of qualified occupant improvements, together with supporting documentation. Within 60 days following the receipt of this submission, the Mayor shall review and certify the total value of qualified occupant improvements.

"(4) No later than the date the certification is made as provided in subsection (d) of this section, the Mayor shall certify to the Office of Tax and Revenue whether the tenant has furnished or has made substantial progress toward furnishing a public benefit. If the Mayor

certifies that a tenant has not furnished or made substantial progress toward furnishing a public benefit, the Office of Tax and Revenue shall not pay a rebate to the tenant for that calendar year.

"(5) If at any time the Mayor determines that an occupant has become ineligible for a rebate under this section, either for failure to make substantial progress toward furnishing a public benefit or for some other reason, the Mayor immediately shall notify the Office of Tax and Revenue and thereafter the Office of Tax and Revenue shall not pay to the tenant any rebate pursuant to this section.

"(f) Notwithstanding any other provision of this section, the total combined rebate payments per fiscal year for all occupants under this section, beginning in Fiscal Year 2017, shall not exceed $3 million.".

Sec. 2003. Section 301(d-1) of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 14-138; D.C. Official Code § 2-1225.21(d-1)), is amended to read as follows:

"(d-1) In Fiscal Year 2017 and each fiscal year thereafter, up to $3 million in monies credited to the Account may be used to fund real property tax rebates under D.C. Official Code § 47-4665.".

Sec. 2004. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE B. INAUGURAL CELEBRATION AMENDMENT

Sec. 2011. Short title.

This subtitle may be cited as the "Inaugural Celebration Emergency Amendment Act of 2016".

Sec. 2012. Section 25-723(e)(1) of the District of Columbia Official Code is amended by striking the phrase "designated "Inaugural Week."" and inserting the phrase "designated "Inaugural Week"; except, that in 2017, January 14 through January 22 shall be designated "Inaugural Week."" in its place.

SUBTITLE C. REIMBURSABLE DETAIL SUBSIDY PROGRAM AMENDMENT

Sec. 2021. Short title.

This subtitle may be cited as the "Reimbursable Detail Subsidy Program Emergency Amendment Act of 2016".

Sec. 2022. Section 25-798 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended by striking the phrase "or in a group," and inserting the phrase "or in a group, or a promoter or organizer of a pub crawl event, as defined by rule," in its place.

(b) Subsection (c) is amended by striking the phrase “the licensee.” and inserting the phrase “the licensee, or licensees, or the promoter or organizer of a pub crawl event.” in its place.

SUBTITLE D. WALTER REED DEVELOPMENT OMNIBUS

Sec. 2031. Short title.

This subtitle may be cited as the "Walter Reed Development Omnibus Emergency Amendment Act of 2016".

Sec. 2032. Section 7(d) of the Walter Reed Development Omnibus Act of 2016, effective May 18, 2016 (D.C. Law 21-119; 63 DCR 4678), is amended to read as follows:

“(d) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Office of the Deputy Mayor for Planning and Economic Development shall have the authority to make grants from the Fund to the Developer for the purposes set forth in subsection (c) of this section.”.

Sec. 2033. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE E. DMPED GRANT-MAKING AUTHORITY AMENDMENT

Sec. 2041. Short title.

This subtitle may be cited as the “Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Emergency Amendment Act of 2016”.

Sec. 2042. Section 2032 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04), is amended by adding new subsections (d) and (e) to read as follows:

“(d) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Deputy Mayor shall have grant-making authority for the purpose of providing:

“(1) Funds as may be necessary to implement projects that are part of the New Communities Initiative, as that term is defined in section 3(b)(11)(B) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(11)(B)); provided, that such funds are included in the approved operating budget for the New Communities Initiative program or the approved capital budget for the New Communities Initiative project;

“(2) Funds to the Washington Convention Center Marketing Fund established by section 208a of the Washington Convention Center Authority Act of 1994, effective August 12, 1998 (D.C. Law 12-142; D.C. Official Code § 10-1202.08a), to supplement funds included in an approved budget for marketing-service contracts pursuant to subsections (e) and (e-1) of that section; and

"(3) Funds to the Washington DC Economic Partnership; provided, that such funds are included in an approved budget and designated for the Washington DC Economic Partnership.

"(e) In addition to the grant-making authority provided in subsection (d) of this section, the Deputy Mayor shall have the authority to transfer funds to Events DC pursuant to a Memorandum of Agreement or Memorandum of Understanding between the Deputy Mayor and Events DC.".

SUBTITLE F. ENTERTAINMENT AND MEDIA PRODUCTION AMENDMENT

Sec. 2051. Short title.

This subtitle may be cited as the "Office of Cable Television, Film, Music, and Entertainment Clarification Emergency Amendment Act of 2016".

Sec. 2052. The Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2015, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.01 *et seq*.), is amended as follows:

(a) Section 201 (D.C. Official Code § 34-1252.01) is amended as follows:

(1) Subsection (a)(3) is amended as follows:

(A) The lead-in language is amended by striking the phrase "an entertainment industry in the District" and inserting the phrase "a sustainable creative economy and entertainment and media industry in the District" in its place.

(B) Subparagraph (E) is amended by striking the phrase "television shows and films" and inserting the phrase "entertainment industry projects" in its place.

(C) Subparagraph (F) is amended by striking the phrase ", including television shows and films".

(2) Subsection (e) is amended by striking the word "Programming" and inserting the phrase "Programming, or an equivalent position," in its place.

(b) Section 202 (D.C. Official Code § 34-1252.02) is amended as follows:

(1) Paragraph (8A) is amended as follows:

(A) The lead-in language is amended by striking the phrase "studios and equipment" and inserting the phrase "studios, facilities, and equipment" in its place.

(B) Subparagraph (A) is amended by striking the phrase "studios or" and inserting the phrase "studios, facilities, or" in its place.

(2) Paragraph (16) is amended by striking the phrase "funds from nonprofit and" and inserting the phrase "funds from private, nonprofit, and" in its place.

(3) Paragraph (19) is amended by striking the word "and".

(4) Paragraph (20) is amended by striking the period and inserting the phrase "; and" in its place.

(5) A new paragraph (21) is added to read as follows:

"(21) Establish written formal, collaborative arrangements (sometimes called partnerships) with private and nonprofit entities to implement the purposes of this act.".

(c) Section 203 (D.C. Official Code § 34-1252.03) is amended as follows:

(1) The heading is amended by striking the phrase "Cable Television" and inserting the acronym "OCTFME" in its place.

(2) Subsection (a) is amended as follows:

(A) Strike the phrase "Cable Television" both times it appears and insert the acronym "OCTFME" in its place.

(B) Strike the phrase "operation of a cable system" and insert the phrase "operation of the industries under this act" in its place.

(3) Subsection (d) is amended as follows:

(A) Paragraph (3) is amended by striking the word "and".

(B) A new paragraph (3A) is added to read as follows:

"(3A) Fees derived from film permits applied for or issued pursuant to section 2d of the Film DC Economic Incentive Act of 2006, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 2-1204.11d);".

(C) Paragraph (4) is amended by striking the period and inserting the phrase "; and" in its place.

(D) A new paragraph (5) is added to read as follows:

"(5) All interest earned on all deposits.".

Sec. 2053. Section 2e of the Film DC Economic Incentive Act of 2006, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 2-1204.11e), is repealed.

SUBTITLE G. DMPED PROCUREMENT EXEMPTION CLARIFICATION

Sec. 2061. Short title.

This subtitle may be cited as the "DMPED Procurement Exemption Clarification Emergency Amendment Act of 2016".

Sec. 2062. Section 201 of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.11), is amended by adding a new subsection (b-1) to read as follows:

"(b-1) Any contract between the Deputy Mayor for Planning and Economic Development and a developer for the development of Square 3128 related to Zoning Commission Order No. Z.C. 13-14, or amendment to that order, shall not be subject to titles IV, V, and VI, and sections 702 and 1101 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq*.).".

SUBTITLE H. BUSINESS IMPROVEMENT DISTRICTS CHARTER RENEWAL

Sec. 2071. Short title.

This subtitle may be cited as the "Business Improvement Districts Charter Renewal Emergency Amendment Act of 2016".

Sec. 2072. The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

(a) Section 19(a)(1)(B) (D.C. Official Code § 2-1215.18(a)(1)(B)), is amended to read as follows:

"(B) The BID submits a plan for the next 5 years of BID operations to the Mayor; and".

(b) Section 24(b) (43 DCR 1698) is repealed.

SUBTITLE I. PREGNANT WORKERS PROTECTION

Sec. 2081. Short title.

This subtitle may be cited as the "Protecting Pregnant Workers Fairness Emergency Amendment Act of 2016".

Sec. 2082. The Protecting Pregnant Workers Fairness Act of 2014, effective March 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*), is amended as follows:

(a) Section 2(2) (D.C. Official Code § 32-1231.01(2)) is amended as follows:

(1) Subparagraph (F) is amended by striking the word "or".

(2) Subparagraph (G) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new subparagraph (H) is added to read as follows:

"(H) Time off due to pre-birth complications.".

(b) Section 4 (D.C. Official Code § 32-1231.03) is amended as follows:

(1) Paragraph (4) is amended by striking the word "or" at the end.

(2) Paragraph (5) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new paragraph (6) is added to read as follows:

"(6) Take an adverse action against an employee who has been absent from work as a result of a pregnancy-related condition, including a pre-birth complication.".

SUBTITLE J. ACCRUED SICK AND SAFE LEAVE AMENDMENT

Sec. 2091. Short title.

This subtitle may be cited as the "Accrued Sick and Safe Leave Emergency Amendment Act of 2016".

Sec. 2092. The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq.*), is amended as follows:

(a) Section 6(b)(1) (D.C. Official Code § 32-131.05(b)(1)) is amended by striking the phrase "(3); or" and inserting the phrase "(3); and" in its place.

(b) Section 7(b) (D.C. Official Code § 32-131.06(b)) is amended by striking the phrase "agreement." and inserting the phrase "agreement that expressly waives the requirements in clear and unambiguous terms." in its place.

SUBTITLE K. ADULT CAREER PATHWAYS IMPLEMENTATION

Sec. 2101. Short title.

This subtitle may be cited as the "Adult Career Pathways Implementation Emergency Amendment Act of 2016".

Sec. 2102. Section 14(d)(2)(D) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-114(d)(2)(D)), is amended by striking the phrase "Administrative Fund may be used" and inserting the phrase "Administrative Fund, or other sources of workforce development funding, may be used" in its place.

SUBTITLE L. UNEMPLOYMENT BENEFITS MODERNIZATION

Sec. 2111. Short title.

This subtitle may be cited as the "Unemployment Benefits Modernization Emergency Amendment Act of 2016".

Sec. 2112. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq*.), is amended as follows:

(a) Section 1(5) (D.C. Official Code § 51-101(5)) is amended as follows:

(1) Strike the figure "80%" and insert the figure "66%" in its place.

(2) Strike the figure "$20" and insert the figure "$50" in its place.

(b) Section 7 (D.C. Official Code § 51-107) is amended as follows:

(1) Subsection (a) is amended by striking the last sentence.

(2) Subsection (b) is amended to read as follows:

"(b)(1) Subject to the limitations set forth in this section, an individual's weekly benefit amount shall be equal to one twenty-sixth (computed to the next higher multiple of $1) of the individual's total wages for insured work paid during the quarter of the individual's base period in which such total wages were highest.

"(2) Effective October 1, 2016, the maximum weekly benefit amount shall be $425.

"(3)(A) Effective January 1, 2018, and for each calendar year thereafter, the maximum weekly benefit amount shall be determined by the Director of the Department of Employment Services, subject to subparagraph (D) of this paragraph, by using the Department of Labor State Benefit Financing Model.

"(B) The Director shall consider increasing the maximum weekly benefit amount in proportion to any increase in the Consumer Price Index for Urban Consumers in the Washington Metropolitan Statistical Area, published by the United States Department of Labor's Bureau of Labor Statistics, in making a determination, but may increase the maximum weekly benefit amount by a lesser amount, or may not increase it, when necessary to preserve an

adequate balance in the District Unemployment Compensation Trust Fund through the Financial Plan.

"(C)(i) By September 30, 2017, and by September 30 of each subsequent year, the Director shall recommend to the Mayor the maximum weekly benefit amount, which shall become the maximum weekly benefit amount for the next calendar year, unless the Council passes a resolution disapproving the Director's recommendation pursuant to sub-subparagraph (ii) of this subparagraph.

"(ii) The Mayor shall promptly submit the recommendation, with a proposed resolution, to the Council for a 45-day period of review. If the Council does not approve or disapprove the recommendation, by resolution, within the 45-day period of review, the recommendation shall be deemed approved.

"(D) If the Council passes a resolution of disapproval, the maximum weekly benefit amount then in effect shall continue in effect for the next calendar year.".

(3) Subsection (d) is amended by striking the phrase "or 50% of the wages for employment paid to such individual by employers during his base period whichever is the lesser".

(4) Subsection (e) is amended as follows:

(A) Strike the figure "$20" and insert the figure "$50" in its place.

(B) Strike the figure "80%" and insert the figure "66%" in its place.

(5) Subsection (f) is amended by striking the phrase "this section shall not apply" and inserting the phrase "this subsection shall not apply" in its place.

(c) Section 8 (D.C. Official Code § 51-108) is amended by striking the last sentence and inserting the following sentence in its place:

"All payments of benefits shall be made by the Chief Financial Officer and shall be subject to a subsequent, but not a prior, audit by the Office of the Inspector General.".

SUBTITLE M. TOPA APPLICATION-ASSISTANCE PILOT PROGRAM

Sec. 2121. Short title.

This subtitle may be cited as the "TOPA Application-Assistance Pilot Program Emergency Amendment Act of 2016".

Sec. 2122. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq*.), is amended by adding a new section 414 to read as follows:

"Sec. 414. TOPA Application-Assistance Pilot Program.

"(a) For Fiscal Year 2017, there is established a TOPA Application-Assistance Pilot Program ("Program") to help tenant organizations prepare their applications to the First Right Purchase Assistance Program described at Chapter 27 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2700 *et seq*.). The Program shall complement the First Right Purchase Assistance Program, and shall include funding for pre-application legal and technical assistance, including assistance with environmental studies.

"(b) A tenant organization in a building of 5 or more units shall be eligible for the Program if the tenant organization meets the eligibility requirements of 14 DCMR § 2701 for tenant associations. A property shall be eligible for the Program if the property meets the eligibility requirements of 14 DCMR § 2703.

"(c) The Mayor shall ensure that the agency administering the Program:

"(1) Approves or denies an application for the Program within 15 days of receiving the completed application from a tenant organization;

"(2) Issues an award letter or denies an application for the First Right Purchase Assistance Program within 30 days of receiving the completed application from a tenant organization;

"(3) Reimburses an invoice received from a tenant organization for Program expenditures or First Right Purchase Assistance Program expenditures within 30 days of receipt; and

"(4) Expeditiously administers the Program and the First Right Purchase Assistance Program in a manner that allows tenant organizations to meet all deadlines required by this title.

"(d) The maximum amount of pre-application legal and technical assistance that may be awarded to a tenant organization per TOPA offer is as follows:

"(1) Up to $25,000 for a tenant organization in a building with 5 to 50 units; and

"(2) Up to $45,000 for a tenant organization in a building with greater than 50 units.

"(e) Funds shall not be used to pay for any costs of litigation.

"(f) If a tenant organization, or the entity to which a tenant organization assigns its rights under this title, successfully purchases a property, the full amount of any assistance provided pursuant to this section shall be repaid to the Program within 30 days of the purchase of the property.

"(g) By November 1, 2016, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this section. The rules shall mandate processes for the application for, and distribution of, funds in a timely manner so as to facilitate successful compliance with the required timelines and purposes of this section.".

Sec. 2123. Section 2009(c) of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01(c)), is amended as follows:

(a) Paragraph (15) is amended by striking the word "and".

(b) Paragraph (16) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (17) is added to read as follows:

"(17) To provide funding for the TOPA Application Assistance Pilot Program established by section 414 of the Rental Housing Conversion and Sale Act of 1980, passed on

2nd reading on June 21, 2016 (Enrolled version of Bill 21-669); provided, that funding from the Unified Fund for the program shall not exceed the amount available in the Unified Fund.".

Sec. 2124. Sunset.

This subtitle shall expire on September 30, 2017.

SUBTITLE N. RETAIL PRIORITY AREA AMENDMENT

Sec. 2131. Short title.

This subtitle may be cited as the "Retail Priority Area Emergency Amendment Act of 2016".

Sec. 2132. The H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 *et seq*.), is amended as follows:

(a) Section 3(c)(3) (D.C. Official Code § 1-325.172(c)(3)) is amended to read as follows:

"(3) Beginning October 1, 2015, and ending September 30, 2017, make grants to support revitalization programs pursuant to section 4b of the Retail Incentive Act of 2004, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 2-1217.73b). Grants may be awarded for revitalization programs within any of the Retail Priority Areas established by or pursuant to section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73).".

(b) Section 4 (D.C. Official Code § 1-325.173) is amended by adding a new subsection (d) to read as follows:

"(d) (1) A grant made available under this section shall be divided into thirds or fourths and disbursed accordingly in allotments to a grantee.

"(2)(A) The Mayor shall request, and a grantee shall furnish, a receipt or receipts for the purpose of confirming that a grantee's expenditure of grant funds was allowable.

"(B) Notwithstanding subparagraph (A) of this paragraph, unless the grantee fails to provide a receipt or receipts, the grantee's response shall not delay disbursement of the grantee's next allotment, except for the final allotment. Funds shall be made available to the grantee as quickly as possible.

"(C) Nothing in this paragraph shall be construed to authorize the expenditure of grant funds inconsistent with their purpose.".

Sec. 2133. The Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.71 *et seq*.), is amended as follows:

(a) Section 4 (D.C. Official Code § 2-1217.73) is amended as follows:

(1) Subsection (i) is amended by striking the word "Macomb" and inserting the word "Calvert" in its place.

(2) Subsection (n) is amended by striking the phrase "Tenley Circle" and inserting the phrase "R Street" in its place.

(b) Section 4b(b) (D.C. Official Code § 2-1217.73b(b)) is amended by adding a new paragraph (4) to read as follows:

"(4)(A) A grant made available under this section shall be divided into thirds or fourths and disbursed accordingly in allotments to a grantee.

"(B)(i) The Mayor shall request, and a grantee shall furnish, a receipt or receipts for the purpose of confirming that a grantee's expenditure of grant funds was allowable.

"(ii) Notwithstanding sub-subparagraph (i) of this subparagraph, unless the grantee fails to provide a receipt or receipts, the grantee's response shall not delay disbursement of the grantee's next allotment, except for the final allotment. Funds shall be made available to the grantee as quickly as possible.

"(iii) Nothing in this subparagraph shall be construed to authorize the expenditure of grant funds inconsistent with their purpose.".

Sec. 2134. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE O. WORKFORCE INVESTMENT COUNCIL MEMBERSHIP

Sec. 2141. Short title.

This subtitle may be cited as the "Workforce Investment Council Membership Clarification Emergency Amendment Act of 2016".

Sec. 2142. Section 4(e) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(e)), is amended to read as follows:

"(e) The Mayor shall appoint members of the Workforce Investment Council in a manner consistent with the requirements of section 101 of the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1440; 29 U.S.C. § 3111); provided, that the Workforce Investment Council shall include 2 members of the Council of the District of Columbia appointed by the Chairman of the Council of the District of Columbia.".

SUBTITLE P. ARTS AND HUMANITIES COMPETITIVE GRANTS

Sec. 2151. Short title.

This subtitle may be cited as the "Commission on the Arts and Humanities Competitive Grants Emergency Act of 2016".

Sec. 2152. In Fiscal Year 2017, the Commission on the Arts and Humanities shall award, on a competitive basis, grants in an amount totaling $2.5 million to:

(1) Support the establishment of a children's museum in the Central Business District, as defined in Title 11 of the District of Columbia Municipal Regulations, in an amount not to exceed $1 million;

(2) Provide a literary-enrichment program for District of Columbia Public Schools and public charter schools that includes the provision of copies of literature and curricular materials and author visits for literary discussion with students, in an amount not to exceed

$200,000;

(3) Provide orchestral performances with supporting community engagement events, in an amount not to exceed $50,000;

(4) Provide support for a theatre in the Central Business District that is operated by a nonprofit organization, in an amount not to exceed $1 million; and

(5) Provide support for an organization dedicated to preserving the history of African-American involvement in the American Civil War, in an amount not to exceed $250,000.

SUBTITLE Q. WORKERS' COMPENSATION LIEN RECONCILIATION

Sec. 2161. Short title.

This subtitle may be cited as the "Workers' Compensation Lien Reconciliation Emergency Amendment Act of 2016".

Sec. 2162. Section 3(f-1) of the District of Columbia Workers' Compensation Act of 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1535(f-1)), is amended by striking the word "settlement" and inserting the phrase "total recovery" in its place.

SUBTITLE R. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING MATCH

Sec. 2171. Short title.

This subtitle may be cited as the "National Cherry Blossom Festival Fundraising Match Emergency Act of 2016".

Sec. 2172. In Fiscal Year 2017, of the funds allocated to the Non-Departmental agency, $300,000 shall be transferred to the Washington Convention and Sports Authority to administer a matching grant program to support the National Cherry Blossom Festival. A matching grant of $300,000 shall be awarded to a nonprofit organization that organizes and produces an event or events as part of the official, month-long National Cherry Blossom Festival. The grant shall be paid dollar-for-dollar for corporate donations above $750,000 raised by the nonprofit for the festival by March 31, 2017. Any matching grant awarded under this section shall be in addition to any other grants awarded by the Washington Convention and Sports Authority in support of the National Cherry Blossom Festival.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. COG PROCUREMENT AUTHORIZATION

Sec. 3001. Short title.

This subtitle may be cited as the "Placement of Orders with Governmental Entities Emergency Amendment Act of 2016".

Sec. 3002. Section 1 of An Act To grant additional powers to the Commissioners of the District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C. Official Code § 1-301.01), is amended as follows:

(a) Subsection (j-1)(1) is amended by striking the phrase "for materials" and inserting the phrase "for the provision or receipt of materials" in its place.

(b) A new subsection (j-2) is added to read as follows:

"(j–2) Placement of orders with the Metropolitan Washington Council of Governments – Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Mayor may contract with the Metropolitan Washington Council of Governments for the provision or receipt of materials, supplies, equipment, work, or services of any kind. Contracts executed pursuant to this subsection shall be considered obligations upon appropriations in the same manner as orders or contracts executed pursuant to subsections (j) or (k) of this section.".

SUBTITLE B. RECIPROCAL AGREEMENTS FOR MUTUAL AID AMENDMENT

Sec. 3011. Short title.

This subtitle may be cited as the "Reciprocal Agreements for Mutual Aid Emergency Amendment Act of 2016".

Sec. 3012. An Act To provide for a mutual-aid plan for fire protection by and for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for other purposes, approved August 14, 1950 (64 Stat. 441; D.C. Official Code § 5-414), is amended as follows:

(a) Section 1 (D.C. Official Code § 5-414(a)) is amended to read as follows:

"(a) The Mayor is hereby authorized in his or her discretion to enter into and to renew reciprocal agreements, for such period as he or she deems advisable, with the appropriate county, municipal, and other governmental units in Prince George's and Montgomery Counties, Maryland, and Arlington, Fairfax, and Loudon Counties, Virginia, with the City of Alexandria, Virginia, with the City of Fairfax, Virginia, with the City of Falls Church, Virginia, and with incorporated or unincorporated fire departments, fire companies, and organizations of fire personnel in such counties and cities, in order to establish and carry into effect a plan to provide mutual aid, through the furnishing of firefighting personnel and equipment, by and for the District of Columbia and such counties and cities, for the extinguishment of fires and for the preservation of life and property in emergencies, in the District and in such counties and cities.".

(b) Section 2 (D.C. Official Code § 5-414(b)) is amended by striking the phrase "The District of Columbia" and inserting the phrase "The Mayor" in its place.

(c) Section 3 (D.C. Official Code § 5-414(c)) is amended to read as follows:

"(c) The Mayor may make available to the federal government, the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, and any other local or regional authority or intergovernmental organization, personnel and equipment

of the Fire and Emergency Medical Services Department to extinguish fires, and to save lives, on property of the federal government, the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, or another local or regional authority of which the District is a member or intergovernmental organization to which the District or any of its offices or agencies belongs in Prince George's and Montgomery Counties, Maryland; Arlington, Fairfax, and Loudon Counties, Virginia; the City of Alexandria, Virginia; the City of Fairfax, Virginia; and the City of Falls Church, Virginia.".

(d) Section 4 (D.C. Official Code § 5-414(d)) is amended as follows:

(1) Strike the phrase "Fire Department" wherever it appears and insert the phrase "Fire and Emergency Medical Services Department" in its place.

(2) Strike the word "his" and insert the phrase "his or her" in its place.

SUBTITLE C. PUBLIC SAFETY EXECUTIVE PAY SCHEDULE AMENDMENT

Sec. 3021. Short title.

This subtitle may be cited as the "Executive Service Pay Schedule Emergency Amendment Act of 2016".

Sec. 3022. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 1052 (D.C. Official Code § 1-610.52) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended to read as follows:

"(2) Notwithstanding paragraph (1) of this subsection, the Council approves a compensation level of

"(A) $292,520 for Kaya Henderson, as Chancellor of the District of Columbia Public Schools ("Chancellor").

"(B) $197,245 for Tanya A. Royster, MD, as Director of the Department of Behavioral Health, effective August 3, 2015;

"(C) $200,335 for LaQuandra S. Nesbitt, MD, MPH, as Director of the Department of Health, effective January 26, 2015; and

"(D) $221,450 for Christopher Weaver, Director of the Department of General Services, effective September 9, 2015.".

(B) Paragraph (2A) is repealed.

(C) Paragraph (3) is amended as follows:

(i) Designate the existing text as subparagraph (A).

(ii) The newly designated subparagraph (A) is amended by striking the phrase "levels of compensation as provided in paragraphs (2) and (2A)" and inserting the phrase "level of compensation as provided in paragraph (2)" in its place.

(iii) A new subparagraph (B) is added to read as follows:

"(B)(i) Notwithstanding subparagraph (A) of this paragraph or any other provision of law, the Chancellor may be paid a recognition and renewal bonus of 5% of her annual base salary in 2016 and a performance bonus of up to 10% of her annual base salary for goals achieved by the end of the 2016-17 school year.

"(ii) In addition to such other benefits as the Chancellor may be entitled to receive under existing law and regulation, and notwithstanding subparagraph (A) of this paragraph and section 1058, the Mayor may make:

"(I) A separation payment to the Chancellor of up to 24 weeks of the Chancellor's base salary if the Chancellor's contract is terminated for a reason other than criminal conduct, gross dereliction of duty, or gross misconduct; and

"(II) A payment to the Chancellor's executors, legal representatives, or administrators in the amount of 1/12 of the Chancellor's annual salary if the Chancellor dies during her term of employment.".

(D) Paragraph (4) is amended to read as follows:

"(4)(A) The existing level of compensation for the position in paragraph (2)(A) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Chancellor, who takes office after February 24, 2012. The Chancellor shall be subject to compensation within the limits of the DX Schedule, except as provided by this act.

"(B) The existing level of compensation for the position in paragraph (2)(B) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Director of the Department of Behavioral Health, who takes office after August 3, 2015. The Director shall be subject to compensation within the limits of the DX Schedule, except as provided by this act.

"(C) The existing level of compensation for the position in paragraph (2)(C) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Director of the Department of Health, who takes office after January 26, 2015. The Director shall be subject to compensation within the limits of the DX Schedule, except as provided by this act.

"(D) The existing level of compensation for the position in paragraph (2)(D) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Director of the Department of General Services, who takes office after September 9, 2015. The Director shall be subject to compensation within the limits of the DX Schedule, except as provided by this act.".

(2) Subsection (b-1) is repealed.

(b) Section 1052a (D.C. Official Code § 1-610.52a) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "who are required to hold a medical degree or another advanced health-related degree".

(2) Subsection (b) is amended to read as follows:

"(b)(1) The Mayor shall designate the appropriate pay level for each subordinate agency head within the public safety cluster based on market analyses considering the qualifications and work experience of each individual appointee, and other relevant criteria; provided, that each

subordinate agency head within the public safety cluster shall be subject to compensation within the limits of the DX Public Safety Schedule unless otherwise authorized by an act of the Council.

"(2) Notwithstanding paragraph (1) of this subsection, the Council approves a compensation level of $253,817 for Cathy Lanier, as Chief of the Metropolitan Police Department.

"(3) The existing level of compensation for the position in paragraph (2) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Chief of the Metropolitan Police Department, who takes office after February 24, 2012. The Chief of the Metropolitan Police Department shall be subject to compensation within the limits of the DX Public Safety Schedule, except as provided by this act.

"(4)(A) Notwithstanding paragraph (1) of this subsection, the Council approves a compensation level of:

"(i) $215,035 for Chris T. Geldart, as Director of the Homeland Security and Emergency Management Agency, retroactive to May 4, 2015.

"(ii) $203,425 for Gregory M. Dean, as Chief of the Fire and Emergency Medical Services Department, retroactive to May 4, 2015.

"(B) The level of compensation for the positions as approved in subparagraph (A) of this paragraph shall not be used as the basis for determining the salary of an officeholder in the position of Director of the Homeland Security and Emergency Management Agency or the position of Chief of the Fire and Emergency Medical Services Department.".

Sec. 3023. Section 2903(b) of the Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1402(b)), is amended by striking the phrase ", to be paid at an annual rate of $206,000,".

Sec. 3024. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE D. ANATOMICAL BOARD REPEAL

Sec. 3031. Short title.

This subtitle may be cited as the "Anatomical Board Repeal Emergency Amendment Act of 2016".

Sec. 3032. An Act For the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia, approved April 29, 1902 (32 Stat.173; D.C. Official Code § 3-201 *et seq*.), is repealed.

Sec. 3033. Section 6(h)(4)(C)(i) of the District of Columbia Funeral Services Regulatory Act of 1984, effective May 22, 1984 (D.C. Law 5-84; D.C. Official Code § 3-405(h)(4)(C)(i)), is amended by striking the phrase "The Anatomical Board, human tissue banks, and anatomical gifts;" and inserting the phrase "Human tissue banks and anatomical gifts;" in its place.

SUBTITLE E. FIRE OFFICIALS SERVICE LONGEVITY AMENDMENT

Sec. 3041. Short title.

This subtitle may be cited as the "Fire and Emergency Medical Services Department Chief Officers Service Longevity Emergency Amendment Act of 2016".

Sec. 3042. Section 401(a)(1) of the District of Columbia Police and Firemen's Salary Act of 1958, approved August 1, 1958 (72 Stat. 484; D.C. Official Code § 5-544.01(a)(1)), is amended by striking the phrase "contained in section 101, an amount computed in accordance with the following table:" and inserting the phrase "contained in section 101, as modified pursuant to section 506a, an amount computed in accordance with the following table; provided, that for each Assistant Fire Chief, Deputy Fire Chief, and Battalion Fire Chief in active service, longevity pay shall be calculated based on the Class and Service Step that the member occupies:" in its place.

SUBTITLE F. FEMS PRESUMPTIVE DISABILITY IMPLEMENTATION

Sec. 3051. Short title.

This subtitle may be cited as the "Fire and Emergency Medical Services Presumptive Disability Implementation Emergency Amendment Act of 2016".

Sec. 3052. Subtitle D of the Fire and Police Medical Leave and Limited Duty Amendment Act of 2004, effective May 1, 2013 (D.C. Law 19-311; D.C. Official Code § 5-651 *et seq.*), is amended as follows:

(a) Section 651 (D.C. Official Code § 5-651) is amended as follows:

(1) Paragraph (6) is amended by striking the word "Department" and inserting the phrase "Department who is employed by the Department".

(2) Paragraph (7) is amended to read as follows:

"(7) "Pre-employment physical examination" means the physical examination required under section 721 of the Police and Fire Minimum Standards Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-451).".

(b) Section 653 (D.C. Official Code § 5-653) is amended as follows:

(1) Subsection (a)(1) is amended by striking the word "throat" and inserting the word "respiratory" in its place.

(2) Subsection (b)(1) is amended by striking the word "throat" and inserting the word "respiratory" in its place.

(c) New sections 655a, 655b, and 655c are added to read as follows:

"Sec. 655a. Physical examinations; maintaining eligibility.

"(a) In order to be eligible to make a claim under this title that relies on a presumption created by this subtitle, a member shall, in addition to meeting any other requirements as required by this subtitle or rules issued pursuant to section 655c, have undergone a pre-employment physical examination and complied with any subsequent physical examination

requirements, such as annual physical examinations, that are, or were during the period of covered service, applicable to all members.

"(b) In order to be eligible to make a claim under this title that relies on a presumption created by this subtitle, an EMS employee shall, in addition to meeting any other requirements as required by this subtitle or rules issued pursuant to section 655c, have undergone a pre-employment physical examination and complied with any subsequent physical examination requirements, such as annual physical examinations, that are, or were during the period of covered service, applicable to all EMS employees.

"(c) For any member or EMS employee hired after May 1, 2013, the District may require additional, appropriate laboratory and other diagnostic studies to be included as part of the pre-employment physical examination; provided, that any such requirements shall be applicable to all members or EMS employees.

"Sec. 655b. Reporting requirements.

"By January 31, 2018, and by January 31 of each subsequent year, the Department, in coordination with the Police and Fire Clinic, shall submit an annual report to the Council that contains the following information from the preceding calendar year:

"(1) The total number of claims made by members in which a presumption was created under section 652;

"(2) The total number of claims made by EMS employees in which a presumption was created under section 652;

"(3) The total number of claims made by members in which a presumption was created under section 653;

"(4) The total number of claims made by EMS employees in which a presumption was created under section 653;

"(5) The total number of claims made by members in which a presumption was created under section 654; and

"(6) The total number of claims made by EMS employees in which a presumption was created under section 654.

"Sec. 655c. Rules.

"The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.".

(d) Section 656 is amended to read as follows:

"Sec. 656. Applicability.

"(a) Except as provided in subsection (b) of this section, this subtitle shall apply as of October 1, 2016.

"(b)(1) Sections 652 and 654 shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

"(2) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

"(3)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

"(B) The date of publication of the notice of the certification shall not affect the applicability of these sections.".

SUBTITLE G. FEMS APPARATUS MAINTENANCE

Sec. 3061. Short title.

This subtitle may be cited as the "Fire and Emergency Medical Services Apparatus Maintenance Requirements and Training Program Establishment Emergency Amendment Act of 2016".

Sec. 3062. Section 1 of An Act Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1957, and for other purposes, approved June 29, 1956 (70 Stat. 443; D.C. Official Code § 5-413), is amended as follows:

(a) The existing text is designated as subsection (a) .

(b) The newly designated subsection (a) is amended by striking the phrase "Fire Department" and inserting the phrase "Fire and Emergency Medical Services Department ("Department")" in its place.

(c) A new subsection (b) is added to read as follows:

"(b) The Department shall:

"(1) Comply with the certification and preventative maintenance requirements of the National Fire Protection Association, NFPA 1911, 2012 edition, or any subsequent edition; and

"(2) Beginning October 1, 2019, maintain qualifications of the fleet maintenance staff through organizational and manufacturing training in accordance with National Fire Protection Association, NFPA 1071, 2016 edition, or any subsequent edition.".

Sec. 3063. The Police Officer and Firefighter Cadet Programs Funding Authorization and Human Rights Act of 1977 Amendment Act of 1982, effective March 9, 1983 (D.C. Law 4-172; codified in various sections of the District of Columbia Official Code), is amended as follows:

(a) A new section 5a is added to read as follows:

"Sec. 5a. Pilot Civilian Technical Services Program.

"(a) The Chief of the Fire and Emergency Medical Services Department ("Chief") shall establish, in conjunction with the University of the District of Columbia Community College, a Pilot Civilian Technical Services Program ("Program") for the purpose of instructing, training, and exposing interested persons, primarily young adults residing in the District of Columbia, to the technical maintenance of Department apparatus and devices, and the duties, tasks, and responsibilities of serving as an employee in the field infrastructure and inventory management programs within the Department.

"(b) The Program shall include training courses that equip civilian employees with the skills to provide emergency vehicle and facility maintenance, certification, and specialized network management services to the Department.

"(c) A person successfully completing the Program shall be accorded full preference for appointment as a civilian employee of the Department; provided, that the person meets all other requirements pertaining to employment in the Department.

"(d) The Chief shall establish performance measures for the Program.".

(b) Section 6 (D.C. Official Code § 5-109.02) is amended by striking the phrase "and section 2(b)-(d)" and inserting the phrase ", section 2(b)-(d), and section 5a" in its place.

SUBTITLE H. EMS TRANSPORT CONTRACT AUTHORITY

Sec. 3071. Short title.

This subtitle may be cited as the "Emergency Medical Services Transport Contract Authority Emergency Amendment Act of 2016".

Sec. 3072. An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401 *et seq*.), is amended as follows:

(a) Section 1 (D.C. Official Code § 5-401) is amended as follows:

(1) Subsection (a) is amended by striking the word "resolution" and inserting the word "act" in its place.

(2) Subsection (b) is amended as follows:

(A) Designate the existing text as paragraph (1).

(B) The newly designated paragraph (1) is amended by striking the word "resolution" and inserting the word "act" in its place.

(C) New paragraphs (2) and (3) are added to read as follows:

"(2) Notwithstanding paragraph (1) of this subsection, the Department may contract with third parties to provide supplemental pre-hospital medical care and transportation to persons requiring Basic Life Support.

"(3) A contract entered into pursuant to paragraph (2) of this subsection shall include a provision that precludes the District from liability for any claims arising out of the actions of the third-party contractor and also provides full indemnification to ensure that the District shall not be responsible for any amounts owed to others as a result of the third-party contractor's action or inaction under the contract.".

(3) New subsections (d), (e), (f), (g), and (h) are added to read as follows:

"(d) Each third-party contractor that enters into a contract pursuant to subsection (b)(2) of this section shall provide a quarterly report to the Department and to the Council that includes the following information:

"(1) The number of transports performed;

"(2) The average time between the dispatch of the third-party contractor by the Department and the third-party contractor's arrival to the patient;

"(3) The location where the third-party contractor meets each patient and the name and location of the healthcare facility to which the patient is transported;

"(4) The average transport time from the location where the third-party contractor meets each patient to the healthcare facility to which the patient is transported;

"(5) The average time that the third-party contractor remains out of service after transporting a patient to a healthcare facility;

"(6) The average time that the third-party contractor remains out of service while waiting to transfer the care of a patient to a healthcare facility;

"(7) The number of third-party contractor ambulances available on a daily basis for Department use;

"(8) The length of the third-party contractor's personnel shifts;

"(9) The number of employees hired by the third-party contractor and their residency;

"(10) The number of patients who used the third-party contractor's services twice or more times during the reporting period, including the number of times the patient used the services during the previous 12 months; and

"(11) The number of patient care reports collected, including the number reviewed with the Department.

"(e) Within 4 months after the date of a contract awarded pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Department shall submit a report to the Council that includes the following information:

"(1) Activity by the Department to educate the public on the proper use of emergency requests for service;

"(2) The number of Department employees hired after a contract award and their residency;

"(3) An evaluation of pre-hospital medical care and transportation fees considering the reasonableness of the fees, the public interest, and the persons required to pay the fee;

"(4) The number of ambulances added to the Department's frontline and reserve fleet after the date of a contract award, including whether these ambulances are replacing or supplementing the current fleet;

"(5) The number of emergency medical services personnel training hours provided, including all pediatric training conducted pursuant to a memorandum of understanding between the Department and the pediatric training entity;

"(6) The average time that the Department's ambulances remained out of service while waiting to transfer the care of a patient to a healthcare facility; and

"(7) The number of patients who used the Department's transport service twice or more during the reporting period, including the number of times the patient used transport services during the previous 12 months.

"(f) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Office of Unified Communications shall submit a report to the Council that includes the following information:

"(1) The number of calls dispatched, and the average dispatch time;

"(2) The average time within which the Department and the third-party contractor's ambulances reported arriving at a healthcare facility with a patient and returning to service;

"(3) The protocol to reroute non-emergency calls; and

"(4) The average time between the on-scene arrival of the third-party contractor's ambulance to the time the third-party contractor is at the patient's side.

"(g) Within one year after the date of a contract award pursuant to subsection (b)(2) of this section, and annually thereafter, until the Department is no longer contracting with a third-party contractor pursuant to subsection (b)(2) of this section, the Department shall submit a report to the Council that evaluates performance under the contract and includes the following information:

"(1) The impact on the Department's unit availability;

"(2) The impact on the Department's fleet, including the ability to conduct preventative maintenance and the number of operational and reserve units available;

"(3) The impact on the Department's training schedule;

"(4) The impact on the Department's response times and quality of patient care;

"(5) An assessment of the number of units, the number of personnel, the amount of training, and associated costs required to provide pre-hospital medical care and transportation without the use of third parties; and

"(6) Recommendations for implementing any additional units, personnel, and training identified in paragraph (5) of this subsection.

"(h) For the purposes of this section, the term:

"(1) "Basic Life Support" means a level of medical care provided by pre-hospital emergency medical services at the basic emergency response technician level and in accordance with the national scope of practice for a basic level provider.

"(2) "Patient care report" means a paper or electronic document that details the patient's pre-hospital status and condition and medication administered by a member of the Department or third-party contractor, from the time of the emergency call to the handover of the patient to a healthcare facility.".

(b) A new section 1b is added to read as follows:

"Sec. 1b. Public duty doctrine.

"The Council ratifies the interpretation and application of the public duty doctrine by the District of Columbia Court of Appeals up through the decision of September 25, 2014, in *Allen v. District of Columbia*, No. 10-CV-1425, and extends the public duty doctrine to claims against the District for the actions of contractors and their employees providing services pursuant to section 1 to the same extent as it applies to claims against the District for the actions of the District and its employees.".

Sec. 3073. Sunset; applicability.

(a) Section 3072(a)(2)(C) and (3) shall expire on September 30, 2019.

(b) This subtitle shall apply as of the effective date of this act.

SUBTITLE I. INTEGRATED HEALTH CARE TASK FORCE

Sec. 3081. Short title.

This subtitle may be cited as the "Integrated Health Care Task Force Establishment Emergency Amendment Act of 2016".

Sec. 3082. An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401 *et seq.*), is amended by adding a new section 3b to read as follows:

"Sec. 3b. Integrated Health Care Task Force.

"(a) The Fire and Emergency Medical Services Department shall establish an Integrated Health Care Task Force to study nationally recognized best practices and develop recommendations regarding strategies for reducing EMS call volume, improving EMS delivery, and providing for collaboration between agencies, hospitals, health care organizations, and community-based organizations, as well as strategies to achieve these goals by connecting patients with appropriate health care and social services.

"(b) The Task Force shall:

"(1) Examine the need for, cost of, and implementation of a pilot community paramedicine program ("program"), including:

"(A) Which District agency should manage the program;

"(B) Whether the program should be a self-sustaining independent entity that links hospitals, practice pharmacies, community health centers, schools, behavioral health services, public health services, nursing homes, and home health services;

"(C) Whether the program should employ case managers who are notified when a patient comes into contact with social service or EMS providers; and

"(D) Whether the program should be staffed with Department civilian EMS employees;

"(2) Determine the usefulness of advice nurses, tele-medicine, and tele-health techniques;

"(3) Examine the need for, cost of, and implementation of transporting EMS patients to destinations other than hospitals;

"(4) Make recommendations on how to best educate the community on medical conditions and resources for non-emergency medical conditions, as well as the proper use of 911;

"(5) Make recommendations on how to connect repeat users of EMS to effective health care and other services while considering the use of technology and data sharing consistent with the Health Insurance Portability and Accountability Act of 1996, approved

August 21, 1996 (110 Stat. 1936; 42 U.S.C. § 1320d, *et seq*.) ("Act"), and the regulations issued pursuant to the Act;

"(6) Make recommendations for the District to provide additional health care resources to meet the needs identified by the Task Force, if the Task Force concludes that such resources are necessary;

"(7) Develop reporting requirements, performance measurements, or patient surveys that should be used to evaluate programs recommended by the Task Force; and

"(8) Make recommendations for criteria that will enable the District to train and equip members of the Department to provide pediatric care.

"(c) The Task Force shall be comprised of the following:

"(1) The Department's Medical Director, who shall chair the Task Force;

"(2) One representative from a District-based college or university;

"(3) Three representatives from organizations for which the primary purpose of the organization is to provide services, education, or outreach to underserved populations with gaps in EMS or health services;

"(4) One representative from the District of Columbia Emergency Medical Services Advisory Committee, established by section 23 of the Emergency Medical Services Act of 2008, effective March 25, 2009 (D.C. Law 17-357; D.C. Official Code § 7-2341.22);

"(5) Two labor representatives, one from each labor organization affiliated with the Department;

"(6) One representative from the Office on Aging;

"(7) One representative from the Department of Health;

"(8) One representative from the Department of Health Care Finance;

"(9) One representative from the Department of Behavioral Health; and

"(10) One representative from the Office of Unified Communications.

"(d)(1) By June 30, 2017, the Task Force shall submit a report to the Mayor and to the Council that includes the definition of the issues identified in subsection (a) of this section, an analysis of the data supporting the objective assessments, and recommendations completed pursuant to subsection (b) of this section.

"(2) The Task Force shall dissolve after transmitting its report under paragraph (1) of this subsection.

"(e) For the purposes of this section, the term:

"(1) "Department" means the Fire and Emergency Medical Services Department.

"(2) "EMS" means emergency medical services.

"(3) "Practice pharmacies" means pharmacies that optimize health outcomes from drug-related treatments, research safe and effective drug use, and develop practices that maximize patient benefit from medications.

"(4) "Task Force" means the Integrated Health Care Task Force established pursuant to this section.".

Sec. 3083. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE. J. OAG LITIGATION SUPPORT FUND AND AUTHORITY CLARIFICATION

Sec. 3091. Short title.

This subtitle may be cited as the "Office of the Attorney General Litigation Support Fund and Authority Clarification Emergency Amendment Act of 2016".

Sec. 3092. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

(a) Section 106b(d)(3) (D.C. Official Code § 1-301.86b(d)(3)), is amended by striking the phrase "$1.5 million" both times it appears and inserting the phrase "$3 million" in its place.

(b) Section 108b (D.C. Official Code § 1-301.88b) is amended as follows:

(1) Designate the existing text as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b)(1) The Attorney General shall issue rules to govern the procurement of goods and services for the Office of the Attorney General.

"(2) The rules promulgated pursuant to section 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 1-371; D.C. Official Code § 2-361.06), shall apply to procurement of goods and services for the Office of the Attorney General unless the Attorney General has issued a superseding rule or regulation.".

(c) A new section 112 is added to read as follows:

"Sec. 112. Attorney General notification on enforcement of laws.

"(a) An independent agency shall notify the Attorney General of any judicial or administrative proceeding in which the independent agency is a named party when the judicial or administrative proceeding includes a challenge to:

"(1) The legality of a District or federal statute or regulation;

"(2) The constitutionality of a final agency decision or any action taken by the independent agency; or

"(3) The statutory authority of the independent agency to act.

"(b) An independent agency shall notify the Attorney General before commencing, or filing a pleading seeking leave to participate as a party or *amicus curiae* in, a judicial or administrative proceeding that includes a challenge as described in subsection (a) of this section.

"(c) An independent agency shall provide notice as required by this section as early as practicable, but in no event later than:

"(1) Seven business days after receiving notice of the judicial or administrative proceeding; or

"(2) If a challenge or potential challenge requiring notice under subsection (b) of this section arises during the course of a judicial or administrative proceeding, 3 business days after becoming aware of the challenge or potential challenge.

"(d) For the purposes of this section, the term "independent agency" means any office, department, division, board, commission, or instrumentality of the District of Columbia government with respect to which the Mayor and the Council are not authorized by law to establish administrative procedures, and that is not represented by the Attorney General in a judicial or administrative proceeding in which the office, department, division, board, commission or instrumentality is participating as a named party or *amicus curiae*. The term "independent agency" does not include the Council, the Superior Court of the District of Columbia, or the District of Columbia Court of Appeals.

Sec. 3093. Section 404 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.04), is amended by adding a new subsection (a-1) to read as follows:

"(a-1)(1) The Attorney General shall issue rules and regulations to implement the provisions of titles VII, VIII, IX, IX-A, XI, XII, XIII, XIII-A, XIV-A, XVI-A, XVII, XIX, XXIV, XXVII, and XXXI of this act for employees under the jurisdiction of the Attorney General.

"(2) The rules and regulations promulgated pursuant to subsection (a) of this section shall apply to employees under the jurisdiction of the Attorney General unless the Attorney General has issued a superseding rule or regulation.".

Sec. 3094. Section 3(b) of the Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code § 1-1171.02(b)), is amended as follows:

(a) The lead-in language is amended by striking the word "Mayor" and inserting the phrase "Mayor, the Attorney General," in its place.

(b) Paragraph (2) is amended to read as follows:

"(2) Any designation pursuant to this subsection shall be made in writing by the Mayor and the Attorney General to the Secretary of the District of Columbia and by any member of the Council to the Secretary to the Council;".

(c) Paragraph (4) is amended by striking the word "Mayor" and inserting the phrase "Mayor, the Attorney General," in its place.

SUBTITLE K. PUBLIC SAFETY TECHNICAL AMENDMENTS

Sec. 3101. Short title.

This subtitle may be cited as the "Public Safety Technical Amendments Emergency Amendment Act of 2016".

Sec. 3102. The Neighborhood Engagement Achieves Results Amendment Act of 2016, enacted on March 26, 2016 (D.C. Act 21-356; 63 DCR 4659), is amended as follows:

(a) Section 102(c) is amended to read as follows:

"(c) Beginning on January 31, 2017, and by January 31 of each year thereafter, the ONSE shall provide a report to the Council that excludes personally identifying information and includes the following information from the reporting period and in the aggregate:

"(1) The number of individuals successfully recruited and engaged;

"(2) The duration of individuals' participation;

"(3) The status of participants' progress; and

"(4) The participants' age, race or ethnicity, gender, and ward of residence.".

(b) Section 901(a) is amended to read as follows:

"(a) Sections 101, 102, 103, 104(b)(3), 105, and 204 shall apply upon the inclusion of their fiscal effect in an approved budget and financial plan.".

Sec. 3103. Section 2213.1 of Chapter 22 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2213.1) is amended by striking the phrase "front, sides, or back of the vehicle" and inserting the phrase "front or sides of the vehicle" in its place.

Sec. 3104. The Fair Criminal Record Screening Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-152; D.C. Official Code § 32-1341 *et seq*.), is amended by adding a new section 6a to read as follows:

"Sec. 6a. Rules.

"The Director of the Office of Human Rights, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §2-501 *et seq*.), shall issue rules to implement the provisions of this act.".

SUBTITLE L. CPR EMERGENCY MEDICAL APPLICATION

Sec. 3111. Short title.

This subtitle may be cited as the "Cardiopulmonary Resuscitation Application Establishment Emergency Amendment Act of 2016".

Sec. 3112. The Office of Unified Communications Establishment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq*.), is amended by adding a new section 3205a to read as follows:

"Sec. 3205a. Development of emergency medical application.

"(a) The Office shall develop an emergency medical application to aid a trained user in providing cardiopulmonary resuscitation to an individual reported to be exhibiting signs of cardiac arrest while emergency medical service providers are dispatched to the individual's location. At a minimum, the emergency medical application shall:

"(1) Notify a trained user that he or she is within a certain distance from an individual that is experiencing a cardiac arrest in a public location;

"(2) Notify a trained user of the nearest location of a publicly accessible defibrillator;

"(3) Assist emergency medical service providers in monitoring patients or relaying information to hospital emergency rooms; and

"(4) Allow a trained user to alert the Office if an individual is experiencing a health emergency.

"(b) The Director shall ensure that staff are adequately trained to assist trained users in the use of the emergency medical application.

"(c) Notwithstanding any other law, a trained user shall have the same protections as provided in section 1 of An Act To relieve physicians of liability for negligent medical treatment at the scene of an accident in the District of Columbia, approved November 8, 1965 (79 Stat. 1302; D.C. Official Code § 7-401), and shall not be subject to criminal or, in the absence of gross negligence, civil liability for administering cardiopulmonary resuscitation or using an automated external defibrillator pursuant to this subtitle:

"(1) In good faith to treat a person who he or she reasonably believes is experiencing a cardiac arrest;

"(2) Outside of a hospital or medical office; and

"(3) Without the expectation of receiving or intending to seek compensation for such service or acts.

"(d) For the purposes of this section, the term:

"(1) "Emergency medical application" means a website or mobile platform where trained users can interact with the Office during medical emergencies.

"(2) "Trained user" means a District resident or visitor using an emergency medical application who has been trained by an organization recognized by the Department of Health to provide cardiopulmonary resuscitation to a victim of a cardiac arrest.".

SUBTITLE M. ESTABLISHMENT OF CRIMINAL CODE REFORM COMMISSION

Sec. 3121. Short title.

This subtitle may be cited as the "Criminal Code Reform Commission Establishment Emergency Act of 2016".

Part 1. Establishment of Criminal Code Reform Commission

Sec. 3122. Establishment of the Criminal Code Reform Commission.

(a) The Criminal Code Reform Commission ("Commission"") is established as an independent agency within the District of Columbia government, consistent with the meaning of the term "independent agency" as provided in section 301(13) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)).

(b) The Commission shall be composed of the Executive Director and such staff as necessary to complete the work of the Commission.

(c)(1) Except as provided in paragraph (2) of this subsection, the Executive Director shall be appointed by the Chairman of the Council, subject to the approval of the majority of the Council. The Executive Director shall serve for a term of 3 years, or until the Commission is dissolved pursuant to section 3127, and shall be paid a rate of compensation as may be established from time to time by the Council.

(2) Notwithstanding paragraph (1) of this subsection, as of the effective date of this subtitle, the Criminal Code Revision Project Director of the District of Columbia Sentencing and Criminal Code Revision Commission shall be the Executive Director of the Commission.

(d) The Executive Director shall:

(1) Be a member in good standing of the District of Columbia Bar;

(2) Be responsible for and oversee the daily operations of the Commission;

(3) Supervise Commission staff; and

(4) Develop and institute internal policies, procedures, and processes to ensure efficient operations.

(e)(1) Except as provided in paragraph (2) of this subsection, all employees of the Commission shall be, or shall become within 180 days after hire, a resident of the District of Columbia

(2) Notwithstanding paragraph (1) of this subsection, the Executive Director as of the effective date of this subtitle shall be exempt from the residency requirement in paragraph (1) of this subsection.

Sec. 3123. Recommendations for comprehensive criminal code reform.

(a) By October 1, 2018, the Commission shall submit to the Mayor and the Council comprehensive criminal code reform recommendations that revise the language of the District's criminal statutes to:

(1) Use clear and plain language;

(2) Apply consistent, clearly articulated definitions;

(3) Describe all elements, including mental states, that must be proven;

(4) Reduce unnecessary overlap and gaps between criminal offenses;

(5) Eliminate archaic and unused offenses;

(6) Adjust penalties, fines, and the gradation of offenses to provide for proportionate penalties;

(7) Organize existing criminal statutes in a logical order;

(8) Identify any crimes defined in common law that should be codified, and propose recommended language for codification, as appropriate;

(9) Identify criminal statutes that have been held to be unconstitutional and recommend their removal or amendment;

(10) Propose such other amendments as the Commission believes are necessary; and

"(11) Enable the adoption of Title 22 as an enacted title of the District of Columbia Official Code.

(b) The comprehensive criminal code reform recommendations required by subsection (a) of this section shall be in the form of a report that:

(1) Includes draft legislation or other specific steps for implementing the recommendations;

(2) Includes charging, sentencing, and other relevant statistics regarding the offenses affected by the recommendations; and

(3) Explains how and why the recommendations change existing District law.

(c) In preparing the comprehensive criminal code reform recommendations required by subsection (a) of this section, the Commission shall:

(1) Consult with the Code Revision Advisory Group established pursuant to section 3124; and

(2) Review criminal code reforms in other jurisdictions, recommend changes to criminal offenses by the American Law Institute, and survey best practices recommended by criminal law experts.

(d) The Commission shall, upon request by the Council, provide a legal analysis of proposed legislation concerning criminal offenses, including information on existing District law, the laws of other jurisdictions, and model legislation.

(e) The Commission may consult with other District of Columbia, federal, and state agencies, conduct community outreach, perform trainings, and engage in other activities regarding criminal code reform to advance the Commission's statutory duties.

(f) The Commission may request such information as may be necessary to fulfill its statutory responsibilities. Each department, agency, instrumentality, or independent agency of the District of Columbia is authorized and directed, to the extent permitted by law, to furnish the Commission with such requested information.

Sec. 3124. Code Revision Advisory Group.

(a) The Commission shall establish a Code Revision Advisory Group ("Advisory Group") to review and provide information and suggestions on proposals prepared by the Commission related to the comprehensive criminal code reform recommendations required by section 3123. The Advisory Group shall consist of 5 voting members and 2 nonvoting members as follows:

(1) The voting members of the Advisory Group shall consist of the following:

(A) The United States Attorney for the District of Columbia or his or her designee;

(B) The Director of the Public Defender Service for the District of Columbia or his or her designee;

(C) The Attorney General for the District of Columbia or his or her designee; and

(D) Two professionals from established organizations, including institutions of higher education, devoted to the research and analysis of criminal justice issues, appointed by the Council;

(2) The non-voting members of the Commission shall consist of the following:

(A) The Chairperson of the Council committee with jurisdiction over the Commission or his or her designee; and

(B) The Deputy Mayor for Public Safety and Justice or his or her designee.

(b) Meetings of the Advisory Group shall be conducted by the Commission's Executive Director, with meetings scheduled by the Executive Director as necessary to fulfill the statutory responsibilities of the Commission.

(c) The Commission shall provide drafts of its recommended reforms to criminal statutes to the Advisory Group in the form of reports. Advisory Group members may provide to the Commission written comments in response to those recommendations within a reasonable period of time, to be determined by the Executive Director, but not less than one month.

(d) The Commission shall consider all written comments that are timely received from Advisory Group members under subsection (c) of this section and propose all final recommendations to the Council based on the comments received.

(e) The voting members of the Advisory Group shall vote to approve the final recommendations proposed by the Commission, with a majority of voting members necessary to approve the recommendations, before their submittal to the Council and the Mayor under section 3123(a).

(f) The Commission shall compile and make publicly available a record of all written comments received from Advisory Group members under subsection (c) of this section.

Sec. 3125. Reporting requirements.

(a) The Commission shall file quarterly reports with the Council that provide a summary of activities during the prior quarter.

(b) The Commission shall file an annual report with the Council before March 31 of each year that includes:

(1) A summary and copy of all recommendations for reforms to criminal statutes developed by the Commission during the previous calendar year;

(2) A summary and copy of comments received from the Advisory Group during the previous calendar year and their disposition;

(3) A summary of other Commission activities during the previous calendar year;

(4) A description of any problems discovered with prior Commission work or changes to prior work that are necessary due to legislative changes or court rulings;

(5) A description of any issues that could delay or prevent the Commission from timely fulfilling its statutory duties; and

(6) A work plan and schedule, or revisions to an existing work plan and schedule, for carrying out the responsibilities of the Commission to meet statutory requirements.

Sec. 3126. Transition from District of Columbia Sentencing and Criminal Code Revision Commission.

(a) All functions, authority, programs, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Criminal Code Revision Project previously established pursuant to section 2a of the Advisory Commission on Sentencing Establishment Act of 1998, effective June 16, 2006 (D.C. Law 16-126; D.C. Official Code § 3-101.01), are transferred to the Criminal Code Revision Commission.

(b) All rules, orders, obligations, determinations, grants, contracts, licenses, and agreements of the Criminal Code Revision Project transferred to the Criminal Code Revision Commission under subsection (a) of this section shall continue in effect according to their terms until lawfully amended, repealed, or modified.

Sec. 3127. Sunset.

This part shall expire on October 1, 2018.

Part 2. Conforming Amendments

Sec. 3128. The Advisory Commission on Sentencing Establishment Act of 1998, effective October 16, 1998 (D.C. Law 12-167; D.C. Official Code § 3-101 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 3-101) is amended as follows:

(1) The section heading is amended by striking the phrase “and Criminal Code Revision”.

(2) Subsection (a) is amended by striking the phrase “and Criminal Code Revision”.

(3) Subsection (b) is amended by striking the phrase “In addition to the duties required under section 2a, the” and inserting the word “The” in its place.

(b) Section 2a (D.C. Official Code § 3-101.01) is repealed.

(c) Section 3(a) (D.C. Official Code § 3-102(a)) is amended as follows:

(1) The lead-in language is amended by striking the number “15” and inserting the number “12” in its place.

(2) Paragraph (1) is amended as follows:

(A) Subparagraph (H) is amended by striking the semicolon and inserting the phrase “; and” in its place.

(B) Subparagraph (I) is amended by striking the phrase “; and” and inserting a period in its place.

(C) Subparagraph (J) is repealed.

(d) Section 4(c) (D.C. Official Code § 3-103(c)) is amended by striking the number “8” and inserting the number “7” in its place.

Sec. 3129. Section 406(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)), is amended as follows:

(1) Paragraph (19) is amended to read as follows:

"(19) For employees of the District of Columbia Sentencing Commission, the personnel authority is the District of Columbia Sentencing Commission;".

(2) Paragraph (23) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(3) Paragraph (24) is amended by striking the period and inserting the phrase "; and" in its place.

(4) A new paragraph (25) is added to read as follows:

"(25) For employees of the Criminal Code Reform Commission, the personnel authority is the Criminal Code Reform Commission.".

SUBTITLE N. DOC INMATE AND RETURNING CITIZEN ASSISTANCE

Sec. 3131. Short title.

This subtitle may be cited as the "Department of Corrections Inmate and Returning Citizen Assistance Emergency Act of 2016".

Sec. 3132. Department of Corrections inmate and returning citizen assistance grant.

(a) In Fiscal Year 2017 and each fiscal year thereafter, of the annual funds available to the Office of Justice Grants Administration ("Office"), no less than $125,000 shall be awarded to an organization that assists individuals currently in the custody of or recently released from the District of Columbia Jail or the Correctional Treatment Facility.

(b) The Office shall award the grant funds provided under subsection (a) of this section in their entirety as early in the fiscal year as is feasible. The Office shall not provide the grant funds on a reimbursement basis.

SUBTITLE O. PUBLIC SAFETY TELECOMMUNICATOR AND DISTRICT SCHOOL CPR AND AED TRAINING

Sec. 3141. Short title.

This subtitle may be cited as the "Public Safety Telecomunicator and District School CPR and AED Training Emergency Amendment Act of 2016".

Sec. 3142. The Office of Unified Communications Establishment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq*.), is amended as follows:

(a) Section 3206 (D.C. Official Code § 1-327.55) is amended as follows:

(1) The lead-in language is amended by striking the number "4" and inserting the number "5" in its place.

(2) A new paragraph (5) is added to read as follows:

"(5) The Division of Development and Standards shall include the staff needed to implement a robust program of training for all employees of the Office. The training program shall be described in a training plan published by the Office that:

"(A) Establishes the required minimum number of hours of annual training and the certifications required for public safety telecommunicators and public safety communications training officers;

"(B) Aligns with standards established by national public safety associations recognized by the Office;

"(C) Includes training on the following topics for public safety telecommunicators:

"(i) Cardiopulmonary resuscitation;

"(ii) Telecommunications devices for deaf individuals, including teletype; and

"(iii) Stress management;

"(D) Includes formalized quality assurance to identify areas in which future training would be beneficial and to ensure that existing training is effectively implemented; and

"(E) Incorporates examinations for public safety telecommunicators designed to demonstrate the public safety telecommunicators' ability to utilize existing communication tools or available technologies to meet operational needs in both normal and back-up modes.".

(b) Section 3207 (D.C. Official Code § 1-327.56) is amended as follows:

(1) Designate the existing text as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b) The Office shall coordinate with the Fire and Emergency Medical Services Department to cross-train, on an annual basis, public safety telecommunicators with firefighters, and emergency medical service providers.".

Sec. 3143. Section 1 of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), is amended by adding a new subsection (b-1) to read as follows:

"(b-1) The Department shall establish a community cardiopulmonary resuscitation program to conduct cardiopulmonary resuscitation training and emergency medical application training for District residents and employees within the following District facilities:

"(1) District of Columbia Public Schools;

"(2) District of Columbia Public Charter Schools;

"(3) District of Columbia Department of Parks and Recreation facilities; and

"(4) Any other District of Columbia government buildings.".

Sec. 3144. The Public Access to Automated External Defibrillator Act of 2000, effective April 27, 2001 (D.C. Law 13-278; D.C. Official Code § 44-231 *et seq*.), is amended as follows:

(a) Section 2 (D.C. Official Code § 44-231) is amended as follows:

(1) New paragraphs (2A), (2B), and (2C) are added to read as follows:

"(2A) "CPR" means cardiopulmonary resuscitation.

"(2B) "CPR and AED program" means a training course on CPR and the operation and use of an AED that has been approved by the Mayor pursuant to section 3c.

"(2C) "Facility AED Coordinator" means the person who acquires the AED for a facility, or his or her designee.".

(2) A new paragraph (5) is added to read as follows:

"(5) "School" means a school in the District of Columbia Public Schools system, a public charter school, an independent school, a private school, or a parochial school.".

(b) Section 3 (D.C. Official Code § 44-232) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "Expected AED users receive training from and be certified by the American Heart Association, the American Red Cross, or an equivalent state or nationally recognized course," and inserting the phrase "The Facility AED Coordinator receives training from or is certified by the American Heart Association, the American Red Cross, or an equivalent state or nationally recognized course, such as the Heart Saver CPR AED course," in its place.

(B) Paragraph (3) is amended by striking the phrase "; and" and inserting the phrase "; provided, that a physician is not required if a person or entity enters into an agreement with the Department pursuant to which the Department provides the equipment, training, and oversight required by this subsection; and" in its place.

(2) Subsection (b) is repealed

(3) Subsection (c) is amended to read as follows:

"(c) Any person or entity who acquires an AED shall notify the Chief of the Fire and Emergency Medical Services Department ("Chief of the Department") or his or her designee and the call center, as defined in section 3202(a)(2) of the Office of Unified Communications Establishment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51(a)(2)), of the AED and the location and type of the AED. If an AED is removed, the Chief of the Department shall be notified. The Chief of the Department may issue a citation if the requirements of this subsection are not followed; provided, that the Chief of the Department has adopted regulations governing the issuance of the citations.".

(c) A new section 3c is added to read as follows:

"Sec. 3c. CPR and AED program.

"(a) Within 120 days after the effective date of the Public Safety Telecomunicator and District School CPR and AED Training Amendment Act of 2016, passed on 2nd reading on June 21, 2016 (Enrolled version of Bill 21-669), each school shall meet the requirements of section 3 and:

"(1) Establish procedures for responding to a medical emergency involving cardiac arrest, including the appropriate use of CPR and an AED;

"(2) Have at least one AED on-site at the school;

"(3) Have, in coordination with the Department of General Services, a maintenance schedule established for each AED that is in accordance with the manufacturer's guidelines and includes:

"(A) Periodic testing;

"(B) Periodic inspection; and

"(C) Annual maintenance;

"(4) Ensure that each AED at the school is appropriate for use on children and adults;

"(5) Have had the following individuals successfully complete a CPR and AED program; provided, that individuals newly hired for the following positions shall be required to successfully complete a CPR and AED program within 60 days after their hire date:

"(A) Athletic coach, coaching assistant, and athletic trainer;

"(B) Athletic director;

"(C) Team or game physician;

"(D) School nurse; and

"(E) Every anticipated AED user employed by the school, as designated by the school;

"(6) Require that at least one individual trained in a CPR and AED program be present during the school's hours of operation and during any athletic activity; and

"(7) Inform all school employees, at least annually, of the location of each AED in the school.

"(b)(l) The Mayor shall:

"(A) Establish baseline requirements and guidelines for a CPR and AED program;

"(B) Approve each existing CPR and AED program that the Mayor determines meets or exceeds the baseline requirements and guidelines for a CPR and AED program, and any new CPR and AED programs established pursuant to this act; provided, that the Mayor shall approve the existing programs listed in section 3(a)(1) and the program offered by the Fire and Emergency Medical Services Department pursuant to section 1(b-1) of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), as meeting the requirements of this section;

"(C) Require each school to maintain a written record of the periodic testing, inspection, and maintenance of each AED; and

"(D) Require the successful completion of a CPR and AED program by each employee in a position listed in subsection (a)(5) of this section.

"(2) A CPR and AED program may be conducted by a private or public entity.".

Sec. 3145. Section 402 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-824.02), is amended by adding a new subsection (b-1) to read as follows:

"(b-1) Public schools and public charter schools shall provide instruction in cardiopulmonary resuscitation to students in Grades 9 through 12 as follows:

"(1) Beginning with the 2016-2017 school year, instruction in cardiopulmonary resuscitation shall be included in at least one health class necessary for graduation.

"(2) The instruction required by this subsection shall:

"(A) Be an instructional program developed by the American Heart Association or the American Red Cross or be nationally recognized and based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation;

"(B) Include appropriate use of an automated external defibrillator, which may be taught by video; and

"(C) Incorporate hands-on practice in addition to cognitive learning.

"(3) The instruction required by this section may be provided by the public school or charter school directly or the public school or charter school may arrange for the instruction to be provided by available community-based providers.

"(4) The instruction required by this subsection is not required to be provided by a teacher.

"(5) A teacher providing the instruction under this subsection is not required to be a certified trainer of cardiopulmonary resuscitation.

"(6) A student is not required to earn certification in cardiopulmonary resuscitation to successfully complete the instruction for the purposes of this subsection.

"(7) The instruction offered by the Fire and Emergency Medical Services Department pursuant to section 1(b-1) of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), shall be deemed to meet the requirements of this subsection.".

Sec. 3146. Applicability.

Sections 3143 and 3145 shall apply as of the effective date of this act.

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT

Sec. 4001. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Emergency Amendment Act of 2016".

Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase "$9,492 per student for fiscal year 2015" and inserting the phrase "$9,682 per student for Fiscal Year 2017" in its place.

(b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following tabular array in its place:

"Grade Level	Weighting	Per Pupil Allocation in FY 2017
"Pre-Kindergarten 3	1.34	$12,974
"Pre-Kindergarten 4	1.30	$12,587
"Kindergarten	1.30	$12,587
"Grades 1-5	1.00	$9,682
"Grades 6-8	1.08	$10,457
"Grades 9-12	1.22	$11,812
"Alternative program	1.44	$13,942
"Special education school	1.17	$11,328
"Adult	0.89	$8,617

".

(c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

"(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

"Special Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	$9,392
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	$11,618

"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	$19,074
"Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	$33,790
"Blackman Jones Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Blackman Jones compliance.	0.069	$668
"Attorney's Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney's fees.	0.089	$862
"Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	$16,169

"General Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017

"ELL	Additional funding for English Language Learners.	0.49	$4,744
"At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	$2,120

"Residential Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
"Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	$3,563
"Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	$12,945
"Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	$27,991

"Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non-English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	$27,991
"LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	$6,468

"Special Education Add-ons for Students with Extended School Year ("ESY") Indicated in Their Individualized Education Programs ("IEPs"):

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
"Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	$610

"Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	$2,198
"Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	$4,754
"Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who ESY services in their IEPs	0.491	$4,754

.".

(d) Section 115 (D.C. Official Code § 38-2913) is amended as follows:

(1) Strike the phrase "Fiscal Year 2017" and insert the phrase "Fiscal Year 2020" in its place.

(2) Strike the word "equal" and insert the word "equitable" in its place.

SUBTITLE B. DCPS CONTRACTING AND SPENDING FLEXIBILITY AMENDMENT

Sec. 4011. Short title.

This subtitle may be cited as the "DCPS Contracting and Spending Flexibility Emergency Amendment Act of 2016".

Sec. 4012. Reallocation and use of District of Columbia Public Schools funds.

(a) Pursuant to rules promulgated by the Chief Financial Officer, each school in the District of Columbia Public Schools ("DCPS") may reallocate funds between object classes within the school's non-personal services object category in the aggregate not-to-exceed amount of $10,000 within each fiscal year.

(b) DCPS is authorized to spend appropriated funds to pay for DCPS-sponsored student travel, including the cost of transportation, lodging, meals, and admission fees for students and adult chaperones, to locations and venues outside DCPS facilities in accordance with rules

promulgated by the Chancellor pursuant to section 105(c)(5) of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174(c)(5)); provided, that such travel be related to the students' curriculum or for the purpose of rewarding student curricular or extra-curricular achievement.

(c) For the purposes of this section, the terms "object category" and "object class" shall have the same meanings as provided in D.C. Official Code § 47-361(9) and (10), respectively.

Sec. 4013. Section 105(c)(5) of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174(c)(5)), is amended by striking the semicolon and inserting the phrase ", including rules and regulations governing the use of DCPS funds for DCPS-sponsored student travel, including the cost of transportation, lodging, meals, and admission fees for students and adult chaperones, to locations and venues outside DCPS facilities; provided, that such travel be related to the students' curriculum or for the purpose of rewarding student curricular or extra-curricular achievement;" in its place.

Sec. 4014. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE C. CLASSROOM ANIMAL FOR EDUCATIONAL PURPOSES

Sec. 4021. Short title.

This subtitle may be cited as the "Classroom Animal for Educational Purposes Emergency Amendment Act of 2016".

Sec. 4022. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to read as follows:

"(6) Paragraph (1) of this subsection shall not apply to educational institutions that possess animals for educational and instructional purposes and that otherwise comply with humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law 17-281; D.C. Official Code § 8-1851.02), and permitting requirements promulgated by the Mayor.".

SUBTITLE D. HEALTHY TOTS ACT AMENDMENTS

Sec. 4031. Short title.

This subtitle may be cited as the "Healthy Tots Emergency Amendment Act of 2016".

Sec. 4032. The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-281 *et seq.*), is amended as follows:

(a) Section 4073(c)(1)(B) (D.C. Official Code § 38-282(c)(1)(B)) is amended as follows:

(1) Strike the word “breakfasts” both times it appears and insert the word “meals” in its place.

(2) Strike the phrase “to receive free or reduced meals” and insert the phrase “for subsidized child care” in its place.

(b) Section 4073a (D.C. Official Code § 38-282.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “to participate in the CACF Program, the facility shall participate in the program” and inserting the phrase “for subsidized child care, the facility shall participate in the CACF Program” in its place.

(2) Subsection (c) is amended by striking the date “September 30, 2016” and inserting the date “September 30, 2017” in its place.

Sec. 4033. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE E. NATIONAL EXTERNAL DIPLOMA PROGRAM

Sec. 4041. Short title.

This subtitle may be cited as the “National External Diploma Program Emergency Amendment Act of 2016”.

Sec. 4042. Section 7b of the State Education Office Establishment Act of 2000, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2608), is amended by adding a new subsection (g) to read as follows:

“(g) OSSE shall deem valid all diplomas awarded to residents who completed the requirements of the National External Diploma Program at any time from January 1, 1980, through February 5, 2016, in the District of Columbia.”.

SUBTITLE F. FOSTER CARE EXTENDED ELIGIBILITY

Sec. 4051. Short title.

This subtitle may be cited as the “Foster Care Extended Eligibility Emergency Amendment Act of 2016”.

Sec. 4052. Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code§ 4-404.0l(a)), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase "services; and" and inserting the phrase "services;" in its place.

(b) Paragraph (5) is amended by striking the phrase “child.” and inserting the phrase “child;” in its place.

(c) New paragraphs (6), (7), and (8) are added to read as follows:

“(6) Children of a teen parent under 21 years of age who is either in foster care or a ward of the District and is either working or enrolled in a verified job training or education program;

"(7) Children in foster care placement when the foster care provider is not working but receives some form of verifiable income, such as social security or disability, and the child care services are in the best interest of the child; and

"(8) Children in foster care placement when the foster care provider is not working but enrolled in a verified job training or education program, and the child care services are in the best interest of the child.".

SUBTITLE G. PUBLIC CHARTER SCHOOL ADVANCE PAYMENT ADJUSTMENT

Sec. 4061. Short title.

This subtitle may be cited as the "Public Charter School Advance Payment Adjustment Emergency Amendment Act of 2016".

Sec. 4062. Section 107b(b) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code § 38-2906.02(b)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "and shall be 30% of the school's entitlement" and inserting the phrase "and shall be 35% of an existing school's entitlement, and 45% of the entitlement for a newly chartered school in its first school year of operation" in its place.

(b) Paragraph (2) is amended by striking the phrase "and shall be equal to 55% of the school's entitlement less amounts paid in July" and inserting the phrase "and shall be equal to 60% of an existing school's entitlement and 70% of the entitlement for a newly chartered school in its first school year of operation, less amounts paid in July" in its place.

(c) Paragraph (3) is amended by striking the phrase "and shall be equal to 80% of the school's entitlement less amounts paid in July and October" and inserting the phrase "and shall be equal to 80% of an existing school's entitlement and 85% of the entitlement for a newly chartered school in its first school year of operation, less amounts paid in July and October" in its place.

Sec. 4063. Applicability.

This subtitle shall apply as of the effective date of this act or as of July 15, 2016, whichever is earlier.

SUBTITLE H. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING AND COMMON LOTTERY BOARD AMENDMENT

Sec. 4071. Short title.

This subtitle may be cited as the "My School DC EdFest Sponsorship and Advertising and Common Lottery Board Emergency Amendment Act of 2016".

Sec. 4072. Section 4122 of the My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Subsection (f) is amended by striking the date "December 31st" and inserting the date "April 30" in its place.

(b) A new subsection (g) is added to read as follows:

"(g) The Chief Financial Officer shall deposit all cash proceeds received from advertisements and sponsorships pursuant to this section into the Common Lottery Board Fund established pursuant to section 206 of the Department of Education Establishment Act of 2007, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-195).".

Sec. 4073. Section 206 of the Department of Education Establishment Act of 2007, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-195), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Paragraph (3) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) Paragraph (4) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (5) is added to read as follows:

"(5) Cash proceeds for DC EdFest deposited pursuant to section 4122(g) of the My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905).".

(b) Subsection (c) is amended to read as follows:

"(c)(1) Except as provided in paragraph (2) of this subsection, money in the Fund shall be used for the continued development and improvement of the common lottery system.

"(2) Cash proceeds deposited pursuant to section 4122(g) of the My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), shall first be used to fund My School DC EdFest. Any excess funds shall be used in accordance with paragraph (1) of this subsection.".

SUBTITLE I. SCHOOL IMMUNIZATION REQUIREMENTS ENFORCEMENT PERIOD AMENDMENT

Sec. 4081. Short title.

This subtitle may be cited as the "School Immunization Requirements Enforcement Period Emergency Amendment Act of 2016".

Sec. 4082. Section 6 of the Immunization of School Students Act of 1979, effective September 28, 1979 (D.C. Law 3-20; D.C. Official Code § 38-505), is amended by striking the phrase "ten (10) days" wherever it appears and inserting the phrase "20 school days" in its place.

SUBTITLE J. PUBLIC CHARTER SCHOOL AT-RISK AND LIMITED ENGLISH PROFICIENT PAYMENT AMENDMENT

Sec. 4091. Short title.

This subtitle may be cited as the "Public Charter At-Risk and Limited English Proficient Payment Emergency Amendment Act of 2016".

Sec. 4092. Section 107b of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code § 38-2906.02), is amended as follows:

(a) Subsection (d)(1) is amended as follows:

(1) Designate the existing text as subparagraph (A).

(2) The newly designated subparagraph (A) is amended to read as follows:

"(A) Payments for special education, limited English proficient students, at-risk students, and other add-on components of the Funding Formula shall be included in the quarterly payments to public charter schools.".

(3) New subparagraphs (B) and (C) are added to read as follows:

"(B) Payments shall reflect one-quarter of the annual per student amount for each add-on; provided, that add-ons for special education students shall be added on a pro-rata basis from the date on which a public charter school begins to provide add-on services for such students, as set forth in subsection (g)(1) of this section.

"(C) Charter schools shall receive the full annual per pupil payment for at-risk or limited English proficient students who are enrolled by October 5, but who are not designated as at-risk or limited English proficient students until after October 5.".

(b) Subsection (g) is amended to read as follows:

"(g)(1) Charter schools may receive payment on a pro-rata basis from the date on which the school begins providing special education services to students enrolled by October 5, who are identified as requiring an individualized education program ("IEP") or as needing an increased IEP after October 5.

"(2) Upon application to and at the discretion of the Chief Financial Officer, the supplemental payments for the special education students available pursuant to paragraph (1) of this subsection shall be disbursed in addition to the quarterly payments made pursuant to subsection (a) of this section.".

Sec. 4093. Applicability.

This subtitle shall apply as of the effective date of this act or as of July 15, 2016, whichever is earlier.

SUBTITLE K. HIGHER EDUCATION LICENSURE COMMISSION CLARIFICATION

Sec. 4101. Short title.

This subtitle may be cited as the "Higher Education Licensure Commission Clarification Emergency Amendment Act of 2016".

Sec. 4102. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

(1) Paragraph (4)(C) is amended by striking the phrase "through agents offers" and inserting the phrase "through agents or an online presence offers" in its place.

(2) A new paragraph (17) is added to read as follows:

"(17) "Reciprocity agreement" means an agreement joined by the District of Columbia with other member states, districts, or U.S. territories that establishes national standards for interstate offering of postsecondary distance education courses and programs.".

(b) Section 6(b)(3) (D.C. Official Code § 38-1306(b)(3)) is amended by striking the phrase "45-day" both times it appears and inserting the phrase "14-day" in its place.

(c) Section 7 (D.C. Official Code § 38-1307) is amended to read as follows:

"Sec. 7. Higher Education Licensure Commission — Functions.

"In addition to those duties specified in other sections of this act, the Commission shall:

"(1) Advise the Mayor and the Council with respect to the postsecondary educational needs of the District of Columbia;

"(2) File with the Mayor and the Council quarterly reports relating to:

"(A) The educational institutions granted or denied licenses under this act during the reporting period; and

"(B) Other matters that come under the Commission's purview;

"(3) Receive, and cause to be maintained, copies of student academic records in conformity with the following provisions:

"(A) If an educational institution operating in the District, or any educational institution licensed under this act operating outside of the District, proposes to discontinue its operation and has no other repository for its records, the chief administrative officer, by whatever title designated, of the institution shall cause to be filed with the Commission the original or legible true copies of all records of the institution specified by the Commission. The records shall include, at a minimum, the academic records of each former student;

"(B) The Commission shall maintain and dispose of the records in accordance with the provisions of the District of Columbia Public Records Management Act of 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1701 *et seq.*). Academic records shall be maintained for at least 50 years from the date the student attended the institution; and

"(C) The Commission may charge an institution for all costs involved in the transfer of records;

"(4)(A) If it appears to the Commission that the records of an institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the Commission, the Commission may apply to the Superior Court of the District of Columbia for an order authorizing the Commission to seize and take possession of the records;

"(B) Any chief officer or member of a governing board of an institution who willfully fails to comply with the provisions of this subsection or willfully aids and abets any person in a scheme to avoid the requirements of this subsection may be held personally liable for all costs and damages resulting from the conduct, in addition to other penalties provided by this act.

"(5) Have the authority to enter into reciprocity agreements with other jurisdictions that relate to the authorization of postsecondary educational institutions that provide degree-granting or non-degree-granting online instruction to residents of the District; and

"(6) Have the authority to enter into agreements with degree-granting educational institutions operating in the District of Columbia that are otherwise conditionally exempt pursuant to section 10 for the purpose of ensuring consistent consumer protection in interstate distance education delivery of higher education.".

(d) Section 9 (D.C. Official Code § 38-1309) is amended as follows:

(1) Subsection (a-1) is repealed.

(2) Subsection (c-1) is amended by adding a new paragraph (3) to read as follows:

"(3) Paragraph (1) of this subsection shall not apply to a postsecondary educational institution that provides degree-granting or non-degree-granting online instruction to residents of the District through an online presence and that is authorized to operate in the District pursuant to a reciprocity agreement.".

(e) A new section 9a is added to read as follows:

"Sec. 9a. Delivery of online instruction by a postsecondary educational institution.

"(a) A postsecondary educational institution may provide degree-granting or non-degree-granting online instruction to residents of the District through an online presence.

"(b) An educational institution that provides degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District, and shall either be:

"(1) Licensed by the Commission in accordance with this act; or

"(2) Authorized to operate in the District pursuant to a reciprocity agreement.".

SUBTITLE L. TRAFFIC CONTROL INVESTIGATIONS FOR NEW SCHOOLS AMENDMENT

Sec. 4111. Short title.

This subtitle may be cited as the "Traffic Control Investigations for New Schools Emergency Amendment Act of 2016".

Sec. 4112. Section 2 of the School Proximity Traffic Calming Act of 2000, effective May 23, 2000 (D.C. Law 13-111; D.C. Official Code § 38-3101), is amended as follows:

(a) Subsection (a) is amended by striking the word "Mayor" and inserting the phrase "District Department of Transportation ("DDOT")" in its place.

(b) A new subsection (a-1) is added to read as follows:

"(a-1)(1) Beginning July 31, 2016, the DDOT shall complete the investigation required in subsection (a) of this section for a new school no later than 60 days after the first day on which students begin classes at the school.

"(2) The District of Columbia Public Schools and the Public Charter School Board shall notify the DDOT of a new school no later than 90 days before the first day on which students will begin classes at the school.

"(3) For the purposes of this subsection, the term "new school" means:

"(A) A school located in a never-before-occupied structure, except for a structure erected in an existing school zone; or

"(B) A school located in a preexisting structure that has not been used as a District of Columbia public school or public charter school within the last 5 years.".

(c) Subsections (b), (c), (d), and (e)(2) are amended by striking the word "Mayor" wherever it appears and inserting the word "DDOT" in its place.

(d) A new subsection (d-1) is added to read as follows:

"(d-1) A public charter school shall coordinate with the Metropolitan Police Department to provide the DDOT with the information in subsection (c)(1) and (2) of this section no later than 15 days after the date of the request.".

(e) Subsection (f) is amended by striking the phrase "District Department of Transportation" and inserting the acronym "DDOT" in its place.

(f) Subsection (f-1) is amended to read as follows:

"(f-1) The DDOT shall provide, by July 31st of each year, recommendations to the Mayor, the Council, the Chancellor of the District of Columbia Public Schools, the Public Charter School Board, and the Chief of the Metropolitan Police Department on the deployment of school crossing guards, taking into account the impact of school closings and reconfigurations, projected enrollment, traffic conditions, investigations conducted pursuant to subsections (a) and (a-1) of this section, and all other relevant factors.".

Sec. 4113. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE M. EXCESS SCHOOL FACILITIES EXISTING TENANT PREFERENCE

Sec. 4121. Short title.

This subtitle may be cited as the "Excess School Facilities Existing Tenant Preference Emergency Amendment Act of 2016".

Sec. 4122. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)), is amended by adding a new subparagraph (B-i) to read as follows:

"(B-i) *Existing tenants*. -- For the purposes of this paragraph, an existing tenant of an excess school facility, other than an eligible entity, shall be deemed to be an eligible entity and given the same preference as an eligible entity under subparagraph (A)(ii)(II) of this paragraph if:

"(i) The existing tenant is a nonprofit elementary or secondary school incorporated in the District or a community-based, nonprofit arts education organization incorporated in the District, whose programming includes youth classes; and

"(ii) The existing tenant has continuously occupied all or substantially all of the excess school facility or property since December 30, 2008.".

Sec. 4123. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE N. EDUCATION OMBUDSMAN AND OFFICE OF THE STUDENT ADVOCATE AMENDMENT

Sec. 4131. Short title.

This subtitle may be cited as the "Education Ombudsman and Office of the Student Advocate Emergency Amendment Act of 2016".

Sec. 4132. Section 604(15) of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-353(15)), is amended as follows:

(a) The lead-in language is amended by striking the number "90" and inserting the number "120" in its place.

(b) Subparagraph (D) is repealed.

(c) Subparagraph (E) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(d) Subparagraph (F) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(e) Subparagraph (G) is repealed.

Sec. 4133. Section 204 of the Parent and Student Empowerment Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-76; D.C. Official Code § 38-373), is amended as follows:

(a) Paragraph (6) is amended by striking the phrase "s student's" and inserting the phrase "a student's" in its place.

(b) Paragraph (9) is amended as follows:

(1) The lead-in language is amended by striking the number "90" and inserting the number "120" in its place.

(2) Subparagraph (C) is amended by striking the word "and".

(3) Subparagraph (D) is amended by striking the word "and".

(4) New subparagraphs (E), (F), and (G) are added to read as follows:

"(E) Students represented through formal or administrative proceedings;

"(F) Information sessions held and trainings conducted by ward; and

"(G) Complaints, concerns, or other inquiries referred to District agencies, including the name of the agency, office, or organization to which the referral was made; and".

SUBTITLE O. EDUCATION REPORTING REQUIREMENTS

Sec. 4141. Short title.

This subtitle may be cited as the "Education Reporting Requirements Emergency Act of 2016".

Sec. 4142. Office of the State Superintendent of Education reporting requirements.

(a) By June 15, 2016, the Office of the State Superintendent of Education ("OSSE") shall submit to the Council a report on the establishment of the Uniform Per Student Funding Formula ("UPSFF") Working Group pursuant to section 112(c) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2911(c)), including a list of members and proposed meeting dates.

(b) By August 15, 2016, and every 2 months thereafter through December 15, 2016, the OSSE shall submit to the Council a report on the status of work conducted by the UPSFF Working Group in the preceding 2 months, including meeting minutes.

(c)(1) By October 1, 2016, and quarterly thereafter through September 30, 2017, the OSSE shall submit to the Council a report on a comprehensive plan and efforts to implement by July 1, 2018, the expansion of the IDEA Part C and the Strong Start: DC Early Intervention Program included in section 7h of the State Education Office Establishment Act of 2000, effective March 10, 2015 (D.C. Law 20-195; D.C. Official Code § 38-2614).

(2) The reports shall include the following:

(A) A timeline for implementation;

(B) The OSSE's projected capacity needs to accomplish implementation, with supporting data;

(C) A description of barriers to implementation;

(D) Benchmark goals; and

(E) Steps OSSE intends to take to:

(i) Accomplish needed program enhancements for implementation, including enhancements to service provider capacity, recruiting and retention strategies, and strategies for differentiated models of service for children with 25% to 50% delay in one developmental area; and

(ii) Work with the Department of Healthcare Finance to develop a Medicaid carve-out whereby a portion of money is set aside for early intervention programs through which OSSE can recoup costs.

Sec. 4143. Public Charter School Board reporting requirements.

By October 1, 2016, the Public Charter School Board shall submit to the Council a report on the distribution of at-risk funds to each local education agency ("LEA") it oversees for students in pre-k through grade 12 for school year 2016-2017. The report shall include, at a minimum, the projected allocation of at-risk funds to each LEA and a breakdown of the intended use of the funds, including a description of the programs, initiatives, and the enrichment activities it is being used to support.

Sec. 4144. Deputy Mayor for Education reporting requirements.

By October 1, 2016, the Deputy Mayor for Education shall report to the Council on the following:

(1) An update on the Deputy Mayor's convened Cross Sector Collaboration Task Force's work in Fiscal Year 2016, and the most recent list of recommendations for the Mayor and the Council;

(2) The need for transportation subsidies and assistance for adult learners who are 22 years of age and older and enrolled in publicly funded adult education programs or in University of the District of Columbia Workforce Development and Lifelong Learning programs. This report shall include:

(A) An assessment of what subsidies are currently available to this population through government assistance programs, the usage rates of these resources, and whether local or federal money is used to pay for them;

(B) An assessment of the unmet need for transportation subsidies among adult learners, and the impact of increased transportation costs on attendance and enrollment in adult education programs and the University of the District of Columbia Workforce Development and Lifelong Learning programs;

(C) Recommendations on:

(i) Ways to better leverage and connect qualifying adult learners and transportation providers to existing resources, and the best ways to ensure that federal money is utilized whenever possible; and

(ii) Ways that the government, District of Columbia Public Schools, public charter schools, and the University of the District of Columbia can provide broader access to subsidized transportation opportunities; and

(D) The cost associated with recommendations for delivering transportation assistance, and an assessment of new federal and local funding streams that may be accessed to provide these services; and

(3) A proposed plan for schools where students are suffering from safe passage issues of bullying, violence, or other impediments to getting to and from school and recommendations for best practices for improved safe passage policies that schools can adopt.

Sec. 4145. District of Columbia Public Schools reporting requirements.

By October 1, 2016, the District of Columbia Public Schools shall submit to the Council a report on Student Activity Funds. The report shall include the following:

(1) Information on each existing Student Activity Fund within the control of the District of Columbia Public Schools, including the health of the fund and the date of its last audit;

(2) The policies and procedures governing Student Activity Funds, including requirements on deposits and any restrictions on items that can be purchased with Student Activity Fund monies; and

(3) A description of the training provided to school-based staff on use of Student Activity Funds.

Sec. 4146. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE P. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING MATCH

Sec. 4151. Short title.

This subtitle may be cited as the "University of the District of Columbia Fundraising Match Emergency Amendment Act of 2016".

Sec. 4152. (a) In Fiscal Year 2017, of the funds allocated to the Non-Departmental agency, $1, up to a maximum of $1.5 million, shall be transferred to the University of the District of Columbia ("UDC") for every $2 that UDC raises from private donations by March 1, 2017.

(b) Of the amount transferred to UDC pursuant to subsection (a) of this section, two-thirds of the funds shall be deposited into UDC's endowment fund.

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AMENDMENT

Sec. 5001. Short title.

This subtitle may be cited as the "Temporary Assistance for Needy Families Time Limit Exemption and POWER Expansion Emergency Amendment Act of 2016".

Sec. 5002. Section 552(c-3) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52(c-3)), is amended as follows:

(a) A new paragraph (3A) is added to read as follows:

"(3A) For Fiscal Year 2017, the level of assistance payment shall be equal to the Fiscal Year 2016 amount.".

(b) Paragraph (4) is amended by striking the phrase "Fiscal Year 2017" and inserting the phrase "Fiscal Year 2018" in its place.

SUBTITLE B. DHCF AND DDS MEDICAL ASSISTANCE PROGRAM AMENDMENTS

Sec. 5011. Short title.

This subtitle may be cited as the "Department of Healthcare Finance and Department of Disability Services Medical Assistance Program Emergency Amendment Act of 2016".

Sec. 5012. Section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744: D.C. Official Code § 1-307.02(a)), is amended by adding a new paragraph (10) to read as follows:

"(10) Review and approval by the Council of the Fiscal Year 2017 Budget and Financial Plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any amendment, modification, or waiver of the state plan required to:

"(A) Implement needed amendments to:

"(i) The Intermediate Care Facilities for Individuals with Developmental Disabilities reimbursement methodology;

"(ii) The payment methodology for hospital services;

"(iii) The payment methodology for nursing homes;

"(iv) The payment methodology for the Disproportionate Share Hospital program;

"(v) The health homes program;

"(vi) Renew and update the Elderly and Individuals with Physical Disabilities waiver program and make conforming changes to the state plan; and

"(vii) The payment methodology for prescription drugs; and

"(B) Increase the number of participants in the Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities program.".

SUBTITLE C. CONTRIBUTION TO COSTS OF SUPPORTS FUND

Sec. 5021. Short title.

This subtitle may be cited as the "Contribution to Costs of Supports Fund Emergency Amendment Act of 2016".

Sec. 5022. The Developmental Disabilities Service Management Reform Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 7-761.02) is amended by adding new paragraphs (2A) and (2B) to read as follows:

"(2A) "Contribution to costs of supports" means full or partial payment by persons with intellectual disabilities or their estate for the locally funded supports and services provided by the Developmental Disabilities Administration.

"(2B) "Costs of occupancy" means:

"(A) Rent;

"(B) Other personal expenses, including food, clothing, and medical costs;

"(C) Supplies, furnishings, and equipment;

"(D) Communications; and

"(E) Other supports.".

(b) New sections 105b and 105c are added to read as follows:

"Sec. 105b. Contribution to costs of supports.

"(a) DDS shall collect the contribution to costs of supports from persons with intellectual disabilities who are:

"(1) Medicaid Program-eligible but not eligible for the maximum Supplement Security Income or Social Security Disability Insurance payments; or

"(2) Not Medicaid Program-eligible but otherwise have been found eligible to receive services from the Developmental Disabilities Administration.

"(b) DDS shall collect the contribution to costs of supports under subsection (a) of this section only to the extent that DDS uses local dollars to fund the costs of occupancy.

"Sec. 105c. Contribution to Costs of Supports Fund.

"(a) There is established as a special fund the Contribution to Costs of Supports Fund ('Fund'), which shall be administered by DDS in accordance with subsection (c) of this section.

"(b) The Fund shall consist of contributions to costs of supports collected by DDS from persons with intellectual disabilities pursuant to section 105b.

"(c) The Fund shall be used by DDS to pay the costs of occupancy to persons with intellectual disabilities consistent with federal and local law and regulations.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

(c) Section 109 (D.C. Official Code § 7-761.09) is amended by adding a new subsection (a-1) to read as follows:

"(a-1)(1) Within 45 days after the effective date of the Contribution to Costs of Supports Fund Amendment Act of 2016 ("Act"), passed on 2nd reading on June 21, 2016 (Enrolled version of Bill 21-669), the Mayor, pursuant to Title I of the District of Columbia Administrative

Procedure Act, approved October 21, 1968 (82 Stat.1204; D.C. Official Code §2-501 *et seq*.), shall issue rules to implement the provisions of the Act, including rules establishing who has the ability to pay the contribution to costs of supports, the amount to be collected, the method and timing of payments to DDS for such purposes, and due process protections.

"(2) The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within this 45-day period of review, the proposed rules shall be deemed approved.".

SUBTITLE D. PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES RENT INCREASE RELIEF

Sec. 5031. Short title.

This subtitle may be cited as the "Persons with Intellectual and Developmental Disabilities Rent Increase Relief Emergency Amendment Act of 2016".

Sec. 5032. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 103 (D.C. Official Code § 42-3501.03) is amended by adding a new paragraph (13A) to read as follows:

"(13A) "Home and community-based services waiver provider" means an entity that provides residential habilitation or supported living services under the Medicaid Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities program authorized by section 1915(c) of the Social Security Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1396n).".

(b) Section 205(a)(1) (D.C. Official Code § 42-3502.05(a)(1)) is amended by striking the phrase "title III;" and inserting the phrase "Title III, or any unit rented by a home and community-based services waiver provider and occupied by a tenant with a disability without regard to income but otherwise as defined in section 206(f)(2)(A), or co-leased by a home and community-based services waiver provider and occupied by a tenant with a disability without regard to income but otherwise as defined in section 206(f)(2)(A);" in its place.

(c) Section 208(h)(2) (D.C. Official Code § 42-3502.08(h)(2)) is amended by striking the phrase "elderly or disabled tenant" and inserting the phrase "elderly or disabled tenant, including a unit leased or co-leased by a home and community-based services waiver provider," in its place.

SUBTITLE E. COMMISSION ON HEALTH EQUITY

Sec. 5041. Short title.

This subtitle may be cited as the "Commission on Health Equity Emergency Amendment Act of 2016".

Sec. 5042. The Commission on Health Disparities Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-192; D.C. Official Code § 7-755.01 *et seq*.), is repealed.

Sec. 5043. Establishment of the Commission on Health Equity.

(a) There is established a Commission on Health Equity ("Commission") to prepare, through the Department of Health's Office on Violence Prevention and Health Equity, comprehensive recommendations to the Department of Health, the Council, and the Mayor that examine and address health inequities across the District and differing opportunities for healthcare by demographic subpopulations and geographic areas, including in each election ward of the District.

(b) The Commission shall have 9 voting members, who shall be appointed as follows:

(1)(A) Six voting members shall be appointed by the Mayor with the advice and consent of the Council, in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.0l(f)).

(B) The Mayor's initial 6 appointments shall include 3 members appointed to 3-year terms and 3 members appointed to 2-year terms. All subsequent appointments by the Mayor shall be for 3-year terms.

(2)(A) Three voting members shall be appointed by the Council.

(B) The Council's initial 3 appointments shall be for 1-year terms. All subsequent appointments by the Council shall be for 3-year terms.

(3) Each voting member shall have expertise in at least one of the following areas:

(A) Health equity, social determinants, and health disparities;

(B) Social and human services and vulnerable populations;

(C) Early learning and education;

(D) Minority communities and population health outcomes and improvement;

(E) Economic and community development; or

(F) Ecology and the natural and built environment.

(4) The Mayor shall appoint the Chairperson of the Commission from among its voting members.

(c)(l) The Commission shall include the following nonvoting advisory members:

(A) The Chairperson of the Council committee with jurisdiction over the Department of Health, who shall serve as an ex-officio member;

(B) Three community advisory members, one each from Wards 5, 7, and 8, appointed by the Council;

(C) One patient organization representative, appointed by the voting members of the Commission; and

(D) The presidents or chief executive officers of 2 District hospitals and a representative from an insurance company who have access to health outcomes databases, or their designees.

(2) For the purposes of this subsection, the term "patient organization representative" means an individual who works for a national or local healthcare or health promotion organization.

(d) All vacancies on the Commission shall be filled in the same manner in which the initial appointment is made.

(e) All members of the Commission shall be appointed within one year after the effective date of this subtitle.

Sec. 5044. Commission duties and functions.

(a) The Commission shall advise the Department of Health's Office of Violence Prevention and Health Equity on:

(1) The development of a baseline assessment of health equity across the District, and differing opportunities for health by demographic subpopulations and geographic areas, including in each election ward of the District;

(2) The application of innovative data collection and dissemination strategies to augment the use of evidence-based methods and tools and practices within a community-based participatory research framework; and

(3) Strengthening collaborative partnerships with communities impacted by health inequities to identify and promote health equity strategies.

(b) The Commission shall:

(1) Gather information from public hearings, inquiries, and studies to understand how the District government may work to eliminate health disparities;

(2) Seek federal grants, if available; and

(3) Submit a formal city action plan by March 1 of each year to the Department of Health, the Mayor, and the Council.

(c) The formal city action plan required by subsection (b)(3) of this section shall be a public document and shall include, at a minimum:

(1) A report of the Commission's findings regarding:

(A) Health equity across the District and differing opportunities for healthcare by demographic subpopulations and geographic areas, including in each election ward of the District;

(B) The identification of health indicators studied that highlight the election ward and populations or neighborhoods most affected, possible steps that can be taken by the District government to remedy these issues, and expected outcomes that will result from taking the recommended steps; and

(2) Draft legislation, regulations, amendments to statutes or regulations, or any other specific steps for implementing the recommendations described in paragraph (1) of this subsection.

Sec. 5045. Commission procedure and powers.

(a) The Commission shall meet at least once a quarter to share findings regarding the prevalence and severity of health disparities that exist in each election ward.

(b) The Chairperson of the Commission, or his or her designee, who must be a member of the Commission, shall convene all Commission meetings.

(c) A majority of the voting members appointed to the Commission at any given time shall constitute a quorum for the transaction of official business. Official actions of the Commission shall be taken by a majority vote of the voting members present at the meeting.

(d) The Commission may use space and supplies owned or rented by the District government and use staff loaned from the Council or detailed by the Mayor for purposes consistent with this subtitle as the Commission may determine.

Sec. 5046. Section 2(f)(53) of the of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.0l(f)(53)), is amended to read as follows:

"(53) The Commission on Health Equity.".

SUBTITLE F. TEEN PREGNANCY PREVENTION FUND AMENDMENT

Sec. 5051. Short title.

This subtitle may be cited as the "Teen Pregnancy Prevention Fund Emergency Amendment Act of 2016".

Sec. 5052. The Teen Pregnancy Prevention Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.321 *et seq*.), is amended as follows:

(a) Section 5142(2) (D.C. Official Code § 1-325.321(2)) is amended by striking the phrase "the DC Campaign to Prevent Teen Pregnancy, as authorized by section 5146" and inserting the phrase ", for Fiscal Year 2017, the Department of Health, as authorized by section 5146" in its place.

(b) Section 5143 (D.C. Official Code § 1-325.322) is amended as follows:

(1) Subsection (a) is amended by striking the word "subgrants" and inserting the word "grants" in its place.

(2) Subsections (b), (c), and (d) are amended to read as follows:

"(b) Grants from the Fund shall be awarded by the Department of Health to nonprofit organizations for the purpose of implementing the following types of programs, consistent with an evidence-based, community-wide teen pregnancy prevention model:

"(1) Health services for teens;

"(2) Reproductive health education;

"(3) Professional development and training;

"(4) Research and policy development related to teen pregnancy; and

"(5) Public education and awareness on teen pregnancy.

"(c) Grants from the Fund shall be awarded, subject to the availability of funding, as follows:

"(1) All grants shall be awarded on a competitive basis;

"(2) The grant funds shall be used exclusively to serve District of Columbia residents; and

"(3) All grants shall be subject to the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq*.).

"(d) The Fund shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).".

(3) Subsection (e) is repealed.

(c) Section 5144 (D.C. Official Code § 1-325.323) is amended as follows:

(1) Strike the word "subgrant" wherever it appears and insert the word "grant" in its place.

(2) Strike the word "subgrantee" wherever it appears and insert the word "grantee" in its place.

(3) Subsection (a)(4)(C) is amended by striking the word "subgrantee's" and inserting the word "grantee's" in its place.

(d) Section 5145 (D.C. Official Code § 1-325.324) is amended as follows:

(1) Strike the date "December 1, 2014" and insert the date "December 1, 2017" in its place.

(2) Strike the word "bimonthly" and insert the word "semiannual" in its place.

(3) Strike the word "subgrantee" both times it appears and insert the word "grantee" in its place.

(4) Strike the word "subgrant" wherever it appears and insert the word "grant" in its place.

(e) Section 5146 (D.C. Official Code § 1-325.325) is amended to read as follows:

"Sec. 5146. Authorization for grant-managing entity.

"For Fiscal Year 2017, the Department of Health is designated as the grant-managing entity.".

(f) Section 5147 (D.C. Official Code § 1-325.326) is amended to read as follows:

"Sec. 5147. Limitation on duplicative projects.

"The grant-managing entity shall take steps to avoid awarding a grant to a nonprofit that has been awarded or is being awarded funds from another District agency for the same or similar program purposes for which it is applying for funding from the Fund.".

SUBTITLE G. MEDICAID HOSPTAL OUTPATIENT SUPPLEMENTAL PAYMENT

Sec. 5061. Short title.

This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment Emergency Act of 2016".

Sec. 5062. Definitions.

For the purposes of this subtitle, the term:

(1) "Department" means the Department of Health Care Finance.

(2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(l)), but excludes any hospital operated by the federal government.

(3) "Hospital system" means any group of hospitals licensed separately, but operated, owned, or maintained by a common entity.

(4) "Medicaid" means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq*.), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

(5) "Outpatient gross patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported as the sum of Lines 18 and 19; Column 2; Worksheet G-2 of the Hospital and Hospital Health Care Complex Cost Report (Form CMS 2552-10), filed for the period ending between October 1, 2013, and September 30, 2014.

Sec. 5063. Hospital Provider Fee Fund.

(a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which shall be administered by the Department in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Fees collected under this subtitle; and

(2) Interest and penalties collected under this subtitle.

(c) Money in the Fund may only be used for the following purposes:

(1) Making Medicaid outpatient hospital access payments to hospitals as required under section 5066;

(2) Payment of administrative expenses incurred by the Department or its agent in performing the activities authorized by this subtitle in an amount not to exceed $150,000 annually; and

(3) Providing refunds to hospitals pursuant to section 5065.

(d) Money in the Fund may not be used to replace money appropriated to the Medicaid program.

(e)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 5064. Hospital provider fee.

(a) Beginning October 1, 2016, and subject to section 5065, the District may charge each hospital a fee based on its outpatient gross patient revenue. The fee shall be charged at a uniform rate necessary to generate the following:

(1) An amount equal to the non-federal share of the total available spending room under the Medicaid upper payment limit for private hospitals applicable to District Fiscal Year ("DFY") 2017 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus

(2) An amount equal to the non-federal share of the total available spending room under the Medicaid upper payment limit for District-operated hospitals applicable to DFY 2017 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus

(3) An amount equal to the Department's administrative expenses as described in section 5063(c)(2).

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

Sec. 5065. Applicability of fees.

(a) The fee imposed by section 5064 shall not be due and payable until such time that the federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in section 5066.

(b) The fee imposed by section 5064 shall cease to be imposed, and any moneys remaining in the Fund shall be refunded to hospitals in proportion to the amounts paid by them, if:

(1) The Department makes changes in its rules that reduce the hospital inpatient or outpatient Medicaid payment rates, including adjustment to payment rates that are in effect on October 1, 2015; or

(2) The payments to hospitals required under section 5066 are modified in any way other than to secure federal approval of such payments as described in section 5066 or are not eligible for federal matching funds under section 1903(w) of the Social Security Act, approved July 30, 1965 (70 Stat. 349; 42 U.S.C. §1396b(w)) ("Social Security Act").

(c) The fee imposed by section 5064 shall not take effect or shall cease to be imposed if the fee is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social Security Act by the Centers for Medicare and Medicaid Services.

(d) Should the fee imposed by section 5064 not take effect or cease to be imposed, moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section 5066 to the extent federal matching is available. If federal matching is not available due to a

determination by the Centers for Medicare and Medicaid Services that the fee is impermissible, any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5066. Medicaid outpatient hospital access payments.

(a)(1) For visits and services beginning October 1, 2016, quarterly Medicaid outpatient hospital access payments shall be made to each private hospital.

(2) Each payment will be equal to the hospital's DFY 2014 outpatient Medicaid payments divided by the total in District private hospital DFY 2014 outpatient Medicaid payments multiplied by 1/4 of the total outpatient private hospital access payment pool.

(3) The total outpatient private hospital access payment pool is equal to the total available spending room under the private hospital outpatient Medicaid upper payment limit for DFY 2017.

(c)(1) For visits and services beginning October 1, 2016, outpatient hospital access payments shall be made to the United Medical Center.

(2) Each payment will be equal to one quarter of the total outpatient public hospital access payment pool.

(3) The total outpatient public hospital access payment pool is equal to the total available spending room under the District-operated hospital outpatient Medicaid upper payment limit for DFY 2017.

(d) The quarterly Medicaid outpatient hospital access payments shall be made within 15 business days after the end of each DFY quarter for the Medicaid visits and services rendered during that quarter.

(e) No payments shall be made under this section until such time that the federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in this subtitle.

(f) The Medicaid payment methodologies authorized under this subtitle shall not be altered in any way unless such alteration is necessary to gain federal approval from the Centers for Medicare and Medicaid Services.

Sec. 5067. Quarterly notice and collection.

(a) The fee imposed under section 5064, which shall be calculated, due, and payable on a quarterly basis, shall be due and payable by the 15th of the last month of each DFY quarter; provided, that the fee shall not be due and payable until:

(1) The District issues written notice that the payment methodologies for payments to hospitals required under section 5066 have been approved by the federal Centers for Medicare and Medicaid Services; and

(2) The District issues written notice to the hospital informing the hospital of its fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period commencing on October 1, 2016, to ensure all applicable fee obligations have been identified.

(b)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(c) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

Sec. 5068. Multi-hospital systems, closure, merger, and new hospitals.

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person ceases to conduct, operate, or maintain a hospital that is subject to a fee under section 5064, as evidenced by the transfer or surrender of the hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5064 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducted, operated, or maintained the hospital, and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision in this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee computed under section 5064 and subsection (a) of this section in installments on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due dates of the initial notice.

Sec. 5069. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), may issue rules to implement the provisions of this subtitle.

Sec. 5070. Sunset.

This subtitle shall expire on September 30, 2017.

SUBTITLE H. MEDICAID HOSPITAL INPATIENT SUPPLEMENTAL PAYMENT

Sec. 5071. Short title.

This subtitle may be cited as the "Medicaid Hospital Inpatient Rate Supplement Emergency Act of 2016".

Sec. 5072. Definitions.

For the purposes of this subtitle, the term:

(1) "Department" means the Department of Health Care Finance.

(2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-50l(a)(l)), but excludes any hospital operated by the federal government and any specialty hospital, as defined by the District of Columbia's Medicaid State Plan ("State Plan"), or a hospital that is reimbursed under a specialty hospital reimbursement methodology under the State Plan.

(3) "Hospital system" means any group of hospitals licensed separately but operated, owned, or maintained by a common entity.

(4) "Inpatient net patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals as derived from each hospital's filed Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-10), filed for the period ending between October 1, 2013, and September 30, 2014, using the references below:

(A) The sum of: Worksheet G-2; Column 1; Lines 1, 2, 3, 4, 16 and 18

(B) Minus: The ratio of the sum of Worksheet G-2; Column 1; Lines 5, 6, and 7 divided by Worksheet G-2; Column 1; Line 17 multiplied by Worksheet G-2; Column 1; Line 18

(C) Divided by: Worksheet G-2; Column 3; Line 28

(D) Multiplied by: Worksheet G-3; Column 1; Line 3

(5) "Medicaid" means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq*.) ("Social Security Act"), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

Sec. 5073. Hospital Fund.

(a) There is established as a special fund the Hospital Fund ("Fund"), which shall be administered by the Department in accordance with subsection (c) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Fees collected under this subtitle;

(2) Interest and penalties collected under this subtitle; and

(3) Other amounts collected under this subtitle.

(c) Money in the Fund shall be used solely as set forth in section 5074(a)(2) of this subtitle.

(d)(1) The money deposited in the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation; provided, that any remaining money in the Fund at the end of each fiscal year shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5074. Hospital provider fee.

(a)(1) Beginning October 1, 2016, and except as provided in subsection (b) of this section and section 5077, the District, through the Office of Tax and Revenue, may charge each hospital a fee based on its inpatient net patient revenue.

(2) The fee shall be charged at a uniform rate necessary to generate no more than $10.4 million. Of this amount, $1.4 million may be used to support the Medicaid Managed Care Organization rates for inpatient hospitalization. The remaining amount shall be used to support the maintenance of inpatient Medicaid Fee-for-Service rates at the District Fiscal Year ("DFY") 2015 level of 98% of cost to non-specialty hospitals.

(3) The fee collected pursuant to this section shall be deposited in the Hospital Fund, established by section 5073.

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

(c) If necessary, by August 1, 2016, the Department shall submit a provider tax waiver application to the Center for Medicare and Medicaid Services to ensure the provisions of this subtitle qualify as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act.

Sec. 5075. Quarterly notice and collection.

(a) The fee imposed under section 5074 shall be due and payable by the 15th of the last month of each DFY quarter.

(b) The fee imposed under section 5074 shall be calculated, due, and payable on a quarterly basis, but shall not be due and payable until the District issues written notice to each hospital informing the hospital of its fee rate, inpatient net patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period October 1, 2016, to ensure all applicable fee obligations have been identified.

(c)(1) If a hospital fails to pay the full amount of its fee by the date required, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(d) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

Sec. 5076. Multi-hospital systems, closure, merger, and new hospitals.

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding section 5074, if a hospital system or person that is subject to a fee under section 5074 ceases to conduct, operate, or maintain a hospital, as evidenced by the transfer or surrender of a hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5074 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducts, operates, or maintains the hospital and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision of this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee required under 5074 in accordance with subsection (a) of this section on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due date of the initial notice.

Sec. 5077. Federal determinations; suspension and termination of assessment.

(a) If the Centers for Medicare and Medicaid Services determines that an assessment imposed on a hospital pursuant to this subtitle does not satisfy the requirements for federal financial participation set forth in section 1903(w) of the Social Security Act, that determination shall not affect the validity, amount, applicable rate, or any other terms of an assessment on other hospitals imposed by this subtitle.

(b) If the Centers for Medicare and Medicaid Services determines that an exclusion for specialty hospitals under this subtitle would prevent an assessment imposed by this subtitle from qualifying as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act, the exclusion of specialty hospitals shall not be made.

Sec. 5078. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), may issue rules to implement the provisions of this subtitle.

Sec. 5079. Sunset; applicability.

(a) This subtitle shall expire on September 30, 2017.

(b) Section 5074(c) shall apply as of the effective date of this act.

SUBTITLE I. PROGRAM ON WORK, EMPLOYMENT, AND RESPONSIBILITY (POWER) AMENDMENT

Sec. 5081. Short title.

This subtitle may be cited as the "Program on Work, Employment, and Responsibility Emergency Amendment Act of 2016".

Sec. 5082. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq*.), is amended as follows:

(a) Section 572(a) (D.C. Official Code § 4-205.72(a)) is amended by striking the phrase "and sections 573" and inserting the phrase "and sections 572a" in its place.

(b) Section 572a(a)(1A) (D.C. Official Code § 4-205.72a(a)(1A)) is repealed.

SUBTITLE J. YOUTH SERVICES COORDINATION TASK FORCE

Sec. 5091. Short title.

This subtitle may be cited as the "Expansion and Coordination of Youth Services Emergency Act of 2016".

Sec. 5092. Youth Services Coordination Task Force.

(a) There is established a Youth Services Coordination Task Force ("Task Force") within the Office of the Deputy Mayor for Health and Human Services, for the purpose of studying the establishment of a single network of service providers for District youth that can provide family counseling, family support services, vocational training, subsidized work experiences, substance abuse counseling and recovery assistance, mentoring, tutoring, GED preparation, community service opportunities, and recreational activities to youth pursuant to Individualized Success Plans developed by each agency.

(b) The Task Force shall consist of the following persons or their designees:

(1) The Deputy Mayor for Health and Human Services;

(2) The Director of the Child and Family Service Agency;

(3) The Director of the Department of Behavioral Health;

(4) The Director of the Department of Disability Services;

(5) The Director of the Department of Health;

(6) The Director of the Department of Human Services;

(7) The Director of the Department of Youth Rehabilitation Services;

(8) The Chairperson of the Council committee with jurisdiction over the Department of Youth Rehabilitation Services;

(9) The Chairperson of the Council committee with jurisdiction over the Department of Health; and

(10) Two representatives from District youth-serving nonprofits, as chosen by the Mayor.

(c) The Task Force may, at the discretion of the Mayor, include the directors of other youth-serving District agencies, or their designees.

(d) The Task Force shall elect a chairperson by a majority vote of the members.

(e) By March 17, 2017, the Task Force shall provide a report to the Mayor, the Council, and the public that includes findings and recommendations on:

(1) How best to establish a single network of service providers, with unified grant-making procedures and reporting requirements, for youth currently served by the Child and Family Services Agency, the Department of Behavioral Health, the Department of Health, the Department of Human Services, the Department of Youth Rehabilitation Services, and other District youth-serving agencies, as considered appropriate by the Task Force; and

(2) The feasibility of providing the services described in subsection (a) of this section in centralized District-owned facilities in each ward.

(f) For the purposes of this section, the term "Individualized Success Plans" includes plans developed by the youth, family members, and agency staff that describe the services the youth needs, such as tutoring, job training, or substance abuse prevention, and the progress the youth needs to make.

Sec. 5093. Administration and appropriations.

The Office of the Deputy Mayor for Health and Human Services shall provide facilities and other administrative support for the Task Force.

Sec. 5094. Sunset.

This subtitle shall expire on March 17, 2017.

SUBTITLE K. SUPPORTING NORMALCY, EMPOWERING FOSTER CHILDREN, AND ENCOURAGING PLACEMENT WITH SIBLINGS

Sec. 5101. Short title

This subtitle may be cited as the "Supporting Normalcy, Empowering Foster Children, and Encouraging Placement with Siblings Emergency Amendment Act of 2016".

Sec. 5102. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq*.), is amended as follows:

(a) Section 102 (D.C. Official Code § 4-1301.02) is amended as follows:

(1) Paragraph (3) is amended as follows:

(A) Subparagraph (B) is amended by striking the phrase "under the plan;" and inserting the phrase "under the plan. With respect to a child who has attained 14 years of age, the plan, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with up to 2 members of the case-planning team who are chosen by the child and who are not a foster parent of, or caseworker for, the child. The agency may reject an individual selected by a child to be a member of the case-planning team at any time if the agency has good cause to believe that the individual would not act in the best interests of the child. One individual selected by a child to be a member of the child's case-planning team

may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child." in its place.

(B) Subparagraph (D) is amended by striking the phrase "16 years of age" and inserting the phrase "14 years of age" in its place.

(C) Subparagraph (F)(ii) is amended by striking the phrase "separation of siblings" and inserting the phrase "separation of siblings, including individuals who would have been considered siblings of the child but for the termination of parental rights or death of a parent," in its place.

(2) A new paragraph (16A) is added to read as follows:

"(16A) "Reasonable and prudent parent standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that should be used when determining whether to allow a child to participate in extracurricular, enrichment, cultural, and social activities.".

(b) Section 303 (D.C. Official Code § 4-1303.03) is amended as follows:

(1) Subsection (a)(16)(A) is amended as follows:

(A) Sub-subparagraph (ii) is amended by striking the phrase "District of Columbia; or" and inserting the phrase "District of Columbia;" in its place.

(B) Sub-subparagraph (iii) is amended by striking the phrase "terminated." and inserting the phrase "terminated; or" in its place.

(C) A new sub-subparagraph (iv) is added to read as follows:

"(iv) The ward reaches 14 years of age and on an annual basis thereafter.".

(2) Subsection (a-1)(5) is amended by striking the phrase "siblings," and inserting the phrase "siblings, including individuals who would have been considered siblings of the child but for the termination of parental rights or death of a parent," in its place.

(c) A new section 303f is added to read as follows:

"Sec. 303f. Reasonable and prudent parent standard.

"(a) Foster parents and group homes for children who have been abused or neglected shall use the reasonable and prudent parent standard when determining whether to allow a ward to participate in extracurricular, enrichment, cultural, and social activities.

"(b) The Agency, foster parents, and group homes shall not be held liable for any civil damages resulting from the application of, or the failure to apply, the reasonable and prudent parent standard, except in cases constituting gross negligence.".

Sec. 5103. Section 16-2323(d)(4) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the word "and".

(b) A new subparagraph (D) is added to read as follows:

"(D) For a child placed in another planned permanent living arrangement, the steps taken by the agency to ensure that the reasonable and prudent parent standard, as defined in

section 102(16A) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(16A)), has been followed and that the child has opportunities to engage in age-appropriate or developmentally appropriate activities; and".

SUBTITLE L. NOT-FOR-PROFIT HOSPITAL CORPORATION CERTIFICATE OF NEED EXEMPTION AMENDMENT ACT OF 2016

Sec. 5111. Short title.

This subtitle may be cited as the "Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2016".

Sec. 5112. Section 8(b) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407(b)), is amended as follows:

(a) Paragraph (12 is amended by striking the word "and".

(b) Paragraph (13) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (14) is added to read as follows:

"(14) Operation by the Not-For-Profit Hospital Corporation of an ambulatory care clinic in the Bellevue neighborhood of Ward 8. The exemption provided in this paragraph shall expire on September 30, 2017.".

SUBTITLE M. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION

Sec. 5121. Short title.

This subtitle may be cited as the "Department of Health Functions Clarification Emergency Amendment Act of 2016".

Sec. 5122. Section 4907a of the Department of Health Functions Clarification Act of 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended by adding new subsections (i), (j), and (k) to read as follows:

"(i) For Fiscal Year 2017, the Director of the Department of Health shall have the authority to issue grants to qualified community organizations for the purpose of providing the following services:

"(1) Programs designed to improve food access:

"(A) Through mobile, vehicle-based farm stands that operate at regularly scheduled stops, provide recipes and cooking demonstrations, and distribute locally produced food to communities in underserved communities, not to exceed $50,000; and

"(B) By delivering fresh produce to small retailers and corner store owners that operate in underserved communities, not to exceed $250,000;

"(2) A Farmers Market Subsidy program aimed at establishing healthy dietary habits, providing incentives for farmers to locate in low-income communities, and reducing

chronic illness in District residents by providing monetary assistance for the purchase of fresh fruits and vegetables to those receiving federal assistance, not to exceed $1,200,000;

"(3) Programs designed to support teen peer educators who work to provide sexual health information and condoms to youth, not to exceed $150,000; and

"(4) Programs designed to promote healthy development in girls attending public and chartered schools in grades 8-12 located in areas of the city possessing the highest rates of teen pregnancy and highest enrollment in state-funded health programs in the District, not to exceed $500,000.

"(j) For Fiscal Year 2017, the Director of the Department of Health shall issue grants totaling $100,000 to nonprofit pediatric dental clinics to provide oral health literacy and awareness programming.

"(k)(1) All grants issued pursuant to subsections (i) and (j) of this section shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq*.).

"(2) The Department of Health shall submit a quarterly report to the Secretary to the Council on all grants issued pursuant to the authority granted in subsections (i) and (j) of this section.".

SUBTITLE N. DCHA REHABILITATION AND MAINTENANCE FUND

Sec. 5131. Short title.

This subtitle may be cited as the "District of Columbia Housing Authority Rehabilitation and Maintenance Fund Emergency Amendment Act of 2016".

Sec. 5132. Section 3 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202), is amended as follows:

(a) Subsection (c) is amended as follows:

(1) Strike the phrase "Authority Fund" and insert the phrase "Authority Fund ("Authority Fund")" in its place.

(2) Strike the phrase "credited to the Fund" and insert the phrase "credited to the Authority Fund" in its place.

(3) Strike the phrase "out of the Fund" and insert the phrase "out of the Authority Fund" in its place.

(b) A new subsection (c-1) is added to read as follows:

"(c-1)(1) There is established as a special fund the DCHA Rehabilitation and Maintenance Fund ("R&M Fund"), which shall be administered by the Authority in accordance with paragraphs (3) and (4) of this subsection.

"(2) Revenue from the following sources shall be deposited in the R&M Fund:

"(A) $15 million of one-time resource allocated in Fiscal Year 2016 from existing resources within the Authority;

"(B) Annual appropriations; and

"(C) Any remaining local funds available to the Authority for the Local

Rent Supplement Program at the conclusion of each fiscal year.

"(3) Money in the R&M Fund shall be used for the maintenance, repair, and rehabilitation of public housing properties within the District.

"(4) Money in the R&M Fund shall not be used to fund:

"(A) Any major rehabilitation or maintenance on any occupied unit set to be demolished or otherwise removed from the Authority inventory within 9 months, other than to protect the health or safety of tenants; and

"(B) Any repair, maintenance, or rehabilitation of any vacant unit planned to be demolished or otherwise removed from the Authority inventory within 9 months.

"(5)(A) The money deposited into the R&M Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the R&M Fund shall be continually available without regard to fiscal year limitation.

"(6) By January 1 and by July 1 of each year, the Authority shall submit a report to the Mayor and to each Councilmember that details:

"(A) How the funds in the R&M Fund were used in the prior fiscal year;

"(B) The Authority's planned use of money in the R&M Fund for the succeeding fiscal year, identifying the following:

"(i) The address of each public housing unit to be repaired, rehabilitated, or renovated;

"(ii) The nature of the repair, rehabilitation, or renovation to be undertaken;

"(iii) The number of residents in each unit to be repaired, rehabilitated, or renovated, including adults and children;

"(iv) The estimated cost of the repair, rehabilitation, or renovation to be performed; and

"(v) The share of the estimated cost, if any, to be financed by the federal government.".

(c) Subsection (d) is amended as follows:

(1) Strike the phrase "from the Fund" and insert the phrase "from the Authority Fund" in its place.

(2) Strike the phrase "each fiscal year," and insert the phrase "each fiscal year, except as provided in subsection (c-1)(2)(C) of this section," in its place.

Sec. 5133. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE O. LRSP AMENDMENT

Sec. 5141. Short title.

This subtitle may be cited as the "Local Rent Supplement Emergency Amendment Act of 2016".

Sec. 5142. Section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a new subsection (f) to read as follows:

"(f) Agencies within the District government may refer individuals 62 years of age and older to the Authority for eligibility determination for the Local Rent Supplement Program if the individuals are:

"(1) Returning citizens within the meaning of section 2(5) of the Office on Ex-Offender Affairs Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301(5));

"(2) LGBTQ individuals within the meaning of section 2(2) of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006 (D.C. Law 16-89; D.C. Official Code § 2-1381(2)); or

"(3) Persons with a disability as defined in section 3(1)(A) of the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 329; 42 U.S.C. § 12102(1)(A)).".

SUBTITLE P. FLEXIBLE RENT SUBSIDY PILOT

Sec. 5151. Short title.

This subtitle may be cited as the "Flexible Rent Subsidy Pilot Establishment Emergency Amendment Act of 2016".

Sec. 5152. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq*.), is amended by adding a new section 31c to read as follows:

"Sec. 31c. Flexible Rent Subsidy Pilot Program.

"(a) The Department shall establish a Flexible Rent Subsidy Pilot Program ("Program") to subsidize the cost of monthly rent for families receiving, or eligible to receive, Continuum of Care services.

"(b) The Department shall provide the subsidy to each participating family via dedicated account, which shall be used solely to pay the family's monthly rent.

"(c) The annual subsidy for a participating family shall be less than the maximum annual amount that may be provided to a household by voucher pursuant to section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228).

"(d) No later than 120 days after October 1, 2016, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204;

D.C. Official Code § 2-501 *et seq*.), shall issues rules to implement the provisions of this subtitle, including rules establishing program eligibility, the dollar amount of the maximum annual subsidy, and rules of program administration.

"(e) This section shall expire on September 30, 2021.".

SUBTITLE Q. VITAL RECORDS FEES

Sec. 5161. Short title.

This subtitle may be cited as the "Vital Records Fees Emergency Amendment Act of 2016".

Sec. 5162. Section 22 of the Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-221), is amended to read as follows:

"Sec. 22. Vital records fees and fund.

"(a) The Mayor shall issue regulations that prescribe the fee to be paid for:

"(1) An amendment or correction to a vital record that is not the fault of the Mayor or a District government agency;

"(2) A certified copy of a certificate or record;

"(3) A search of a file or record if no copy is made;

"(4) A copy or information provided for research, statistical, or administrative purposes;

"(5) The processing of adoptions; or

"(6) Issuance of a new certificate of birth.

"(b) There is established as a lapsing special fund the Vital Records Fees Fund ("Fund"), which shall be administered by the Department of Health ("Department") in accordance with subsection (d) of this section.

"(c) Revenue received pursuant to subsection (a) of this section shall be deposited into the Fund.

"(d) Money in the Fund shall be used to support the operations of the Department.

"(e)(1) Notwithstanding subsection (a) of this section, the fee for a certificate of birth shall be waived for an individual experiencing homelessness.

"(2) For the purposes of this subsection, the term "individual experiencing homelessness" means a person:

"(A) Who is lacking a fixed, regular residence that provides safe housing and the financial means to acquire such a residence immediately; or

"(B) Whose primary night-time residence is:

"(i) A supervised publicly or privately operated shelter or transitional housing facility designed to provide temporary living accommodations; or

"(ii) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

"(3) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this subsection.".

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

SUBTITLE A. WILDLIFE PROTECTION ENFORCEMENT

Sec. 6001. Short title.

This subtitle may be cited as the "Wildlife Protection Enforcement Emergency Amendment Act of 2016".

Sec. 6002. The Wildlife Protection Act of 2010, effective March 8, 2011 (D.C. Law 18-289; D.C. Official Code § 8-2201 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 8-2201) is amended by striking the phrase "District Department of the Environment" both times it appears and inserting the phrase "Department of Energy and Environment" in its place.

(b) Section 10(b) (D.C. Official Code § 8-2209(b)) is amended by striking the phrase "inspections, pursuant to section 8" and inserting the phrase "services, including inspections, sample collection, document review, or other reasonable costs or fees incurred in implementing this act, or regulations promulgated pursuant to this act" in its place.

(c) Section 12 (D.C. Official Code § 8-2211) is amended by adding a new subsection (c) to read as follows:

"(c) The Mayor may impose civil infraction penalties, fines, and fees as alternative sanctions for any violation of this act or a regulation promulgated pursuant to this act, pursuant to the procedures offset forth in the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).".

SUBTITLE B. AIR QUALITY RULEMAKING AMENDMENT

Sec. 6011. Short title.

This subtitle may be cited as the "Air Quality Rulemaking Emergency Amendment Act of 2016".

Sec. 6012. The District of Columbia Air Pollution Control Act of 1984, effective March 15, 1985 (D.C. Law 5–165; D.C. Official Code § 8-101.01 *et seq.*), is amended as follows:

(a) Section 5(d)(5) (D.C. Official Code § 8-101.05(d)(5)) is amended by striking the phrase "District Department of the Environment's" and inserting the phrase "Department of Energy and Environment's" in its place.

(b) Section 5a(d) (D.C. Official Code § 8-101.05a(d)) is amended by striking the phrase "implementing this section and section 5" and inserting the phrase "implementing this act or a regulation promulgated pursuant to this act" in its place.

(c) Section 6 (D.C. Official Code § 8-101.06) is amended as follows:

(1) Subsection (b) is repealed.

(2) Subsection (c) is amended to read as follows:

"(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2–501 *et seq.*), may issue rules to implement the provisions of this act, including establishing fines, permit fees, and other fees necessary to support the implementation of this act.".

SUBTITLE C. ENERGY INNOVATION AND SAVINGS AMENDMENT

Sec. 6021. Short title.

This subtitle may be cited as the "Energy Innovation and Savings Emergency Amendment Act of 2016".

Sec. 6022. The Energy Innovation and Savings Amendment Act of 2012, effective March 19, 2013 (D.C. Law 19-252; D.C. Official Code § 8-1772.01 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Official Code § 8-1772.01) is amended as follows:

(1) Paragraph (2) is repealed.

(2) Paragraph (3) is amended by striking the phrase "; provided, that the term "commercial property" shall not include a small store, hotel, or restaurant." and inserting a period in its place.

(3) A new paragraph (3A) is added to read as follows:

"(3A) "DOEE" means the Department of Energy and Environment.".

(4) Paragraph (5) is repealed.

(b) Section 202 (D.C. Official Code § 8-1772.02) is amended to read as follows:

"Sec. 202. Commercial property energy conservation.

"(a) A commercial property shall keep exterior doors and windows closed when an air conditioner that cools the adjacent area is in operation, except:

"(1) As needed to permit the ingress and egress of people or the delivery or shipping of goods;

"(2) As needed to permit vehicular access to or for a loading dock; or

"(3) When an emergency situation exists that requires an exterior door or window to be kept open.

"(b) This section shall not apply to exterior doors or windows of hotels and restaurants that adjoin an indoor or outdoor seating area where food or beverages are served during times when the indoor or outdoor seating area is open for use by customers.".

(c) Section 203(f) (D.C. Official Code § 8-1772.03(f)) is amended by striking the phrase "the Director of the District Department of the Environment" and inserting the acronym "DOEE" in its place.

(d) A new section 204 is added to read as follows:

"Sec. 204. Rules.

"The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), may issue rules to implement the provisions of this title.".

Sec. 6023. Section 305(b) of the Energy Efficiency Financing Act of 2010, effective May 27, 2010 (D.C. Law 18-183; D.C. Official Code § 8-1778.45(b)), is amended by striking the phrase "until 5 years after the effective date of the initial contract to retain an administrator." and inserting a period in its place.

SUBTITLE D. PRODUCT STEWARDSHIP PROGRAM AMENDMENT

Sec. 6031. Short title.

This subtitle may be cited as the "Product Stewardship Program Emergency Amendment Act of 2016".

Sec. 6032. The Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 8-1031.01) is amended as follows:

(1) Paragraph (3) is amended by striking the period and inserting the phrase "and identified on the list of compostable materials described in section 103(b)." in its place.

(2) Paragraph (6) is amended to read as follows:

"(6) "DOEE" means the Department of Energy and Environment.".

(3) Paragraph (13) is amended by striking the period and inserting the phrase "and identified on the list of recyclable materials described in section 103(b)." in its place.

(b) Section 108 (D.C. Official Code § 8-1031.08) is amended by striking the acronym "DDOE" both times it appears and inserting the acronym "DOEE" in its place.

(c) Section 115(8) (D.C. Official Code § 8-1041.01(8)) is amended by striking the word "year" both times it appears and inserting the phrase "calendar year" in its place .

(d) Section 117 (D.C. Official Code § 8-1041.03) is amended as follows:

(1) Strike the phrase "previous year" wherever it appears and insert the phrase "previous calendar year" in its place.

(2) Strike the phrase "program year" both times it appears and insert the phrase "calendar year" in its place.

(3) Subsection (a) is amended by striking the date "January 1, 2016" and inserting the date "June 1, 2017" in its place.

(4) Subsection (b) is amended as follows:

(A) Strike the date "January 1, 2016" and insert the date "December 31, 2016" in its place.

(B) Paragraph (9)(C) is amended by striking the phrase ", including how the organization will take into account the economic value of different types of covered electronic equipment;" and inserting the phrase "; and" in its place.

(e) Section 118 (D.C. Official Code § 8-1041.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "previous year" wherever it appears and inserting the phrase "previous calendar year" in its place.

(2) Subsection (b) is amended by striking the phrase "program year" and inserting the phrase "calendar year" in its place.

(f) Section 119 (D.C. Official Code § 8-1041.05) is amended as follows:

(1) Subsection (a) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2017" in its place.

(2) Subsection (b)(1) is amended as follows:

(A) Subparagraph (A) is repealed.

(B) Subparagraph (D) is amended by striking the phrase "calendar years" and inserting the phrase "reporting years" in its place.

(C) Subparagraph (E) is amended by striking the phrase "previous year" and inserting the phrase "previous reporting year" in its place.

(3) Subsection (e) is amended by striking the date "January 1, 2017" and inserting the date "January 1, 2018" in its place.

(g) Section 124 (D.C. Official Code § 8-1041.10) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Strike the date "March 1, 2017" and insert the date "June 1, 2018" in its place.

(B) Strike the date "April 1" and insert the date "June 1" in its place.

(2) Subsection (b) is amended by striking the date "March 1, 2019" and inserting the date "June 1, 2019" in its place.

(h) Section 126 (D.C. Official Code § 8-1041.12) is amended as follows:

(1) Subsection (a)(1) is repealed.

(2) Subsection (b) is amended to read as follows:

"(b) The Mayor may impose civil fines and penalties as sanctions for violations of the provisions of this subtitle or any rules issued under the authority of this subtitle, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).".

(3) A new subsection (c) is added to read as follows:

"(c) In addition to the enforcement authority provided in subsection (b) of this section, the Mayor may seek injunctive relief or other appropriate remedy in any court of competent jurisdiction to enforce compliance with the provisions of this subtitle.".

Sec. 6033. Section 3(c) of the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.02(c)), is amended as follows:

(a) Paragraph (1) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(b) Paragraph (2) is amended by striking the phrase "; and" and inserting a period in its place.

(c) Paragraph (3) is repealed.

Sec. 6034. Section 401 of the Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531), is amended as follows:

(a) The existing paragraph (1) is redesignated as paragraph (1A).

(b) A new paragraph (1) is added to read as follows:

"(1) "Compostable" means:

"(A) Made solely of materials that break down into, or otherwise become part of, usable compost in a safe and timely manner in an appropriate program; and

"(B) Once the Mayor has published the list of compostable materials described in section 103(b) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(b)), identified on that list;".

(c) A new paragraph (5) is added to read as follows:

"(5) "Recyclable" means made solely of materials that can be recycled using the District's recycling collection program and identified on the list of recyclable materials described in section 103(b) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(b)).".

Sec. 6035. Section 2 of the District of Columbia Comprehensive Plan for a Multi–Material Recycling System Act of 1987, effective July 25, 1987 (D.C. Law 7-19; D.C. Official Code § 8-1101), is repealed.

SUBTITLE E. CLEAN AND AFFORDABLE ENERGY AMENDMENT

Sec. 6041. Short title.

This subtitle may be cited as the "Clean and Affordable Energy Emergency Amendment Act of 2016".

Sec. 6042. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 8-1773.01) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

"(2) "DOEE" means the Department of Energy and Environment.".

(2) Strike the phrase "the District Department of the Environment" wherever it appears and insert the acronym "DOEE" in its place.

(3) Paragraph (20) is amended by striking the acronym "DDOE" and inserting the acronym "DOEE" in its place.

(b) Section 201 (D.C. Official Code § 8-1774.01) is amended as follows:

(1) Strike the acronym "DDOE" wherever it appears and insert the acronym "DOEE" in its place.

(2) Strike the phrase "the District Department of the Environment" and insert the acronym "DOEE" in its place.

(c) Section 202 (D.C. Official Code § 8-1774.02) is amended by striking the acronym "DDOE" both times it appears and inserting the acronym "DOEE" in its place.

(d) Section 203 (D.C. Official Code § 8-1774.03) is amended as follows:

(1) Strike the acronym "DDOE" both times it appears and insert the acronym "DOEE" in its place.

(2) Strike the phrase "the Energy Office" both times it appears and insert the acronym "DOEE" in its place.

(e) Section 204 (D.C. Official Code § 8-1774.04) is amended as follows:

(1) Strike the phrase "the Energy Office" and insert the acronym "DOEE" in its place.

(2) Strike the acronym "DDOE" wherever it appears and insert the acronym "DOEE" in its place.

(3) Subsection (g) is amended to read as follows:

"(g) The Board shall annually prepare and present a report on the progress of the SEU to the Council within 90 days after the conclusion of the independent review of the performance and expenditures of the SEU under section 205(k). DOEE shall make the report available to the public on its website within 10 days after its submission to the Council.".

(f) Section 205 (D.C. Official Code § 8-1774.05) is amended as follows:

(1) Strike the phrase "District Department of the Environment" and insert the acronym "DOEE" in its place.

(2) Strike the acronym "DDOE" wherever it appears and insert the acronym "DOEE" in its place.

(g) Section 206 (D.C. Official Code § 8-1774.06) is amended by striking the acronym "DDOE" wherever it appears and inserting the acronym "DOEE" in its place.

(h) Section 207 (D.C. Official Code § 8-1774.07) is amended by striking the acronym "DDOE" wherever it appears and inserting the acronym "DOEE" in its place.

(i) Section 209 (D.C. Official Code § 8-1774.09) is amended by striking the acronym "DDOE" wherever it appears and inserting the acronym "DOEE" in its place.

(j) Section 210 (D.C. Official Code § 8-1774.10) is amended as follows:

(1) Strike the acronym "DDOE" wherever it appears and insert the acronym "DOEE" in its place.

(2) Subsection (c)(10) is amended by striking the phrase "in Fiscal Year 2016" and inserting the phrase "in Fiscal Year 2016 and $1.2 million in Fiscal Year 2017" in its place.

(k) Section 211(e) (D.C. Official Code § 8-1774.11(e)) is amended by striking the acronym "DDOE" both times it appears and inserting the acronym "DOEE" in its place.

Sec. 6043. The Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*), is amended as follows:

(a) Section 3(5) (D.C. Official Code § 34-1431(5)) is amended to read as follows:

"(5) "DOEE" means the Department of Energy and Environment.".

(b) Section 6 (D.C. Official Code § 34-1434) is amended as follows:

(1) Subsection (d) is amended by striking the acronym "DDOE" and inserting the acronym "DOEE" in its place.

(2) Subsection (f) is amended by striking the phrase "District Department of the Environment" and inserting the acronym "DOEE" in its place.

(c) Section 8 (D.C. Official Code § 34-1436) is amended as follows:

(1) Strike the phrase "Energy Office" wherever it appears and insert the acronym "DOEE" in its place.

(2) Strike the acronym "DDOE" and insert the acronym "DOEE" in its place.

(d) Section 9 (D.C. Official Code § 34-1437) is amended by striking the phrase "Energy Office" both times it appears and inserting the acronym "DOEE" in its place.

Sec. 6044. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 *et seq.*), is amended as follows:

(a) Section 2(9A) (D.C. Official Code § 6-1451.01(9A)) is amended to read as follows:

"(9A) "DOEE" means the Department of Energy and Environment.".

(b) Section 3 (D.C. Official Code § 6-1451.02) is amended by striking the acronym "DDOE" wherever it appears and inserting the acronym "DOEE" in its place.

(c) Section 4(c)(2) (D.C. Official Code § 6-1451.03(c)(2)) is amended by striking the acronym "DDOE" wherever it appears and inserting the acronym "DOEE" in its place.

(d) Section 10 (D.C. Official Code § 6-1451.09) is amended by striking the acronym "DDOE" wherever it appears and inserting the acronym "DOEE" in its place.

(e) Section 12(c) (D.C. Official Code § 6-1451.11(c)) is amended by striking the acronym "DDOE" both times it appears and inserting the acronym "DOEE" in its place.

Sec. 6045. The District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*), is amended as follows:

(a) Strike the phrase "District Department of the Environment" wherever it appears and insert the phrase "Department of Energy and Environment" in its place.

(b) Strike the acronym "DDOE" wherever it appears and insert the acronym "DOEE" in its place.

(c) Strike the word "DDOE's" wherever it appears and insert the word "DOEE's" in its place.

SUBTITLE F. STREETCAR AUTHORIZATION AMENDMENT

Sec. 6051. Short title.

This subtitle may be cited as the "Streetcar Authorization Emergency Amendment Act of 2016".

Sec. 6052. Section 5 of the District Department of Transportation DC Streetcar Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-921.71, note), is repealed.

Sec. 6053. Section 47-392.02(f)(6) of the District of Columbia Official Code is repealed.

Sec. 6054. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE G. PUBLICATION OF SAFETY ENHANCEMENT RECOMMENDATIONS

Sec. 6061. Short title.

This subtitle may be cited as the "Publication of Safety Enhancement Recommendations Emergency Amendment Act of 2016".

Sec. 6062. Section 6103 of the Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 50-921.01, note), is amended as follows:

(a) The lead-in language is amended by striking the phrase "On or before February 1, 2014" and inserting the phrase "On or before January 1, 2017, and annually thereafter" in its place.

(b) Paragraph (1) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(c) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

(d) A new paragraph (3) is added to read as follows:

"(3) A list of infrastructure and enforcement recommendations to enhance safety at each of the 10 most dangerous intersections identified pursuant to paragraph (2) of this section, and a timeline for the implementation of each recommendation.".

SUBTITLE H. BID PARKING ABATEMENT FUND AMENDMENT

Sec. 6071. Short title.

This subtitle may be cited as the "BID Parking Abatement Fund Emergency Amendment Act of 2016".

Sec. 6072. Section 6082(b) of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-325.341(b)), is amended to read as follows:

"(b) The Fund shall be funded by an annual appropriation in the amount of $120,000 from the District's annually approved budget and financial plan.".

SUBTITLE I. COMMUNITY RENEWABLE ENERGY CREDIT RATE CLARIFICATION AMENDMENT

Sec. 6081. Short title.

This subtitle may be cited as the "Community Renewable Energy Credit Rate Clarification Emergency Amendment Act of 2016".

Sec. 6082. Section 101(12A) of the Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501(12A)), is amended to read as follows:

"(12A) "CREF credit rate" means a credit rate applied to subscribers of community renewable energy facilities, which shall be equal to:

"(A) For residential customer subscribers, the full retail distribution rate, which includes generation, transmission, and distribution charges, for the standard offer service General Service Low Voltage Non-Demand Customer class or its successor, as determined by the Commission, based upon section 118; and

"(B) For commercial customer subscribers, the standard offer service rate for the General Service Low Voltage Non-Demand Customer class or its successor, as determined by the Commission, based upon section 118.".

SUBTITLE J. COMPETITIVE GRANTS

Sec. 6091. Short title.

This subtitle may be cited as the "Competitive Grants Emergency Act of 2016".

Sec. 6092. In Fiscal Year 2017, the Department of Energy and Environment shall award a grant, on a competitive basis, in an amount not to exceed $250,000, for a study to evaluate the feasibility, costs, and benefits of establishing a municipally owned, public electric utility in the District.

Sec. 6093. In Fiscal Year 2017, the Department of Energy and Environment shall award a grant, on a competitive basis, in an amount not to exceed $300,000, to conduct a study on aircraft noise for arriving and departing flights from Ronald Reagan Washington National Airport, including evaluation of the current noise environment, analysis of current noise impact modeling assumptions and inputs, review of current noise abatement programs, and recommendations to reduce noise or mitigate its impact.

Sec. 6094. In Fiscal Year 2017, the Department of Small and Local Business Development shall award a grant, on a competitive basis, in an amount not to exceed $135,000, to provide clean team services to the following area: Wisconsin Avenue, N.W., from Davis Street, N.W., to R Street, N.W.

Sec. 6095. In Fiscal Year 2017, the Department of Energy and Environment shall award a grant, on a competitive basis, in an amount not to exceed $200,000, to one or more nonprofit organizations to employ youth in improving and cleaning the Anacostia River and surrounding area.

SUBTITLE K. COMPOST DROP-OFF PROGRAM

Sec. 6101. Short title.

This subtitle may be cited as the "Compost Drop-Off Program Emergency Act of 2016".

Sec. 6102. Compost drop-off program.

(a) The Department of Public Works ("Department") shall establish a program that allows residents to drop off food waste weekly for compost.

(b) The Department shall establish one drop-off site in each ward to operate year-round.

(c) The Department shall provide the public with instructional materials that describe:

(1) How to collect food waste for compost; and

(2) What food waste is appropriate for compost.

(d) If the Department requires residents to purchase any materials or equipment to participate in the program, the Department shall sell the materials or equipment at cost; provided, that the Department shall provide any required materials or equipment for free to any resident who participates in a federal assistance program.

SUBTITLE L. ENVIRONMENTAL LITERACY PROGRAM AMENDMENT

Sec. 6111. Short title.

This subtitle may be cited as the "Environmental Literacy Program Emergency Amendment Act of 2016".

Sec. 6112. Section 502(d) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-825.02(d)), is amended to read as follows:

"(d)(1) The Office of the State Superintendent of Education ("OSSE") shall establish an Environmental Literacy Leadership Cadre ("Cadre"), which shall be comprised of teachers, selected by OSSE, at public schools and public charter schools. Each teacher in the Cadre shall:

"(A) Create, if applicable, and help maintain a garden at the teacher's school;

"(B) Implement composting and recycling programs at the teacher's school;

"(C) Implement the June 2012 environmental literacy plan, or a subsequent environmental literacy plan developed pursuant to this section, and other OSSE-approved guidance, at the teacher's school; and

"(D) Assist other teachers at the teacher's school with incorporating science standards.

"(2) OSSE shall provide each teacher selected to participate in the Cadre with an appropriate and fair stipend, in addition to the teacher's salary.

"(3) OSSE shall provide grants to nonprofit and community-based organizations to support the schools represented in the Cadre by providing or coordinating programs and activities related to school-based environmental literacy programs.

"(4) OSSE may create or implement other initiatives or projects that support the Cadre.".

SUBTITLE M. SELF-SERVICE EXHAUST EMISSIONS TESTING PILOT PROGRAM

Sec. 6141. Short title.

This subtitle may be cited as the "Self-Service Exhaust Emissions Testing Pilot Program Emergency Amendment Act of 2016".

Sec. 6142. An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1101 *et seq.*), is amended by adding a new section 10 to read as follows:

"Sec. 10. Self-service exhaust emissions testing pilot program.

"(a) Within 120 days of the effective date of the Self-Service Exhaust Emissions Testing Pilot Program Amendment Act of 2016, passed on 2nd reading on June 21, 2016 (Enrolled version of Bill 21-669), the Department of Motor Vehicles ("Department") shall establish a pilot program to provide for the use of one or more self-service kiosks to test motor vehicles for exhaust emissions.

"(b) At a minimum, each kiosk shall allow:

"(1) An individual to test a motor vehicle to determine whether the vehicle complies with the exhaust emissions standards established under this act and regulations issued pursuant to this act; and

"(2) For testing 24 hours per day, 7 days per week, on a first-come, first-served basis; provided, that the Department may periodically close a kiosk for necessary maintenance.

"(c) The Department shall establish the specifications for the kiosks, the types of motor vehicles that are eligible for self-service exhaust emissions testing, the location of the kiosks, and the cost per test; provided, that the cost per test shall not exceed the cost per test of an exhaust emissions test conducted at a non-self-service inspection station.

"(d) The Department may enter into contracts with one or more vendors for the equipment, operation, and maintenance necessary to conduct the pilot program.

"(e) On or before March 30, 2018, the Department shall submit a written report to the Council that evaluates the pilot program's operations, including the number of vehicles inspected, a description of issues that arose during the reporting period, and a study of the impact of the pilot program on the number of vehicles inspected and wait times at non-self-service inspection stations.".

Sec. 6143. Sunset.

This subtitle shall expire on September 30, 2018.

SUBTITLE N. WAIVER OF PUBLIC SPACE PERMIT FEES FOR CIVIC ASSOCIATIONS

Sec. 6161. Short title.

This subtitle may be cited as the "Civic Associations Public Space Permit Fee Waiver Emergency Amendment Act of 2016".

Sec. 6162. Section 603a of the Fiscal Year 1997 Budget Support Act of 1996, effective December 2, 2011 (D.C. Law 19-48; D.C. Official Code § 10-1141.03a), is amended as follows:

(a) Designate the existing text as subsection (a).

(b) The newly designated subsection (a)(1) is amended by striking the phrase "Is conducted by a" and inserting the phrase "Is conducted by a civic association or a" in its place.

(c) A new subsection (b) is added to read as follows:

"(b) For the purposes of this section, the term "civic association" means an organization that is:

"(1) Comprised of residents of the community within which the public space, public right of way, or public structure is located;

"(2) Operated primarily for the improvement of the community within which the public space, public right of way, or public structure is located; and

"(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3), (4)).".

Sec. 6163. Section 24-225.12 of the District of Columbia Municipal Regulations is amended as follows:

(a) Designate the existing text as paragraph (a).

(b) The newly designated paragraph (a)(1) is amended by striking the phrase "Is conducted by a" and inserting the phrase "Is conducted by a civic association or a" in its place.

(c) A new paragraph (b) is added to read as follows:

"(b) For the purposes of this subsection, the term "civic association" means any organization that is:

"(1) Comprised of residents of the community within which the public space, public right-of-way, or public structure is located;

"(2) Operated primarily for the improvement or benefit of the community within which the public space, public right-of-way, or public structure is located; and

"(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).".

SUBTITLE O. KINGMAN ISLAND AND HERITAGE ISLAND STUDY.

Sec. 6171. Short title.

This subtitle may be cited as the "Kingman Island and Heritage Island Planning and Feasibility Study Emergency Act of 2016".

Sec. 6172. (a) By May 1, 2017, the Director of the Department of Energy and Environment ("Director") shall submit to the Council a proposal for the use of Kingman Island and Heritage Island for recreational, environmental, and educational purposes and a report supporting the proposal.

(b) The report shall assess the feasibility and cost of developing, maintaining, and managing a state-of-the-art nature center and other possible structures consistent with the National Children's Island Act of 1995, approved July 19, 1996 (110 Stat. 1416; D.C. Official Code § 10-1401 *et seq*.), the Anacostia Waterfront Framework Plan, and the Comprehensive Plan. The report shall include:

(1) A feasibility review of existing architectural drawings for a nature center;

(2) Cost estimates for building any proposed infrastructure or amenities necessary to conduct recreational, environmental, and educational events on Kingman Island and Heritage Island;

(3) Maintenance costs for the nature center, other structures such as a covered pavilion for performances and events, and any infrastructure;

(4) Potential partnerships for recreational, environmental, and educational activities on Kingman Island and Heritage Island; and

(5) Management options for the nature center and related infrastructure.

(c) In developing the proposal and report, the Director shall coordinate with:

(1) The Deputy Mayor for Planning and Economic Development;

(2) The Department of Parks and Recreation;

(3) The District Department of Transportation;

(4) Nonprofit organizations focused on the restoration of the Anacostia River;

(5) Nonprofit organizations that provide environmental and educational programs and activities;

(6) Residents in nearby neighborhoods; and

(7) Other possible public and private partners for recreational, environmental, and educational activities on Kingman Island and Heritage Island.

SUBTITLE P. LOCAL FOOD ECONOMY STUDY

Sec. 6181. Short title.

This subtitle may be cited as the "Local Food Economy Study Emergency Act of 2016".

Sec. 6182. Local food economy study.

The Office of Planning shall conduct a study of the state of the local food economy. The focus of the study shall include:

(1) Obstacles and opportunities for new and existing businesses;

(2) Opportunities for job growth and workforce development;

(3) Geographic areas in the District that have a well-developed food economy;

(4) Geographic areas in the District that have a poorly developed food economy; and

(5) Opportunities for government investments to improve the local food economy.

SUBTITLE Q. PERSONAL DELIVERY DEVICES PILOT PROGRAM

Sec. 6191. Short title.

This subtitle may be cited as the "Personal Delivery Device Pilot Program Emergency Act of 2016".

Sec. 6192. Definitions.

For the purposes of this subtitle, the term:

(1) "Central Business District" shall have the same meaning as provided in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901).

(2) "Crosswalk" means that part of a roadway at an intersection included within the lateral lines connecting sidewalks on opposite sides of the roadway.

(3) "DDOT" means the District Department of Transportation.

(4) "Director" means the Director of the District Department of Transportation.

(5) "Operator" means a person who has the ability to control the operations of a PDD through the use of remote control technology.

(6) "PDD" means a device powered by an electric motor, for use primarily on sidewalks, capable of:

(A) Transporting items with or without an operator directly controlling the device;

(B) Identifying and yielding to:

(i) Pedestrians;

(ii) Bicyclists;

(iii) Other lawful users of public space; and

(iv) Property;

(C) Navigating public thoroughfares; and

(D) Interpreting traffic signals and signs at crosswalks.

(7) "Pedestrian" means any person afoot or who is using a wheelchair.

(8) "Public thoroughfare" means any street, road, alley, or paved public space that is under the jurisdiction of the District of Columbia.

Sec. 6193. Establishment of a personal delivery device pilot program.

DDOT shall implement a pilot program, effective September 15, 2016, through December 31, 2017, for the registration and operation of PDDs in the District. A person or entity registered under this pilot program is authorized to operate up to 5 PDDs in the District in accordance with section 6196.

Sec. 6194. Application.

To register for the pilot program established in section 6193, the applicant shall submit an application to the Director including:

(1) The applicant's legal name, business address, telephone number, and e-mail address;

(2) A certification by the applicant that:

(A) Each PDD is safe to operate on sidewalks, crosswalks, and public thoroughfares interconnected to sidewalks and crosswalks;

(B) Each PDD will comply with the requirements and limitations provided in section 6196;

(C) No more than 5 PDDs will be operated by the applicant in the District;

(D) The person signing the application has reviewed it and determined that the information provided is true and accurate; and

(E) The person signing the application is authorized to sign and file the application;

(3) The proposed geographic locations within the District where the applicant intends to operate the PDDs; and

(4) A nonrefundable fee of $250.

Sec. 6195. Registration and revocation.

(a) An applicant who submits a complete application to the Director in accordance with section 6194 shall be registered for the pilot program within 15 calendar days of submission.

(b) A registration for the pilot program shall be valid for one year from the date of registration, or until December 31, 2017, whichever is first.

(c) A registrant shall notify the Director within 15 calendar days of any change in the information on the pilot program application as submitted.

(d) The Director may revoke a registration for the pilot program if the Director determines that the registrant has violated a provision of this subtitle.

Sec. 6196. Personal delivery device operation

(a) Except within the Central Business District, a PDD that is registered under section 6195 and complies with subsection (b) of this section may operate on sidewalks and crosswalks under the jurisdiction of the District of Columbia, and transitorily on public thoroughfares interconnected to sidewalks and crosswalks.

(b) To operate in the District, a PDD shall:

(1) Be operated in a safe and non-hazardous manner so as not to endanger:

(A) Pedestrians;
(B) Bicyclists;
(C) Other lawful users of public space; or
(D) Property;
(2) Not operate above 10 miles per hour;
(3) Have a gross weight of less than 50 pounds, excluding cargo;
(4) Not interfere with pedestrian or bicycle traffic;
(5) Yield the right-of-way to all vehicles approaching on a roadway upon entering a crosswalk to the extent necessary to safely cross the roadway, except when crossing pursuant to a crosswalk pedestrian signal;
(6) Have a system that alerts the operator if a technology failure or loss of communication occurs, and when such an alert is given, that:
(A) Requires the operator to assume direct control of the PDD; and
(B) If the operator is unable to assume control of the device, causes the PDD to safely come to an off-roadway stop; and
(7) Obey all traffic and pedestrian control signals and signs.
(c) In the case of a technology failure or other circumstance that causes the PDD to come to a stop in a location other than property owned by the owner of the PDD, the owner of the PDD shall remove the PDD within 24 hours.

Sec. 6197. Applicability.
This subtitle shall apply as of the effective date of this act.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS

Sec. 7001. Short title.
This subtitle may be cited as the "Subject to Appropriations Emergency Amendment Act of 2016".

Sec. 7002. Section 4 of the Access to Emergency Epinephrine in Schools Amendment Act of 2015, effective March 9, 2016 (D.C. Law 21-77; 63 DCR 756), is repealed.

Sec. 7003. Section 3 of the Injured Worker Fair Pay Amendment Act of 2015, effective December 15, 2015 (D.C. Law 21-39; 62 DCR 13744), is repealed.

Sec. 7004. Section 4 of the Vault Tax Clarification Amendment Act of 2011, effective January 12, 2012 (D.C. Law 19-78; 58 DCR 10102), is repealed.

Sec. 7005. Section 3 of the Notice Requirements for Historic Properties Amendment Act of 2014, effective April 30, 2015 (D.C. Law 20-249; 62 DCR 1512), is repealed.

Sec. 7006. Section 3 of the Higher Education Tax Exemption Act of 2016, effective May 12, 2016 (D.C. Law 21-113; 63 DCR 4328), is repealed.

Sec. 7007. Section 7 of the Made in DC Program Establishment Act of 2016, enacted on May 3, 2016 (D.C. Act 21-388; 63 DCR 7141), is repealed.

Sec. 7008. Section 14 of the Repeal of Outdated and Unnecessary Audit Mandates Amendment Act of 2016, enacted on May 10, 2016 (D.C. Act 21-392; 63 DCR 7589), is repealed.

Sec. 7009. Section 3 of the Campaign Finance Reform and Transparency Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-79; 61 DCR 153), is repealed.

Sec. 7010. Section 3 of the Voter Registration Access and Ballot Modernization Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-158; 61 DCR 10730), is repealed.

Sec. 7011. Section 601 of the Transportation Reorganization Amendment Act of 2016, effective June 22, 2016 (D.C. Law 21-124; 63 DCR 7076), is repealed.

Sec. 7012. Section 4(b) of the Tree Canopy Protection Amendment Act of 2015, enacted on May 4, 2016 (D.C. Act 21-386; 63 DCR 7134), is repealed.

Sec. 7013. The Trash Compactor Tax Incentive Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-223; 62 DCR 227), is amended as follows:

(a) Section 202(b)(1) is amended by adding a new subparagraph (C) to read as follows:

"(C) The total amount of grants for Fiscal Year 2017 shall not exceed $1 million.".

(b) Section 301(b) is amended to read as follows:

"(b)(1) Title II of this act shall apply as of October 1, 2016.

"(2) After September 30, 2017, Title II of this act shall apply for the tax year in which its fiscal effect has been included in an approved budget and financial plan.

"(3) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

"(4)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

"(B) The date of publication of the notice of the certification shall not affect the applicability of this title.".

Sec. 7014. Section 3 of the New Issue Bond Program Tax Exemption Amendment Act of 2011, effective December 31, 2011 (D.C. Law 19-60; D.C. Official Code § 42-1102, note), is repealed.

Sec. 7015. Section 502(d) of the Sustainable DC Omnibus Act of 2014, effective December 17, 2014 (D.C. Law 20-142; 61 DCR 8045), is amended to read as follows:

"(d) Title III, Subtitle A, section 302(b) shall apply as of October 1, 2015.".

Sec. 7016. Section 401 of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; 61 DCR 9971), is repealed.

Sec. 7017. Section 6(b) of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C Law 20-191; 61 DCR 12160), is amended to read as follows:

"(b) Section 5 shall apply as of October 1, 2015.".

Sec. 7018. Section 5 of the Primary Date Alteration Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-273; 62 DCR 1938), is repealed.

Sec. 7019. The St. Matthews Evangelical Lutheran Church Community Garden Equitable Real Property Tax Relief Act of 2014, effective March 10, 2015 (D.C. Law 20-200; 61 DCR 12563), is amended as follows:

(a) Section 2 is amended by striking the phrase "be refunded, so long as the property is used as a community garden" and inserting the phrase "be refunded." in its place.

(b) Section 3 is repealed.

SUBTITLE B. OMNIBUS BUDGET SUPPORT CLARIFICATION AMENDMENT

Sec. 7021. Short title.

This subtitle may be cited as the "Omnibus Budget Support Clarification Emergency Amendment Act of 2016".

Sec. 7022. The Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Section 1072(a)(1) is amended by striking the date "December 15, 2016" and inserting the date "April 30, 2017" in its place.

(b) Section 6004 is repealed.

(c) Section 6193 is amended by striking the date "September 30, 2016" and inserting the date "September 30, 2017" in its place.

(d) Section 8042(g) is amended by striking the phrase "Notwithstanding any other provision of this act" and inserting the phrase "Notwithstanding any other provision of this act, and excluding any Master Lease for Vehicle Purchase (Fund Detail 0302) funds" in its place.

(e) Section 8052 is amended as follows:

(1) Strike the phrase "YY105C" in the tabular array and insert the phrase "YY159C" in its place.

(2) Strike the phrase "PROSPECT ES MODERNIZATION/RENOVATION" in the tabular array and insert the phrase "ELLINGTON MODERNIZATION/RENOVATION" in its place.

Sec. 7023. Section 7154 of the IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.311), is amended to read as follows:

"Sec. 7154. WMATA Operations Support Fund.

"(a) There is established as a special fund the WMATA Operations Support Fund ("Fund"), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

"(b)(1) Upon affirmance of the trial court's summary-judgment rulings by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc., et al*., Nos. 14-CV-308, 14-CV-309, the full amount the District obtains pursuant to the consent judgments entered by the trial court, to include any additional amounts in taxes and interest paid by defendants or accrued during the pendency of that litigation, minus the amounts designated for other purposes in sections 7152 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015, effective October 6, 2015 (D.C. Act 21-153; 62 DCR 13178), and the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, enacted on October 22, 2015 (D.C. Act 21-171; 62 DCR 13979), shall be deposited into the Fund.

"(2) The full amount the District obtains pursuant to any and all settlements, judgments, or recoveries in *District of Columbia v. Bank of America, N.A., et al.*, No. 2008 CA 007763 B, to include any additional amounts in taxes and interest paid by defendants or accrued during the pendency of that litigation, shall be deposited into the Fund.".

"(c) The monies in the Fund shall be available to fund extraordinary or unanticipated operating or capital needs of the Washington Metropolitan Area Transit Authority ("WMATA") that arise outside of WMATA's regular inter-jurisdictional subsidy allocation formulae.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

"(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.".

Sec. 7024. Section 308(d)(1) of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1160; D.C. Official Code § 10-1103.07(d)(1)), is amended by striking the phrase "For periods beginning after June 30, 2015, interest on unpaid vault rent"

and inserting the phrase "Beginning September 15, 2015, interest on any unpaid vault rent for any vault year" in its place.

Sec. 7025. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01), is amended as follows:

(a) Paragraph (2) is amended as follows:

(1) Subparagraph (E) is amended by striking the word "or".

(2) Subparagraph (F) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new subparagraph (G) is added to read as follows:

"(G) A substitute teacher or a substitute aide who is employed by District of Columbia Public Schools for a period of 30 or fewer consecutive work days.".

(b) New paragraphs (9) and (10) are added to read as follows:

"(9) "Substitute aide" means an individual who is employed by District of Columbia Public Schools to provide instructional assistance (general, specialized, or concentrated) to students on a temporary basis when the regular instructional aide is unavailable. The term "substitute aide" does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.

"(10) "Substitute teacher" means an individual who is employed by District of Columbia Public Schools to work as a classroom teacher on a temporary basis when the regular teacher is unavailable. The term "substitute teacher" does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.".

Sec. 7026. Section 2(g) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(g)), is amended as follows:

(a) Paragraph (4) is amended by striking the word "outcomes" and inserting the phrase "outcomes as of December 31, 2015," in its place.

(b) A new paragraph (5) is added to read as follows:

"(5) In Fiscal Year 2016, the District of Columbia Auditor shall conduct an evaluation of multiple years of the summer youth jobs program to assess whether the program has met and is meeting program objectives.".

Sec. 7027. Section 2(h) of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(h)), is amended as follows:

(a) Paragraph (2)(A) is amended by striking the phrase "Under 22 years of age" and inserting the phrase "A resident of the District of Columbia under 22 years of age" in its place.

(b) Paragraph (6) is repealed.

Sec. 7028. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-355.07 is amended as follows:

(1) Subsection (c)(1) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase "serve at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(B) Subparagraph (B) is amended by striking the phrase "serves at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(C) Subparagraph (D) is amended by striking the phrase "serves at the pleasure of" and inserting the phrase "shall be appointed by" in its place.

(2) Subsection (d)(3)(D) is amended by striking the phrase "taken or proposed to be taken" and inserting the word "recommended" in its place.

(3) New subsections (d-1), (d-2), and (d-3) are added to read as follows:

"(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of an alleged violation.

"(2) In investigating a report of an alleged violation, the Review Board may:

"(A) Request assistance from the Office of the Chief Financial Officer, the Office of the Inspector General, and the Office of the Attorney General; and

"(B) Consult with the Office of the Attorney General for the purposes of obtaining legal advice.

"(d-2) The Review Board:

"(1) Shall have access, subject to any privileges or confidentiality requirements as provided by law, to all facilities, files, and databases of the District government, including all files, electronic paper records, reports, documents, and other materials that may relate to the investigation;

"(2) May request information or assistance from any District, federal, state, or local government agency as may be necessary for carrying out the investigation; and

"(3) May seek information from parties outside the District government, including government contractors, that may be relevant to the investigation.

"(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of boards, commissions, and councils of the District government shall cooperate in an investigation by the Review Board and shall provide documents, materials, and information to the Review Board upon request.

"(2) Subject to any applicable privileges, officers, employees, and members of boards, commissions, and councils of the District government shall respond truthfully to all questions posed by the Review Board, and shall not prevent or prohibit the Review Board from initiating, carrying out, or completing an investigation within its jurisdiction.

"(3) The Review Board:

"(A) May require any officer, employee, or member of a board, commission, or council of the District government, including the subject of an allegation, to appear before the Review Board; and

"(B) Shall provide any officer, employee, or member of a board, commission, or council of the District who is potentially subject to disciplinary action an opportunity to appear before the Review Board.

"(4) The Review Board may recommend an appropriate disciplinary action with respect to any officer, employee, or member of a board, commission, or council of the District government who fails to cooperate fully with a Review Board investigation.".

(b) Chapter 13A is amended as follows:

(1) Section 47-1341 is amended as follows:

(A) Subsection (a)(1) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service,".

(B) Subsection (b-1)(1) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service,".

(2) Section 47-1353.01(a) is amended by striking the phrase ", postage prepaid, bearing a postmark from the United States Postal Service to the last known address of the owner" and inserting the phrase "to the person who last appears as the owner of the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405" in its place.

(c) Chapter 18 is amended as follows:

(1) The table of contents is amended by striking the phrase "Tax haven updates." and inserting the phrase "Tax haven updates. (Repealed)." in its place.

(2) Section 47-1801.04 is amended as follows:

(A) Paragraph (11) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase "calendar year beginning January 1, 2011" wherever it appears and inserting the phrase "base year" in its place.

(ii) A new subparagraph (C) is added to read as follows:

"(C) For the purposes of this paragraph, the term "base year" shall mean the calendar year beginning January 1, 2011, or the calendar year beginning one calendar year before the calendar year in which the new dollar amount of a deduction or exemption shall become effective, whichever is later.".

(B) Paragraph (49) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase "means the jurisdictions listed in subparagraph (B-i) of this paragraph and any jurisdiction that" and inserting the phrase "means a jurisdiction that" in its place.

(ii) Subparagraph (B-i) is repealed.

(3) Section 47-1806.02(h-1)(1) of the District of Columbia Official Code is amended to read as follows:

"(h-1)(1) For taxable years beginning after December 31, 2014, the amount of the personal exemption otherwise allowable for the taxable year in the case of an individual whose adjusted gross income exceeds $150,000 shall be reduced by 2% for every $2,500 (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year exceeds $150,000.".

(4) Section 47-1807.02(a)(6) is amended by striking the phrase "9%" and inserting the phrase "9.2%, 9%" in its place.

(5) Section 47-1808.03(a)(6) is amended by striking the phrase "9%" and inserting the phrase "9.2%, 9%" in its place.

(6) Section 47-1810.09 is repealed.

Sec. 7029. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended by striking the phrase "shall be a violation of" and inserting the phrase "shall be a violation, to be adjudicated pursuant to" in its place.

Sec. 7030. Section 2404 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2404) is amended as follows:

(a) Subsection 2404.15 is amended to read as follows:

"2404.15 Except as provided in § 2424, the rates for parking meters in the "Premium Demand Parking Meter Rate Zones" shall be as follows:

"(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

"(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.".

(b) Subsection 2404.17 is amended to read as follows:

"2404.17 Except as provided in § 2424, the rates for parking meters in the "Normal Demand Parking Meter Rate Zones" shall be as follows:

"(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

"(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.".

SUBTITLE C. COMBINED REPORTING AMENDMENT

Sec. 7041. Short title.

This subtitle may be cited as the "Combined Reporting Emergency Amendment Act of 2016".

Sec. 7042. Section 47-1810.08(b) of the District of Columbia Official Code is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) The newly designated paragraph (1) is amended by striking the phrase "5th year" and inserting the phrase "10th year" in its place.

(c) A new paragraph (2) is added to read as follows:

"(2) If there is an underpayment of estimated tax for tax year 2015 as a result of taking into account the deduction pursuant to this section, the estimated tax interest resulting from such underpayment, upon application, shall be waived.".

Sec. 7043. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE D. FRANCHISE TAX RETURN DUE DATE

Sec. 7051. Short title.

This subtitle may be cited as the "Franchise Tax Return Due Date Emergency Amendment Act of 2016".

Sec. 7052. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1805.01 is amended by striking the word "Mayor" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(b) Section 47-1805.02 is amended by striking the word "Mayor" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(c) Section 47-1805.03 is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Designate the existing text as paragraph (1).

(B) The newly designated paragraph (1) is amended as follows:

(i) Strike the phrase "All returns" and insert the phrase "For tax years beginning before January 1, 2016, all returns" in its place.

(ii) Strike the phrase "filed with the Mayor" and insert the phrase "filed with the Chief Financial Officer" in its place.

(C) A new paragraph (2) is added to read as follows:

"(2) For tax years beginning after December 31, 2015, all returns of income for the preceding taxable year required to be filed by § 47-1805.01 shall be filed with the Chief Financial Officer on or before the 15th day of April of each year; except, that such returns, if made on the basis of a fiscal year, shall be filed on or before the 15th day of the 4th month following the close of such fiscal year.".

(2) Subsection (b) is amended by striking the phrase "The Mayor" and inserting the phrase "The Chief Financial Officer" in its place.

Sec. 7053. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE E. COLLEGE SAVINGS PROGRAM AMENDMENT

Sec. 7061. Short title.

This subtitle may be cited as the "College Savings Program Emergency Amendment Act of 2016".

Sec. 7062. The lead-in language of section 47-4512(b)(1) of the District of Columbia Official Code is amended to read as follows:

"By May 31st of each year, the Chief Financial Officer shall submit to the Council a report for the preceding fiscal year, which shall include:".

SUBTITLE F. D.C. LOTTERY AMENDMENT

Sec. 7071. Short title.

This subtitle may be cited as the "Lottery Emergency Amendment Act of 2016".

Sec. 7072. Section 4 of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code § 3-1301 *et seq*.), is amended as follows:

(a) Section 2-2501 (D.C. Official Code § 3-1301) is amended to read as follows:

"Section 2-2501. Creation; established as an office within the Office of the Chief Financial Officer; transfer of powers; definitions.

"(a) There is hereby created by the District of Columbia, the District of Columbia Lottery and Charitable Games Control Board.

"(b) Effective with the appointment of the first Chief Financial Officer under section 424(b) and pursuant to section 424(a)(3) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), the Board is established as the Office of Lottery and Charitable Games, a subordinate office within the Office of the Chief Financial Officer. All of the powers, duties, functions, and personnel of the Board are transferred to the Office of the Chief Financial Officer.

"(c) For the purposes of this act, the term:

"(1) "Board" means the District of Columbia Lottery and Charitable Games Control Board established by this section.

"(2) "Office" means the Office of Lottery and Charitable Games established by this section.".

(b) Section 2-2502 (D.C. Official Code § 3-1302) is amended to read as follows:

"Section 2-2502. Oath requirement.

"Before entering upon the discharge of the duties of office, the Executive Director and the Deputy Director shall take an oath that he or she will faithfully execute the duties of office according to the laws of the District of Columbia. In addition, each employee of the Office shall take and subscribe to an oath or affirmation that he or she is not pecuniarily interested, voluntarily or involuntarily, directly or indirectly, in any firm, partnership, association, organization, or corporation engaged in any activity related to legalized or illegal gambling. If required by the Chief Financial Officer, an employee shall file a financial disclosure statement according to the laws of the District of Columbia.".

(c) Section 2-2503 (D.C. Official Code § 3-1303) is amended to read as follows:

"Section 2-2503. Executive Director and Deputy Director.

"(a)(1) Pursuant to section 424a of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), after consultation with the Mayor and the Council, the Chief Financial Officer shall appoint an Executive Director and a

Deputy Director of the Office, each of whom shall serve at the pleasure of the Chief Financial Officer.

"(2) The Chief Financial Officer shall determine the compensation for the Executive Director and the Deputy Director.

"(3) Before performing the duties of their respective offices, the Executive Director and the Deputy Director shall take the oath of office as required by section 2-2502 of section 4 (D.C. Official Code § 3-1302).

"(b)(1) Subject to the direction and supervision of the Chief Financial Officer, the Executive Director shall:

"(A) Serve as the chief executive officer of the Office;

"(B) Manage, administer, and coordinate the operation of public gambling and charitable games activities; and

"(C) Employ other assistants and employees who shall serve at the pleasure of the Chief Financial Officer.

"(2)(A) The Chief Financial Officer may delegate any of his or her functions to the Executive Director or to any other officer or employee of the Office, and may delegate to the Executive Director or other employee such other duties the Chief Financial Officer considers necessary for the proper and efficient operation of public gambling and charitable activities.

"(B) The Executive Director may, with the approval of the Chief Financial Officer, make a further delegation of all or a part of the functions to subordinates under his or her jurisdiction.

"(C) The Chief Financial Officer may revoke any delegation at any time.".

(d) Section 2-2504 (D.C. Official Code § 3-1304) is amended to read as follows:

"Section 2-2504. Bonding and fingerprinting.

"The Chief Financial Officer may require an Office employee to give a bond in an amount determined by the Chief Financial Officer. Every such bond shall be filed with the District of Columbia Treasurer. The cost of a bond given pursuant to this section shall be part of the necessary expenses of the Office. Further, Office employees shall be fingerprinted before, and as a condition of, employment.".

(e) Section 2-2505 (D.C. Official Code § 3-1305) is amended by striking the phrase "No member of the Board, Chairperson of the Board, Executive Director, or employee of the Board" and inserting the phrase "Neither the Executive Director nor any employee of the Office" in its place.

(f) Section 2-2506 (D.C. Official Code § 3-1306) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Strike the phrase "The Board shall have" both times it appears and insert the phrase "The Chief Financial Officer shall have" in its place.

(B) Strike the phrase "existing licensees of the Board" and insert the phrase "existing licensees of the Office" in its place.

(C) Strike the phrase "Corporation Counsel" and insert the phrase "Attorney General" in its place.

(2) Subsection (b) is amended by striking the word "Board" both times it appears and inserting the phrase "Chief Financial Officer" in its place.

(g) Section 2-2507 (D.C. Official Code § 3-1307) is amended as follows:

(1) Strike the phrase "The Board" both times it appears and insert the phrase "The Chief Financial Officer" in its place.

(2) Strike the phrase "disbursements of the Board" and insert the phrase "disbursements of the Office" in its place.

(3) Strike the phrase "which the Board may deem" and insert the phrase "that the Chief Financial Officer may consider" in its place.

(h) Section 2-2508 (D.C. Official Code § 3-1308) is amended to read as follows:

"Section 2-2508. Power to administer oaths and take testimony; subpoena power.

"(a)(1) The Chief Financial Officer, the designee of the Chief Financial Officer, or other agent authorized by law ("empowered authority") shall have the power to administer oaths and take testimony under oath relative to a matter of inquiry or investigation undertaken pursuant to this act.

"(2) At a hearing ordered by the Chief Financial Officer or designee, the empowered authority may subpoena witnesses and require production of records, papers, and documents relevant to the inquiry or investigation.

"(b) The refusal or failure to provide relevant testimony or produce relevant records, papers, or documents pursuant to a properly issued subpoena of the Chief Financial Officer or designee by any applicant before the empowered authority, or by any officer, director, or employee of the applicant, licensee, or agent, may subject the applicant to summary denial of its application and summary termination of its license or authorization of the licensee or agent.

"(c) If a person disobeys the process authorized pursuant to this section or having appeared in obedience to a lawful request to appear refuses to answer any relevant or pertinent question propounded by the empowered authority, the Chief Financial Officer, or designee, may apply to the Superior Court of the District of Columbia ("Court"), or to any judge of the Court if the Court is not in session, setting forth the facts relating to the disobedience to the process or refusal to answer questions, and the Court shall order the person to appear before the Court to answer the questions the person had been asked or to produce the records, papers, or documents sought at the inquiry or investigation.

"(d) Upon the person's continued refusal, the Court, in accordance with the appropriate provisions of District law, shall take such punitive action as the Court considers necessary and appropriate.

"(e) Notwithstanding the imposition of any punitive action imposed on the person by the Court, the Chief Financial Officer, or designee, may proceed with the inquiry or investigation as if the person had not previously been called to testify.".

(i) Section 2-2509 (D.C. Official Code § 3-1309) is amended to read as follows:

"Section 2-2509. Recordkeeping.

"The Chief Financial Officer shall maintain full and complete records of the conduct and operation of daily numbers games and lotteries and of the regulation of bingo, raffles, and Monte

Carlo Night parties, which records shall include a statement of revenues and license fees, prize disbursements, and administrative expenses. The records shall be open and available to the public.".

(j) Section 2-2510 (D.C. Official Code § 3-1310) is amended to read as follows:

"Section 2-2510. Authority to establish divisions.

"The Chief Financial Officer shall have the authority to establish divisions within the Office.".

(k) Section 2-2511 (D.C. Official Code § 3-1311) is amended to read as follows:

"Section 2-2511. Budget.

"(a)(1) The Chief Financial Officer shall submit to the Mayor a consolidated budget covering all anticipated income, expenses (including all start-up costs), and capital outlays of the Office, which budget shall show the net amount for which it requests an appropriation.

"(2) The net amount for which the Chief Financial Officer requests an appropriation shall be the difference between the anticipated expenses for the coming fiscal year, including debt service for capital expenses and a reserve for bad debts, as shown in the consolidated budget, and the anticipated income shown in that budget.

"(b)(1) The budget shall be submitted on the date that all District government agencies are required to submit their budgets to the Mayor.

"(2) The Mayor shall transmit to the Council the budget as requested by the Chief Financial Officer. The Mayor may also submit a modified budget, as the Mayor considers appropriate.".

(l) Section 2-2512 (D.C. Official Code § 3-1312) is amended as follows:

(1) Subsection (a) is amended by striking the word "Board" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(2) Subsection (b) is amended to read as follows:

"(b) Any monies of the Office, from whatever source derived (including gifts to the Office), shall be for the sole use of the Fund and shall be deposited as soon as practicable in the Fund and shall be disbursed from the Fund according to the terms of this act. Disbursements of up to $500 from the Fund shall be paid out in checks signed by the Executive Director or designee. Disbursements in excess of $500 shall be paid out in checks signed by the Executive Director and the Treasurer of the District of Columbia.".

(3) Subsection (c) is amended by striking the word "Board" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(m) Section 2-2513 (D.C. Official Code § 3-1313) is amended by striking the word "Board" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(n) Section 2-2514 (D.C. Official Code § 3-1314) is amended as follows:

(1) The first sentence is amended by striking the phrase "The Board shall" and inserting the phrase "The Office shall" in its place.

(2) The third and fourth sentences are amended by striking the word "Board" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(o) Section 2-2515 (D.C. Official Code § 3-1315) is amended by striking the word "Board" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(p) Section 2-2516 (D.C. Official Code § 3-1316) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Strike the phrase "Board, in its discretion," and insert the phrase "Chief Financial Officer, in the Chief Financial Officer's discretion," in its place.

(B) Strike the phrase "in the name of the Board, to the Credit of the Board, which the Board is authorized to establish, in institutions designated by it which are legal" and insert the phrase "in the name of the Office, to the credit of the Office, which the Chief Financial Officer is authorized to establish, in institutions designated by the Chief Financial Officer that are legal" in its place.

(2) Subsection (b) is amended as follows:

(A) Strike the phrase "benefit of the Board" and insert the phrase "benefit of the Office" in its place.

(B) Strike the phrase "transferred to the Board. The Board shall" and insert the phrase "transferred to the Office. The Chief Financial Officer shall" in its place.

(C) Strike the phrase "sales agents. The Board" and insert the phrase "sales agents. The Chief Financial Officer" in its place.

(q) Section 2-2517 (D.C. Official Code § 3-1317) is amended as follows:

(1) Strike the phrase "The Board may authorize" and insert the phrase "The Chief Financial Officer may authorize" in its place.

(2) Strike the phrase "the Board may determine." and insert the phrase "the Chief Financial Officer may determine." in its place.

(3) Strike the phrase "accounts of the Board" and insert the phrase "accounts of the Office" in its place.

(4) Strike the phrase "authorized by the Board because" and insert the phrase "authorized by the Chief Financial Officer because" in its place.

(5) Strike the phrase "as the Board may require." and insert the phrase "as the Chief Financial Officer may require." in its place.

(r) Section 2-2518 (D.C. Official Code § 3-1318) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) The lead-in language is amended by striking the word "Board" and inserting the word "Office" in its place.

(B) Paragraph (5) is amended by striking the word "Board" and inserting the phrase "Chief Financial Officer" in its place.

(2) Subsection (b) is amended by striking the word "Board" and inserting the phrase "Chief Financial Officer" in its place.

(s) Section 2-2519 (D.C. Official Code § 3-1319) is amended by striking the word "Board" and inserting the phrase "Chief Financial Officer" in its place.

(t) Section 2-2520 (D.C. Official Code § 3-1320(a)) is amended as follows:

(1) Strike the phrase "Any member or employee of the Board" and insert the phrase "The Chief Financial Officer, any employee of the Office," in its place.

(2) Strike the phrase "any member or employee of the Board" and insert the phrase "the Chief Financial Officer or any employee of the Office" in its place.

(u) Section 2-2521 (D. C. Official Code § 3-1321) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) The newly designated subsection (a) is amended as follows:

(A) Strike the phrase "The Board" wherever it appears and insert the phrase "The Chief Financial Officer" in its place.

(B) Strike the phrase "paid over to the Board which shall" and insert the phrase "paid over to the District of Columbia Treasurer, who shall" in its place.

(3) A new subsection (b) is added to read as follows:

"(b) Any rule or regulation promulgated by the Board before the transfer of its functions and personnel to the Chief Financial Officer by section 424(a)(3) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), shall continue in effect, except to the extent it is modified or superseded by the Chief Financial Officer, or designee, or made inapplicable by or under other law.".

(v) Section 2-2522 (D.C. Official Code § 3-1322) is amended by striking the word "Board" and inserting the phrase "Chief Financial Officer" in its place.

(w) Section 2-2522a (D.C. Official Code § 3-1322.01) is amended by striking the word "Board" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(x) Section 2-2523 (D.C. Official Code § 3-1323) is amended as follows:

(1) Subsection (a) is amended by striking the word "Board" and inserting the word "Office" in its place.

(2) Subsection (b) is amended by striking the word "Board" and inserting the word "Office" in its place.

(3) Subsection (b-1) is amended as follows:

(A) Paragraph (1) is amended by striking the word "Board" and inserting the word "Office" in its place.

(B) Paragraphs (2) and (3) are amended by striking the word "Board" both times it appears and inserting the phrase "Chief Financial Officer" in its place.

(4) Subsections (c) and (d) are amended by striking the word "Board" wherever it appears and inserting the word "Office" in its place.

(y) Section 2-2524 (D.C. Official Code § 3-1324) is amended as follows:

(1) Strike the phrase "The Board shall adopt rules" and insert the phrase "The Chief Financial Officer shall adopt rules" in its place.

(2) Strike the phrase "raffles. The Board" and insert the phrase "raffles. The Office" in its place.

(3) Strike the phrase "regulations. The Board" and insert the phrase "regulations. The Office" in its place.

(4) Strike the phrase "paid over to the Board" and insert the phrase "paid over to the Office" in its place.

(5) Strike the phrase "right to a hearing before the Board" and insert the phrase "right to a hearing before the Chief Financial Officer, or designee," in its place.

(z) Section 2-2525 (D.C. Official Code § 3-1325) is amended as follows:

(1) Strike the phrase "regulations of the Board and to insure" and insert the phrase "regulations of the Chief Financial Officer and to insure" in its place.

(2) Strike the phrase "given to the Board" and insert the phrase "given to the Office" in its place.

(3) Strike the phrase "determined by the Board." and insert the phrase "determined by the Chief Financial Officer." in its place.

(4) Strike the phrase "pay to the Board" and insert the phrase "pay to the Office" in its place.

(aa) Section 2-2526(a) (D.C. Official Code § 3-1326(a)) is amended as follows:

(1) Strike the phrase "licensed by the Board" both times it appears and insert the phrase "licensed by the Office" in its place.

(2) Strike the phrase "regulations of the Board" and insert the phrase "regulations of the Chief Financial Officer" in its place.

(3) Strike the phrase "prescribed by the Board" and insert the phrase "prescribed by the Office" in its place.

(4) Strike the phrase "directives of the Board" and insert the phrase "directives of the Chief Financial Officer" in its place.

(bb) Section 2-2527 (D.C. Official Code § 3-1327) is amended as follows:

(1) Strike the phrase "set by the Board" and insert the phrase "set by the Chief Financial Officer" in its place.

(2) Strike the phrase "enable the Board" and insert the phrase "enable the Office" in its place.

(cc) Section 2-2528(a) (D.C. Official Code § 3-1328(a)) is amended by striking the phrase "The Board, in its discretion" and inserting the phrase "The Chief Financial Officer, in the Chief Financial Officer's discretion" in its place.

(dd) Section 2-2529 (D. C. Official Code § 3-1329) is amended by striking the word "Board" and inserting the word "Office" in its place.

(ee) Section 2-2530 (D. C. Official Code § 3-1330) is amended by striking the word "Board" wherever it appears and inserting the word "Office" in its place.

(ff) Section 2-2531 (D.C. Official Code § 3-1331) is amended as follows:

(1) Strike the word "Board" wherever it appears and insert the phrase "Chief Financial Officer" in its place.

(2) Strike the phrase "at which he shall have the right" and insert the phrase "at which the licensee shall have the right" in its place.

(gg) Section 2-2532 (D. C. Official Code § 3-1332) is amended by striking the word "Board" and inserting the word "Office" in its place.

(hh) Section 2-2535 (D.C. Official Code § 3-1335) is amended by striking the word "Board" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

(ii) Section 2-2536 (D. C. Official Code § 3-1336) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "No Board member, officer, or employee of the Board" and inserting the phrase "Neither the Chief Financial Officer nor any employee of the Office of the Chief Financial Officer or the Office" in its place.

(2) Subsection (b) is amended as follows:

(A) Strike the phrase "Office of Contracting and Procurement" and insert the phrase "Office of Contracts of the Office of the Chief Financial Officer" in its place.

(B) Strike the phrase "on behalf of the Board" and insert the phrase "on behalf of the Office" in its place.

(3) Subsection (d) is amended to read as follows:

"(d) No contract awarded or entered into by the Office of the Chief Financial Officer may be assigned by the holder thereof except by specific approval of the Chief Financial Officer.".

(4) Subsection (g) is amended by striking the word "Board" and inserting the phrase "Chief Financial Officer" in its place.

Sec. 7073. Section 2(e)(11) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(11)), is repealed.

Sec. 7074. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D. C. Official Code 1-601.01 *et seq.*), is amended as follows:

(a) Section 406(b)(14) (D.C. Official Code § 1-604.06(b)(14)) is amended to read as follows:

"(14) For all employees of the Office of Lottery and Charitable Games, including the Executive Director, the personnel authority is the Chief Financial Officer.".

(b) Section 908(13) (D.C. Official Code § 1-609.08(13)) is repealed.

SUBTITLE G. OIG AUDIT AMENDMENT

Sec. 7081. Short title.

This subtitle may be cited as the "Office of Inspector General Audit Emergency Amendment Act of 2016".

Sec. 7082. Section (3)(e) of the District of Columbia Emergency Highway Relief Act, approved August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02(e)), is amended by striking the phrase "March 15 thereafter" and inserting the phrase "May 31 thereafter" in its place.

SUBTITLE H. PARKSIDE PARCEL E AND J TAX ABATEMENT

Sec. 7091. Short title.

This subtitle may be cited as the "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Emergency Amendment Act of 2016".

Sec. 7092. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "47-4658. Parkside Parcel E and J Mixed-Income Apartments; Lot 808, Square 5041 and Lot 811, Square 5056." and inserting the phrase "47-4658. Lot 72, Square 5041 and Lot 811, Square 5056." in its place.

(b) Section 47-4658 is amended as follows:

(1) The heading is amended to read as follows:

"§ 47-4658. Lot 72, Square 5041 and Lot 811, Square 5056.".

(2) Subsection (a) is amended to read as follows:

"(a) Subject to subsection (b) of this section, the real property described as Lot 72 in Square 5041 and Lot 811 in Square 5056 shall be allowed an annual real property tax abatement equal to the amount of the real property taxes assessed and imposed by Chapter 8 of this title of up to a total maximum amount for each lot of $300,000 per year for 10 property tax years commencing for Lot 72 and Lot 811 at the beginning of the first month following the date that specific lot is issued a final certificate of occupancy ("commencement date") and ending for each lot at the end of the 10th full real property tax year following the lot's commencement date.".

(3) Subsections (c) and (d) are amended to read as follows:

"(c) Notwithstanding any other provision of law and provided that the final certificate of occupancy is issued on or before September 20, 2020, upon the issuance of a final certificate for Lot 72 or Lot 811, any fees or deposits charged to and paid by the owner of that specific lot for the development of Lot 72 or Lot 811, including private space or building permit fees or public space permit fees ("related fees"), shall be refunded and any prospective related fees forgiven.

"(d) The tax abatements and the exemptions from fees and deposits provided pursuant to this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the development of Lot 72 or Lot 811.".

SUBTITLE I. SCHEDULE H CONSUMER PRICE INDEX AMENDMENT

Sec. 7101. Short title.

This subtitle may be cited as the "Schedule H Consumer Price Index Emergency Amendment Act of 2016".

Sec. 7102. Section 47-1806.06(r) of the District of Columbia Official Code is amended to read as follows:

"(r)(1) "The maximum credit amount of $1000 shall be adjusted annually for inflation based on the Consumer Price Index (if the adjustment does not result in a multiple of $25, rounded down to the next multiple of $25).

"(2) The eligibility income threshold of $50,000 ($60,000 for eligible senior claimants) shall be adjusted annually for inflation based on the Consumer Price Index (if the adjustment does not result in a multiple of $100, rounded down to the next multiple of $100).

"(3) In the case of a negative annual inflation rate based on the Consumer Price Index, neither the credit amount of $1000 nor the eligibility income threshold of $50,000 ($60,000 for eligible senior claimants) shall be decreased.

"(4) For the purposes of this subsection, the term "Consumer Price Index" means the all items index of the Consumer Price Index for All Urban Consumers for Washington-Baltimore Area, published by the Bureau of Labor Statistics of the United States Department of Labor.".

SUBTITLE J. TAX SALE RESOURCE CENTER AND DEED CLARIFICATION

Sec. 7111. Short title.

This subtitle may be cited as the "Tax Sale Resource Center and Deed Clarification Emergency Amendment Act of 2016".

Sec. 7112. Chapter 13A of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1341 is amended as follows:

(1) Subsection (a)(2) is amended by striking the phrase:

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.".

(2) Subsection (b-1)(2) is amended by striking the phrase:

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.".

(b) Section 47-1353.01(b) is amended by striking the phrase:

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.".

(c) Section 47-1382(b) is amended to read as follows:

"(b) Notwithstanding subsection (a)(1) of this section, upon issuance of a tax deed concerning a real property sold under § 47-1353(a)(3) or (b), the real property shall be free and clear of all prior taxes and liabilities owed by the real property to a taxing agency. The purchaser shall not be required to pay such prior taxes and liabilities to receive the tax deed.".

SUBTITLE K. TAX REVISION COMMISSION IMPLEMENTATION

Sec. 7121. Short title.

This subtitle may be cited as the "Tax Revision Implementation Emergency Amendment Act of 2016".

Sec. 7122. Section 47-181(b) of the District of Columbia Official Code is amended as follows:

(a) The existing text is designated as paragraph (1).

(b) A new paragraph (2) is added to read as follows:

"(2) If local Fiscal Year 2017 recurring annual revenues included in the quarterly revenue estimate issued in September 2016 exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2017, the additional revenue shall be used to continue implementation of the TRC Act according to the priority set forth in subsection (c) of this section for taxable years beginning or deaths occurring, as applicable, after December 31, 2016; provided, that the Chief Financial Officer shall recalculate the cost of the provisions of the TRC Act with the September 2016 estimate.".

Sec. 7123. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE L. LIHTC PILOT PROGRAM AMENDMENT

Sec. 7131. Short title.

This subtitle may be cited as the "LIHTC Pilot Program Initiation Emergency Amendment Act of 2016".

Sec. 7132. Section 47-4802(a)(2) of the District of Columbia Official Code is amended by striking the phrase "tax year 2016" and inserting the phrase "tax year 2017" in its place.

SUBTITLE M. FISCAL STABILIZATION RESERVE AMENDMENT

Sec. 7141. Short title.

This subtitle may be cited as the "Fiscal Stabilization Reserve Emergency Amendment Act of 2016".

Sec. 7142. Section 47-392.02(j-1) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (2) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "act; and" and inserting the phrase "act;" in its place.

(2) Subparagraph (B) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new subparagraph (C) is added to read as follows:

"(C) Funding for the appropriations advance to District of Columbia Public Schools and District of Columbia Public Charter Schools as authorized by the annual

budget and financial plan; provided, that any amounts used must be replenished immediately upon the approval of the District's annual budget for that year.".

(b) A new paragraph (2A) is added to read as follows:

"(2A) The Fiscal Stabilization Reserve Account may be used by the Chief Financial Officer to cover cash flow needs; provided, that any amounts used shall be replenished to the Fiscal Stabilization Reserve Account in the same fiscal year.".

SUBTITLE N. SPECIAL BUDGET PROVISION REFORM

Sec. 7151. Short title.

This subtitle may be cited as the "Special Budget Provision Reform Emergency Act of 2016".

Sec. 7152. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended as follows:

(1) Strike the phrase "47-368.01. Transfer of dedicated funds to the General Fund." and insert the phrase "47-368.01. Transfer of dedicated funds to the General Fund. [Repealed]." in its place.

(2) Strike the phrase "47-368.02. Increase in funds and fees and charges." and insert the phrase "47-368.02. Increase in funds and fees and charges. [Repealed]." in its place.

(3) Strike the phrase "47-368.03. Reduction in rates for certain excise taxes." and insert the phrase "47-368.03. Reduction in rates for certain excise taxes. [Repealed]." in its place.

(b) Section 47-368.01 is repealed.

(c) Section 47-368.02 is repealed.

(d) Section 47-368.03 is repealed.

SUBTITLE O. VAULT TAX EXPANSION

Sec. 7161. Short title.

This subtitle may be cited as the "Vault Tax Expansion Emergency Amendment Act of 2016".

Sec. 7162. Section 305(d) of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1159; D.C. Official Code § 10-1103.04(d)), is amended by adding a new paragraph (4) to read as follows:

"(4) Any vault serving, in whole or in part, real property located at Square 287, Lot 812 shall be exempt from vault rent.".

SUBTITLE P. WALKER JONES REAL PROPERTY TAX ABATEMENT

Sec. 7171. Short title.

This subtitle may be cited as the "Walker Jones/Northwest One Unity Health Center Tax Abatement Emergency Amendment Act of 2016".

Sec. 7172. Section 47-4619(b) of the District of Columbia Official Code is amended by striking the phrase "October 1, 2009 to September 30, 2013" and inserting the phrase "October 1, 2016, to September 30, 2021" in its place.

Sec. 7173. Section 3 of the Walker Jones/Northwest One Unity Health Center Tax Abatement Act of 2008, effective March 25, 2009 (D.C. Law 17-351; 56 DCR 1113), is repealed.

SUBTITLE Q. JUBILEE ONTARIO APARTMENTS REAL PROPERTY TAX ABATEMENT

Sec. 7181. Short title.

This subtitle may be cited as the “Jubilee Ontario Apartments Real Property Tax Abatement Emergency Amendment Act of 2016”.

Sec. 7182. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“47-1098. Jubilee Ontario Apartments, LP, Lot 805, Square 2565.”.

(b) A new section 47-1098 is added to read as follows:

“§ 47-1098. Jubilee Ontario Apartments, LP, Lot 805, Square 2565.

“The portion of Lot 805 in Square 2565, located at 2525 Ontario Road, N.W. (“Property”) that is used for nonresidential purposes, shall be exempt from real property taxation so long as the residential portion of the Property continues to be exempt from real property taxation pursuant to § 47-1005.02.”.

Sec. 7183. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the real property located at 2525 Ontario Road, N.W., described as Lot 805, Square 2565, for the period beginning March 27, 2015, through November 31, 2016, and recordation tax, interest, or penalties assessed or collected on Document number 2015028485, recorded March 27, 2015, shall be forgiven and that any payments made shall be refunded to the person who made the payments.

Sec. 7184. Applicability.

This subtitle shall apply as of the effective date of this act.

TITLE VIII. CAPITAL BUDGET

SUBTITLE A. FY 2017 CAPITAL PROJECT FINANCING REALLOCATION APPROVAL

Sec. 8001. Short title.

This subtitle may be cited as the "Fiscal Year 2017 Capital Project Reallocation Approval Emergency Act of 2016".

Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate $180,809,546 in general obligation bond proceeds from the District capital projects listed in Table A to the District capital projects listed in Table B, in the amounts specified.

(b) The current allocations were made pursuant to the Fiscal Year 2010 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of 2009, effective December 4, 2009 (D.C. Act 18-240; 56 DCR 9265), the Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011, effective December 6, 2011 (Res. 19-315; 58 DCR 10556), the Fiscal Year 2013 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2012, effective October 16, 2012 (Res.19-635; 59 DCR 12818), the Fiscal Year 2014 Income Tax Secured Revenue Bond and General Obligation Approval Resolution of 2013, effective November 5, 2013 (Res. 20-321; 60 DCR 15794), and the Fiscal Year 2015 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective November 28, 2014 (Res. 20-687; 61 DCR 12738).

TABLE A.

Owner Agency Name+A4:E20	**Project Number**	**Implementing Agency**	**Bond Issuance Series**	**Amount**
Office of the Chief Financial Officer	BF2	OCFO	2010A	140,465
Department of General Services	BC1	DGS	2012C I.T.	113,644
Department of Parks and Recreation	BSM	DGS	2012C I.T.	3,124,785
Department of Parks and Recreation	QH7	DPR	2012C I.T.	393,520
Department of Parks and Recreation	QJ8	DGS	2012C I.T.	529,131
Department of Parks and Recreation	QN4	DGS	2012C I.T.	334,244
District Department of Transportation	ED1	DDOT	2012C I.T.	599,509
District Department of Transportation	EDS	DDOT	2012C I.T.	292,359
District Department of Transportation	STC	DDOT	2012C I.T.	43,409
District of Columbia Public Schools	MO3	DGS	2012C I.T.	1,565,607
District of Columbia Public Schools	ND4	DGS	2012C I.T.	11,664
District of Columbia Public Schools	NJ8	DGS	2012C I.T.	11,442
District of Columbia Public Schools	PE3	DGS	2012C I.T.	39,641
Fire and Emergency Management Services	LB7	FEMS	2012C I.T.	2,268,528
Metropolitan Police Department	ECS	MPD	2012C I.T.	300,000
Office of the Chief Technology Officer	N60	OCTO	2012C I.T.	481,728
Department of Behavioral Health	XA6	OCTO	2013A G.O.	81,575
Department of Behavioral Health	XA8	DBH	2013A G.O.	150,119
Department of Corrections	CRF	DOC	2013A G.O.	508,089

Department of Healthcare Finance	MPM	DHCF	2013A G.O.	1,330,140
Department of Parks and Recreation	QE5	DGS	2013A G.O.	75,757
Department of Parks and Recreation	QJ8	DGS	2013A G.O.	351,837
Department of Parks and Recreation	RE0	DGS	2013A G.O.	1,265
Department of Public Works	FS1	DPW	2013A G.O.	76,846
Deputy Mayor for Planning and Economic Development	AWR	DMPED	2013A G.O.	1,546,808
District Department of Employment Services	UIM	DOES	2013A G.O.	2,354,064
District Department of Transportation	BRI	DDOT	2013A G.O.	1,678,669
District Department of Transportation	ED1	DDOT	2013A G.O.	500,000
District Department of Transportation	FLD	DDOT	2013A G.O.	39,030
District Department of Transportation	PM0	DDOT	2013A G.O.	150,941
District of Columbia Public Schools	PK3	DGS	2013A G.O.	538,150
Fire and Emergency Management Services	LD2	DGS	2013A G.O.	34,362
Office of the Chief Technology Officer	EQ1	OCTO	2013A G.O.	83,199
Office of the Chief Technology Officer	N60	OCTO	2013A G.O.	140,419
D.C. Public Library	WOD	DCPL	2013A GO	791,863
Office of the Secretary	AB1	DGS	2013A GO	784,215
Department of General Services	BC1	DGS	2014 A/B GO	25,054
D.C. Public Library	WOD	DCPL	2014C G.O.	2,300,000
Department of Corrections	CEV	DOC	2014C G.O.	1,566,292
Department of Corrections	CRF	DOC	2014C G.O.	1,500,000
Department of General Services	BC1	DGS	2014C G.O.	950,000
Department of Parks and Recreation	QS5	DGS	2014C G.O.	3,927,608
Deputy Mayor for Planning and Economic Development	EB0	DMPED	2014C G.O.	9,000,000
District Department of Employment Services	UIM	DOES	2014C G.O.	2,500,000
District Department of Transportation	6EQ	DDOT	2014C G.O.	3,526,564
District Department of Transportation	BRI	DDOT	2014C G.O.	8,000,000
District Department of Transportation	FLD	DDOT	2014C G.O.	1,469,644
Office of the Secretary	AB1	DGS	2014C G.O.	2,500,000
Office of the Chief Financial Officer	BF2	OCFO	2015A G.O.	429,148
D.C. Public Library	CAV	DCPL	Pending	4,500,000
D.C. Public Library	CPL	DCPL	Pending	4,125,000
D.C. Public Library	PAL	DCPL	Pending	5,700,000

Department of Corrections	CEV	DGS	Pending	33,708
Department of Healthcare Finance	HI1	DHCF	Pending	3,145,040
Department of Healthcare Finance	MPM	DHCF	Pending	2,300,000
Department of Parks and Recreation	FTD	DGS	Pending	2,000,000
Department of Parks and Recreation	IVY	DGS	Pending	1,925,000
Department of Parks and Recreation	Q10	DGS	Pending	1,000,000
Department of Parks and Recreation	Q11	DGS	Pending	1,500,000
Department of Parks and Recreation	QF4	DGS	Pending	1,400,000
Department of Parks and Recreation	WBR	DGS	Pending	14,000,000
Deputy Mayor for Planning and Economic Development	STH	DMPED	Pending	1,000,000
District Department of Employment Services	UIM	DOES	Pending	2,500,000
District Department of Transportation	AW0	DDOT	Pending	40,000,000
District Department of Transportation	CDT	DDOT	Pending	10,340
District Department of Transportation	PLU	DDOT	Pending	4,000,000
District Department of Transportation	TRF	DDOT	Pending	1,500,000
District of Columbia Public Schools	JOH	DGS	Pending	2,886,000
District of Columbia Public Schools	NX8	DGS	Pending	3,000,000
District of Columbia Public Schools	SG3	DGS	Pending	7,738,513
Fire and Emergency Management Services	LC4	DGS	Pending	3,000,000
Fire and Emergency Management Services	LC4	DGS	Pending	2,000,000
Metropolitan Police Department	PEQ	MPD	Pending	2,000,000
Office of the Chief Technology Officer	N90	OCTO	Pending	3,000,000
Office of the Chief Technology Officer	N91	OCTO	Pending	1,500,000
Office of the Chief Technology Officer	N92	OCTO	Pending	445,022
Special Education Transportation	BU4	SET	Pending	2,740,000
Special Education Transportation	BU5	SET	Pending	1,000,000
State Superintendent of Education	SIS	OSSE	Pending	1,800,000
TOTAL				**$180,909,957**
TABLE B.				
Owner Agency Name	**Project Number**	**Implementing Agency**	**Bond Issuance Series**	**Amount**
District of Columbia Public Schools	BRK	DGS	N/A	8,200,000

District of Columbia Public Schools	GM1	DGS	N/A	6,200,411
District of Columbia Public Schools	GM3	DGS	N/A	5,000,000
District of Columbia Public Schools	NA6	DGS	N/A	20,100,000
District of Columbia Public Schools	NR9	DGS	N/A	15,500,000
State Superintendent of Education	SFF	OSSE	N/A	2,000,000
Deputy Mayor for Economic Development	AMS	DMPED	N/A	1,467,000
WMATA	SA5	DDOT	N/A	693,923
Fire and Emergency Management Services	LF2	DGS	Pending	2,275,000
Department of Parks and Recreation	WBR	DGS	Pending	14,000,000
Department of Parks and Recreation	QE2	DGS	Pending	9,730,000
Department of Parks and Recreation	QN7	DPR	Pending	19,000,000
Department of Human Services	CMS	DHS	Pending	14,000,000
District Department of Transportion	CEL	DDOT	Pending	3,000,000
WMATA	SA3	DDOT	Pending	20,000,000
WMATA	SA5	DDOT	Pending	39,743,623
TOTAL				**$180,909,957**

Sec. 8003. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILITATION AMENDMENT

Sec. 8011. Short title

This subtitle may be cited as the "Capital Project Review and Reconciliation Emergency Amendment Act of 2016".

Sec. 8012. Section 1266 of the Capital Project Support Fund Establishment Act of 2009, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-325.156), is amended by adding a new subsection (c) to read as follows:

"(c) This section shall not apply to surplus capital funds backed by Master Lease financing (fund detail 0302).".

Sec. 8013. Applicability.

This subtitle shall apply as of the effective date of this act.

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS

SUBTITLE A. FIXED COST COMMODITIES RESERVE AMENDMENT

Sec. 9001. Short title.

This subtitle may be cited as the "Fixed Cost Commodities Reserve Emergency Amendment Act of 2016".

Sec. 9002. Section 47-368.04 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended by striking the phrase "and rent" and inserting the phrase "and rent; provided, that the amount in the Fund shall not exceed $5 million in any fiscal year" in its place.

(b) A new subsection (c) is added to read as follows:

"(c) Amounts in the Fund shall be used only for the purposes in subsection (b) of this section and shall not be available for other purposes or be transferred to other funds or accounts.".

Sec. 9003. (a) Notwithstanding section 47-368.04 of the District of Columbia Official Code, or any other law restricting the use of the funds in the Commodities Cost Reserve Fund, the Chief Financial Officer shall transfer from the Commodities Cost Reserve Fund in Fiscal Year 2016 and recognize as Fiscal Year 2017 local funds resources $19,477,173.

(b) This section shall apply as of the effective date of this act.

TITLE X. APPLICABILTY; FISCAL IMPACT; EFFECTIVE DATE

Sec. 10001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2016.

Sec. 10002. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 10003. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a)

of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-464, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-786

Emergency Declaration Res. 21-529 21 DCStat 3768

Not Codified

To approve, on an emergency basis, Contract No. CW38874 with Public Consulting Group, Inc. to provide administrative services to the Department of Healthcare Finance and other District of Columbia agencies in accordance with federal statutory requirements, including Modification Nos. 0003 and 0004 to that contract, and to authorize payment in the total amount of $1,288,090 for the goods and services received and to be received pursuant to the contract and the modifications.

Contract No. CW38874 Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW38874 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW38874 with Public Consulting Group, Inc. to provide administrative services to the Department of Healthcare Finance and other District of Columbia agencies in accordance with federal statutory requirements, including Modification Nos. 0003 and 0004 to that contract, and authorizes payment in the amount of $1,288,090 for the goods and services received and to be received under the contract as modified by Modification Nos. 0003 and 0004.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-472, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-818

Emergency Declaration Res. 21-551 21 DCStat 3790

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, Chapter 7 of Title 25 of the District of Columbia Official Code to clarify the penalties for sale to minor violations and the failure to ascertain the legal drinking age violations.

Sale to Minors Penalty Clarification Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sale to Minors Penalty Clarification Congressional Review Emergency Amendment Act of 2016".

Sec. 2. Chapter 7 of Title 25 of the District of Columbia Official Code is amended as follows:

Note, § 25-781

(a) Section 25-781 is amended as follows:

(1) Subsection (f) is amended by striking the phrase "Upon finding that a licensee has violated subsection (a), (b), or (c) of this section in the preceding," and inserting the phrase "For violations of subsection (a), (b), or (c) of this section in the preceding" in its place.

(2) A new subsection (g) is added to read as follows:

"(g)(1) In determining whether a licensee has prior violations for the purposes of subsection (f) of this section, the 4-year period is the 4 years immediately preceding the date of the incident or conduct in the case pending before the Board for which the licensee has been found liable of violating subsection (a), (b), or (c) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine. A prior violation falls within the 4-year period if the date that the licensee was found liable of violating subsection (a), (b), or (c) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine, falls within the 4-year period.

"(2) For the purposes of this subsection, the term "offer-in-compromise" means a negotiation between the government and the respondent to settle the charges brought by the government for those violations committed by the respondent.".

Note, § 25-783

(b) Section 25-783 is amended as follows:

(1) Subsection (c) is amended by striking the phrase "Upon finding that a licensee has violated subsection (a) or (b) of this section in the preceding" and inserting the phrase "For violations of subsection (a) or (b) of this section in the preceding" in its place.

(2) A new subsection (c-1) is added to read as follows:

"(c-1)(1) In determining whether a licensee has prior violations for the purposes of subsection (c) of this section, the 4-year period is the 4 years immediately preceding the date of

the incident or conduct in the case pending before the Board for which the licensee has been found liable of violating subsection (a) or (b) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine. A prior violation falls within the 4-year period if the date that the licensee was found liable of violating subsection (a) or (b) of this section, either by an order of the Board, the Board's acceptance of an offer-in-compromise, or the licensee's payment of a fine, falls within the 4-year period.

"(2) For the purposes of this subsection, the term "offer-in-compromise" means a negotiation between the government and the respondent to settle the charges brought by the government for those violations committed by the respondent.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-473, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-819

Emergency Declaration Res. 21-552 21 DCStat 3791

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

Sale of Synthetic Drugs Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sale of Synthetic Drugs Congressional Review Emergency Amendment Act of 2016".

Note, § 47-2844

Sec. 2. Section 47-2844(a-2) of the District of Columbia Official Code is amended as follows:

(a) Paragraph (1) is amended as follows:

(1) The lead-in language is amending by striking the phrase "subsection (a-1) of this section" and inserting the phrase "subsection (a-1) of this section and paragraph (1A) of this subsection" in its place.

(2) Subparagraph (A) is amended by striking the word "subsection" and inserting the word "paragraph" in its place.

(3) Subparagraph (B) is amended by striking the word "subsection" and inserting the word "paragraph" in its place.

(4) Subparagraph (C) is amended by striking the word "subsection" and inserting the word "paragraph" in its place.

(b) A new paragraph (1A) is added to read as follows:

"(1A) In addition to the provisions of subsection (a-1) of this section and paragraph (1) of this subsection, the Mayor or the Chief of Police, notwithstanding § 2-1801.04(a)(1)), may take the following actions against, or impose the following requirements upon, any licensee, or agent or employee of a licensee, that knowingly engages or attempts to engage in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug, including the possession of multiple units of a synthetic drug:

"(A) For the first violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $10,000;

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or a portion of the premises, for up to 96 hours without a prior hearing;

"(iii) The Mayor may issue a notice to revoke all licenses issued to the licensee pursuant to this chapter; and

"(iv)(I) Within 14 days after having a licensee's premises sealed for a violation of this paragraph, the Mayor shall require the licensee to submit a remediation plan to the Director of the Department of Consumer and Regulatory Affairs that contains the licensee's plan to prevent any future recurrence of purchasing, selling, exchanging, or otherwise transacting any synthetic drug and acknowledgement that a subsequent occurrence of engaging in prohibited activities may result in the revocation of all licenses issued to the licensee pursuant to this chapter.

"(II) If the licensee fails to submit a remediation plan in accordance with this sub-subparagraph, or if the Mayor, in consultation with the Chief of Police, rejects the licensee's remediation plan, the Mayor shall provide written notice to the licensee of the defects in any rejected remediation plan and the Mayor's intent to revoke all licenses issued to the licensee pursuant to this chapter.

"(III) If the licensee cures the defects in a rejected remediation plan, the Mayor may suspend any action to revoke any license of the licensee issued pursuant to this chapter.

"(B) For any subsequent violation of this paragraph:

"(i) The Mayor shall issue a fine in the amount of $20,000; and

"(ii) The Chief of Police, after a determination by the Mayor in accordance with § 2-1801.06(a), may seal the licensee's premises, or portion of the premises, for up to 30 days without a prior hearing.

"(C) If a licensee's premises, or a portion of the premises, is sealed under subparagraph (A) or (B) of this paragraph, a licensee shall have the right to request a hearing with the Office of Administrative Hearings within 2 business days after service of notice of the sealing of the premises pursuant to subparagraph (D) of this paragraph.

"(D) At the time of the sealing of the premises, or a portion of the premises, under subparagraph (A) or (B) of this paragraph, the Director of the Department of Consumer and Regulatory Affairs shall post at the premises and serve on the licensee a written notice and order stating:

"(i) The specific action or actions being taken;

"(ii) The factual and legal bases for the action or actions;

"(iii) The right, within 2 business days after service of notice of the sealing of the premises, to request a hearing with the Office of Administrative Hearings;

"(iv) The right, within 2 business days of a timely request being received by the Office of Administrative Hearings, to a hearing before an administrative law judge; and

"(v) That it shall be unlawful for any person to enter the sealed premises for any purpose without written permission by the Director of the Department of Consumer and Regulatory Affairs.

"(E) A licensee shall pay a fine issued pursuant to subparagraph (A) or (B) of this paragraph within 20 days after adjudication. If the licensee fails to pay the fine within the specified time period, the Mayor may seal the premises until the fine is paid.

"(F) For the purposes of this paragraph, the term:

"(i) "Business days" means days in which the Office of Administrative Hearings is open for business.

"(ii) "Synthetic drug" means any product possessed, provided, distributed, sold, or marketed with the intent that it be used as a recreational drug, such that its consumption or ingestion is intended to produce effects on the central nervous system or brain function to change perception, mood, consciousness, cognition, or behavior in ways that are similar to the effects of marijuana, cocaine, amphetamines, or Schedule I narcotics under § 48-902.04. The term "synthetic drug" also includes any chemically synthesized product (including products that contain both a chemically synthesized ingredient and herbal or plant material) possessed, provided, distributed, sold, or marketed with the intent that the product produce effects substantially similar to the effects created by compounds banned by District or federal synthetic drug laws or by the U.S. Drug Enforcement Administration pursuant to its authority under the Controlled Substances Act, approved October 27, 1970 (84 Stat. 1247; 21 U.S.C. § 812). The following factors shall be treated as indicia that a product is being marketed with the intent that it be used as a recreational drug:

"(I) The product is not suitable for its marketed use (such as a crystalline or powder product being marketed as "glass cleaner");

"(II) The individual or business providing, distributing, displaying, or selling the product does not typically provide, distribute, or sell products that are used for that product's marketed use (such as liquor stores, smoke shops, or gas or convenience stores selling "plant food");

"(III) The product contains a warning label that is not typically present on products that are used for that product's marketed use including, "Not for human consumption", "Not for purchase by minors", "Must be 18 years or older to purchase", "100% legal blend", or similar statements;

"(IV) The product is significantly more expensive than products that are used for that product's marketed use;

"(V) The product resembles an illicit street drug (such as cocaine, methamphetamine, or Schedule I narcotic) or marijuana; or

"(VI) The licensee or any employee of the licensee has been warned by a District government agency or has received a criminal incident report, arrest report, or equivalent from any law enforcement agency that the product or a similarly labeled product contains a synthetic drug.".

Sec. 3. Section 106 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective March 8, 1991 (D.C. Law 8-237; D.C. Official Code § 2-1801.06), is amended as follows:

Note, § 2-1801.06

(a) Subsection (a) is amended as follows:

(1) Strike the phrase "premises are primarily used" and insert the phrase "premises are used" in its place.

(2) Add a new sentence at the end to read as follows:

"Purchasing, selling, exchanging, or otherwise transacting any synthetic drug, as defined in D.C. Official Code § 47-2844(a-2)(1A)(F)(ii), shall be a per se imminent danger to the health or safety of the residents of the District.".

(b) Subsection (c) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) The newly designated paragraph (1) is amended by striking the phrase "A licensee" and inserting the phrase "Except as provided in paragraph (2) of this subsection, a licensee" in its place.

(3) A new paragraph (2) is added to read as follows:

"(2) A licensee engaged in the purchase, sale, exchange, or any other form of commercial transaction involving a synthetic drug in violation of D.C. Official Code § 47-2844(a-2)(1A) shall have the right to request a hearing within 2 business days after service of notice of the sealing of the premises. The Office of Administrative Hearings shall hold a hearing within 2 business days of receipt of a timely request, and shall issue a decision within 2 business days after the hearing.".

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-474, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-820

Emergency Declaration Res. 21-577 21 DCStat 3820

Not Codified

To confirm, on an emergency basis, the reappointment of Mr. Donald Soifer to the Public Charter School Board.

Public Charter School Board Donald Soifer Confirmation Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public Charter School Board Donald Soifer Confirmation Emergency Act of 2016".

Sec. 2. Notwithstanding section 2214(a)(5)(B) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat 1321; D.C. Official Code § 38-1802.14(a)(5)(B)) ("School Reform Act"), the Council of the District of Columbia confirms the reappointment of:

Mr. Donald Soifer
1429 R Street, N.W., Unit A
Washington, D.C. 20009
(Ward 2)

as a member of the Public Charter School Board, established by section 2214 of the School Reform Act, for a 4-year term to end February 24, 2020.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-475, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-821

Emergency Declaration Res. 21-554 21 DCStat 3794

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants, not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1000.

Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Amendment Act of 2016".

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

Note, § 7-1671.01

(a) Section 2 (D.C. Official Code § 7-1671.01) is amended by adding a new paragraph (1A) to read as follows:

"(1A) "Adjacent" means located within the same physical structure as, and is abutting, adjoining, bordering, touching, contiguous to, or otherwise physically meeting.".

Note, § 7-1671.06

(b) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

(1) Subsection (d) is amended by adding a new paragraph (4) to read as follows:

"(4) The Mayor may approve the holder of a cultivation center registration that also owns, or has a valid lease for, real property adjacent to its existing cultivation center to physically expand the registered cultivation center into that adjacent real property for the purpose of increasing production of marijuana plants, not to exceed the limit permitted under this act.".

(2) Subsection (e)(2) is amended by striking the number "500" and inserting the number "1000" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code§ 1-204.12(a)).

D.C. Act 21-476, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-822

Emergency Declaration Res. 21-553 21 DCStat 3792

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, due to congressional review, An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify agency responsibilities with regard to school attendance, to deem an absence of a minor student from a public school unexcused where the school does not obtain an explanation for the absence from the student's parent or guardian verifying the reason for an absence within 5 days after a student's return to school, to prohibit the suspension, expulsion, or unenrollment of a minor from a public school due to an unexcused absence or due to a late arrival to school, to clarify attendance reporting requirements for public, independent, private, and parochial schools, to revise the protocol for a law enforcement officer who comes in contact with a minor and has reasonable grounds to believe the minor is truant, to revise the educational institution referral requirement for the Child and Family Services Administration, the Court Social Services Division of the Superior Court of the District of Columbia, and the Office of the Attorney General Juvenile Section to only include unexcused full school day absences with regard to attendance, to provide educational institutions with discretion on referrals if a student's 10th or 15th unexcused absence is accrued within the final 10 school days of the school year, and to require the State Superintendent of Education to provide written notice to each public, independent, private, or parochial school outlining the attendance and reporting requirements by July 1 of each year; to amend the District of Columbia School Reform Act of 1995 to conform it to the prohibitions against expulsion and suspension provided in An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes and the Pre-k Enhancement and Expansion Amendment Act of 2008; and to amend Chapter 21 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations to repeal the requirement that a public school notify the Metropolitan Police Department after each occurrence of a student's 10th unexcused absence, to require that an educational institution obtain an explanation for a student's absence within 5 days of the student's return to school, and to amend the terms "truancy rate" and "chronic absenteeism."

School Attendance Clarification Congressional Review Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Attendance Clarification Congressional Review Emergency Amendment Act of 2016".

Sec. 2. An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-201 *et seq.*), is amended as follows:

Note, § 38-201

(a) Section 1 of Article I (D.C. Official Code § 38-201) is amended as follows:

(1) A new paragraph (1A) is added to read as follows:

"(1A) "Chronic absenteeism" means the incidence of students missing more than 10% of school days, including excused and unexcused absences.".

(2) A new paragraph (2B) is added to read as follows:

"(2B) "Full school day" means the entirety of the instructional hours regularly provided on a single school day.".

(b) Section 1 of Article II (D.C. Official Code § 38-202) is amended as follows: **Note, § 38-202**

(1) Subsection (c) is amended by striking the phrase "Superintendent of Schools" and inserting the phrase "head of the educational institution in which the minor is enrolled" in its place.

(2) Subsection (d) is amended by striking the phrase "to govern the validity of applications for permission to be absent from school,".

(c) Section 2 of Article II (D.C. Official Code § 38-203) is amended as follows: **Note, § 38-203**

(1) Subsection (a) is amended by striking the phrase "Superintendent of Schools" and inserting the phrase "State Superintendent of Education" in its place.

(2) Subsection (b) is repealed.

(3) Subsection (c) is amended as follows:

(A) The existing text is designated as paragraph (1).

(B) A new paragraph (2) is added to read as follows:

"(2) An absence of a minor covered by section 1(a) of this article who is enrolled in a public school is deemed unexcused unless the minor's parent, guardian, or other person who has custody or control of the minor provides the school with a valid excuse for the minor's absence within 5 school days upon the minor's return to school.".

(4) New subsections (f-1) and (f-2) are added to read as follows:

"(f-1) Beginning school year 2016-2017, no minor covered by section 1(a) of this article who is enrolled in a public school may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school.

"(f-2) Beginning school year 2016-2017, no minor covered by section 1(a) of this article who is enrolled in a public school, other than an adult education program, may be unenrolled from the local education agency due to an unexcused absence or due to a late arrival to school unless the minor has accumulated 20 or more full school day consecutive unexcused absences.".

(5) Subsection (i) is amended by striking the phrase "to the Mayor, or the Mayor's designee, and make publicly available, the following data based on the preceding school year:" in the lead-in language and inserting the phrase "to the Office of the State Superintendent of Education, and make publicly available the following data for each school or campus under its authority based on the preceding school year:" in its place.

(6) A new subsection (k) is added to read as follows:

"(k) By October 1 of each year, the Office of the State Superintendent of Education shall publicly report on the state of absenteeism in the District based on data from the preceding school year, including an analysis of truancy and chronic absenteeism by school or campus and the impact of current laws on improving school attendance.".

(d) Section 4 of Article II (D.C. Official Code § 38-205) is amended to read as follows: **Note, § 38-205**

"Sec. 4. By October 5 of each year, each public, independent, private, and parochial school shall report to the Office of the State Superintendent of Education the name, address, sex, and date of birth of each minor who resides permanently or temporarily in the District who is currently enrolled in their school. By the 5th of every month thereafter, each school shall report any changes in enrollment, including withdrawals, to the Office of the State Superintendent of Education.".

(e) Section 6(a) of Article II (D.C. Official Code § 38-207(a)) is amended to read as follows: **Note, § 38-207**

"(a)(1) A law enforcement officer who has reasonable grounds to believe, based on the minor's age and other factors, that a minor is truant from any public, independent, private, or parochial school on a day and during the hours when the school is in session shall take that minor into custody and deliver the minor to the public, independent, private, or parochial school where the minor is presently enrolled, so long as the school is located in the District.

"(2) If the minor is not currently enrolled at a public, independent, private, or parochial school, the law enforcement officer shall take the minor to the District of Columbia Public Schools placement office.

"(3) If a minor is enrolled in a public, independent, private, or parochial school located within the District of Columbia, the educational institution shall receive that minor from a law enforcement officer during the hours when the school is in operation.".

(f) Section 7 of Article II (D.C. Official Code § 38-208) is amended as follows: **Note, § 38-208**

(1) Subsection (a) is repealed.

(2) Subsection (c) is amended as follows:

(A) The lead-in language is amended by striking the phrase "subsections (a) and" and inserting the word "subsection" in its place.

(B) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended as follows:

(I) Strike the phrase "The educational institution" and insert the phrase "Beginning in the 2016-2017 school year, the educational institution" in its place.

(II) Strike the phrase "10 unexcused absences" and insert the phrase "10 unexcused full school day absences" in its place.

(ii) Subparagraph (B) is amended as follows:

(I) Strike the phrase "Beginning in the 2013-2014 school year" and insert the phrase "Beginning in the 2016-2017 school year" in its place.

(II) Strike the phrase "15 unexcused absences" and insert the phrase "15 unexcused full school day absences" in its place.

(C) A new subparagraph (C) is added to read as follows:

"(C) The educational institution shall have discretion with regard to the referral requirements set forth in subparagraphs (A) and (B) of this paragraph if a minor student accrues the 10th or 15th unexcused absence, respectively, within the final 10 school days of a school year.".

(3) A new subsection (d) is added to read as follows:

"(d) By July 1 of each year, the State Superintendent of Education shall send written notice to each educational institution outlining the attendance and reporting requirements outlined in this act.".

Note, § 38-1802.06

Sec. 3. Section 2206(g) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.06(g)), is amended to read as follows:

"(g) – *Expulsion and suspension*. – The principal of a public charter school may expel or suspend a student from the school based on criteria set forth in the charter granted to the school; provided, that:

"(1) Consistent with section 2(f-1) of Article II of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-203(f-1)), no student may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school; and

"(2) Consistent with section 303 of the Pre-k Enhancement and Expansion Amendment Act of 2008, effective June 23, 2015 (D.C. Law 21-12; D.C. Official Code § 38-273.03), no student of pre-k age:

"(A) May be expelled; or

"(B) Receive an out-of-school suspension unless it is determined by a school administrator that the student has willfully caused or attempted to cause bodily injury, or threatened serious bodily injury to another person, except in self-defense; provided, that no student of pre-k age may be suspended for longer than 3 days for any individual incident.".

DCMR

Sec. 4. Chapter 21 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations (5 DCMR § A2100 *et seq*.) is amended as follows:

(a) Section A2101.9(a) (5-A DCMR § 2101.9(a)) is repealed.

(b) Section A2102.4 (5-A DCMR § 2102.4) is amended to read as follows:

"2102.04 An educational institution shall obtain an explanation from the student's parent or guardian verifying the reason for an absence within no more than five (5) days upon the student's return to school, otherwise the absence shall be deemed unexcused.".

(c) Section A2199.1 (5-A DCMR § 2199.1) is amended as follows:

(1) The definition of "Chronic Absenteeism" is amended to read as follows:

" "Chronic absenteeism" – The incidence of a student missing more than 10% of school days, including excused and unexcused absences.".

(2) The definition of "Truancy rate" is amended to read as follows:

" "Truancy rate" – The incidence of students of compulsory attendance age, as defined by D.C. Official Code § 38-202(a), enrolled at a school at any point in a given school year who are absent without valid excuse as defined by 5-A DCMR § 2102.2 on ten (10) or more occasions within a single school year, divided by the total number of students of compulsory attendance age ever enrolled during the corresponding school year.".

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the School Attendance Clarification Amendment Act of 2016, enacted on June 1, 2016 (D.C. Act 21-411; 63 DCR 8207), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-477, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-840

Emergency Declaration Res. 21-580 21 DCStat 3825

Not Codified in the D.C. Official Code

To amend, on an emergency basis, section 3209 of Title 17 of the District of Columbia Municipal Regulations to create an exemption to the requirement that an individual engaged in the practice of interior design be licensed for individuals participating in certain charitable fundraising events.

Interior Design Charitable Event Regulation Emergency Amendment Act of 2016

DCMR

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Interior Design Charitable Event Regulation Emergency Amendment Act of 2016".

Sec. 2. Section 3209 of Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 3209) is amended by adding a new subsection 3209.4 to read as follows:

"3209.4 (a) This chapter shall not require a license for, or restrict or prohibit an individual from engaging in, any activity or service described in § 3209.1 of this chapter, if:

"(1) The individual is participating in a nonprofit organization's fundraising event;

"(2) The fundraising event is managed by at least one licensed interior designer;

"(3) At least 85% of the funds raised at the fundraising event support a charitable activity; and

"(4) The individual participates in the fundraising event without compensation.

"(b) An individual may rely on the exemption provided by paragraph (a) of this subsection no more than once per calendar year.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-478, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-842

Emergency Declaration Res. 21-578 21 DCStat 3822

Not Codified

To adjust, on an emergency basis, certain allocations in the Fiscal Year 2016 Budget Request Act of 2015 pursuant to the Omnibus Appropriations Act, 2009.

Fiscal Year 2016 Revised Budget Request Adjustment Extension Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2016 Revised Budget Request Adjustment Extension Emergency Act of 2016".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2016 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II – DISTRICT OF COLUMBIA FUNDS – SUMMARY OF EXPENSES

$28,288,000 is added from local funds; and $5,000,000 is increased in enterprise and other funds; to be allocated as follows:

Economic Development and Regulation

The appropriation for Economic Development and Regulation is increased by $4,492,000 in local funds; to be allocated as follows:

(1) Department of Employment Services. - $4,492,000 is added to be available from local funds.

Public Safety and Justice

The appropriation for Public Safety and Justice is increased by $14,214,000 in local funds; to be allocated as follows:

(1) Metropolitan Police Department. - $5,864,000 is added to be available from local funds;

(2) Department of Forensic Sciences. - $8,024,000 is added to be available from local funds; and

(3) Office of the Chief Medical Examiner. - $326,000 is added to be available from local funds.

Human Support Services

The appropriation for Human Support Services is increased by $3,776,000 in local funds; to be allocated as follows:

(1) Department of Parks and Recreation. - $2,526,000 is added to be available from local funds; and

(2) Children and Youth Investment Trust Corporation. - $1,250,000 is added to be available from local funds.

Public Works

The appropriation for Public Works is increased by $806,000 in local funds; to be allocated as follows:

(1) Department of Public Works. - $806,000 is added to be available from local funds.

Financing and Other

The appropriation for Financing and Other is increased by $5,000,000 in local funds; to be allocated as follows:

(1) Convention Center Transfer – Dedicated Taxes. - $5,000,000 is added to be available from local funds.

Enterprise and Other Funds

The appropriation for Enterprise and Other Funds is increased by $5,000,000 in local funds; to be allocated as follows:

(1) Washington Convention and Sports Authority. - $5,000,000 is added to be available from local funds.

Sec. 3. Applicability.

This act shall apply as of August 21, 2016.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-479, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-843

Emergency Declaration Res. 21-581 21 DCStat 3827

Not Codified

To order, on an emergency basis, the closing of a portion of 14th Street, N.E., adjacent to Squares 3954 and 4024 and Parcel 143/45, and to accept the dedication of portions of land in Squares 3953, 3954, 4024, and 4025 and Parcel 143/45 for public street and alley purposes, in Ward 5.

Closing of Public Streets and Dedication of Land for Street and Alley Purposes in and abutting Squares 3953, 3954, 4024, 4025, and Parcel 143/45, S.O. 14-20357, Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Public Streets and Dedication of Land for Street and Alley Purposes in and abutting Squares 3953, 3954, 4024, 4025, and Parcel 143/45, S.O. 14-20357, Emergency Act of 2016".

Sec. 2. (a) Pursuant to Section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*) ("Act"), the Council finds that those portions of 14th Street, N.E., as shown by the hatch-marks on the Surveyor's plat filed under S.O. 14-20357, are unnecessary for street purposes and orders them closed with title to the land to vest as shown on the Surveyor's plat.

(b) Pursuant to sections 302 and 401 of the Act (D.C. Official Code §§ 9-203.02 and 9-204.01), and notwithstanding the requirements set forth in sections 303, 304, and 402 of the Act (D.C. Official Code §§ 9-203.03, 9-203.04, and 9-204.02), the Council accepts the dedication of the alley adjacent to and in Square 3953 and the dedication and designation of the extension of 14th and 15th Streets, N.E., adjacent to and in Squares 3954, 4024, and 4025 and Parcel 143/45 as shown on the Surveyor's plat filed under S.O. 14-20357.

Sec. 3. The approval of the Council of the closing in section 2(a) and the dedications and designation in section 2(b), are contingent upon the satisfaction of all the conditions set forth in the official file, S.O. 14-20357, including that the applicant shall obtain District of Columbia Water and Sewer Authority approval of the proposed relocation or abandonment of the existing 8-inch water main and 10-inch sewer main in 14th Street N.E., before the recordation of the plat by the Surveyor.

Sec. 4. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788, D.C. Official Code § 1-204.12(a)).

D.C. Act 21-480, effective July 21, 2016 (Expiration date October 19, 2016)

AN ACT

Bill 21-844

Emergency Declaration Res. 21-576 21 DCStat 3819

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, An Act To provide for the payment and collection of wages in the District of Columbia to clarify who may bring an action on behalf of an employee and when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, to revise criminal penalties for violations of the act, and to authorize the Mayor to issue rules to implement the provisions of the act; to amend the Minimum Wage Act Revision Act of 1992 to clarify the time period for retention of payroll records, when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, and how the Mayor shall make certain information available to employers; and to amend the Wage Theft Prevention Amendment Act of 2014 to repeal a retroactive applicability provision.

Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2016".

Sec. 2. An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is amended as follows:

Note, § 32-1303

(a) Section 3 (D.C. Official Code § 32-1303) is amended as follows:

(1) Paragraph (5) is amended as follows:

(A) Strike the word "alleged" and insert the word "found" in its place.

(B) Strike the phrase "Act." and insert the phrase "Act, except as otherwise provided in a contract between the contractor and subcontractor in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

(2) Paragraph (6) is amended by striking the phrase "District." and inserting the phrase "District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

Note, § 32-1307

(b) Section 7(a) (D.C. Official Code § 32-1307(a)) is amended to read as follows:

"(a)(1) Any employer who negligently fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:

"(A) For the first offense, an amount per affected employee of not more than $2,500;

"(B) For any subsequent offense, an amount per affected employee of not more than $5,000.

"(2) Any employer who willfully fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall:

"(A) For the first offense, be fined not more than $5,000, or imprisoned not more than 30 days, or both; or

"(B) For any subsequent offense, be fined not more than $10,000, or imprisoned not more than 90 days, or both.

"(3) The fines set forth in paragraphs (1) and (2) of this subsection shall not be limited by section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).".

Note, § 32-1308

(c) Section 8(a) (D.C. Official Code § 32-1308(a)) is amended by striking the phrase ", or any entity a member of which is aggrieved by a violation of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act".

Note, New § 32-1312

(d) A new section 10b is added to read as follows:

"Sec. 10b. Rules.

"The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1068 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.".

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

Note, § 32-1008

(a) Section 9(a)(1) (D.C. Official Code § 32-1008(a)(1)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1009

(b) Section 10(c) (D.C. Official Code § 32-1009(c)) is amended to read as follows:

"(c) The Mayor shall make copies or summaries of this act publicly available on the District government's website or by some other appropriate method within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157). An employer shall not be liable for failure to post notice if the Mayor has failed to provide to the employer the notice required by this section.".

Note, § 32-1011

(c) Section 12(d)(1)(C) (D.C. Official Code § 32-1011(d)(1)(C)) is amended by striking the phrase "3 years or whatever the prevailing federal standard is, whichever is greater" and inserting the phrase "3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater" in its place.

Note, § 32-1012

(d) Section 13 (D.C. Official Code § 32-1012) is amended as follows:

(1) Subsection (c) is amended by striking the phrase "act." and inserting the phrase "act, except as otherwise provided in a contract between the contract and subcontractor in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

(2) Subsection (f) is amended by striking the phrase "District." and inserting the phrase "District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157)." in its place.

Sec. 4. Section 7 of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157), is repealed.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-481, effective August 18, 2016 (Expiration date November 16, 2016)

AN ACT

Bill 21-823

Emergency Declaration Res. 21-579 21 DCStat 3823

Not Codified

To approve, on an emergency basis, an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2013-LRSP-04A with Beacon Center Housing, LLC, for Local Rent Supplement Program units at The Beacon Center, located at 6100 and 6104 Georgia Avenue, N.W., and to authorize payment for housing services to be received under the contract.

Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval and Payment Authorization Emergency Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the agreement to enter into a long-term subsidy contract with Beacon Center Housing, LLC, for an initial annual subsidy amount of $103,008 and authorizes payment for services to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-482, effective August 18, 2016 (Expiration date November 16, 2016)

AN ACT

Bill 21-824

Emergency Declaration Res. 21-582 21 DCStat 3828

Not Codified

To approve, on an emergency basis, the First Amendment to the Capital Funding Agreement between the Washington Metropolitan Area Transit Authority, the State of Maryland, the District of Columbia, Arlington County, Virginia, Fairfax County, Virginia, the City of Alexandria, Virginia, the City of Fairfax, Virginia, and the City of Falls Church, Virginia to provide additional capital funding for a one-year extension to a capital improvement program for the Washington Metropolitan Area Transit Authority transit system, from July 1, 2016 to June 30, 2017.

First Amendment to the Washington Metropolitan Area Transit Authority Multi-Jurisdictional Capital Funding Agreement Emergency Approval Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "First Amendment to the Washington Metropolitan Area Transit Authority Multi-Jurisdictional Capital Funding Agreement Emergency Approval Act of 2016".

Sec. 2. (a) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), the Council approves the First Amendment to the Capital Funding Agreement, which was submitted by the Mayor on July 7, 2016, and which is a modification to the multiyear Capital Funding Agreement entered into on July 1, 2010 ("CFA"), between the Washington Metropolitan Area Transit Authority ("WMATA"), the State of Maryland, the District of Columbia, Arlington County, Virginia, Fairfax County, Virginia, the City of Alexandria, Virginia, the City of Fairfax, Virginia, and the City of Falls Church, Virginia ("Contributing Jurisdictions"), to provide additional capital funding for a one-year extension to a capital improvement program for the WMATA transit system, from July 1, 2016, to June 30, 2017.

(b) The Council approves the additional not-to-exceed expenditure of $92.1 million for the District under the First Amendment to the Capital Funding Agreement with WMATA and the Contributing Jurisdictions.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

D.C. Act 21-483, effective August 18, 2016 (Expiration date November 16, 2016)

AN ACT

Bill 21-838

Emergency Declaration Res. 21-573 21 DCStat 3814

Codification District of Columbia Official Code 2001 Edition

To amend, on an emergency basis, the Rental Housing Act of 1985 to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, and to require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.

Rent Control Hardship Petition Limitation Emergency Amendment Act of 2016

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rent Control Hardship Petition Limitation Emergency Amendment Act of 2016".

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501 *et seq.*), is amended as follows:

Note, § 42-3502.06

(a) Section 206(c) (D.C. Official Code § 42-3502.06(c)) is amended to read as follows:

"(c)(1) At the housing provider's election, instead of any adjustment authorized by subsection (b) of this section, the rent charged for an accommodation may be adjusted through a hardship petition under section 212. The petition shall be clearly identified as an election instead of the general adjustments authorized by subsection (b) of this section. The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this subsection as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent

Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

Note, § 42-3502.12

(b) Section 212(c) (D.C. Official Code § 42-3502.12(c)) is amended to read as follows:

"(c)(1) At the housing provider's election, instead of any adjustment authorized by section 206(b), the rent charged for an accommodation may be adjusted through a hardship petition under this section. The petition shall be clearly identified as an election instead of the general adjustments authorized by section 206(b). The Rent Administrator shall accord an expedited review process for these petitions and shall issue and publish a final decision within 90 days after the petition has been filed.

"(2) In the case of any petition filed under this section as to which a final decision has not been rendered by the Rent Administrator at the end of 90 days from the date of filing of the petition and as to which the housing provider is not in default in complying with any information request made under section 216, the rent charged adjustment requested in the petition may be conditionally implemented by the housing provider at the end of the 90-day period; provided, that the conditional rent increase for an affected unit shall not exceed 5% of the rent charged.

"(3) A conditional rent charged adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator on the petition. If a hearing has been held on the petition, the Rent Administrator shall, by order served upon the parties at least 10 days before the expiration of the 90 days, make a provisional finding as to the rent charged adjustment justified by the order, if any. Except to the extent modified by this section, the adjustment procedures of section 216 shall apply to any adjustment.

"(4) If the Rent Administrator denies the requested rent increase or approves a rent increase that is less than the amount of the conditional rent increase charged by the housing provider, the housing provider shall refund to the tenant within 21 calendar days of the Rent Administrator's order any rent paid in excess of the amount approved by the Rent Administrator, except that the tenant may elect within 14 calendar days of the Rent Administrator's order to apply the amount of the refund as a credit against future rental payments.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

A RESOLUTION

Proposed Resolution 21-838

***See* Emergency D.C. Act 21-462 21 DCStat 3595**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend section 103 of Title 18 of the District of Columbia Municipal Regulations to repeal the requirement that every person who has never been issued a driver license must provide documentation that they have successfully completed an approved course of driver instruction prior to issuance of a provisional permit or driver license.

Mandatory Driver Instruction Regulation Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mandatory Driver Instruction Regulation Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) In January 2016, the Department of Motor Vehicles ("DMV") announced its intention to implement rules on May 1, 2016, mandating that "before receiving their first driver license, all new drivers, regardless of age, must successfully complete a DC DMV approved course in driver education that consists of 30 hours of classroom instruction and eight hours of behind-the-wheel instruction."

(b) The DMV has approved 15 private companies to provide the driver instruction courses in the District, with rates that range from $375 to $499 for 10 hours of instruction – amounting to approximately $1,000 for the total 30 or more mandated hours of driving instruction – resulting in high costs to District residents seeking to obtain a provisional permit or driver license.

(c) 20% of District residents make less than $23,000 a year, meaning that a low-income resident would have to spend more than half a month's income on driver instruction.

(d) Until 2009, public schools in the District provided driver instruction funded in part by a fee added to driver license applications, but there is currently no low-cost or free option for a District resident seeking driver instruction.

(e) By not providing a low-cost or free option, the DMV's mandatory driver instruction rules will effectively prevent many low-income District residents from having equal access to provisional permits or driver licenses.

(f) Further, this congressional review emergency legislation is necessary to ensure that there is no gap between when the Mandatory Driver Instruction Regulation Emergency Amendment Act of 2016, effective May 19, 2016 (D.C. Act 21-401; 63 DCR 7921), expires on August 17, 2016, and when the Mandatory Driver Instruction Regulation Temporary Amendment Act of 2016, passed on 2nd reading on June 7, 2016 (Enrolled version of Bill 21-745), becomes effective.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Mandatory Driver Instruction Regulation Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-816

See Emergency D.C. Act 21-464 21 DCStat 3738

To declare the existence of an emergency with respect to the need to approve Contract No. CW38874 with Public Consulting Group, Inc. to provide administrative services to the Department of Healthcare Finance and other District of Columbia agencies in accordance with federal statutory requirements, including Modification Nos. 0003 and 0004 to that contract, and to authorize payment in the total amount of $1,288,090 for the goods and services received and to be received pursuant to the contract and the modifications.

Contract No. CW38874 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW38874 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve proposed Contract No. CW38874 with Public Consulting Group, Inc. to provide administrative services to the Department of Healthcare Finance and other District of Columbia agencies in accordance with federal statutory requirements, including Modification Nos. 0003 and 0004 to that contract, and to authorize payment in the total amount of $1,288,090 for the goods and services received and to be received under the contract as modified by Modification Nos. 0003 and 0004.

(b) The District awarded Contract No. CW38874 to Public Consulting Group, Inc. on September 9, 2015 in the amount of $944,510.00 for the period September 13, 2015 through September 12, 2016. On June 13, 2016, Modification No. 0004 was executed, increasing the contract amount of Contract No. CW38874 by $50,000. Modification No. 0003 proposes to increase the contract amount of Contract No. CW38874 by an additional $293,580. The total contract amount for the period from September 13, 2015 through September 12, 2016 will be $1,288,090.

(c) Council approval of Contract No. CW38874 and Modification Nos. 0003 and 0004 to the contract is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because they involve the expenditure of more than $1 million during a 12-month period.

(d) Approval of Contract No. CW38874 and Modification Nos. 0003 and 0004 to the contract is necessary to allow the continued provision of these vital goods and services. Without this approval, Public Consulting Group, Inc. cannot be paid for goods and services provided in excess of $1 million during the contract period from September 13, 2015 through September 12, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Contract No. CW38874 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-842

***See* Emergency D.C. Act 21-455 21 DCStat 3587**

To declare the existence of an emergency with respect to the need to amend Title III of the Washington Metropolitan Area Transit Regulation Compact, known as the Washington Metropolitan Area Transit Authority Compact, to provide that the Secretary of the United States Department of Transportation appoints the federal government representatives to the Board of Directors of the Washington Metropolitan Area Transit Authority.

Washington Metropolitan Area Transit Authority Compact Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Metropolitan Area Transit Authority Compact Emergency Declaration Resolution of 2016".

Sec. 2. (a) The federal government has changed the appointing authority for federal appointees to the Washington Metropolitan Area Transit Authority Compact ("WMATA Compact") from the Administrator of General Services to the Secretary of the United States Department of Transportation.

(b) Each jurisdiction member of the WMATA Compact agreed to have this legislation passed effective July 1, which is the start of WMATA's new fiscal year.

(c) To ensure that our law is current and that the District is in concert with Virginia and Maryland, which have already revised their legislation, with an effective date of July 1, it is important that the Council enact its own legislation as soon as possible.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Washington Metropolitan Area Transit Authority Compact Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-837

***See* Emergency D.C. Act 21-461 21 DCStat 3593**

To declare the existence of an emergency with respect to the need to establish that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

Grocery Store Restrictive Covenant Prohibition Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Grocery Store Restrictive Covenant Prohibition Emergency Declaration Resolution of 2016".

Sec. 2. (a) In late 2014, it was reported that the Safeway at 4865 MacArthur Boulevard was offered for sale. In previous store and property sales, Safeway required that a purchaser of its property agree to a covenant prohibiting reuse of the property for a similar or analogous use; that is, that the property may not be used as a grocery store or retail food establishment of any kind. This type of restriction is harmful to residents. And, in the Macarthur Boulevard instance, it is harmful to the residents of the neighborhood as the next closest grocer is approximately 2.5 miles away.

(b) Restrictive covenants and other use restriction policies related to grocery stores are harmful and limit a community's access to fresh food.

(c) Maintaining a grocery store within an urban neighborhood is vital, particularly since many residents rely heavily on walking as a means of access to fresh food.

(d) Seniors and low-income residents especially rely on food retailers in close proximity to their homes as they often face mobility challenges or have limited access to vehicles.

(e) A lack of stores offering healthy food options leads to unhealthy food choices and related health problems.

(f) These restrictive covenants are contrary to the American standard of a free market and open competition.

(g) As development in the District continues and the city sees continued population increases, it is vital that every neighborhood has access to essential grocery-store services. Restrictive covenants undermine food-services competition and the advent of revitalized communities with large and small retailers, including independent butchers and bakeries.

(h) The circumstances described in this section underscore the need for the Council to act to prohibit such restrictive covenants and prevent the creation of food deserts in the District.

(i) Further, this emergency legislation is necessary as the temporary legislation currently in effect, the Grocery Store Restrictive Covenant Prohibition Temporary Act of 2015, effective January 30, 2016 (D.C. Law 21-54; 62 DCR 15595), will expire on September 11, 2016, and the

permanent legislation, the Grocery Store Restrictive Covenant Prohibition Act of 2015, as introduced on February 3, 2015 (Bill 21-60), has not yet been enacted by the Council.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Grocery Store Restrictive Covenant Prohibition Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-841

See Emergency D.C. Act 21-448 21 DCStat 3581

To declare the existence of an emergency with respect to the need to amend the Retail Services Station Act of 1976 to provide that certain prohibitions on discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015, and August 1, 2015.

Gas Station Advisory Board Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Gas Station Advisory Board Emergency Declaration Resolution of 2016".

Sec. 2. (a) In October 2014, the Council enacted the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884) ("Act").

(b) Part 2 of Title II of the Act increased the prohibitions against conversion of a full-service retail service station by adding the prohibition that such a station cannot be discontinued or converted into any other use without a waiver.

(c) It is important to protect the integrity of doing business in and with the District by protecting those businesses that were in the process of converting their property or business into a non-service station enterprise before the Act became law.

(d) The Council enacted emergency and temporary legislation at the end of 2015 to address this issue to provide that a retail service station that submitted an application with the Zoning Commission between May 2, 2015, and August 1, 2015, and was awaiting a decision by the Zoning Commission expected before the end of 2016, would not be impacted by the added prohibitions of the Act ("2015 law").

(e) The temporary legislation, the Gas Station Advisory Board Temporary Amendment Act of 2015, effective January 30, 2016 (D.C. Law 21-60; 62 DCR 15610), will expire on September 11, 2016.

(f) It is important that the provisions of the temporary legislation remain in effect so that any applications that were submitted to the Zoning Commission pursuant to the 2015 law will not be adversely impacted by the expiration of the temporary legislation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Gas Station Advisory Board Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-843

See Emergency D.C. Act 21-463 21 DCStat 3596

To declare the existence of an emergency with respect to the need to approve measures that are necessary to support action taken on the District's Fiscal Year 2017 Budget and Financial Plan.

Fiscal Year 2017 Budget Support Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "Fiscal Year 2017 Budget Support Emergency Declaration Resolution of 2016".

Sec. 2.(a) The Fiscal Year 2017 Budget Support Act of 2016 contains various measures necessary to support the Fiscal Year 2017 Budget and Financial Plan.

(b) There are several time-sensitive provisions contained in the Fiscal Year 2017 Budget Support Act of 2016 that need to be in place in advance of October 1, 2016.

(c) Other provisions in the emergency bill will retain the October 1, 2016 applicability date as provided in the permanent legislation, but should be enacted before October 1, 2016, to allow agencies and stakeholders to prepare for implementation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2017 Budget Support Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-820

See Emergency D.C. Act 21-450 21 DCStat 3582

To declare the existence of an emergency with respect to the need to approve Contract No. CW42132 with Measured Progress, Inc. to implement, maintain, and assist ongoing development of the criterion-referenced alternate assessment with the Office of the State Superintendent of Education, and to authorize payment for the services received and to be received under the contract.

Contract No. CW42132 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW42132 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Office of the State Superintendent of Education, proposes to enter into a multiyear contract with Measured Progress, Inc. to provide services for the criterion-referenced alternate assessment for the Office of the State Superintendent of Education.

(b) The total price under this multiyear contract with Measured Progress, Inc. is $482,830.

(c) Approval is necessary to allow the District to continue to receive the benefit of these vital services without interruption.

(d) These critical services can only be obtained through an award of the multiyear contract to Measured Progress, Inc.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. CW42132 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-828

See Emergency D.C. Act 21-454 21 DCStat 3586

To declare the existence of an emergency with respect to the need to approve Modification Nos. 8 and 9 and proposed Modification No. 10 to Contract No. DCKA-2013-C-0007 with Capitol Paving of DC, Inc. to provide construction for the rehabilitation and restoration of the District's alleyway system, and to authorize payment in the total amount of $13,277,232 for the goods and services received and to be received under the modifications for Option Year 2.

Modifications to Contract No. DCKA-2013-C-0007 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. DCKA-2013-C-0007 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists a need to approve Modification Nos. 8 and 9 and proposed Modification No. 10 to Contract No. DCKA-2013-C-0007 with Capitol Paving of DC, Inc. to provide construction for the rehabilitation and restoration of the District's alleyway system, and to authorize payment for the goods and services received and to be received under the modifications.

(b) On July 21, 2015, by Modification No. 7, the Office of Contracting and Procurement ("OCP") exercised Option Year 2 of Contract No. DCKA-2013-C-0007 for the period from July 22, 2015, to July 21, 2016, in the amount of $5,270,770.

(c) On October 7, 2015, by Modification No. 8, OCP increased the amount of Option Year 2 for the period from July 22, 2015, to July 21, 2016, in the amount of $900,000.

(d) On December 2, 2015, by Modification No. 9, OCP increased the amount of Option Year 2 for the period from July 22, 2015, to July 21, 2016, in the amount of $700,000.

(e) Proposed Modification No. 10 is now necessary to increase the total amount for Option Year 2 to $13,277,232.

(f) Council approval is necessary because these modifications increase the contract by more than $1 million during a 12-month period.

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, Capitol Paving of DC, Inc. cannot be paid for services provided in excess of $1 million for the contract period July 22, 2015, through July 21, 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. DCKA-2013-C-0007 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-821

***See* Emergency D.C. Act 21-451 21 DCStat 3583**

To declare the existence of an emergency with respect to the need to approve the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A with Adrian L. Merton, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and service received and to be received under the contract.

Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A with Adrian L. Merton, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

(b) The initial contract with Adrian L. Merton, Inc. was approved by the Council (CA20-0496) ("Contract") with an established not-to-exceed value of $3 million and 2 one-year options to extend the term of the Contract. In Fiscal Year 2015, all work under the Contract was awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract. Task orders could be issued up to the maximum not-to-exceed amount of $3 million.

(c) The base year of the Contract ended on September 30, 2015. In Fiscal Year 2016, the Department of General Services partially exercised Option Year 1, bilaterally, with a not-to-exceed amount of $975,000. Council approval is now required for the full exercise of Option Year 1 to extend the term of the Contract through the end of Fiscal Year 2016, pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirement of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02). The terms and conditions of the Contract have not changed, and the not-to-exceed value of Option Year 1 would be increased to $5 million. The full exercise of Option Year 1 is bilateral.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-827

***See* Emergency D.C. Act 21-453 21 DCStat 3585**

To declare the existence of an emergency with respect to the need to approve the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B with R&R Mechanical, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and service received and to be received under the contract.

Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B with R&R Mechanical, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and services received and to be received under the contract.

(b) The initial contract with R&R Mechanical, Inc. was approved by the Council (CA20-0500) ("Contract") with an established not-to-exceed value of $3 million and 2 one-year options to extend the term of the Contract. In Fiscal Year 2015, all work under the Contract was awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract. Task orders could be issued up to the maximum not-to-exceed amount of $3 million.

(c) The base year of the Contract ended on September 30, 2015. In Fiscal Year 2016, the Department of General Services partially exercised Option Year 1, bilaterally, with a not-to-exceed amount of $975,000. The partial extension of Option Year 1 expired on December 31, 2015, and was bilaterally extended by the parties via Change Order 002 on January 26, 2016. Council approval is now required for the full exercise of Option Year 1 to extend the term of the Contract through the end of Fiscal Year 2016, pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02). The terms and conditions of the Contract have not changed, and the not-to-exceed value of Option Year 1 would be increased to $5 million. The full exercise of Option Year 1 is bilateral.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-825

***See* Emergency D.C. Act 21-457 21 DCStat 3589**

To declare the existence of an emergency with respect to the need to approve the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C with RSC Electrical & Mechanical Contractors, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and service received and to be received under the contract.

Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C with RSC Electrical & Mechanical Contractors, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and service received and to be received under the contract.

(b) The initial contract with RSC Electrical & Mechanical Contractors, Inc. was approved by the Council (CA20-0497) ("Contract") with an established not-to-exceed value of $3 million and 2 one-year options to extend the term of the Contract. In Fiscal Year 2015, all work under the Contract was awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract. Task orders could be issued up to the maximum not-to-exceed amount of $3 million.

(c) The base year of the Contract ended on September 30, 2015. In Fiscal Year 2016, the Department of General Services partially exercised Option Year 1, bilaterally, with a not-to-exceed amount of $975,000. Council approval is now required for the full exercise of Option Year 1 via Change Order No. 005 to extend the term of the contract through the end of Fiscal Year 2016, pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02). The terms and conditions of the Contract have not changed, and the not-to-exceed value of Option Year 1 would be increased to $5 million. The full exercise of Option Year 1 is bilateral.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-824

See Emergency D.C. Act 21-456 21 DCStat 3588

To declare the existence of an emergency with respect to the need to approve the exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D with W.L. Gary Company, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and service received and to be received under the contract.

Exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D Approval and Payment Authorization Emergency Act of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. (a) There exists an immediate need to approve the exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D with W.L. Gary Company, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of $5 million for the goods and service received and to be received under the contract.

(b) The initial contract with W.L. Gary Company, Inc. was approved by the Council (CA20-0499) ("Contract") with an established not-to-exceed value of $3 million and 2 one-year options to extend the term of the Contract. In Fiscal Year 2015, all work under the Contract was awarded and released through individual project task orders, based on a competitive bidding process, as set forth in Section 1.2 of the Contract. Task orders could be issued up to the maximum not-to-exceed amount of $3 million.

(c) The base year of the Contract ended on September 30, 2015. In Fiscal Year 2016, the Department of General Services partially exercised Option Year 1, bilaterally, with a not-to-exceed amount of $0. Council approval is now required for the full exercise of Option Year 1 to extend the term of the contract through the end of Fiscal Year 2016, pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02). The terms and conditions of the Contract have not changed, and the not-to-exceed value of Option Year 1 would be increased to $5 million. The full exercise of Option Year 1 is bilateral.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-830

See Emergency D.C. Act 21-459 21 DCStat 3591

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 with The Whiting-Turner Contracting Company for design build services for the modernization of Van Ness Elementary School, and to authorize payment in the aggregate amount of $1,220,169 for the goods and services received and to be received under the change orders.

Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 with The Whiting-Turner Contracting Company for the modernization of Van Ness Elementary School, and to authorize payment in the aggregate amount of $1,220,169 for the goods and services received and to be received under the change orders.

(b) The underlying contract was previously approved by the Council (CA21-0132). The Department then submitted and the Council approved Change Order No. 001 (CA21-0261) and Change Order No. 002 (CA21-0358). Thereafter, the Department issued Change Order No. 003 ($320,169), with an aggregate value of less than $1 million; thus, Change Order No. 003 did not require Council approval.

(c) Change Order No. 004 will cause the aggregate value of the change orders issued, after Council's last approval of Change Order No. 002, to exceed the $1 million threshold pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Order Nos. 003 and 004 in the aggregate amount of $1,220,169 is necessary to compensate The Whiting-Turner Contracting Company for work completed and to be completed pursuant to Change Order No. 004 to Contract No. DCAM-15-CS-0076 for the modernization of Van Ness Elementary School.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-835

***See* Emergency D.C. Act 21-460 21 DCStat 3592**

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc. for design build services for the modernization of Stanton Elementary School, and to authorize payment in the aggregate amount of $1,028,928 for the goods and services received and to be received under the change orders.

Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc. for design build services for the modernization of Stanton Elementary School, and to authorize payment in the aggregate amount of $1,028,928 for the goods and services received and to be received under the change orders.

(b) The underlying contract was previously approved by the Council (CA20-0405). The Department of General Services then submitted and the Council approved Change Order Nos. 001 through 004 (B21-0149). Thereafter, the Department of General Services issued Change Order Nos. 005 ($27,000), 006 ($3,788), 007 ($235,144), 008 ($45,181), and 009 ($17,815), with an aggregate value of less than $1 million; thus, Change Order Nos. 005 through 009 did not require Council approval.

(c) Change Order No. 010 will cause the aggregate value of the change orders issued, after Council's last approval of Change Order Nos. 001 through 004, to exceed the $1 million threshold pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Order Nos. 005 through 010 in the aggregate amount of $1,028,928 is necessary to compensate Tompkins Builders, Inc. for work completed and to be completed pursuant to Change Order No. 010 to Contract No. DCAM-14-CS-0102 for design build services for the modernization of Stanton Elementary School.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-826

See Emergency D.C. Act 21-452 21 DCStat 3584

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 with MCN Build, Inc. for design build services for the modernization of Hyde-Addison Elementary School, and to authorize payment in the aggregate amount of $1,675,000 for goods and services received and to be received under the change orders.

Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 for design build services for the modernization of Hyde-Addison Elementary School, and authorize payment in the aggregate amount of $1,675,000 for goods and services received and to be received under the change orders.

(b) The underlying contract was previously approved by the Council (CA20-0388). The Council then approved Change Order Nos. 001 through 005 in the Change Order Nos. 001 through 005 to Contract No. DCAM-14-CS-007 Approval and Payment Authorization Emergency Act of 2015, effective July 31, 2015 (D.C. Act 21-129; 62 DCR 10860). Thereafter, the Department of General Services issued Change Order No. 006 ($975,000). Because Change Order No. 006 was for less than $1 million, Council approval was not required.

(c) Change Order No. 007, in the amount of $700,000, will increase the aggregate value for Change Order Nos. 006 and 007 to $1,675,000.

(d) Council approval of Change Order Nos. 006 and 007 in the aggregate amount of $1,675,000 is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), because the aggregate value of the payments under the change orders will exceed $1 million during a 12-month period.

(e) Approval of Change Order Nos. 006 and 007 in the aggregate amount of $1,675,000 is necessary to compensate MCN Build, Inc. for work completed and to be completed pursuant to Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-829

See Emergency D.C. Act 21-458 21 DCStat 3590

To declare the existence of an emergency with respect to the need to approve Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design build services for the modernization of Kramer Middle School, and to authorize payment in the aggregate amount of $2,685,013.14 for the goods and services received and to be received under the change orders.

Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2.(a) There exists an immediate need to approve Change Order Nos. 005 through 0012 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design build services for the modernization of Kramer Middle School, and to authorize payment in the aggregate amount of $2,685,013.14 for the goods and services received and to be received under the change orders.

(b) The underlying contract was approved by the Council (CA20-0414). The Council subsequently approved Change Order Nos. 001 through 004 (B21-0263). The Department then issued Change Order Nos. 005 ($56,591), 006 ($25,434), 007 ($252,345), 008 ($246,493), 009 ($192,294), 010 ($0), and 011 ($204,812). Change Order Nos. 005 through 011 did not require Council approval because the change orders had an aggregate value of less than $1 million.

(c) Change Order No. 012 will cause the aggregate value of the change orders issued, after Council's last approval of Change Order Nos. 001 through 004, to exceed the $1 million threshold pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of Change Order Nos. 005 through 012 in the aggregate amount of $2,685,013.14 is necessary to compensate Turner Construction Company for work completed and to be completed pursuant to the change orders.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-846

***See* Emergency D.C. Act 21-472 21 DCStat 3739**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend Chapter 7 of Title 25 of the District of Columbia Official Code to clarify the penalties for sale to minors violations and the failure to ascertain the legal drinking age violations.

Sale to Minors Penalty Clarification Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sale to Minors Penalty Clarification Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The current language in D.C. Official Code §§ 25-781(f) and 25-783(c) needed to be amended to eliminate existing confusion among licensed establishments cited for selling alcoholic beverages to a minor or for failing to check identification to clarify how the Alcoholic Beverage Control Board determines the penalties for subsequent sale to a minor and the failure to check identification violations.

(b) The Council enacted the Sale to Minors Penalty Clarification Emergency Amendment Act of 2016, effective May 19, 2016 (D.C. Act 21-398; 63 DCR 7912) ("emergency legislation") and the Sale to Minors Penalty Clarification Temporary Amendment Act of 2016, enacted on June 29, 2016 (D.C. Act 21-432; 63 DCR 9284) ("temporary legislation"), to clarify the law for licensed establishments and to avoid any adverse impact on the Alcoholic Beverage Control Board when it imposes a penalty on an establishment that has violated the law which remedied the above-referenced issues.

(c) The emergency legislation expires on August 17, 2016 and the temporary legislation must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and will not become law until after the emergency legislation has expired.

(d) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sale to Minors Penalty Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-847

***See* Emergency D.C. Act 21-473 21 DCStat 3741**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

Sale of Synthetic Drugs Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sale of Synthetic Drugs Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) This bill is necessary to prevent a gap in the law as the temporary legislation, the Sale of Synthetic Drugs Temporary Amendment Act of 2016, enacted on June 30, 2016 (D.C. Act 21-444; 63 DCR 9314), is pending congressional review.

(b) Emergency legislation, the Sale of Synthetic Drugs Emergency Amendment Act of 2016, effective May 19, 2016 (D.C. Act 21-400; 63 DCR 7916), will expire on August 17, 2016.

(c) The temporary legislation will not become law until after the expiration of the emergency legislation; therefore, a congressional review emergency is needed to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sale of Synthetic Drugs Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-852

***See* Emergency D.C. Act 21-476 21 DCStat 3749**

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify agency responsibilities with regard to school attendance, to deem an absence of a minor student from a public school unexcused where the school does not obtain an explanation for the absence from the student's parent or guardian verifying the reason for an absence within 5 days after a student's return to school, to prohibit the suspension, expulsion, or unenrollment of a minor from a public school due to an unexcused absence or due to a late arrival to school, to clarify attendance reporting requirements for public, independent, private, and parochial schools, to revise the protocol for a law enforcement officer who comes in contact with a minor and has reasonable grounds to believe the minor is truant, to revise the educational institution referral requirement for the Child and Family Services Administration, the Court Social Services Division of the Superior Court of the District of Columbia, and the Office of the Attorney General Juvenile Section to only include unexcused full school day absences with regard to attendance, to provide educational institutions with discretion on referrals if a student's 10th or 15th unexcused absence is accrued within the final 10 school days of the school year, and to require the State Superintendent of Education to provide written notice to each public, independent, private, or parochial school outlining the attendance and reporting requirements by July 1 of each year; to amend the District of Columbia School Reform Act of 1995 to conform it to the prohibitions against expulsion and suspension provided in An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes and the Pre-k Enhancement and Expansion Amendment Act of 2008; and to amend Chapter 21 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations to repeal the requirement that a public school notify the Metropolitan Police Department after each occurrence of a student's 10th unexcused absence, to require that an educational institution obtain an explanation for a student's absence within 5 days of the student's return to school, and to amend the terms "truancy rate" and "chronic absenteeism."

School Attendance Clarification Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "School Attendance Clarification Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) Over the past 5 years, the Council of the District of Columbia has passed 3 laws with the goal of reducing chronic truancy: D.C. Law 18-242, the Safe Children and Safe Neighborhoods Educational Neglect Mandatory Reporting Amendment Act of 2010; D.C. Law 19-141, the South Capitol Street Memorial Amendment Act of 2012; and D.C. Law 20-17, the Attendance Accountability Amendment Act of 2013.

(b) Schools have implemented the various mandates from the 3 different bills over the past 2 years and have worked diligently to reduce the truancy epidemic in the District. Such efforts have started to result in an annual reduction in truancy in both public education sectors

and has shed light on additional areas that need to be addressed in order to continue in a positive trend.

(c) To address the issues that have been raised through implementation of the 3 laws referenced in subsection (a) of this section, Chairman Mendelson and Councilmember Grosso introduced Bill 21-508, the School Attendance Clarification Amendment Act of 2015 on December 1, 2015. The various items in Bill 21-508 have been identified through the work of the Truancy Taskforce's policy committee. In some cases, the changes in Bill 21-508 reflect the actual practice occurring in the District, and in other cases the changes allow schools and the various District agencies (e.g. the Child and Family Services Administration, Office of the Attorney General, and the Court Social Services Division) to target resources to those students who need them most as the District continues to identify ways to combat not just truancy but chronic absenteeism.

(d) On January 21, 2016, the Committee of the Whole and the Committee on Education held a joint public hearing on Bill 21-508, and on February 24, 2016, the Committee on Education marked up Bill 21-508. As the bill is a product of collaboration and extensive feedback from the District of Columbia Public Schools, the public charter school sector, the private school sector, and the various District agencies involved with combating truancy in the District, the Committee of the Whole print, which was marked up on April 19, 2016, was virtually identical to the version marked up by the Committee on Education.

(e) On May 3, 2016, Bill 21-508 was adopted unanimously by the Council on final reading and the bill was signed by the Mayor on June 1, 2016 (D.C. Act 21-411; 63 DCR 8207). The bill was transmitted on Congress on June 13, 2016, and is projected to become law on September 15, 2016.

(f) The Council anticipated that Bill 21-508 would not become law until after the start of school year 2016-2017, making it difficult for schools to make the necessary changes to their attendance systems, student handbooks, and attendance policies to comply with the law. Therefore, on May 3, 2016, the Council passed the School Attendance Clarification Emergency Amendment Act of 2016, effective May 3, 2016, (D.C. Act 21-410; 63 DCR 8202), to provide schools with ample notice and implementation time. The emergency legislation mirrors verbatim the language in the permanent version. The emergency legislation expires on August 30, 2016, 16 days before the permanent bill is projected to become law.

(g) A congressional review emergency is needed to prevent a gap in the law. Many schools in the District begin classes in early August and thus will already be implementing the new requirements of Bill 21-508, when the emergency measure expires.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the School Attendance Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-849

***See* Emergency D.C. Act 21-475 21 DCStat 3747**

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1000.

Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) Enactment of the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2016, effective May 19, 2016 (D.C. Act 21-396; 63 DCR 7908) ("Emergency Act"), enables the District to increase the number of live marijuana plants to assuage the demand for medical marijuana in medical marijuana distribution centers.

(b) The District is currently experiencing higher demand for medical marijuana than there is capacity to produce.

(c) The Emergency Act enables existing cultivation centers to expand the size of their facilities when they have leaseholds for adjacent real property.

(d) The Emergency Act also authorizes the possession of up to a maximum of 1000 live marijuana plants for all cultivation centers.

(e) New congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the Emergency Act, which expires on August 17, 2016, and the effectiveness of temporary legislation, the Medical Marijuana Cultivation Center Expansion Temporary Amendment Act of 2016, enacted on June 29, 2016 (D.C. Act 21-431; 63 DCR 9282), which has yet to become law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-683

To confirm the reappointment of Mr. Andrew Aurbach to the Historic Preservation Review Board.

Historic Preservation Review Board Andrew Aurbach Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Review Board Andrew Aurbach Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Andrew Aurbach
3711 Morrison Street, N.W.
Washington, D.C. 20015
(Ward 3)

as a historian member of the Historic Preservation Review Board, established by Mayor's Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-776

To confirm the reappointment of Ms. Gretchen Pfaehler to the Historic Preservation Review Board.

Historic Preservation Review Board Gretchen Pfaehler Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Review Board Gretchen Pfaehler Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Gretchen Pfaehler
709 E Street, N.E.
Washington, D.C. 20002
(Ward 6)

as an architectural historian member of the Historic Preservation Review Board, established by Mayor's Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-627

To appoint Dr. Malika Fair to the Not-For-Profit Hospital Corporation Board of Directors.

Not-For-Profit Hospital Corporation Board of Directors Malika Fair Appointment Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Not-For-Profit Hospital Corporation Board of Directors Malika Fair Appointment Resolution of 2016".

Sec. 2. The Council of the District of Columbia appoints:

Dr. Malika Fair
2804 33rd Street, S.E.
Washington, D.C. 20020
(Ward 7)

as a member of the Not-For-Profit Hospital Corporation Board of Directors pursuant to section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04), for a term to end March 15, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the chairperson of the Not-For-Profit Hospital Corporation Board of Directors, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

D.C. Resolution 21-558, effective July 12, 2016

A RESOLUTION

Proposed Resolution 21-814

To approve the negotiated master agreement submitted by the Public Service Commission between the Public Service Commission and employees who are in Compensation Unit 1 and represented by the American Federation of State, County, and Municipal Employees, District Council 20, AFL-CIO.

Master Agreement between the American Federation of State, County, and Municipal Employees, District Council 20, AFL-CIO and the Public Service Commission of the District of Columbia Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Master Agreement between the American Federation of State, County, and Municipal Employees, District Council 20, AFL-CIO and the Public Service Commission of the District of Columbia Approval Resolution of 2016".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-617.17(j)), the Council of the District of Columbia approves the master agreement, which was transmitted by the Public Service Commission to the Council on June 14, 2016, between the Public Service Commission and its employees who are included in Compensation Unit 1 and represented by the American Federation of State, County, and Municipal Employees, District Council 20, AFL-CIO, for a period that runs from the date of approval of this agreement until September 30, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor, the American Federation of State, County, and Municipal Employees, District Council 20, AFL-CIO, and the Public Service Commission.

Sec. 4. The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-665

To confirm the reappointment of Mr. Stanley Jackson to the District of Columbia Housing Finance Agency Board of Directors.

District of Columbia Housing Finance Agency Board of Directors Stanley Jackson Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Stanley Jackson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Stanley Jackson
52 Brandywine Street, S.W.
Washington, D.C. 20032
(Ward 8)

as a member, representing community interests, of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), in accordance with section 2(e)(10) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code§ 1- 523.0l(e)(10)), for a term to end June 28, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-719

To confirm the appointment of Mr. Michael Spencer to the Rental Housing Commission.

Rental Housing Commission Michael Spencer Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rental Housing Commission Michael Spencer Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Michael Spencer
3642 Camden Street, S.E.
Washington, D.C. 20020
(Ward 7)

as a member of the Rental Housing Commission, established by section 201 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01), in accordance with section 2(e)(19) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1- 523.0l(e)(19)), replacing Ronald A. Young, for a term to end July 18, 2018.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-720

To confirm the appointment of Ms. Diana Epps to the Rental Housing Commission.

Rental Housing Commission Diana Epps Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rental Housing Commission Diana Epps Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Diana Epps
2930 14th Street, N.E.
Washington, D.C. 20017
(Ward 5)

as a member of the Rental Housing Commission, established by section 201 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01), in accordance with section 2(e)(19) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code§ 1- 523.0l(e)(19)), replacing Claudia McKoin, for a term to end July 18, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-750

To confirm the appointment of Ms. Sheila Miller to the District of Columbia Housing Finance Agency Board of Directors.

District of Columbia Housing Finance Agency Board of Directors Sheila Miller Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Sheila Miller Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Sheila Miller
117 R Street, N.E.
Washington, D.C. 20002
(Ward 5)

as a member, with experience in home building, of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), in accordance with section 2(e)(10) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code§ 1- 523.0l(e)(10)), replacing Leila Batties, for a term to end June 28, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-674

To confirm the appointment of Ms. Alexandra Ashbrook as a voting member of the Food Policy Council.

Food Policy Council Alexandra Ashbrook Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Alexandra Ashbrook Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Alexandra Ashbrook
2925 39th Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a one-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-675

To confirm the appointment of Mr. Christopher Bradshaw as a voting member of the Food Policy Council.

Food Policy Council Christopher Bradshaw Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Christopher Bradshaw Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Christopher Bradshaw
1436 W Street, N.W., Apartment 103
Washington, D.C. 20009
(Ward 1)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a one-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-677

To confirm the appointment of Mr. Caesar Layton as a voting member of the Food Policy Council.

Food Policy Council Caesar Layton Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Caesar Layton Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Caesar Layton
1425 Euclid Street, N.W., Apartment 12
Washington, D.C. 20009
(Ward 1)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a one-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-678

To confirm the appointment of Mr. Alexander Moore as a voting member of the Food Policy Council.

Food Policy Council Alexander Moore Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Alexander Moore Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Alexander Moore
425 Second Street, N.W.
Washington, D.C. 20001
(Ward 6)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a 2-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-679

To confirm the appointment of Ms. Paula Reichel as a voting member of the Food Policy Council.

Food Policy Council Paula Reichel Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Paula Reichel Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Paula Reichel
818 5th Street, N.E., Apartment 2
Washington, D.C. 20002
(Ward 6)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a 2-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-680

To confirm the appointment of Ms. Joelle Robinson as a voting member of the Food Policy Council.

Food Policy Council Joelle Robinson Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Joelle Robinson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Joelle Robinson
3353 Alden Place, N.E.
Washington, D.C. 20019
(Ward 7)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a 2-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-681

To confirm the appointment of Ms. Tambra Raye Stevenson as a voting member of the Food Policy Council.

Food Policy Council Tambra Raye Stevenson Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Policy Council Tambra Raye Stevenson Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Tambra Raye Stevenson
2609 Douglass Road, S.E., Apartment 302
Washington, D.C. 20020
(Ward 8)

as a voting member of the Food Policy Council, established by section 3 of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-312), for a 2-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-839

To approve the submission of a proposed advisory referendum to the District of Columbia Board of Elections, for inclusion on the ballot for the general election to be held on November 8, 2016, that asks the electorate whether the Council should petition Congress to enact a statehood admission act to provide for the State of New Columbia to be declared to admitted to the Union and whether the Council should approve a state constitution.

Advisory Referendum on the State of New Columbia Admission Act Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Advisory Referendum on the State of New Columbia Admission Act Resolution of 2016".

Sec. 2. (a) Pursuant to section 412(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(b)), the Council hereby approves an advisory referendum, which shall ask the voters whether the Council should petition Congress to enact a statehood admission act to provide for the State of New Columbia to be declared admitted to the Union and whether the Council should approve a state constitution.

(b) The advisory referendum shall read as follows:

"ADVISORY REFERENDUM"

Short Title

"Advisory Referendum on the State of New Columbia Admission Act Resolution of 2016".

Summary Statement

To ask the voters on November 8, 2016, through an advisory referendum, whether the Council should petition Congress to enact a statehood admission act to admit the State of New Columbia to the Union. Advising the Council to approve this proposal would establish that the citizens of the District of Columbia ("District") (1) agree that the District should be admitted to the Union as the State of New Columbia; (2) approve of a Constitution of the State of New Columbia to be adopted by the Council; (3) approve the State of New Columbia's boundaries, as adopted by the New Columbia Statehood Commission on June 28, 2016; and (4) agree that the State of New Columbia shall guarantee an elected representative form of government.

Shall the voters of the District of Columbia advise the Council to approve or reject this proposal?

YES, to approve ____

NO, to reject____

Sec. 3. The District of Columbia Public Library shall make drafts of the state constitution and the State of New Columbia's proposed boundaries available for public inspection at every branch.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

Proposed Resolution 21-840

To approve proposed Contract No. GAGA-2016-C-0036A-1 between the District of Columbia Public Schools and SodexoMagic, LLC for one base year in the amount of $35,401,842.20 to manage the overall District of Columbia Public Schools Food Service Program for an estimated 101 schools.

Contract No. GAGA-2016-C-0036A-1 with SodexoMagic, LLC Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. GAGA-2016-C-0036A-1 with SodexoMagic, LLC Approval Resolution of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. GAGA-2016-C-0036A-1, which the Mayor transmitted to the Council on June 23, 2016, between the District of Columbia Public Schools ("DCPS") and SodexoMagic, LLC for one base year in the amount of $35,401,842.20 to manage the overall DCPS Food Service Program for an estimated 101 schools.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-836

To approve proposed Contract No. GAGA-2016-C-0036A-2 between the District of Columbia Public Schools and DC Central Kitchen for one base year in the amount of $5,154,018.94 to manage the overall District of Columbia Public Schools Food Service Program for an estimated 12 schools.

Contract No. GAGA-2016-C-0036A-2 with DC Central Kitchen Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. GAGA-2016-C-0036A-2 with DC Central Kitchen Approval Resolution of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. GAGA-2016-C-0036A-2, which the Mayor transmitted to the Council on June 23, 2016, between the District of Columbia Public Schools ("DCPS") and DC Central Kitchen for one base year in the amount of $5,154,018.94 to manage the overall DCPS Food Service Program for an estimated 12 schools.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-857

See Emergency D.C. Act 21-483 21 DCStat 3764

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, and to require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.

Rent Control Hardship Petition Limitation Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rent Control Hardship Petition Limitation Emergency Declaration Resolution of 2016".

Sec. 2. (a) The District's rent control regime is established by the Rental Housing Act of 1985; approximately 79,000 housing units are subject to the law, accounting for 66% of the rental housing stock in the District.

(b) For units subject to rent control, annual rent increases are limited to a maximum of 10% for most tenants and 5% for seniors and individuals with disabilities. However, under the hardship petition process, a housing provider can apply to the Rent Administrator at the Department of Housing and Community Development to raise rents by more than the standard increase in order to achieve a 12% rate of return on the housing provider's investment in the building. The hardship petition requires the housing provider to submit a schedule of income and expenses, which the Rent Administrator can use to calculate a new rent based on the 12% rate of return.

(c) If a hardship petition is not decided within 90 days, the housing provider may automatically start collecting the entire rent for which the housing provider originally applied. As hardship petitions are rarely decided within the 90-day time period, conditional increases are frequently granted that result in rent increases of 50% to 100%.

(d) These rent increases place a significant burden on low-income renters, increasing the likelihood of displacement and homelessness. For example, tenants of a building in Ward 7 were charged a 34% increase and were threatened with eviction if they did not pay the rent increase. Tenants were forced to file a lawsuit challenging the increase based on numerous housing code violations, and the dispute was prolonged for more than 4 years. During this time the higher rents were required to be paid into a court-mandated escrow account.

(e) Although a conditional increase may ultimately be reversed, it is often too late for tenants who have been displaced by rent increases that housing providers were ultimately not authorized to charge. More than 88 hardship petitions were filed between 2007 and 2013, significantly raising the rent on thousands of District residents.

(f) Without swift action by the Council to counter opportunities for abuse of the hardship petition process, additional tenants will likely be priced out of their homes.

(g) This legislation would extend the authority of the Rent Control Hardship Petition Limitation Temporary Amendment Act of 2015, effective January 9, 2016 (D.C. Law 21-49; 62

DCR 13990), which will expire on August 21, 2016. D.C. Law 21-49 is identical to legislation moved in Council Period 20 by then Councilmember Bowser.

(h) On March 17, 2015, permanent legislation, the Rent Control Hardship Petition Limitation Amendment Act of 2015 (Bill 21-146), was introduced by Councilmember Bonds along with Councilmembers Silverman, Nadeau, and Cheh. The bill was referred to the Committee on Housing and Community Development and a hearing on the bill was held on May 26, 2015.

(i) After a wait of 4 months, the Committee on Housing and Community Development received from the Department of Housing and Community Development data on the past 5 years of hardship petitions, upon which informed policy decisions may be made in support of the permanent version of this bill. The data will be analyzed over the summer, which will allow the committee to mark-up the permanent version of this legislation in the fall.

(j) It is necessary to move this emergency legislation so there will not be a gap in the law until the legislative process is completed for Bill 21-146.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Rent Control Hardship Petition Limitation Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-850

See Emergency D.C. Res. 21-575 21 DCStat 3818

To declare the existence of an emergency with respect to the need to approve HFA21-0020, the District of Columbia Housing Finance Agency Amended Eligibility Resolution as to the Eligibility of the Beacon Center for Tax -Exempt and/or Taxable Multifamily Housing Mortgage Revenue Bond Financing, to increase the not-to-exceed amount of tax-exempt or taxable multifamily housing mortgage revenue for the Emory Beacon of Light project to $26 million.

Emory Beacon Center Mortgage Revenue Bond Financing Approval Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Emory Beacon Center Mortgage Revenue Bond Financing Approval Emergency Declaration Resolution of 2016".

Sec. 2. (a) Emory Beacon of Light, Inc., is developing the Emory Beacon Center, at 6100 Georgia Avenue, N.W., in Ward 4, to expand the affordable housing opportunities in the District for low-income and moderate-income residents.

(b) The District of Columbia Housing Finance Agency ("HFA") has submitted an amended eligibility resolution for the bonds (HFA21-20) that will assist the development team in acquiring and constructing the Emory Beacon Center.

(c) The Council passively approved a previous financing resolution submitted by the HFA for this project (HFA20-15) in an amount not to exceed $20,760,000.

(d) The amended eligibility resolution is necessary to reflect the HFA's increase in bond financing available to Emory Beacon of Light, Inc., from $20,760,000 to $26,000,000.

(e) The Emory Beacon Center is a mixed-use project that will include 100% of the residential rental units set aside for low-income and moderate-income households. The project also includes retail space to support the community economic development under the Georgia Avenue Great Streets Redevelopment Plan.

(f) The current submission will be passively approved by the Council in October, 2016, a month after Emory Beacon of Light, Inc., is planning on closing on the property. That delay has the potential of lengthening the development timeline for the project. The increased costs associated with these issues could represent a significant economic hardship for the church.

(g) To prevent an unintended delay in the development of this project, the Council must approve the submission on an emergency basis.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Emory Beacon Center Mortgage Revenue Bond Financing Emergency Approval Resolution of 2016 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-851

Emergency Declaration Res. 21-574 21 DCStat 3816

To approve, on an emergency basis, HFA21-0020, the District of Columbia Housing Finance Agency Amended Eligibility Resolution as to the Eligibility of the Beacon Center for Tax -Exempt and/or Taxable Multifamily Housing Mortgage Revenue Bond Financing, which would increase the not-to-exceed amount of tax-exempt or taxable multifamily housing mortgage revenue bond financing for the Emory Beacon Center project to $26 million.

Emory Beacon Center Mortgage Revenue Bond Financing Emergency Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Emory Beacon Center Mortgage Revenue Bond Financing Emergency Approval Resolution of 2016".

Sec. 2. Pursuant to section 207(b) of the District of Columbia Housing Finance Agency Act, effective October 5, 1985 (D.C. Law 6-44; D.C. Official Code § 42-2702.07(b)), the District of Columbia Housing Finance Agency submitted to the Council on June 15, 2016, HFA 21-0020, the District of Columbia Housing Finance Agency Amended Resolution as to the Eligibility of the Beacon Center For Tax-Exempt and/or Taxable Multifamily Housing Mortgage Revenue Bond Financing, which provided notice of the Board of Directors of the District of Columbia Housing Finance Agency's proposal to issue revenue bond financing in a not-to-exceed amount of $26 million for the Emory Beacon Center Project. The Council approves the proposed revenue bond financing.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the District of Columbia Housing Finance Agency.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-861

***See* Emergency D.C. Act 21-480 21 DCStat 3759**

Wage Theft Prevention Correction and Clarification Emergency Declaration Resolution of 2016

To declare the existence of an emergency with respect to the need to clarify and improve the laws prohibiting wage theft and the enforcement of those laws.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Wage Theft Prevention Correction and Clarification Emergency Declaration Resolution of 2016".

Sec. 2. (a) There existed a need to amend the amendments made by the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157), to clarify when certain provisions shall take effect, clarify who may bring an action on behalf of an employee, amend criminal penalties, clarify when amounts in the Wage Theft Prevention Fund may be spent, authorize the Mayor to issue rules, and clarify how the Mayor shall make certain information available to manufacturers.

(b) In late 2015, the Council enacted the Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2015, effective October 27, 2015 (D.C. Act 21-188; 62 DCR 13764), and the Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2015, effective January 30, 2016 (D.C. Law 21-57; 62 DCR 15602) ("temporary legislation"), which addressed the above-referenced issues.

(c) The temporary legislation expires on September 11, 2016.

(d) It is important that the provisions of the temporary legislation continue in effect, without interruption, until permanent legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-848

***See* Emergency D.C. Act 21-474 21 DCStat 3745**

Public Charter School Board Donald Soifer Confirmation Emergency Declaration Resolution of 2016

To declare the existence of an emergency with respect to the need to confirm the reappointment of Mr. Donald Soifer to the Public Charter School Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Charter School Board Donald Soifer Confirmation Emergency Declaration Resolution of 2016".

Sec. 2. (a) Section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14) ("School Reform Act"), established the Public Charter School Board ("PCSB") as a 7-member board with the purposes of authorizing new school charters, monitoring the success of charter schools under its jurisdiction, and ensuring that the public charter schools under its authority are in compliance with the terms of their charters and applicable laws. The PCSB is currently the District's only charter school authorizing authority and oversees 114 schools on 62 campuses.

(b) On May 4, 2016, Chairman Mendelson introduced, at the request of the Mayor, PR21-722, the Public Charter School Board Donald Soifer Confirmation Resolution of 2016, to confirm Donald Soifer to the PCSB for a 4-year term, ending February 24, 2020.

(c) The Committee on Education held a public roundtable on PR21-722 on June 9, 2016. (d) Section 2214(a)(5)(B) of the School Reform Act provides that members of the PCSB shall be eligible to be reappointed for one 4-year term beyond their initial term of appointment. (e) Mr. Soifer has served as a PCSB member since December 2008. His first term ran from December 8, 2008, to February 24, 2012, and the Council reappointed him for a second term, which ran from February 24, 2012, to February 24, 2016. Therefore, Mr. Soifer's reappointment to a third term requires the Council to confirm his nomination notwithstanding the term limits imposed by section 2214(a)(5)(B) of the School Reform Act.

(f) It is the opinion of the Committee on Education, the Mayor's Office of Legal Counsel, the Deputy Mayor for Education, and the Public Charter School Board that Mr. Soifer is a dedicated and highly qualified member of the PCSB. He has not missed a regularly scheduled board meeting in his 8 years of service and remains heavily engaged with charter applicants and authorized schools. His nomination has support from both the public and government entities. Therefore, the Committee on Education recommends that Mr. Soifer be confirmed to serve for a third and final term.

(g) Mr. Soifer's appointment requires emergency action to allow for the necessary quorum for the PCSB meetings that provide for the governance and oversight of all authorized public charter schools. When PCSB members are in hold-over status, there is less legitimacy to

their role on the board. Mr. Soifer's term expired on February 24, 2016, and he has since been serving in a hold-over status. The Committee on Education believes that prior to Council recess it is imperative to move this nomination on an emergency basis.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Public Charter School Board Donald Soifer Confirmation Emergency Act of 2016 be approved after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-859

See Emergency D.C. Act 21-478 21 DCStat 3755

Fiscal Year 2016 Revised Budget Request Adjustment Extension Emergency Declaration Resolution of 2016

To declare the existence of an emergency with respect to the need to extend certain adjustments made to the Fiscal Year 2016 Budget and Financial Plan through the remainder of Fiscal Year 2016.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "Fiscal Year 2016 Revised Budget Request Adjustment Extension Emergency Declaration Resolution of 2016".

Sec. 2. (a) On October 6, 2015, the Council passed the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, effective January 21, 2016 (D.C. Law 21-48; 62 DCR 13979) (the "Act"), which will expire on August 21, 2016.

(b) The Act consists of substantial adjustments to budget authority for both Fiscal Year 2015 and Fiscal Year 2016.

(c) The adjustments made by the Act to the Fiscal Year 2016 budget must be extended through the end of Fiscal Year 2016 in order to continue the legal authority for the revised budget and ensure a balanced budget and a clean Comprehensive Annual Financial Report for Fiscal Year 2016.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2016 Revised Budget Request Adjustment Extension Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-854

***See* Emergency D.C. Act 21-481 21 DCStat 3762**

To declare the existence of an emergency with respect to the need to approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2013-LRSP-04A with Beacon Center Housing, LLC, for Local Rent Supplement Program units at The Beacon Center, located at 6100 and 6104 Georgia Avenue, N.W., and to authorize payment for housing services to be received under the contract.

Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval and Payment Authorization Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsored-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In April 2013, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development ("DHCD"). Of the total proposals received, 18 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making between 0% and 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout the District. Upon approval of the contract by the Council, DCHA will enter into an agreement to enter into a long-term subsidy contract ("ALTSC") with the selected housing providers under the LRSP for housing services provided under the contract.

(c) There exists an immediate need to approve the ALTSC with Beacon Center Housing, LLC, under the District of Columbia Housing Authority's Local Rent Supplement Program in order to provide long-term affordable housing units for extremely low-income households in the District for units at The Beacon Center, located at 6100 and 6104 Georgia Avenue, N.W.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and Beacon Center Housing, LLC, with respect to

the payment of rental subsidy, and allow the owner to lease the rehabilitated units at The Beacon Center and house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-858

***See* Emergency D.C. Act 21-477 21 DCStat 3754**

To declare the existence of an emergency with respect to the need to amend section 3209 of Title 17 of the District of Columbia Municipal Regulations to create an exemption to the requirement that an individual engaged in the practice of interior design be licensed for individuals participating in certain charitable fundraising events.

Interior Design Charitable Event Regulation Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Interior Design Charitable Event Regulation Emergency Declaration Resolution of 2016".

Sec. 2. (a) In May 2008, the Department of Consumer and Regulatory Affairs ("DCRA") published a regulation, defining the "practice of interior design" as "providing or offering to provide consultations, preliminary studies, drawings, specifications, or any related service for the design analysis, programming, space planning, or aesthetic planning of the interior of buildings, using specialized knowledge of interior construction, building systems and components, building codes, fire and safety codes, equipment, materials, and furnishings, in a manner that will protect and enhance the health, safety, and welfare of the public whether one or all of these services are performed either in person or as the directing head of an organization."

(b) The result of this regulation is that it is considered unlawful for any person who is not licensed as an interior designer to engage in the practice of interior design, regardless of whether the individual is volunteering his or her services at a charitable fundraising event.

(c) DC Design House, Inc. is a nonprofit organization that, since 2008, has organized a design show house fundraising event in the District for the sole benefit of Children's National Health System, raising roughly $1.5 million for the hospital over 8 years.

(d) DC Design House, Inc. has recently become aware that the interior designers who volunteer at the annual fundraising event may be violating DCRA's regulations, and therefore the organization may not be able to find enough volunteers to hold this year's fundraising event, which is currently planned for October 2016.

(e) It is necessary to pass this emergency exemption to the requirement that an individual engaged in the practice of interior design be licensed so that DC Design House, Inc. is able to find enough volunteers to hold its charitable event this year.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Interior Design Charitable Event Regulation Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-860

***See* Emergency D.C. Act 21-479 21 DCStat 3757**

To declare the existence of an emergency with respect to the need to order the closing of a portion of 14th Street, N.E., adjacent to Squares 3954 and 4024 and Parcel 143/45, and to accept the dedication of portions of land in Squares 3953, 3954, 4024, and 4025 and Parcel 143/45 for public street and alley purposes, in Ward 5.

Closing of Public Streets and Dedication of Land for Street and Alley Purposes in and abutting Squares 3953, 3954, 4024, 4025, and Parcel 143/45, S.O. 14-20357, Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of Public Streets and Dedication of Land for Street and Alley Purposes in and abutting Squares 3953, 3954, 4024, 4025, and Parcel 143/45, S.O. 14-20357, Emergency Declaration Resolution of 2016".

Sec. 2. (a) The portions of 14th Street, N.E., shown on the Surveyor's plat filed under S.O. 14-20357, are unnecessary for street purposes.

(b) On June 15, 2016 the Council's Committee of the Whole held a public hearing on the closing of these portions of 14th Street, N.E.

(c) The Council is moving a separate measure to close these portions of 14th Street, N.E., as permanent legislation; however, because of the Council's impending recess, no work would be able to begin until after a second reading in late September and congressional review thereafter.

(d) This emergency legislation is necessary to permit the project to proceed without unnecessary and undue delay.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of Public Streets and Dedication of Land for Street and Alley Purposes in and abutting Squares 3953, 3954, 4024, 4025, and Parcel 143/45, S.O. 14-20357, Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-855

***See* Emergency D.C. Act 21-482 21 DCStat 3763**

To declare the existence of an emergency with respect to the need to approve the First Amendment to the Capital Funding Agreement between the Washington Metropolitan Area Transit Authority, the State of Maryland, the District of Columbia, Arlington County, Virginia, Fairfax County, Virginia, the City of Alexandria, Virginia, the City of Fairfax, Virginia, and the City of Falls Church, Virginia to provide additional capital funding for a one-year extension to a capital improvement program for the Washington Metropolitan Area Transit Authority transit system, from July 1, 2016 to June 30, 2017

First Amendment to the Washington Metropolitan Area Transit Authority Multi-Jurisdictional Capital Funding Agreement Approval Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "First Amendment to the Washington Metropolitan Area Transit Authority Multi-Jurisdictional Capital Funding Agreement Approval Emergency Declaration Resolution of 2016".

Sec. 2. (a) There exists an immediate need to approve the First Amendment to the Capital Funding Agreement between the Washington Metropolitan Area Transit Authority ("WMATA"), the State of Maryland, the District of Columbia, Arlington County, Virginia, Fairfax County, Virginia, the City of Alexandria, Virginia, the City of Fairfax, Virginia, and the City of Falls Church, Virginia ("CFA") to provide additional capital funding for a one-year extension to a capital improvement program for the WMATA transit system, from July 1, 2016, to June 30, 2017.

(b) On July 1, 2010, the Office of Contracting and Procurement, on behalf of the District Department of Transportation, executed the multiyear CFA to provide capital funding for a capital improvement program from July 1, 2010, through June 30, 2016, in the ceiling amount of $397,314,000.

(c) A first amendment is now necessary to extend the CFA to June 30, 2017, and to increase the District of Columbia's allocated contribution amount for WMATA Fiscal Year 2017 by $92.1 million for a total District ceiling amount under the CFA of $489,414,000.

(d) Council approval is necessary because these modifications increase the contract by more than $1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital improvements. Without Council approval, WMATA cannot be paid for services provided in excess of $1 million for the contract period July 1, 2016, through June 30, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the First

Amendment to the Washington Metropolitan Area Transit Authority Multi-Jurisdictional Capital Funding Agreement Emergency Approval Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-682

To confirm the appointment of Mr. Chris Landis to the Historic Preservation Review Board.

Historic Preservation Review Board Chris Landis Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Review Board Chris Landis Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Chris Landis
6217 30th Street, N.W.
Washington, D.C. 20015
(Ward 4)

as an architect member of the Historic Preservation Review Board, established by Mayor's Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-777

To confirm the appointment of Ms. Linda Greene to the Historic Preservation Review Board.

Historic Preservation Review Board Linda Greene Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Review Board Linda Greene Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Linda Mercado Greene
1354 W Street, S.E.
Washington, D.C. 20020
(Ward 8)

as a public member of the Historic Preservation Review Board, established by Mayor's Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-659

To confirm the appointment of Mr. Todd A. Lee as the Executive Director of the District of Columbia Housing Finance Agency.

Executive Director of the District of Columbia Housing Finance Agency Todd A. Lee Confirmation Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Executive Director of the District of Columbia Housing Finance Agency Todd A. Lee Confirmation Resolution of 2016".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Todd A. Lee
15403 Symondsbury Way
Upper Marlboro, Maryland 20774

as the Executive Director of the District of Columbia Housing Finance Agency, pursuant to section 203 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.03), to serve at the pleasure of the Board of Directors of the District of Columbia Housing Finance Agency.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Board of Directors of the District of Columbia Housing Finance Agency.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-891

To amend the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 21, Resolution of 2015 to eliminate the Committee on Business, Consumer, and Regulatory Affairs and transfer jurisdiction of its subject matter and agencies to the Committee of the Whole, to establish the Subcommittee on Local Business Development and Utilities, the Subcommittee on Workforce, the Subcommittee on Consumer Affairs, and the Subcommittee on Boards and Commissions under the Committee of the Whole, to add the Deputy Mayor for Greater Economic Opportunity to the list of agencies that come within the purview of the Committee of the Whole, to add the Department of For-Hire Vehicles and the Department of Energy and Environment to the list of agencies that come within the purview of the Committee on Transportation and the Environment, to eliminate all references to the District of Columbia Taxicab Commission and the District Department of the Environment, and to clarify the reporting requirements for subcommittees; and to amend the Council Period 21 Appointment of Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution of 2015 to no longer appoint a chairperson and membership of the Committee on Business, Consumer, and Regulatory Affairs, to revise the membership of the Committee on Finance and Revenue and the Committee on Housing and Community Development, and to appoint the chairpersons and members of the Subcommittee on Local Business Development and Utilities, the Subcommittee on Workforce, the Subcommittee on Consumer Affairs, and the Subcommittee on Boards and Commissions.

Council Period 21 Rules of Organization and Procedure and Appointment of Committee Chairpersons and Membership Amendment Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Period 21 Rules of Organization and Procedure and Appointment of Committee Chairpersons and Membership Amendment Resolution of 2016".

Sec. 2. The Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 21, attached and made part of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 21, Resolution of 2015, effective January 2, 2015 (Res. 21-1; 62 DCR 493), is amended as follows:

(a) The Table of Contents is amended by striking the phrase "232. COMMITTEE ON BUSINESS, CONSUMER, AND REGULATORY AFFAIRS." and inserting the phrase "232. COMMITTEE ON BUSINESS, CONSUMER, AND REGULATORY AFFAIRS. [REPEALED]." in its place.

(b) Section 231 (Committee of the Whole) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "government of the District of Columbia;" and inserting the phrase "government of the District of Columbia; matters concerning small and local business development policy; financial literacy; consumer and regulatory affairs; matters related to workforce-development issues; employment and manpower

development; apprenticeship; employment services; workforce investment; occupational safety and health; unemployment compensation; disability compensation; the regulation of alcoholic beverages; public utilities; cable television; motion picture and television development; the operation of business-improvement districts ("BIDs") and oversight of BIDs, but not including the establishment of BIDs; the conduct of Emancipation Day celebrations within the District of Columbia; the regulation of banks and banking activities, securities, and insurance, including private health insurance, but not including the Health Benefit Exchange; captive insurance; risk management; construction codes coordination; condemnation of insanitary buildings;" in its place.

(2) Subsection (e) is amended by adding the following agencies to the list of agencies that come within the purview of the Committee of the Whole, to be inserted in alphabetical order within the existing list:

Alcoholic Beverage Regulation Administration
Apprenticeship Council
Board of Accountancy
Board of Architecture and Interior Designers
Board of Barber and Cosmetology
Board of Condemnation of Insanitary Buildings
Board of Consumer Claims Arbitration for the District of Columbia
Board of Funeral Directors
Board of Industrial Trades
Board of Professional Engineering
Board of Real Estate Appraisers
Captive Insurance Agency
Commission on Fashion Arts and Events
Construction Codes Coordinating Board
Department of Consumer and Regulatory Affairs
Department of Employment Services
Department of Insurance, Securities and Banking
Department of Small and Local Business Development
Deputy Mayor for Greater Economic Opportunity
Disability Compensation Fund
District of Columbia Boxing and Wrestling Commission
Emancipation Commemoration Commission
Financial Literacy Council
Occupational Safety and Health Board
Office of Cable Television, Film, Music, and Entertainment
Office of People's Counsel
Office of Risk Management
Office of the Tenant Advocate
Public Access Corporation

Public Service Commission
Real Estate Commission
Unemployment Compensation Fund
Workforce Investment Council.

(3) New subsections (f), (g), (h), and (i) are added to read as follows:

"(f)(1) The Subcommittee on Local Business Development and Utilities, as delegated by the Committee of the Whole, shall be responsible for the regulation of alcoholic beverages; small and local business development; financial literacy; cable television; and motion picture and television development.

"(2) The following agencies come within the purview of the Subcommittee on Local Business Development and Utilities:

"Alcoholic Beverage Regulation Administration
"Department of Small and Local Business Development
"Financial Literacy Council
"Office of Cable Television, Film, Music, and Entertainment
"Office of People's Counsel
"Public Access Corporation
"Public Service Commission

"(g)(1) The Subcommittee on Workforce, as delegated by the Committee of the Whole, shall be responsible for apprenticeship; employment services; workforce investment; occupational safety and health; unemployment compensation; disability compensation; and risk management.

"(2) The following agencies come within the purview of the Subcommittee on Workforce:

"Apprenticeship Council
"Department of Employment Services
"Deputy Mayor for Greater Economic Opportunity
"Disability Compensation Fund
"Occupational Safety and Health Board
"Office or Risk Management
"Unemployment Compensation Fund
"Workforce Investment Council

"(h)(1) The Subcommittee on Consumer Affairs, as delegated by the Committee of the Whole, shall be responsible for captive insurance; consumer and regulatory affairs; construction codes coordination; condemnation of insanitary buildings; and insurance, securities, and banking.

"(2) The following agencies come within the purview of the Subcommittee on Consumer Affairs:

"Board of Condemnation of Insanitary Buildings
"Captive Insurance Agency
"Construction Codes Coordinating Board

"Department of Consumer and Regulatory Affairs
"Department of Insurance, Securities and Banking
"Office of the Tenant Advocate

"(i)(1) The Subcommittee on Boards and Commissions, as delegated by the Committee of the Whole, shall be responsible for the functions of the boards and commissions enumerated in paragraph (2) of this subsection.

"(2) The following agencies come within the purview of the Subcommittee on Boards and Commissions:

"Board of Accountancy
"Board of Architecture and Interior Designs
"Board of Barber and Cosmetology
"Board of Consumer Claims Arbitration for the District of Columbia
"Board of Funeral Directors
"Board of Industrial Trades
"Board of Professional Engineering
"Board of Real Estate Appraisers
"Commission on Fashion Arts and Events
"District of Columbia Boxing and Wrestling Commission
"Emancipation Commemoration Commission
"Real Estate Commission.".

(c) Section 232 (Committee on Business, Consumer, and Regulatory Affairs) is amended to read as follows:

"232. COMMITTEE ON BUSINESS, CONSUMER, AND REGULATORY AFFAIRS. [REPEALED].

"Repealed.".

(d) Section 238(b) (Committee on Transportation and the Environment) is amended as follows:

(1) Strike the phrase "District Department of the Environment" and insert the phrase "Department of Energy and Environment" in its place.

(2) Strike the phrase "District of Columbia Taxicab Commission" and insert the phrase "Department of For-Hire Vehicles" in its place.

(e) Section 245 (Subcommittees) is amended by striking the phrase "Each bill or resolution reported by a subcommittee shall be referred to its standing committee for a vote and scheduling for the Committee of the Whole" and inserting the phrase "With the exception of measures primarily pertaining to matters substantially within the purview of the Department of Small and Local Business Development, each bill or resolution reported by a subcommittee shall be referred to its standing committee for a vote and scheduling for the Committee of the Whole. A measure primarily pertaining to matters substantially within the purview of the Department of Small and Local Business Development shall be reported and filed by the Subcommittee on Local Business Development and Utilities in accordance with section 803 and

referred to the Committee of the Whole only for the purposes set forth in section 231(c).” in its place.

Sec. 3. The Council Period 21 Appointment of Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution of 2015, effective January 2, 2015 (Res. 21-2; 62 DCR 1102), is amended as follows:

(a) The long title is amended by striking the word “committee” and inserting the phrase “committee and subcommittee” in its place.

(b) Section 3 is amended as follows:

(1) The lead-in language is amended by striking the word “committee” and inserting the phrase “committee and subcommittee” in its place.

(2) Paragraph (1) is repealed.

(3) Paragraph (3) is amended by striking the phrase “Vincent Orange, and Elissa Silverman” and inserting the phrase “Elissa Silverman, and Robert White” in its place.

(4) Paragraph 5 is amended by striking the phrase “Brianne Nadeau, Vincent Orange, Elissa Silverman, and LaRuby May” and inserting the phrase “LaRuby May, Brianne Nadeau, Elissa Silverman, and Robert White” in its place.

(5) New paragraphs (8), (9), (10), and (11) are added to read as follows:

“(8) The chairperson of the Subcommittee on Local Business Development and Utilities, established by section 231(f) of the Rules, pursuant to section 245 of the Rules, shall be Charles Allen and its members shall be Brianne Nadeau, Elissa Silverman, Brandon Todd, and Robert White.

“(9) The chairperson of the Subcommittee on Workforce, established by section 231(g) of the Rules, pursuant to section 245 of the Rules, shall be Elissa Silverman, and its members shall be Charles Allen, Brianne Nadeau, Brandon Todd, and Robert White.

“(10) The chairperson of the Subcommittee on Consumer Affairs, established by section 231(h) of the Rules, pursuant to section 245 of the Rules, shall be Brianne Nadeau and its members shall be Charles Allen, Elissa Silverman, Brandon Todd, and Robert White.

“(11) The chairperson of the Subcommittee on Boards and Commissions, established by section 231(i) of the Rules, pursuant to section 245 of the Rules, shall be Brandon Todd and its members shall be Charles Allen, Brianne Nadeau, Elissa Silverman, and Robert White.”.

Sec. 4. This resolution shall take effect immediately.

D.C. Resolution 21-596, effective September 20, 2016

A RESOLUTION

Proposed Resolution 21-887

***See* Emergency D.C. Res. 21-597 21 DCStat 3839**

To declare the existence of an emergency with respect to the need to approve the proposed compensation system changes submitted by the Mayor for all Legal Service employees.

Legal Service Employee Compensation System Changes Approval Emergency Declaration Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Legal Service Employee Compensation System Changes Approval Emergency Declaration Resolution of 2016".

Sec. 2. (a) It has become necessary to adjust the salary schedules for Fiscal Year 2017 for union and non-union employees on the Legal Service salary schedules that were approved pursuant to the Career, Educational, Excepted, Management Supervisory, Legal and Executive Services for Non-Collective Bargaining Unit Employees Compensation System Changes Emergency Approval Resolution of 2013, effective June 18, 2013 (Res. 20-166; 60 DCR 9600).

(b) Section 858 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-608.58), requires an annual review of the compensation for employees in the Legal Service to ensure that such employees' salaries are competitive with their federal counterparts. Based on the Mayor's review, the salary schedules approved for Fiscal Year 2017 will need to be adjusted to ensure pay parity and compliance with the statutory mandate.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Legal Service Employee Compensation System Changes Emergency Approval Resolution of 2016 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

Proposed Resolution 21-888

Emergency Declaration Res. 21-596 21 DCStat 3838

To approve, on an emergency basis, the proposed compensation system changes submitted by the Mayor for all Legal Service employees.

Legal Service Employee Compensation System Changes Emergency Approval Resolution of 2016

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Legal Service Employee Compensation System Changes Emergency Approval Resolution of 2016".

Sec. 2. Pursuant to sections 858 and 1106 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §§ 1-608.58 and 1-611.06), the Council of the District of Columbia approves the proposed compensation system changes for union and non-union employees in the Legal Service as set forth in the following adjusted salary schedules:

District of Columbia Government Salary Schedule: Legal Services (Non-union)

Fiscal Year:	2017	*Service Code Definition:*	*Attorneys (includes both OAG and other agencies)*
Effective Date:	10/02/16		
Union/Nonunion:	Non-union	*Affected CBU/Service Code(s):*	XAA A35
Pay Plan/Schedule:	LS (Legal Service)		
Peoplesoft Schedule:	LA0001		
% Increase:	4.84%		
Resolution Number:			
Date of Resolution:			

	Steps										
Grade	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	Between Steps
09	$ 55,036	$ 56,871	$ 58,706	$ 60,541	$ 62,376	$ 64,211	$ 66,046	$ 67,881	$ 69,716	$ 71,551	$ 1,835
10	$ 60,612	$ 62,632	$ 64,652	$ 66,672	$ 68,692	$ 70,712	$ 72,732	$ 74,724	$ 76,749	$ 78,764	$ 2,020
11	$ 66,588	$ 68,810	$ 71,032	$ 73,254	$ 75,476	$ 77,698	$ 79,920	$ 82,142	$ 84,364	$ 86,586	$ 2,222
12	$ 79,810	$ 82,472	$ 85,134	$ 87,796	$ 90,458	$ 93,120	$ 95,782	$ 98,444	$ 101,106	$ 103,728	$ 2,662
13	$ 94,915	$ 98,078	$ 101,241	$ 104,404	$ 107,567	$ 110,730	$ 113,893	$ 117,056	$ 120,219	$ 123,335	$ 3,163
14	$ 112,155	$ 115,895	$ 119,635	$ 123,375	$ 127,115	$ 130,855	$ 134,595	$ 138,335	$ 142,075	$ 145,755	$ 3,740
15	$ 131,935	$ 136,331	$ 140,727	$ 145,123	$ 149,519	$ 153,915	$ 158,311	$ 162,707	$ 165,071	$ 168,403	Varies

District of Columbia Government Salary Schedule: Legal Services (Union)

Fiscal Year:	2017	*Service Code Definition:*	*Attorneys (includes both OAG and other agencies)*
Effective Date:	10/02/16		
Union/Nonunion:	Non-union	*Affected CBU/Service Code(s):*	BQA A35
Pay Plan/Schedule:	LS (Legal Service)		
Peoplesoft Schedule:	LA0002		
% Increase:	4.84%		
Resolution Number:			
Date of Resolution:			

	Steps										
Grade	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	Between Steps
09	$ 55,036	$ 56,871	$ 58,706	$ 60,541	$ 62,376	$ 64,211	$ 66,046	$ 67,881	$ 69,716	$ 71,551	$ 1,835
10	$ 60,612	$ 62,632	$ 64,652	$ 66,672	$ 68,692	$ 70,712	$ 72,732	$ 74,724	$ 76,749	$ 78,764	$ 2,020
11	$ 66,588	$ 68,810	$ 71,032	$ 73,254	$ 75,476	$ 77,698	$ 79,920	$ 82,142	$ 84,364	$ 86,586	$ 2,222
12	$ 79,810	$ 82,472	$ 85,134	$ 87,796	$ 90,458	$ 93,120	$ 95,782	$ 98,444	$ 101,106	$ 103,728	$ 2,662
13	$ 94,915	$ 98,078	$ 101,241	$ 104,404	$ 107,567	$ 110,730	$ 113,893	$ 117,056	$ 120,219	$ 123,335	$ 3,163
14	$ 112,155	$ 115,895	$ 119,635	$ 123,375	$ 127,115	$ 130,855	$ 134,595	$ 138,335	$ 142,075	$ 145,755	$ 3,740
15	$ 131,935	$ 136,331	$ 140,727	$ 145,123	$ 149,519	$ 153,915	$ 158,311	$ 162,707	$ 165,071	$ 168,403	Varies

District of Columbia Government Salary Schedule: Legal Supervisory Service (LX)

Fiscal Year:	2017	*Service Code Definition:*	*Legal Service Attorney Managers and Attorneys in the Senior Executive Service (includes both OAG and other agencies)*
Effective Date:	10/02/16		
Union/Nonunion:	Non-union	*Affected CBU/Service Code(s):*	XAA A34
		Occupational Series:	905
Pay Plan/Schedule:	LX (Legal Service)		
Peoplesoft Schedule:	LX0001		
% Increase:	7%		
Resolution Number:			
Date of Resolution:			

Grade	*MINIMUM*	*MIDPOINT*	*MAXIMUM*
LX1	$ 108,478	$ 137,181	$ 165,885
LX2	$ 120,560	$ 151,379	$ 182,196
LX3	$ 134,727	$ 168,214	$ 201,699

Sec. 3. Applicability.

The proposed compensation system changes shall become effective the first pay period after October 1, 2016.

Sec. 4. Transmittal.

The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Director of the Department of Human Resources.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.