


COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE

1350 Pennsylvania Avenue, NW
Washington, DC 20004

MEMORANDUM

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: September 17, 2020

RE: **Request to Place Emergency Measures on the Agenda for the September 22, 2020 Legislative Meeting**

Please place the following measures on the agenda for the September 22, 2020 Legislative Meeting:

- Fiscal Year 2021 Budget Support Clarification Emergency Declaration Resolution of 2020
- Fiscal Year 2021 Budget Support Clarification Emergency Act of 2020
- Fiscal Year 2021 Budget Support Clarification Temporary Act of 2020

On July 28, 2020, the Council passed the Fiscal Year 2021 Budget Support Act of 2020, enacted August 31, 2020 (D.C. Act 23-407; 67 DCR 10493) (“BSA”). Following the passage of the Act, staff at the Council and the Office of the Chief Financial Officer (“OCFO”) identified certain provisions in the Act that need to be clarified or amended to effectuate their intent. The proposed modifications include clarifying provisions, technical amendments, or other minor amendments that must go into effect immediately to clarify the law and implement the Fiscal Year 2021 Budget and Financial Plan as approved by the District, including:

- Adding clarifying provisions to BSA subtitle 2-T, the Expenditures from the Public Housing and Structural Transformation Capital Account Act of 2020, regarding the project’s disbursement schedule, eligible uses, and the proposed spending plan;
- Clarifying BSA subtitle 7-S, the Excluded Workers Amendment Act of 2020, which establishes criteria for Event DC’s assistance to excluded workers, by adding a requirement that applicants not be employed at the time of application, streamlining the existing eligibility language, and requiring signed certification that the unemployment status stems from the public health emergency and providing proof of residency and eligibility;
- Adding conforming amendments to Title 47 to include the applicable 1% surtax on the sale of alcoholic drinks “to go” by restaurants. The intent of the BSA’s subtitle 7-F, the Off-Premises Alcohol Tax Rate Amendment Act of 2020, was to establish the tax rate on restaurant to-go alcohol sales at the same rate as alcoholic drinks sold for consumption on the premises, which includes the 1% surtax. This change was contemplated in the fiscal impact statement issued for the BSA, but the amendatory language was mistakenly omitted; and
- Making a technical correction to a cross reference in § 50-2201.03(j)(3)(F) to the applicable tax code for rental and leased vehicles. This relates to a BSA adopted in 2018.

Draft copies of the proposed measures are attached. Please contact Evan Cash with any questions.

cc: All Councilmembers
Council Officers