

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend, on an emergency basis, provisions of law necessary to support the Fiscal Year 2022 budget.

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162	BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this	
163	act may be cited as the “Fiscal Year 2022 Budget Support Emergency Act of 2021”.	
164	TITLE I. GOVERNMENT DIRECTION AND SUPPORT	

165 **SUBTITLE A. INSPECTOR GENERAL SUPPORT FUND**

166 Sec. 1001. Short title.

167 This subtitle may be cited as the “Inspector General Support Fund Establishment
168 Emergency Amendment Act of 2021”.

169 Sec. 1002. The District of Columbia Procurement Practices Act of 1985, effective
170 February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), is amended by
171 adding a new section 208a to read as follows:

172 “Sec. 208a. Office of the Inspector General Support Fund.

173 “(a) There is established as a special fund the Office of the Inspector General Support
174 Fund (“Fund”), which shall be administered by the Office of the Inspector General (“OIG”) in
175 accordance with subsection (d) of this section.

176 “(b) The following funds shall be deposited into the Fund:

177 “(1) Twenty-five percent of the revenue received by the District from each
178 restitution and recoupment resulting from a criminal action that was initiated based on a referral
179 by the Office of the Inspector General of a criminal matter to the United States Attorney’s Office
180 or the Office of the Attorney General for the District; provided, that such revenue is not due to
181 another party or encumbered by federal or other legal restrictions; provided further, that before
182 the deposit of such revenue into the Fund in each of Fiscal Years 2022 through 2025, there shall
183 be deposited first into the General Fund of the District of Columbia \$284,000 from such
184 recoveries or from recaptured payments described in paragraph (2) of this subsection; and

185 “(2) Twenty-five percent of the revenue received by the District resulting from
186 recaptured overpayments identified by the Office of the Inspector General during the course of

187 an audit, inspection, or evaluation; provided that, such revenue is not due to another party or
188 encumbered by federal or other legal restrictions; provided further, that before the deposit of
189 such revenue into the Fund in each of Fiscal Years 2022 through 2025, there shall be deposited
190 first into the General Fund of the District of Columbia \$284,000 from such recaptured
191 overpayments or from recoveries described in paragraph (1) of this subsection.

192 “(c)(1) Notwithstanding subsection (b) of this section:

193 “(A) No more than \$1 million may be deposited into the Fund in any fiscal
194 year; and

195 “(B) No additional revenue shall be deposited into the Fund if the deposit
196 of the additional revenue would result in the total amount in the Fund exceeding \$2.5 million.

197 “(2) Revenue described in subsection (b) of this section that is not deposited into
198 the Fund as a result of the restrictions set forth in this subsection shall instead be deposited in the
199 General Fund.

200 “(d) Money in the Fund shall be used to support OIG’s statutory responsibilities as set
201 forth in section 208.

202 “(e)(1) The money deposited into the Fund but not expended in a fiscal year shall not
203 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
204 of any fiscal year or at any other time.

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

207 “(f) For the purposes of this section, the term “recaptured overpayments” means local
208 funds disbursed by a District agency, a District contractor, a District grantee, or other entity

209 administering a District program or activity in excess of statutory, contractual, or other
210 applicable legal requirements, when such excess disbursements are identified by the OIG in an
211 audit or investigation, and when such excess disbursements are recovered by the District based
212 on the OIG audit or investigation.”.

213 **SUBTITLE B. COVID-19 PUBLIC HEALTH EMERGENCY PROCUREMENT**

214 **ANALYSIS**

215 Sec. 1011. Short title.

216 This subtitle may be cited as the “COVID-19 Public Health Emergency Procurement
217 Analysis Emergency Amendment Act of 2021”.

218 Sec. 1012. Section 204(b) of the Procurement Practices Reform Act of 2010, effective
219 April 8, 2011 (D.C. Law 18-371, D.C. Official Code § 2-352.04(b)), is amended as follows:

220 (a) Paragraph (16) is amended by striking the phrase “; and” and inserting a semicolon in
221 its place.

222 (b) Paragraph (17)(C) is amended by striking the period and inserting the phrase “; and”
223 in its place.

224 (c) A new paragraph (18) is added to read as follows:

225 “(18) To issue a report to the Mayor and the Council within 90 days after the end
226 of the public health emergency that began on March 11, 2020 (“Public Health Emergency”), that
227 includes:

228 “(A) A review and analysis of emergency procurements conducted under
229 the Public Health Emergency that includes:

230 “(i) A comprehensive listing of each emergency procurement
231 conducted, including the date of contract award, the source selection method, including whether
232 the procurement was competitively sourced, the name and certified business enterprise status of
233 the awardee, the award amount, the category of goods or services procured, and a description of
234 the specific goods or services procured;

235 “(ii) A breakdown of expenditures by funding source, including the
236 extent to which funds have been reimbursed by the federal government, or are in process of
237 reimbursement;

238 “(iii) The value of goods or services procured by each agency;

239 “(iv) A listing of inventory levels by product type on the date of
240 the last day of the Public Health Emergency;

241 “(v) A list of any IDIQ contracts awarded under the Public Health
242 Emergency, including the value of orders placed against each IDIQ contract;

243 “(vi) A process map of the emergency procurement process used
244 during the Public Health Emergency, including receipt of goods, quality assurance, and
245 inventory and distribution steps;

246 “(vii) Any lessons learned or areas for improvement in the
247 effective management of emergency procurements;

248 “(viii) A plan for disposition of any excess supplies and
249 equipment; and

250 “(ix) A plan for retaining or decommissioning the additional
251 warehouse space acquired during the public health emergency;

252 “(B) An analysis of emergency procurements with certified local, small, or
253 disadvantaged business enterprises, as defined in section 2302 of the Small and Certified
254 Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C.
255 Law 16-33; D.C. Official Code § 2-218.02), including:

256 “(i) The total value of procurements with certified business
257 enterprises relative to the total value of emergency procurements;

258 “(ii) The number of emergency procurement contracts awarded to
259 certified business enterprises relative to the total number of emergency procurement contracts
260 awarded;

261 “(iii) The number of distinct certified business enterprises that
262 received an emergency procurement award; and

263 “(iv) An analysis of the types of goods or services the District
264 needed, when no more than two certified business enterprises were capable of performing the
265 contract requirements.”.

266 **SUBTITLE C. FAIR ELECTIONS CLARIFICATION**

267 Sec. 1021. Short title.

268 This subtitle may be cited as the “Fair Elections Clarification Emergency Amendment
269 Act of 2021”.

270 Sec. 1022. The Board of Ethics and Government Accountability Establishment and
271 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-
272 124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

273 (a) Section 101(10D) (D.C. Official Code § 1-1161.01(10D)) is amended by striking the
274 phrase “member of the Council, and member of the State Board of Education” and inserting the
275 phrase “member of the Council elected at-large, member of the Council elected by ward,
276 member of the State Board of Education elected at-large, and member of the State Board of
277 Education elected by ward” in its place.

278 (b) Section 332c(c)(4) (D.C. Official Code § 1-1163.32c(c)(4)) is amended by striking
279 the phrase “his or her candidacy” and inserting the phrase “the participating candidate’s
280 candidacy” in its place.

281 (c) Section 332e(d) (D.C. Official Code § 1-1163.32e(d)) is amended to read as follows:

282 “(d) The maximum amount participating candidates may receive under this section shall
283 be:

284 “(1) For candidates for Mayor, 110% of the average expenditures per election cycle
285 of all candidates who were elected Mayor in the prior 4 general elections for Mayor;

286 “(2) For candidates for Chairman of the Council, 110% of the average expenditures
287 per election cycle of all candidates who were elected Chairman of the Council in the prior 4 general
288 elections for Chairman of the Council;

289 “(3) For candidates for Attorney General, 110% of the average expenditures per
290 election cycle of all candidates who were elected Attorney General in all prior general elections
291 for Attorney General, until such time as 4 general elections for Attorney General have been held,
292 after which time, 110% of the average expenditures per election cycle of all candidates who were
293 elected Attorney General in the prior 4 general elections for Attorney General;

294 “(4) For candidates for member of the Council elected at-large, 110% of the average
295 expenditures per election cycle of all candidates who were elected member of the Council elected
296 at-large in the prior 2 general elections for member of the Council elected at-large;

297 “(5) For candidates for member of the Council elected by ward, 110% of the
298 average expenditures per election cycle of all candidates who were elected member of the Council
299 elected by ward in the prior 2 general elections for member of the Council elected by ward;

300 “(6) For candidates for member of the State Board of Education elected at-large,
301 110% of the average expenditures per election cycle of all candidates who were elected member
302 of the State Board of Education elected at-large in the prior 2 general elections for member of the
303 State Board of Education elected at-large; and

304 “(7) For candidates for member of the State Board of Education elected by ward,
305 110% of the average expenditures per election cycle of all candidates who were elected member
306 of the State Board of Education elected by ward in the prior 2 general elections for member of the
307 State Board of Education elected by ward.”.

308 (d) Section 332f(d)(3) (D.C. Official Code § 1-1163.32f(d)(3)) is amended by striking
309 the phrase “campaign purposes” and inserting the phrase “campaign purposes, including the
310 participating candidate’s childcare expenses” in its place.

311 (e) Section 333 (D.C. Official Code § 1-1163.33) is amended as follows:

312 (1) Subsection (l) is amended by striking the phrase “and (j)(2)” and inserting the
313 phrase “(j)(2), and (m)” in its place.

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

315 “(m) A candidate may make expenditures to reimburse the candidate for the candidate’s
316 childcare expenses incurred for campaign purposes.”.

317
318 **SUBTITLE D. ATTORNEY GENERAL SUPPORT AND RESTITUTION**

319 **FUNDS**

320 Sec. 1031. Short title.

321 This subtitle may be cited as the “Attorney General Support and Restitution Fund
322 Expansion and Clarification Emergency Amendment Act of 2021”.

323 Sec. 1032. The Attorney General for the District of Columbia Clarification and Elected
324 Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code
325 § 1-301.81 *et seq.*), is amended as follows:

326 (a) Section 106b (D.C. Official Code § 1-301.86b) is amended as follows:

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

328 “(b) Revenue from the following sources shall be deposited into the Fund:

329 “(1) Subject to the limitations of subsection (d)(3) of this section and not
330 withstanding any other provision of District law, any recoveries from claims or litigation brought
331 by the Office of the Attorney General on behalf of the District shall be deposited into the Fund;

332 “(2) Funds collected pursuant to section 1043(a-4)(1) of the Delinquent Debt
333 Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
334 350.02(a-4)(1); and

335 “(3) Funds recovered from owners under section 506(j)(1) of the Abatement and
336 Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27,

337 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(1)), and not deposited into the
338 Tenant Receivership Abatement Fund, in accordance with section 106e(b)(1)(B).”.

339 (2) Subsection (d)(3) is amended as follows:

340 (A) Subparagraph (A) is amended by striking the number “\$17 million”
341 both times it appears and inserting the number “\$19 million” in its place.

342 (B) Subparagraph (B) is repealed.

343 (C) A new subparagraph (C) is added to read as follows:

344 “(C) Notwithstanding subparagraph (A) of this subsection, recoveries
345 obtained on behalf of the District, pursuant to contingency fee contracts shall be deposited into
346 the Fund and may remain in the Fund until paid to the contractor to satisfy costs and fees or
347 transferred to another fund by the Office of the Attorney General to pay contingency fee
348 contracts.”.

349 (3) Subsection (e) is amended to read as follows:

350 “(e) For the purposes of this section, the term “recovery” shall include funds obtained
351 through court determinations or through the settlement of claims in which the Office of the
352 Attorney General represents the District but shall not include funds obtained through an
353 administrative proceeding or funds obligated to another source by federal law. Recoveries shall
354 be deposited into the Fund regardless of whether the amounts payable to satisfy the underlying
355 obligations would otherwise have been required to be deposited into a different District special
356 fund.”.

357 (b) Section 106c (D.C. Official Code § 1-301.86c), is amended as follows:

358 (1) Subsection (b) is amended as follows:

359 (A) The lead-in language is amended by striking the phrase “awards shall
360 be” and inserting the phrase “shall be” in its place.

361 (B) Paragraph (1) is amended by striking the phrase “; and” and inserting a
362 semicolon in its place.

363 (C) Paragraph (2) is amended by striking the period and inserting the
364 phrase “; and” in its place.

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

366 “(3) Funds collected pursuant to section 1043(a-4)(2) of the Delinquent Debt
367 Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
368 350.02(a-4)(2)).”.

369 (2) Subsection (h) is repealed.

370 (c) Section 106d(b) (D.C. Official Code § 1-301.86d(b)) is amended to read as follows:

371 “(b) Revenue from the following shall be deposited in the Restitution Fund:

372 “(1) Awards of restitution and costs to individuals imposed under a court order,
373 judgment, or settlement in any action or investigation brought to enforce to section 203a of the
374 Criminal Abuse, Neglect, and Financial Exploitation of Vulnerable Adults and the Elderly Act of
375 2000, effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01); and

376 “(2) Funds collected pursuant to section 1043(a-4)(3) of the Delinquent Debt
377 Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
378 350.02(a-4)(3)).”.

379 **SUBTITLE E. CONSUMER PROTECTION PROCEDURES STAY**

380 Sec. 1041. Short title.

381 This subtitle may be cited as the “Attorney General Stay of Parallel Private Attorney
382 General Actions Emergency Amendment Act of 2021”.

383 Sec. 1042. Section 28-3905(k) of the District of Columbia Official Code is amended by
384 adding a new paragraph (7) to read as follows:

385 “(7)(A) Commencement of an action by the Attorney General under § 28-3909,
386 including the maintenance of an action previously commenced and pending as of the effective
387 date of this act, shall serve to stay until the resolution of the Attorney General’s action any civil
388 action that includes any claim that is:

389 “(i) Made pursuant to this subsection by a public interest
390 organization or on behalf of the general public; and

391 “(ii) Based in whole or in part on any matter complained of in the
392 action commenced by the Attorney General.

393 “(B) A plaintiff that is a public interest organization or is acting on behalf
394 of the general public shall provide notice to the Office of the Attorney General within 10 days of
395 the filing of an action that includes a claim made under this subsection.”.

396 **SUBTITLE F. MEDICAL MARIJUANA PROGRAM PATIENT EMPLOYMENT**
397 **PROTECTION REGULATION CLARIFICATION**

398 Sec. 1051. Short title.

399 This subtitle may be cited as the “Medical Marijuana Program Patient Employment
400 Protection Regulation Clarification Emergency Amendment Act of 2021”.

401 Sec. 1052. The District of Columbia Government Comprehensive Merit Personnel Act of
402 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is
403 amended as follows:

404 (a) Section 1503a(h) (D.C. Official Code § 1-615.03a(h)) is amended by striking the
405 word “rules” and inserting the phrase “rules pertaining to Council employees” in its place.

406 (b) Section 2062(e) (D.C. Official Code § 1-620.62(e)) is amended by striking the word
407 “rules” and inserting the phrase “rules pertaining to Council employees” in its place.

408 **SUBTITLE G. DISABILITY INSURANCE OVERPAYMENT REMEDY**

409 Sec. 1061. Short title.

410 This subtitle may be cited as the “Disability Insurance Overpayment Remedy Emergency
411 Act of 2021”.

412 Sec. 1062. Definitions.

413 For the purposes of this subtitle, the term:

414 (1) “Affected employee” means each past and current District government
415 employee who DCHR determines overpaid premiums on disability insurance at any time during
416 the period from January 1, 2010, through December 31, 2020.

417 (2) “Disability insurance” means short-term or long-term disability insurance
418 provided as a voluntary opt-in benefit for District government employees.

419 (3) “DCHR” means the Department of Human Resources.

420 (4) “Overpayment” means money paid by a District government employee for
421 disability insurance premiums in excess of what the employee owed.

422 Sec. 1063. Notification and repayment of premiums.

423 By September 30, 2022, DCHR shall:

424 (1) Identify all affected employees;

425 (2) Individually notify each affected employee about the fact of the overpayment,
426 the date range of the employee's overpayment, the total dollar amount overpaid by the employee,
427 and the formula DCHR used to arrive at the affected employee's overpayment amount;

428 (3) Provide affected employees a process to contest the overpayment calculation
429 provided pursuant to paragraph (2) of this subsection;

430 (4) Reimburse each affected employee by the amount DCHR determines the
431 affected employee overpaid, after considering any contested calculations pursuant to paragraph
432 (3) of this section; and

433 (5) Submit to the Council a report containing the:

434 (A) Total number of affected employees;

435 (B) Date the District collected the first overpayment and the date the
436 District ceased collecting overpayments;

437 (C) Total amount of all overpayments paid by all affected employees;

438 (D) Average amount by which affected employees overpaid their
439 disability insurance premiums from 2010 through 2019; and

440 (E) Total amount of money the District reimbursed to all affected
441 employees.

442 Sec. 1064. Sunset.

443 This subtitle shall expire 30 days after DCHR reimburses all affected employees and the
444 Council receives the report described in section 1063.

445 **SUBTITLE H. DISTRICT GOVERNMENT EMPLOYEE RESIDENCY**

446 **RESEARCH**

447 Sec. 1071. Short title.

448 This subtitle may be cited as the “District Government Employee Residency Research
449 Emergency Amendment Act of 2021”.

450 Sec. 1072. The Jobs for D.C. Residents Amendment Act of 2007, effective February 6,
451 2008 (D.C. Law 17-108; D.C. Official Code § 1-515.01 *et seq.*), is amended as follows:

452 (a) Section 101 (D.C. Official Code § 1-515.01) is amended as follows:

453 (1) New paragraphs (1A), (1B), and (1C) are added to read as follows:

454 “(1A) “Common jurisdiction of residence” means a local jurisdiction where at
455 least 500 District government employees reside; provided, that counties commonly known as the
456 “eastern shore of Maryland” may be grouped together as one jurisdiction and all counties in
457 West Virginia may be grouped together as one jurisdiction.

458 “(1B) “DCHR” means the District Department of Human Resources.

459 “(1C) “Demographics” means socioeconomic factors such as a District
460 government employee’s race, household size, number of dependents, status as a parent of school-
461 aged children, jurisdiction of birth, and household income.”.

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

463 “(2A) “Employment information” means the agency for which the employee
464 works; the employee’s job title, salary, employment service and grade, occupation, and
465 occupational group; the employee’s status as a full-time, part-time, term, or permanent
466 employee; and the employee’s status as a highly-compensated employee.”.

467 (3) New paragraphs (4) and (5) are added to read as follows:

468 “(4) “Jurisdiction of residence” means the city, county, and state, as applicable, in
469 which a District government employee maintains the employee’s primary or permanent
470 residence.

471 “(5) “Residency-related policies” includes the preference points for District
472 residents who apply to District government employment and the District residency mandates in
473 sections 102 and 103, respectively, or in other District law.”.

474 (b) A new section 106a is added to read as follows:

475 “Sec. 106a. Study of District government employee residency.

476 “(a)(1) DCHR shall conduct a study on District government employee and applicant
477 residency and residency-related policies (“study”), which it shall submit to the Council no later
478 than October 1, 2022. The study shall utilize the results of each of the components described in
479 subsection (b) of this section to provide a comprehensive analysis on the District government
480 workforce as a whole and on sworn police officers, firefighters, and other groups regarding
481 current patterns related to District government employees’ jurisdictions of residence; barriers to
482 higher rates of District residency; reasons for District residency; effectiveness of current
483 residency-related policies; and factors or policies that, if changed, could increase the rates of
484 District residency for District government employees.

485 “(2) DCHR shall provide the Council Committee on Labor and Workforce
486 Development a status update on the research, in writing, 3 months, 6 months, 9 months, 10
487 months, and 12 months following the applicability date of the District Government Employee

488 Residency Research Amendment Act of 2021, approved by the Committee of the Whole on July
489 20, 2021 (Committee print of Bill 24-285).

490 “(b) The study shall consist of the following components:

491 “(1) Results from a data analysis of the jurisdiction of residence of District
492 government employees and applicants, consistent with the requirements of subsection (c) of this
493 section;

494 “(2) Results of an anonymous survey or confidential focus groups, or both, of
495 District government employees and former employees related to their opinions and experiences
496 regarding their jurisdictions of residence, consistent with the requirements of subsection (d) of
497 this section; and

498 “(3) Results of a review and analysis of District government agencies’ hiring
499 practices and outcomes through data analysis and interviews or surveys, or both, of agency hiring
500 directors, consistent with the requirements of subsection (e) of this section.

501 “(c)(1) The study’s data analysis component shall collect and analyze data, to the extent it
502 is available, for the purpose of documenting, for the District government workforce:

503 “(A) Patterns, including correlations, between District government
504 employees’ current jurisdictions of residence and employees’:

505 “(i) Employment information;

506 “(ii) Demographics;

507 “(iii) Median housing costs, including monthly rent and home sale
508 price, in common jurisdictions of residence; and

509 “(iv) Applicable residency-related policies;

510 “(B) Patterns, including rates of application and of hire, of District
511 government job applicants, by jurisdiction of residence and then by agency, salary level,
512 employment service and grade, occupation, and occupational group; and for District resident
513 applicants, the analysis shall also include a review of total workforce and agency-level patterns
514 and rates at which applicants:

515 “(i) Were qualified for the applied-for jobs based on the 100-point
516 scale;

517 “(ii) Sought and received District residency preference points;

518 “(iii) Received an interview;

519 “(iv) Received job offers; and

520 “(v) Accepted job offers; and

521 “(C) Patterns related to District government employees moving into the
522 District, maintaining residency in the District, or moving out of the District, and factors or
523 circumstances that include the following:

524 “(i) Employees’ jurisdictions of residence immediately before
525 commencing work with the District government;

526 “(ii) Residency-related policies, including the end of the 7-year
527 period of required residency for employees who received a hiring preference pursuant to section
528 102;

529 “(iii) The length of time employees resided in the District before
530 commencing employment with the District government;

531 “(iv) Employment information; and

532 “(v) Demographics and changes in demographics.

533 “(2) Upon completion of the research and analysis conducted pursuant to

534 paragraph (1) of this subsection, DCHR shall issue and submit to the Council a report

535 documenting the findings of the data analysis for:

536 “(A) The District’s workforce as a whole;

537 “(B) Subordinate agency employees;

538 “(C) Independent agency employees;

539 “(D) Employees in jobs that require District residency;

540 “(E) Employees in jobs that do not require District residency;

541 “(F) Sworn police officers;

542 “(G) Firefighters;

543 “(H) Employees who received residency preference points;

544 “(I) Employees with long tenures with the District government;

545 “(J) Employees with short tenures with the District government; and

546 “(K) Other groups and subgroups that produce findings of interest,

547 relevance, or import, including disaggregation by demographics, employment information,

548 occupation, and other factors, where such disaggregation demonstrates observable patterns of

549 interest or importance.

550 “(d)(1) The study’s anonymous survey or confidential focus groups component shall:

551 “(A) Be conducted after issuance of the report required pursuant to

552 subsection (c)(2) of this section and be informed by its findings;

553 “(B) Include a sample size that is large and diverse enough for
554 disaggregation into the groups of employees listed in subsection (c)(2) of this section.

555 “(C) Capture demographic information as well as information on actual
556 housing costs of survey participants;

557 “(D) Capture data not available through the data analysis conducted
558 pursuant to subsection (c)(1)(A) and (C) of this section;

559 “(E) Include questions, and allow open-ended responses, related to:

560 “(i) Why District government employees choose to live in the
561 District or not to live in the District;

562 “(ii) The decision-making considerations of employees as to their
563 jurisdiction of residence, with a particular focus on housing costs, educational options, and other
564 significant or common factors;

565 “(iii) For public safety jobs, including sworn police officers and
566 firefighters, the unique factors of their jobs and how those factors’ impact their decisions related
567 to jurisdiction of residence;

568 “(iv) How District resident employees are able to afford to live in
569 the District; and

570 “(v) Other questions aimed at collecting the information required
571 in paragraph (3)(A) of this subsection or of interest, relevance, or importance to the study.

572 “(2) DCHR may utilize up to \$10,000 to incentivize survey participation.

573 “(3) Upon completion of the survey or focus groups and analysis conducted
574 pursuant to paragraph (1) of this subsection, DCHR shall issue and submit to the Council a report
575 with findings from the survey and confidential focus groups, which shall:

576 “(A) Include findings on:

577 “(i) The circumstances under which and reasons why District
578 residents hired into District government positions move out of the District;

579 “(ii) The circumstances under which and reasons why new District
580 government hires who are not District residents move into the District or do not move into the
581 District;

582 “(iii) Factors that would influence a non-District resident to
583 voluntarily live in the District or allow the individual to live in the District if the employee’s job
584 required District residency, including salary thresholds above which District employees who are
585 not District residents would be willing or able to become District residents; and

586 “(iv) Factors that would influence a District resident to remain a
587 District resident in the long term;

588 “(B) Disaggregate results by demographics, salary level, the employee
589 groups listed in subsection (c)(2) of this section, and other factors;

590 “(C) Provide average and median actual housing costs of survey or focus
591 group participants, in sum and disaggregated by demographics, salary level, and other factors
592 and;

593 “(D) Withhold or combine data to the extent failure to do so would
594 otherwise disclose a participant’s identity.

595 “(e)(1) The study component related to a review and analysis of agencies’ hiring
596 practices and outcomes shall utilize data gathered pursuant to subsection (c)(1)(B) of this section,
597 related to District government employee applicants, and interviews with or surveys of agency
598 hiring directors to inform the component, and shall include:

599 “(A) A review of District government agencies’ actual recruitment, hiring,
600 retention, and promotion practices, whether and to what extent such practices focus on hiring
601 District residents, success or lack of success of such practices at hiring District residents, how to
602 improve practices to increase hiring of District residents, and the main challenges, as supported
603 by data or reported by hiring directors, in hiring District residents and recruiting to positions that
604 require District residency;

605 “(B) Identification of specific occupations or occupational groups and
606 patterns or correlations related to occupations or occupational groups for which District residents
607 represent less than 40% of new hires, each occupation’s or occupational group’s starting salary,
608 and specific credentials necessary for each occupation or occupational group; and

609 “(C) For agencies that consistently have an annual rate of new hires that is
610 less than 40% District residents, data analysis of, and agency hiring directors’ perspective on, the
611 reasons for such rates, such as inadequate recruitment, bona fide hard-to-fill positions, lack of
612 qualified District-resident applicants, lack of positions that require residency, or other legitimate
613 reasons.

614 “(2) Upon completion of the research conducted pursuant to paragraph (1) of this
615 subsection, DCHR shall issue and submit to the Council a report with findings of the review of
616 hiring practices conducted pursuant to this subsection.

617 “(f)(1) To perform the study and complete the reports required pursuant to this section,
618 including to prepare the reports required in subsections (a), (c)(2), (d)(3), and (e)(2) of this
619 section, DCHR may contract with or otherwise hire an outside entity with relevant expertise in
620 conducting related research and using research methodologies required to produce the study.

621 “(2) DCHR may use electronic communication tools, including e-mail, to
622 facilitate a contractor or other external entity’s outreach to District government employees.

623 “(3) DCHR shall:

624 “(A) Provide a contractor or hired entity, should one be procured or hired,
625 with the information and data necessary to facilitate completion of the study components
626 outlined in subsection (b) of this section and shall assist the contractor or hired entity in
627 obtaining data from other agencies, including the Office of the Chief Financial Officer
628 (“OCFO”) Office of Tax and Revenue.

629 “(B) Provide all raw data, survey questions, survey results, and all
630 research components and other materials prepared by a contractor or hired entity for the research
631 required by the study, but excluding individual-level data, to the Council upon request.

632 “(g) In complying with the provisions of this section, DCHR shall take steps to ensure the
633 privacy and confidentiality of current and former District government employees. DCHR may not
634 release to the public or to the Council any findings or data that contain personally identifying
635 information.

636 “(h)(1) OCFO shall provide all information requested by DCHR or DCHR’s hired entity
637 for the purposes of the research described in this subtitle unless sharing such information would

638 violate District or federal laws. DCHR shall enter a data-sharing agreement with OCFO if
639 necessary.

640 “(2) Independent agencies shall provide all information requested by DCHR for
641 the purposes of the research described in this subtitle. DCHR shall enter a data-sharing
642 agreement with the agencies if necessary.”.

643 (c) Section 108 (D.C. Official Code § 1-515.08) is amended as follows:

644 (1) Paragraph (1) is amended by striking the phrase “this act” and inserting the
645 phrase “this title” in its place.

646 (2) Paragraph (2) is amended by striking the phrase “this act” and inserting the
647 phrase “this title” in its place.

648 **SUBTITLE I. DELINQUENT DEBT**

649 Sec. 1081. Short title.

650 This subtitle may be cited as the “Delinquent Debt Recovery Emergency Amendment Act
651 of 2021”.

652 Sec. 1082. The Delinquent Debt Recovery Act of 2012, effective September 20, 2012
653 (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), is amended as follows:

654 (a) Section 1043 (D.C. Official Code § 1-350.02) is amended as follows:

655 (1) Subsection (a) is amended by striking the phrase “subsection (a-1)” and
656 inserting the phrase “subsections (a-1) and (a-4)” in its place.

657 (2) A new subsection (a-4) is added to read as follows:

658 “(a-4) The Office of the Attorney General may, in its discretion, transfer and refer
659 delinquent debts associated with settlements and judgments to the Central Collection Unit for
660 collection. Beginning in Fiscal Year 2022 and for each fiscal year thereafter:

661 “(1) Funds collected by the Central Collection Unit arising out of delinquent debts
662 associated with settlements and judgments transferred and referred to the Central Collection Unit
663 by the Office of the Attorney General for collection, net of costs and fees, shall be deposited into
664 the Litigation Support Fund established by section 106b of the Attorney General for the District
665 of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22,
666 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.86b), within 60 days;

667 “(2) Funds collected by the Central Collection Unit arising out of delinquent debts
668 payable as restitution pursuant to a court order, judgment, or settlement under D.C. Official Code
669 § 28-3909 and section 6(a)(2)(A)(iii) of An Act To provide for the payment and collection of
670 wages in the District of Columbia, approved August 3, 1956 (70 Stat. 977; D.C. Official Code §
671 32-1306(a)(2)(A)(iii)), transferred and referred to the Central Collection Unit by the Office of the
672 Attorney General for collection shall be deposited into the Attorney General Restitution Fund
673 established by section 106c of the Attorney General for the District of Columbia Clarification
674 and Elected Term Amendment Act of 2010, effective December 13, 2017 (D.C. Law 22-33; D.C.
675 Official Code § 1-301.86c), within 60 days; and

676 “(3) Funds collected by the Central Collection Unit arising out of delinquent debts
677 payable as restitution pursuant to a court order, judgment, or settlement in any action or
678 investigation brought to enforce section 203a of the Senior Protection Amendment Act of 2000,
679 effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01), transferred

680 and referred to the Central Collection Unit by the Office of the Attorney General for collection
681 shall be deposited into the Vulnerable Adult and Elderly Person Exploitation Restitution Fund
682 established by section 106d of the Attorney General for the District of Columbia Clarification
683 and Elected Term Amendment Act of 2010, effective September 11, 2019 (D.C. Law 23-16;
684 D.C. Official Code § 1-301.86d), within 60 days.”.

685 (b) Section 1045(b)(2) (D.C. Official Code § 1-350.04(b)(2)) is amended by
686 striking the phrase “section 1043(a-1), (a-2) and (a-3)” and inserting the phrase “section
687 1043(a-1), (a-2), (a-3), and (a-4)” in its place.

688 **SUBTITLE J. TENANT RECEIVERSHIP**

689 Sec. 1091. Short title.

690 This section may be cited as the “Tenant Receivership Emergency Amendment Act of
691 2021”.

692 Sec. 1092. Rehabilitation Funding.

693 Section 506 of the Abatement and Condemnation of Nuisance Properties Omnibus
694 Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-
695 3651.06), is amended by adding a new subsection (j) to read as follows:

696 “(j)(1) In a case in which the court has appointed a receiver in response to a petition
697 pursuant to section 503, if the court finds, after notice and hearing, that the owner of the rental
698 property currently lacks sufficient funds to pay for rehabilitation of the rental housing
699 accommodation, and that such funds cannot be feasibly and timely obtained through grants or
700 subsidies:

701 “(A) The court may issue an order authorizing the Attorney General to supply
702 funding to the receiver, for initial and emergency repairs, from any funds available in the Tenant
703 Receivership Act Abatement Fund, established by section 106e of the Attorney General for the
704 District of Columbia Clarification and Elected Term Amendment Act of 2010, as approved by
705 the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285); or

706 (B) The Court may extend the receivership in place under this act based on a
707 showing of demonstrated need and authorize the receiver to do either of the following:

708 “(i) Sell the property for a fair market price to an owner capable of
709 maintaining the property; or

710 “(ii) If the owner is a District of Columbia corporation or other entity, file
711 a petition in the appropriate federal bankruptcy court to place the corporate owner into
712 bankruptcy proceedings pursuant to, and in a manner consistent with, the federal Bankruptcy
713 Code.

714 “(2)(A) If a court issues an order pursuant to paragraph (1)(A) of this subsection,
715 the owner shall be required to repay the funding supplied by the Attorney General no later than
716 30 days after the receiver receives those funds. Any funds unpaid as of that 30-day deadline shall
717 incur interest at the rate of 6% per annum until repaid. The Attorney General may petition the
718 court to convert the order into a final judgment, and once the order is so converted, the Attorney
719 General may take actions to collect on any unpaid balance, using all available collection methods
720 authorized under District or other applicable law.

721 “(B) An owner’s obligation to repay funding pursuant to subparagraph (A)
722 of this paragraph shall automatically become a lien on the owner’s real property as of the date
723 the Attorney General supplies funds to the receiver pursuant to paragraph (1)(A) of this section.

724 “(C) A lien established pursuant to subparagraph (B) of this paragraph
725 shall be a prior and preferred lien over all other liens or encumbrances on the real property.”.

726 Sec. 1093. Tenant Receivership Abatement Fund.

727 The Attorney General for the District of Columbia Clarification and Elected Term
728 Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-
729 301.81 *et seq.*), is amended as follows:

730 (a) Section 106c(c) (D.C. Official Code § 1-301.86c(c)) is amended as follows:

731 (1) Paragraph (1) is amended by striking the phrase “; and” and inserting a
732 semicolon in its place.

733 (2) Paragraph (2) is amended by striking the period and inserting the phrase “;
734 and” in its place.

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

736 “(3) Supplying initial funding for, and from time-to-time replenishing, the Tenant
737 Receivership Act Abatement Fund pursuant to section 106e(b)(1)(A).”.

738 (b) A new section 106e is added to read as follows:

739 “Sec. 106e. Tenant Receivership Abatement Fund.

740 “(a) There is established as a special fund the Tenant Receivership Abatement Fund
741 (“Fund”), which shall be administered by the Attorney General in accordance with subsections
742 (b) and (c) of this section.

743 “(b)(1) Funds from the following sources shall be deposited into the Fund:

744 “(A) Funds from the Attorney General Restitution Fund, which the
745 Attorney General may use to supply initial funding for, and to from time to time to replenish, the
746 Fund; and

747 “(B) All funds recovered from owners under section 506(j)(1) of the
748 Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000,
749 effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.06(j)(1)); except, that
750 when the deposit of such funds into the Fund would cause the Fund balance to exceed \$2 million,
751 the excess of such funds instead shall be deposited into the Litigation Support Fund established
752 by section 106b.

753 “(2) Amounts on deposit in the Fund shall not exceed \$2 million.

754 “(c) Money in the Fund shall be used to comply with orders issued by the Superior Court
755 under section 506(j) of the Abatement and Condemnation of Nuisance Properties Omnibus
756 Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-
757 3651.06(j)).

758 “(d)(1) Except as provided in subsection (b)(2) of this section, the money deposited into
759 the Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of the
760 General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

763 **SUBTITLE K. EARLY CHILDHOOD EDUCATOR COMPENSATION**

764 **TASKFORCE**

765 Sec. 1101. Short title.

766 This subtitle may be cited as the “Early Childhood Educator Equitable Compensation
767 Task Force Emergency Act of 2021”.

768 Sec. 1102. Definitions.

769 For purposes of this subtitle, the term:

770 (1) “Child development facility” shall have the same meaning as provided in
771 section 2(3) of the Child Development Facilities Regulation Act of 1998, effective April 13,
772 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031(3)).

773 (2) “Community-based organization” or “CBO” shall have the same meaning as
774 provided in section 101(1C) of the Pre-K Enhancement and Expansion Amendment Act of 2008,
775 July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38–271.01(1C)).

776 (3) “Early childhood development provider” shall have the same meaning as
777 provided in section 101(1G) of the Pre-K Enhancement and Expansion Amendment Act of 2008,
778 July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38–271.01(1G)).

779 (4) “Subsidy” means supplemental payments made by the Mayor pursuant to
780 section 5a of the Day Care Policy Amendment Act of 1998, effective April 13, 1999 (D.C. Law
781 12-216; D.C. Official Code § 4-404.01).

782 Sec. 1103. Early Childhood Educator Equitable Compensation Task Force Establishment.

783 (a) The Council of the District of Columbia shall establish an Early Childhood Educator
784 Equitable Compensation Task Force (“Task Force”) to provide recommendations on how to
785 implement an employee compensation scale for early childhood development providers.

786 (b)(1) The Task Force shall be comprised of the Chairman of the Council, or his or her
787 designee, the State Superintendent of Education, or his or her designee, and 12 District residents
788 representing the following entities or groups:

789 (A) Families whose children are receiving or have received childcare
790 services from an early childhood development provider in the District;

791 (B) Community-based organizations;

792 (C) Early childhood advocacy organizations;

793 (D) Operators of child development facilities who participate in the
794 childcare subsidy program;

795 (E) Operators of child development facilities who do not currently
796 participate in the childcare subsidy program;

797 (F) Employees of child development facilities; and

798 (G) An individual with an expertise in economics or policy, who has an
799 understanding of the District’s early childhood development and education sector.

800 (2) At least 2 members of the Task Force shall be employees of child
801 development facilities.

802 (3) The Chairman, or his or her designee, shall serve as the Chairperson of the
803 Task Force.

804 (c) The Task Force shall:

- 805 (1) Meet a minimum of 4 times;
- 806 (2) Review the findings and recommendations of the Early Childhood Educator
807 Compensation in the Washington Region study completed by the Urban Institute and any
808 completed employee compensation scale and other relevant materials provided by the Office of
809 the State Superintendent of Education; and
- 810 (3) Submit a report to the Mayor and Council by January 15, 2022, that:
- 811 (A) Assesses overall readiness for early childhood development providers
812 to implement a competitive employee compensation scale that includes salary, benefits,
813 professional development, and workforce development;
- 814 (B) Assesses the potential impact of implementing an employee
815 compensation scale on early childhood development providers that:
- 816 (i) Do not provide childcare services to children eligible for
817 subsidy; or
- 818 (ii) Serve a minimum number of children who receive subsidy;
- 819 (C) Proposes an employee compensation scale for early childhood
820 development providers that accounts for employee role, credentials, and experience; and
- 821 (D) Provides recommendations for implementing the employee
822 compensation scale.

823 **SUBTITLE L. FALSE CLAIMS CLARIFICATION**

824 Sec. 1111. Short title.

825 This subtitle may be cited as the “False Claims and Vacant Property Emergency
826 Amendment Act of 2021”.

827 Sec. 1112. Section 814(d) of the District of Columbia Procurement Practices Act of 1985,
828 effective May 8, 1998 (D.C. Law 12-104, D.C. Official Code § 2-381.02(d)), is amended to read
829 as follows:

830 “(d) This section shall not apply to claims, records, or statements made pursuant to those
831 portions of Title 47 that refer or relate to taxation, unless:

832 “(1)(A) The claim, record, or statement was made on or after January 1, 2015; and

833 “(B) The District taxable income, District sales, or District revenue of the
834 person against whom the action is being brought equals \$1 million for any taxable year subject to
835 any action brought pursuant to this part, and the damages pleaded in the action total \$350,000 or
836 more; or

837 “(2) The claim, record, or statement was made on or after January 1, 2015, and
838 relates to the classification of real property as vacant or blighted pursuant to An Act To provide
839 for the abatement of nuisances in the District of Columbia by the Commissioners of said District,
840 and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01
841 *et seq.*)

842 **SUBTITLE M. BUILDING PATHWAYS GRANT**

843 Sec. 1121. Short title.

844 This subtitle may be cited as the “Building Pathways Grant Emergency Act of 2021”.

845 Sec. 1122. Notwithstanding the Grant Administration Act of 2013, effective December
846 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the
847 Department of General Services shall have grant-making authority to provide a \$1,000,000 grant

848 to Building Pathways – Charter School Incubator Initiative for the purpose of replacing the
849 HVAC system at the Patricia R. Harris Educational Center school building.

850 **SUBTITLE N. RESIDENTIAL REENTRY DEVELOPMENT PLAN**

851 Sec. 1131. Short Title.

852 This subtitle may be cited as the “Residential Reentry Development Plan Emergency
853 Amendment Act of 2021”.

854 Sec. 1132. During Fiscal Year 2022 the Council will engage an analysis to develop and
855 submit a plan on how to open at least eight small to mid-sized residential reentry centers across
856 the District, including one in each ward.

857 **SUBTITLE O. LGBTQ COMMUNITY BUSINESS EVALUATION AND**
858 **SUPPORT**

859 Sec. 1141. Short title.

860 This subtitle may be cited as the “LGBTQ Community Business Evaluation and Support
861 Emergency Amendment Act of 2021”.

862 Sec. 1142. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2005,
863 effective April 4, 2006 (D.C. Law 16-89, D.C. Official Code § 2-1381 *et seq.*), is amended as
864 follows:

865 (a) Section 2 (D.C. Official Code § 2-1381) is amended by adding a new paragraph (2a)
866 to read as follows:

867 “(2A) “LGBTQ Community Business” means a for-profit business that:

868 “(A) Is authorized to do business in the District;

869 “(B) Either maintains at least one physical facility in the District that is
870 regularly open to the public, or is a publication that dedicates a majority of its coverage to news
871 and issues in the District;

872 “(C) Is either majority-owned or primarily managed by LGBTQ
873 individuals; and

874 “(D) Holds itself out to the public as catering to LGBTQ customers or
875 communities, including through advertising or regular events; however, a business that declines
876 to advertise widely its practice of catering to LGBTQ customers or communities to protect the
877 privacy and safety of its clientele, but can demonstrate that it willingly cultivates LGBTQ
878 individuals as customers through other means, such as word of mouth, may satisfy this
879 criterion.”.

880 (b) Section 4 (D.C. Official Code § 2-1383) is amended as follows:

881 (1) Paragraph (11) is amended by striking the phrase “; and” and inserting a
882 semicolon in its place.

883 (2) Paragraph (12) is amended by striking the period and inserting the phrase “;
884 and” in its place.

885 (3) A new paragraph (13) is added to read as follows:

886 “(13) No later than July 31, 2022, in coordination with the Advisory Committee
887 and after consultation with the LGBTQ community, submit to the Council a report on the state of
888 LGBTQ Community Businesses that shall include:

889 “(A) An evaluation of the state of the LGBTQ Community Business
890 economy and how that economy has changed over time;

891 “(B) The economic and social value of the LGBTQ Community Business
892 economy to the District as a whole;

893 “(C) The key challenges currently faced by LGBTQ Community
894 Businesses;

895 “(D) Recommendations for maintaining vibrant and diverse LGBTQ
896 Community Businesses; and

897 “(E) Recommendations for ensuring that LGBTQ Community Businesses
898 remain open and welcoming to all members of the LGBTQ community.”.

899 **TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

900 **SUBTITLE A. ARTS AND HUMANITIES GRANT FUNDING**

901 Sec. 2001. Short title.

902 This subtitle may be cited as the “Equity in the Arts and Humanities Emergency
903 Amendment Act of 2021”.

904 Sec. 2002. Section 115 of the Consolidated Appropriations Resolution, 2003, approved
905 February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01), is amended by adding a new
906 subsection (f) to read as follows:

907 “(f) This section shall not apply to the Commission on the Arts and Humanities, which
908 may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the
909 Commission on the Arts and Humanities without prior approval by the Mayor.”.

910 Sec. 2003. Section 1108(c-2) of the District of Columbia Government Comprehensive
911 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
912 611.08(c-2)), is amended as follows:

913 (a) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in
914 its place.

915 (b) Paragraph (5) is amended by striking the phrase “rulemaking.” and inserting the
916 phrase “rulemaking; and” in its place.

917 (c) A new paragraph (6) is added to read as follows:

918 “(6) Each member of an advisory panel appointed pursuant to Section 5(6) of the
919 Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C.
920 Official Code § 39-204(6)), may receive compensation from the Commission in the form of a
921 stipend of up to \$250 each day the panel convenes to review applications.”.

922 Sec. 2004. The Commission on the Arts and Humanities Act, effective October 21, 1975
923 (D.C. Law 1-22; D.C. Official Code § 39-201 *et seq.*), is amended as follows:

924 (a) Section 4 (D.C. Official Code § 39-203) is amended as follows:

925 (1) Subsection (a-1) is amended as follows:

926 (A) Paragraph (1) is amended to read as follows:

927 “(1) The Commission shall consist of 12 members appointed by the Mayor, with
928 the advice and consent of the Council, in accordance with section 2(e)(32) of the Confirmation
929 Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(32)),
930 except:

931 “(A) From June 30, 2022 until June 30, 2023, the Commission shall
932 consist of 16 members.

933 “(B) From July 1, 2023 until June 30, 2024, the Commission shall consist
934 of 14 members.

935 (B) A new paragraph (1A) is added to read as follows:

936 “(1A) Notwithstanding section (2)(c) of the Confirmation Act of 1978, effective
937 March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(c)), a member with a term that
938 expires June 30, 2023 or June 30, 2024 may not serve in a hold-over capacity unless a resolution
939 confirming the nomination for reappointment of the member has been transmitted by the Mayor
940 to the Council.

941 (2) Subsection (b)(1) is amended by striking the phrase “that 6 terms” and
942 inserting the phrase “that, beginning on July 1, 2022, 4 terms” in its place.

943 (3) Subsection (c) is amended by striking the phrase “Council shall” and inserting
944 the phrase “Chairman of the Council shall” in its place.

945 (4) Subsection (d) is amended by striking the phrase “from among the 18
946 members” and inserting the phrase “from among the members” in its place.

947 (b) Section 5(6) (D.C. Official Code § 39-204(6)) is amended by striking the phrase
948 “shall serve without compensation” and inserting the phrase “may be compensated, pursuant to
949 section 1108(c-2)(6) of the District of Columbia Government Comprehensive Merit Personnel
950 Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-2)(6)),
951 from funds allocated pursuant to section 6(c-1)(1), provided that no District of Columbia
952 government employee or Commissioner of the Commission may be compensated.”.

953 (c) Section 6(c-1) (D.C. Official Code § 39-205(c-1)) is amended to read as follows:

954 “(c-1) For the Fiscal Year 2022 budget and every fiscal year thereafter the Commission
955 shall allocate the annual budget as follows:

956 “(1) Not more than 22% of the annual budget shall be allocated for administrative
957 costs.

958 “(2) Not less than 78% of the annual budget shall be allocated for the following
959 purposes:

960 “(A) 17% for grants to fund capital projects in support of all eligible arts
961 and humanities organizations; provided, that during Fiscal Years 2021 and 2022, these grant
962 funds may be used, if approved by the Commission, to pay:

963 “(i) Rent or mortgage expenses for the operation of a grant
964 recipient’s arts-or humanities-related home-based office in the District; and

965 “(ii) Rent or mortgage expenses for the operation of a grant
966 recipient’s space in the District used to produce or publicly present arts-or humanities-related
967 work.

968 “(B)(i) 54% for General Operating Support grants to all eligible arts and
969 humanities organizations.

970 “(ii) Awards of General Operating Support grants shall be
971 competitive, and each application of an eligible organization shall be reviewed in cohorts of
972 similar budget size, and with grant award amounts tiered in relation to the grantee’s budget size;
973 and

974 “(C) 25% for other art grant programs established by the Commission.

975 “(D) 4% the for the Humanities Grant Program administered by
976 HumanitiesDC.”.

977 (e) Section 6b (D.C. Official Code § 39-205.02) is amended as follows:

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

979 “(b)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
980 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13 *et seq.*), the Commission shall have
981 grantmaking authority to provide funds to HumanitiesDC; provided, that such funds be included
982 in an approved budget and designated for the HumanitiesDC; provided further, that, except as
983 provided in paragraph (2) of this subsection, such funds shall be used to make subgrants in the
984 humanities for the purpose of promoting cross-cultural understanding and appreciation of local
985 history in all District neighborhoods.

986 “(2) Up to 30% of each disbursement from the Humanities Grant Program budget
987 to HumanitiesDC may be utilized by HumanitiesDC for administrative expenses, capacity
988 building, technical assistance, and evaluation of the Humanities Grant Program.”

989 (2) Subsection (d) is repealed.

990 (3) Subsection (e) is amended by striking the phrase “grant-managing entity”
991 wherever it appears and inserting the phrase “HumanitiesDC” in its place.

992 Sec. 2005. Section 1072(b)(1)(F) of the Cultural Plan for the District Act of 2015,
993 effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 39-231(b)(1)(F)), is amended
994 to read as follows:

995 “(F) The Chairman of the Council’s second designee; and”

996 **SUBTITLE B. GREAT STREETS PROGRAM**

997 Sec. 2011. Short title.

998 This subtitle may be cited as the “Great Streets Emergency Amendment Act of 2021”.

999 Sec. 2012. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004
1000 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

1001 (a) Subsection (f) is amended by striking the phrase “continuing south along 12th Street,
1002 N.E.” and inserting the phrase “to 12th Street, N.E.; thence north to include all properties
1003 abutting the west side of 12th Street, N.E. to Michigan Avenue, N.E.; thence south to include all
1004 properties abutting the east side of 12th Street, N.E.” in its place.

1005 (b) Subsection (g) is amended by striking the phrase “parcels, squares, and lots within the
1006 area” and inserting the phrase “parcels, squares, and lots within or abutting the area” in its place.

1007 (c) Subsection (o) is amended by striking the phrase “parcels, squares, and lots within the
1008 following area:” and inserting the phrase “parcels, squares, and lots within or abutting the
1009 following area:” in its place.

1010 **SUBTITLE C. SUPERMARKET TAX INCENTIVES**

1011 Sec. 2021. Short title.

1012 This subtitle may be cited as the “Supermarket Tax Incentives Emergency Amendment
1013 Act of 2021”.

1014 Sec. 2022. Chapter 38 of Title 47 of the District of Columbia Code (D.C. Official Code §
1015 47-3801 *et seq.*), is amended as follows:

1016 (a) The table of contents for the Chapter 38 is amended by adding a new section
1017 designation to read as follows:

1018 “§ 47-3801.01. Expansion of supermarket investment areas.”.

1019 (b) Section 47-3801 is amended as follows:

1020 (1) Paragraph (1D) is amended to read as follows:

1021 “(1D) “Eligible area” means:

1022 “(A)(i) Properties within or abutting the boundaries of low-income census
1023 tracts where a significant number of residents are more than 1/2 mile from the nearest
1024 supermarket, as designated based on the 2019 data from the United States Department of
1025 Agriculture Food Access Research Atlas, not including any census tract, as identified by the
1026 Mayor, in which a college or university campus is located, or nearby, that has been designated as
1027 a low-income census tract due primarily to the incomes of college or university students residing
1028 within the census tract; or

1029 “(ii) Properties within or abutting proximal neighborhood groups
1030 with over 20% participation in the Supplemental Nutrition Assistance Program or other public
1031 assistance programs as designated in the 2018 District of Columbia Health Equity Report.

1032 “(B) For supermarkets under construction as of January 1, 2021, for which
1033 a certificate of occupancy is issued on or before July 1, 2023 and for which an application for
1034 certification under this chapter is filed on or before July 1, 2023:

1035 “(i) A historically underutilized business zone, as defined by
1036 section 3(p)(1) of the Small Business Act, approved July 18, 1958 (72 Stat. 384; 15 U.S.C. §
1037 632(p)(1)); and

1038 “(ii) Census tracts 103, 33.01, 94, 95.05, 95.07, or 95.08.”.

1039 (2) Paragraph (3)(A) is amended as follows:

1040 (A) Sub-subparagraph (ii) is amended to read as follows:

1041 “(ii) Offers for sale at least 6 of the following categories of food or
1042 beverages:

1043 “(I) Fresh fruits and vegetables;
1044 “(II) Fresh and uncooked meats, poultry, and seafood;
1045 “(III) Dairy products;
1046 “(IV) Canned foods;
1047 “(V) Frozen foods;
1048 “(VI) Dry groceries and baked goods; or
1049 “(VII) Non-alcoholic beverages;”

1050 (B) Sub-subparagraph (iii) is amended by striking the period and inserting a
1051 semicolon in its place.

1052 (C) New sub-subparagraphs (iv) and (v) are added to read as follows:

1053 “(iv) Dedicates either 50% of the establishment’s total square
1054 footage of selling area (defined as the area in the establishment that is open to the public and not
1055 including storage areas, preparation areas, or bathrooms), or 6,000 square feet of the
1056 establishment’s selling area to the sale of the categories listed in sub-subparagraph (ii) of this
1057 subparagraph; and

1058 “(v) Dedicates at least 5% of the establishment’s selling area to
1059 each of at least 6 of the categories listed in sub-subparagraph (ii) of this subparagraph.”.

1060 (b) A new section 47-3801.01 is added to read as follows:

1061 “§ 47-3801.01. Expansion of supermarket investment areas.

1062 “(a) If the Mayor determines that there is an area that warrants investment pursuant to
1063 this chapter that is not an eligible area, as defined by § 47-3801(1D), the Mayor shall submit a
1064 plan describing the area, geographically and otherwise, along with a detailed rationale for

1065 extending supermarket tax incentives and any other aid the Mayor proposes, a fiscal impact
1066 statement, and an explication of the benefits to be derived for the area and the District as a
1067 whole.

1068 “(b) The Mayor shall transmit the plan to the Council, with a proposed resolution for a
1069 45-day period of review, excluding days of Council recess. If the Council does not approve or
1070 disapprove the plan, in whole or in part, by resolution within this 45-day review period, the plan
1071 shall be deemed approved.”.

1072 (c) Section 47-3802 is amended as follows:

1073 (1) Subsection (c)(1) is amended by adding the following sentence at the end:

1074 “As part of the application, and as a condition of certification, the applicant shall
1075 agree in writing to:

1076 “(A) Become authorized to accept Supplemental Nutrition Assistance
1077 Program (“SNAP”) benefits as payment at the qualified supermarket, and to accept SNAP
1078 benefits for payment after such authorization;

1079 “(B) Apply to the Department of Health (“DOH”) for approval to accept
1080 Special Supplemental Nutrition Program for Women, Infants, and Children (“WIC”) benefits as
1081 payment at the qualified supermarket, and accept WIC benefits as payment at the qualified
1082 supermarket if approved by DOH to accept WIC benefits; and

1083 “(C) Conduct community listening sessions on the store’s product
1084 offerings and operations at least once every 2 years.”.

1085 (2) New subsections (e) and (f) are added to read as follows:

1086 “(e) To remain eligible to continue to receive the tax benefits provided by this chapter, a
1087 qualified supermarket shall:

1088 “(1) Accept SNAP benefits for payment at the qualified supermarket;

1089 “(2) Accept WIC benefits for payment at the qualified supermarket, unless
1090 determined ineligible by the Department of Health to accept payments by WIC benefits; and

1091 “(3) Conduct a community listening session on the store’s product offerings and
1092 operations at least once every 2 years.

1093 “(f) The Mayor shall review the definition of the term “eligible area” at least once every 5
1094 years to determine whether it continues to appropriately reflect the areas of the District where tax
1095 incentives for new supermarkets provide substantial benefits to District residents and
1096 neighborhoods.”.

1097 **SUBTITLE D. REAL PROPERTY TAX APPEALS COMMISSION**

1098 **MEMBERSHIP**

1099 Sec. 2031. Short title.

1100 This subtitle may be cited as the “Real Property Tax Appeals Commission Membership
1101 Emergency Amendment Act of 2021”.

1102 Sec. 2032. Section 47-825.01a of the District of Columbia Official Code is amended as
1103 follows:

1104 (a) Subsection (a) is amended as follows:

1105 (1) Paragraph (1) is amended as follows:

1106 (A) Subparagraph (B) is amended as follows:

1107 (i) Sub-subparagraph (ii) is amended by striking the semicolon and

1108 inserting the phrase “; and” in its place.

1109 (ii) Sub-subparagraph (iii) is amended by striking the phrase “;
1110 and” and inserting a period in its place.

1111 (iii) Sub-subparagraph (iv) is repealed.

1112 (B) Subparagraph (C) is amended to read as follows:

1113 “(C) The Commission may non-competitively appoint to temporary
1114 appointments up to 8 hearing examiners, who each shall be appointed for a term not to
1115 exceed 6 months each year, who shall hear cases of single-family residential property or
1116 any noncommercial real property assessed during the administrative review (or under the
1117 notice of assessment if the administrative review is unavailable) at \$3 million or less;
1118 provided, that the Chairperson may assign hearing examiners to hear cases of other real
1119 property assessments.”.

1120 (C) Subparagraph (D) is amended as follows:

1121 (i) Sub-subparagraph (i) is amended to read as follows:

1122 “(i) The Chairperson of the Commission shall:

1123 “(I) Be a District of Columbia certified appraiser with at
1124 least 3 years of professional experience; or

1125 “(II) Have at least 5 years of commercial real estate
1126 property appraisal experience.”.

1127 (ii) Sub-subparagraph (iv) is amended by striking the phrase “All
1128 Commissioners” and inserting the phrase “All Commissioners and hearing examiners” in
1129 its place.

1130 (E) Subparagraph (E) is amended by striking the phrase “The
1131 Commissioners” and inserting the phrase “The Commissioners and hearing examiners” in
1132 its place.

1133 (2) Paragraph (2) is amended as follows:

1134 (A) Subparagraph (A) is amended to read as follows:

1135 “(A) Each Commissioner and hearing examiner shall be prohibited from
1136 representing any client or business interest before the Commission for a period of 2 years
1137 after the separation of the Commissioner or hearing examiner from the Commission.”.

1138 (B) Subparagraph (B) is amended as follows:

1139 (i) Strike the phrase “A Commissioner” and insert the phrase
1140 “Each Commissioner and hearing examiner” in its place; and

1141 (ii) Strike the phrase “the Commissioner” and insert the phrase
1142 “the Commissioner or hearing examiner” in its place.

1143 (C) Subparagraph (C) is amended to read as follows:

1144 “(C) A Commissioner or hearing examiner shall not review an appeal for
1145 which that Commissioner or hearing examiner has a direct or indirect interest.”.

1146 (3) Paragraph (3) is amended by adding a new subparagraph (C) to read as
1147 follows:

1148 “(C)(i) Each part-time Commissioner serving on the day before the
1149 effective date of the Real Property Tax Appeals Commission Membership Amendment
1150 Act of 2021, as approved by the Committee of the Whole on July 20, 2021 (Committee
1151 print of Bill 24-285) (“Act”), shall, with the Commissioner’s consent, be converted to a

1152 hearing examiner on the effective date of the Act.

1153 (ii) The position of part-time Commissioner shall be
1154 abolished as of the effective date of the Act, and no individual shall continue to serve in
1155 the position of part-time Commissioner after that date.”.

1156 (4) Paragraph (5) is amended by striking the phrase “Commissioners shall” and
1157 inserting the phrase “Commissioners and hearing examiners shall” in its place.

1158 (5) Paragraph (6) is amended to read as follows:

1159 “(6) The Commission shall employ staff in addition to the hearing examiners,
1160 including an executive director and a general counsel.”.

1161 (b) Subsection (c) is amended as follows:

1162 (1) Paragraph (1) is amended as follows:

1163 (A) Subparagraph (A) is amended as follows:

1164 (i) The lead-in text is amended by striking the word
1165 “Commissioners” and inserting the phrase “Commissioners and hearing examiners” in its
1166 place.

1167 (ii) Sub-subparagraph (i) is amended as follows:

1168 (I) Strike the phrase “one-Commissioner” and insert the
1169 phrase “one-Commissioner or hearing examiner” in its place; and

1170 (II) Strike the phrase “multi-Commissioner panel” and
1171 insert the phrase “multi-member panel” in its place.

1172 (iii) Sub-subparagraph (ii) is amended to read as follows:

1173 “(ii) In the case of all other real property, a panel consisting of 3

1174 members shall be convened; provided, that a panel consisting of 2 members may be
1175 convened if the appellant and OTR agree.”.

1176 (B) Subparagraph (B) is amended by striking the word
1177 “Commissioner” and inserting the phrase “Commissioner or hearing examiner” in its
1178 place.

1179 (2) Paragraph (2) is amended by striking the word “Commissioners” and inserting
1180 the phrase “members” in its place.

1181 (3) Paragraph (3) is amended as follows:

1182 (A) Strike the phrase “deciding Commissioner” and insert the phrase
1183 “deciding Commissioner or hearing examiner” in its place;

1184 (B) Strike the phrase “multi-Commissioner” and insert the phrase “multi-
1185 member” in its place; and

1186 (C) Strike the phrase “each Commissioner” and insert the phrase “each
1187 member” in its place.

1188 (4) Paragraph (4)(C) is amended to read as follows:

1189 “(C) The names of the member who were on the panel that established the
1190 assessment or classification, or both, indicating whether each participating member
1191 agreed with, or dissented from, the decision of the panel.”.

1192 (c) Subsection (e) is amended as follows:

1193 (1) Paragraph (3) is amended by striking the word “Commission or a
1194 Commissioner” and inserting the phrase “Commission, or a Commissioner or hearing
1195 examiner,” in its place.

1196 (2) Paragraph (6)(C) is amended to read as follows:

1197 “(C) In the case of a rehearing, a panel shall be convened consisting of the
1198 Chairperson, Vice-Chairperson, and a Commissioner or hearing examiner who was a
1199 member of the panel that heard the underlying appeal.”.

1200 (d) A new subsection (j) is added to read as follows:

1201 “(j) For the purposes of this section, the word “member” means a Commissioner or
1202 hearing examiner.”.

1203 Sec. 2033. Section 406(b) of the District of Columbia Government Comprehensive Merit
1204 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §
1205 1-604.06), is amended as follows:

1206 (a) Paragraph (27) is amended by striking the phrase “; and” and inserting a semicolon in
1207 its place.

1208 (b) Paragraph (28) is amended by striking the period at the end and inserting the phrase “;
1209 and” in its place.

1210 (c) A new paragraph (29) is added to read as follows:

1211 “(29) For the Real Property Tax Appeals Commission, the personnel authority is
1212 the Real Property Tax Appeals Commission.”.

1213 Sec. 2034. Section 15 of An Act To provide for the abatement of nuisances in the District
1214 of Columbia by the Commissioners of said District, and for other purposes, approved April 14,
1215 1906 (34 Stat. 114; D.C. Official Code § 42-3131.15), is amended by adding a new subsection
1216 (d) to read as follows:

1217 “(d) The District may appeal a decision of the Real Property Tax Appeals Commission to
1218 the Superior Court of the District of Columbia within 2 months after the date of the written
1219 decision or receipt of the written decision, which is later.”.

1220 **SUBTITLE E. LOCAL RENT SUPPLEMENT PROGRAM**

1221 Sec. 2041. Short title.

1222 This subtitle may be cited as the “Local Rent Supplement Program Enhancement
1223 Emergency Amendment Act of 2021”.

1224 Sec. 2042. The District of Columbia Housing Authority Act of 1999, effective May 9,
1225 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

1226 (a) Section 2 (D.C. Official Code § 6-201) is amended as follows:

1227 (1) A new paragraph (7B) is added to read as follows:

1228 “(7B) “Capital-based assistance” means capital gap financing for the construction
1229 or rehabilitation of housing units for which project-based voucher assistance or sponsor-based
1230 voucher assistance was previously awarded as an operating subsidy.”.a

1231 (2) A new paragraph (43C) is added to read as follows:

1232 “(43C) “Tenant-based voucher assistance” means housing subsidy payments
1233 provided for households with extremely low incomes or histories of homelessness to pay all or a
1234 portion of the household’s rent in privately owned housing units in the District.”.

1235 (b) Section 26a (D.C. Official Code § 6-226), is amended as follows:

1236 (1) Subsection (a) is amended to read as follows:

1237 “(a) The Rent Supplement Program is established to provide housing assistance to
1238 extremely low-income District residents, including those who are homeless and those in need of

1239 supportive services, such as elderly individuals or those with disabilities. The funding of this
1240 program is subject to appropriation. The assistance under this section, section 26b, and section
1241 26c shall not constitute an entitlement.”

1242 (2) Subsection (b) is amended to read as follows:

1243 “(b)(1) The Authority shall award the funds appropriated for the program’s sponsor-
1244 based voucher assistance and capital-based assistance.”

1245 “(2) The Department of Housing and Community Development shall award the
1246 funds appropriated for the program’s project-based voucher assistance.

1247 “(3) The Authority shall award the funds appropriated for ongoing tenant-based
1248 voucher assistance.

1249 “(4) The Authority shall award the funds appropriated for new tenant-based
1250 voucher assistance, as described in section 26a-1(c)(5), to the extent that such funds are
1251 transferred to the Housing Authority Rent Supplement Program Fund pursuant to section 26a-
1252 1(c)(4).

1253 “(5) For the purposes of this subsection, the phrase “ongoing tenant-based
1254 voucher assistance” means tenant-based voucher assistance funded by money deposited into the
1255 Housing Authority Rent Supplement Program Fund pursuant to section 26a-1(a)(2)(C).”.

1256 (3) Subsection (c) is amended to read as follows:

1257 “(c)(1) The Authority shall promulgate rules, subject to Council approval, for sponsor-
1258 based voucher assistance as required by section 26b, tenant-based voucher assistance, and
1259 capital-based assistance as required by section 26d, which shall govern the administration of
1260 funds for these types of assistance.

1261 “(2) The Authority shall promulgate rules, subject to Council approval, for
1262 project-based voucher assistance, which shall govern the administration of funds for this type of
1263 assistance; except, that the Department of Housing and Community Development shall
1264 promulgate rules governing the award of project-based voucher assistance, as provided in
1265 paragraph (3) of this subsection.

1266 “(3) The Department of Housing and Community Development shall promulgate
1267 rules, subject to Council approval, governing the award of project-based voucher assistance;
1268 provided, that the rules previously promulgated by the Authority that govern the award of funds
1269 for project-based voucher assistance shall remain in effect unless amended or repealed by the
1270 Department of Housing and Community Development.

1271 “(4) The rules proposed pursuant to this subsection shall:

1272 “(A) Provide for allocating project-based and sponsor-based funds to
1273 maintain or create new affordable housing units, including by combining funds under this
1274 program with other sources of funds for housing production and development and for allocating
1275 tenant-based funds to expand affordable housing choices for households through housing
1276 subsidies; and

1277 “(B) Be submitted to the Council for a 45-day period of review, excluding
1278 Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve
1279 or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review
1280 period, the proposed rules shall be deemed approved.”.

1281 (4) Subsections (d) and (e) are repealed.

1282 (c) A new section 26a-1 is added to read as follows:

1283 “Sec. 26a-1. Rent Supplement Program Funds.

1284 “(a) Housing Authority Rent Supplement Program Fund.

1285 (1) There is established as a special fund the Housing Authority Rent Supplement
1286 Program Fund, which shall be administered by the Authority in accordance with paragraph (3) of
1287 this section.

1288 “(2) There shall be deposited into the Housing Authority Rent Supplement
1289 Program Fund:

1290 “(A) Money appropriated for sponsor-based voucher assistance;

1291 “(B) Money appropriated for capital-based assistance;

1292 “(C) Money appropriated to the Authority for the ongoing provision of
1293 tenant-based voucher assistance;

1294 “(D) Money appropriated to the Authority for the ongoing provision of
1295 project-based voucher assistance previously awarded by the Department of Housing and
1296 Community Development;

1297 “(E) Money for project-based voucher assistance transferred to the
1298 Housing Authority Rent Supplement Program Fund pursuant to subsection 26b(b-1)(3);

1299 “(F) Money for tenant-based voucher assistance transferred to the Housing
1300 Authority Rent Supplement Program Fund pursuant to subsection (c)(4) of this section; and

1301 “(G) Money remaining in the Rent Supplement Fund, established by
1302 section 26a(d)(1), at the end of Fiscal Year 2021.

1303 “(3) Money in the Housing Authority Rent Supplement Program Fund shall be
1304 used solely to:

1305 “(A) Provide sponsor-based voucher assistance and capital-based
1306 assistance;

1307 “(B) Provide project-based voucher assistance to projects awarded such
1308 assistance by the Authority before October 1, 2021;

1309 “(C) Provide project-based voucher assistance to projects awarded such
1310 assistance by the Department of Housing and Community Development after September 30,
1311 2021, including assistance from funds transferred to the Housing Authority Rent Supplement
1312 Program Fund from the Rent Supplement Program Project-Based Allocation Fund established by
1313 subsection (b) of this section;

1314 “(D) Provide ongoing tenant-based voucher assistance; and

1315 “(E) Provide new tenant-based voucher assistance from funds transferred
1316 from the Rent Supplement Program Tenant-Based Allocation Fund established by subsection (c)
1317 of this section.

1318 “(4)(A) The money deposited into the Housing Authority Rent Supplement
1319 Program Fund but not expended in a fiscal year shall not revert to the unassigned fund balance of
1320 the General Fund of the District of Columbia at the end of any fiscal year or at any other time.

1321 “(B) Subject to authorization in an approved budget and financial plan,
1322 any funds in the Housing Authority Rent Supplement Program Fund shall be continually
1323 available without regard to fiscal year limitation.

1324 “(5) For the purposes of this subsection, the term “ongoing tenant-based voucher
1325 assistance” means tenant-based voucher assistance paid for from funds appropriated to the

1326 Housing Authority Rent Supplement Program Fund pursuant to paragraph (2)(C) of this
1327 subsection.

1328 “(b) Rent Supplement Program Project-Based Allocation Fund.

1329 (1) There is established as a special fund the Rent Supplement Program Project-
1330 Based Allocation Fund, which shall be administered by the Department of Housing and
1331 Community Development in accordance with paragraph (3) of this subsection.

1332 “(2) Amounts appropriated for new project-based voucher assistance shall be
1333 deposited into the Rent Supplement Program Project-Based Allocation Fund.

1334 “(3)(A) Money in the Rent Supplement Program Project-Based Allocation Fund
1335 shall be used to fund awards to applicants selected for project-based voucher assistance as
1336 defined in section 2(39A) and shall be transferred to the Housing Authority Rent Supplement
1337 Program Fund as described in section 26b(b-1)(3).

1338 “(B) Money in the Rent Supplement Program Project-Based Allocation
1339 Fund may be used to increase the amount of project-based voucher assistance previously
1340 awarded to an applicant to account for a documented need to increase the proposed rent charged
1341 on a rental unit.

1342 “(4)(A) The money deposited into the Rent Supplement Program Project-Based
1343 Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the
1344 District of Columbia at the end of a fiscal year, or at any other time.

1345 “(B) Subject to authorization in an approved budget and financial plan,
1346 any funds appropriated in the Rent Supplement Program Project-Based Allocation Fund shall be
1347 continually available without regard to fiscal year limitation.”.

1348 “(c) Rent Supplement Program Tenant-Based Allocation Fund.

1349 (1) There is established as a special fund the Rent Supplement Program Tenant-
1350 Based Allocation Fund, which shall be administered by the Department of Human Services in
1351 accordance with paragraph (3) of this subsection.

1352 “(2) The following funds shall be deposited into the Rent Supplement Program
1353 Tenant-Based Allocation Fund:

1354 “(A) Amounts appropriated for new tenant-based voucher assistance; and

1355 “(B) Any unspent local dollars appropriated for supportive services, as
1356 that term is defined in section 2(39) of the Homeless Services Reform Act, effective October 22,
1357 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01(39)), for the Targeted Affordable
1358 Housing Program or a permanent housing program, as that term is defined in section 2(27C) of
1359 the Homeless Services Reform Act, effective October 22, 2005 (D.C. Law 16-35; D.C. Official
1360 Code § 4-751.01(27C)), in the operating budget of the Department of Human Services at the end
1361 of each fiscal year.

1362 “(3) Money in the Rent Supplement Program Tenant-Based Allocation Fund shall
1363 be used in a fiscal year to fund awards to applicants selected for tenant-based voucher assistance,
1364 to the extent that the dollar amount of all new or previously awarded tenant-based voucher
1365 assistance awarded to applicants in that fiscal year or a prior fiscal year, for which the Authority
1366 continues to be obligated to make payments, exceeds the amount of money deposited into the
1367 Housing Authority Rent Supplement Program Fund during the then-current fiscal year for the
1368 ongoing provision of tenant-based voucher assistance pursuant to subsection (a)(2)(C) of this
1369 section.

1370 “(4) Money in the Rent Supplement Program Tenant-Based Allocation Fund
1371 shall, at the direction of the Director of the Department of Human Services, be transferred to the
1372 Housing Authority Rent Supplement Program Fund when such funding is necessary to fund the
1373 award of new tenant-based vouchers because the dollar amount of tenant-based vouchers for
1374 which the Authority would be obligated to make payments would otherwise exceed the amount
1375 of money deposited into the Housing Authority Rent Supplement Program Fund during the
1376 applicable fiscal year for the ongoing provision of tenant-based voucher assistance pursuant to
1377 subsection (a)(2)(C) of this section.

1378 “(5)(A) The money deposited into the Rent Supplement Program Tenant-Based
1379 Allocation Fund shall not revert to the unrestricted fund balance of the General Fund of the
1380 District of Columbia at the end of a fiscal year, or at any other time.

1381 “(B) Subject to authorization in an approved budget and financial plan,
1382 any funds appropriated in the Rent Supplement Program Tenant-Based Allocation Fund shall be
1383 continually available without regard to fiscal year limitation.

1384 “(6) For the purposes of this subsection, the phrase “new tenant-based voucher
1385 assistance” means, with respect to the amount of money to be deposited into the Rent
1386 Supplement Program Tenant-Based Allocation Fund, the amount of money appropriated to the
1387 Department of Human Services in a fiscal year for the provision of tenant-based voucher
1388 assistance”.

1389 (d) Section 26b (D.C. Official Code § 6-227), is amended as follows:

1390 (1) Subsection (a) is amended by striking the phrase “project-based and”.

1391 (2) A new subsection (b-1) is added to read as follows:

1392 “(b-1)(1) The funds allocated under the program for new project-based voucher
1393 assistance shall be awarded by the Department of Housing and Community Development for the
1394 construction of new housing, or rehabilitation or preservation of existing housing, for extremely
1395 low-income District residents.

1396 “(2) The Department of Housing and Community Development shall promulgate
1397 rules to govern the awarding of project-based voucher assistance and the continuing eligibility
1398 for such assistance.

1399 “(3) The funds awarded pursuant to paragraphs (1) and (2) of this subsection shall
1400 be held in the Rent Supplement Program Project-Based Allocation Fund, established by section
1401 26a-1(b), until a certificate of occupancy is issued for the project for which the funds were
1402 awarded. After the certificate of occupancy is issued, the funds shall, at the direction of the
1403 Director of the Department of Housing and Community Development, be transferred to the
1404 Housing Authority Rent Supplement Program Fund established by section 26a-1(a).”.

1405 (3) Subsection (c) is amended to read as follows:

1406 “(c) The Authority shall apply its existing Partnership Program and Housing Choice
1407 Voucher Program rules to govern eligibility, admission, and continuing occupancy by tenants in
1408 units receiving sponsor-based or project-based voucher assistance under this section, section 26a,
1409 and section 26d, except if the rules are inconsistent with this section, section 26a, or section 26d;
1410 provided, that the Authority may modify or waive such rules so as not to exclude households on
1411 the basis of immigration status or prior criminal convictions. The Authority shall promulgate
1412 such additional rules as are necessary to ensure that eligibility for tenancy in the units supported

1413 by grants under this section is limited to households with gross income at or below 30% of the
1414 area median income.”.

1415 (4) Subsection (d) is amended to read as follows:

1416 “(d) To maintain consistency for households receiving rental housing support, the
1417 Authority shall, to the extent possible, given funding resources available in the Housing
1418 Authority Rent Supplement Program Fund, continue to fund project-based and sponsor-based
1419 grantees at the same level, adjusted for inflation on an annual basis, or on such other basis as
1420 may be agreed to with the grantee, unless the Authority determines that a grantee is not meeting
1421 the criteria set forth in the rules governing project-based or sponsor-based voucher assistance.”.

1422 (5) Subsection (e) is repealed.

1423 (e) Section 26c (D.C. Official Code § 6-228), is amended as follows:

1424 (1) Subsection (a) is amended by striking the phrase “procedures for the Housing
1425 Choice Voucher Program.” and inserting the phrase “procedures for the Housing Choice
1426 Voucher Program; provided, that the Authority may waive or modify such rules, regulations,
1427 policies, and procedures so as not to exclude households on the basis of immigration status or
1428 prior criminal convictions.” in its place.

1429 (2) Subsection (b) is amended as follows:

1430 (A) The lead-in text is amended by striking the phrase “Eligible families
1431 shall be selected from the households” and inserting the phrase “Eligible households shall be
1432 selected from the individuals and families” in its place.

1433 (B) Paragraph (1) is amended by striking the phrase “Eligible families”
1434 and inserting the phrase “Eligible households” in its place.

1435 (3) Subsection (c) is amended by striking the phrase “Eligible families may be
1436 referred” and inserting the phrase “Individuals and families may be referred for eligibility
1437 determination” in its place.

1438 (4) Subsection (g)(2) is amended by striking the phrase “eligible to participate in
1439 the Authority’s Housing Choice Voucher Program” and inserting the phrase “eligible for tenant-
1440 based voucher assistance” in its place.

1441 (f) New sections 26d-1, 26d-2, and 26d-3 are added to read as follows:

1442 “Sec. 26d-1. Housing Authority Rent Supplement Program quarterly reporting.

1443 “(a) The Authority shall submit to the Mayor and the Council, within 30 days after the
1444 end of each fiscal quarter, a Rent Supplement Program report.

1445 “(b) Each report shall include the following information with respect to the Housing
1446 Authority Rent Supplement Program Fund:

1447 “(1) The total amount of money in the fund at the beginning and end of the
1448 reporting period;

1449 “(2) The amount of money in the fund allocated to project-based voucher
1450 assistance at the beginning of the reporting period, the amount of money expended from the fund
1451 on project-based voucher assistance during the reporting period, and the amount of money in the
1452 fund allocated to project-based voucher assistance at the end of the reporting period;

1453 “(3) The amount of money in the fund allocated to sponsor-based voucher
1454 assistance at the beginning of the reporting period, the amount of money expended from the fund
1455 on sponsor-based voucher assistance during the reporting period, and the amount of money in the
1456 fund allocated to sponsor-based voucher assistance at the end of the reporting period;

1457 “(4) The amount of money in the fund allocated to tenant-based voucher
1458 assistance at the beginning of the reporting period, the amount of money expended from the fund
1459 on tenant-based voucher assistance during the reporting period, and the amount of money in the
1460 fund allocated to tenant-based voucher assistance at the end of the reporting period;

1461 “(5) The amount of money in the fund allocated to capital assistance at the
1462 beginning of the reporting period, the amount of money expended from the fund on capital
1463 assistance during the reporting period, and the amount of money in the fund allocated to capital
1464 assistance at the end of the reporting period; and

1465 “(6) The amount of money expended from the fund during the reporting period on
1466 administrative costs, which shall include a breakdown by category of expense.

1467 “(c) Each report shall include the following information with respect to project-based
1468 voucher assistance:

1469 “(1) For each project that has a contract with the Authority for project-based
1470 voucher assistance, the name of, address of, number of total housing units in, number of units
1471 subsidized by project-based voucher assistance (“project-based units”) in, and contract end date
1472 of the project;

1473 “(2) For each project listed pursuant to paragraph (1) of this subsection:

1474 “(A) The dollar amount of project-based voucher assistance received
1475 during the reporting quarter;

1476 “(B) The occupancy status of each project-based unit;

1477 “(C) The contract rent for each project-based unit, including both the
1478 tenant-paid portion of the rent and project-based subsidy amount associated with the unit; and

1479 “(D) The income level at the most recent income certification of the
1480 household occupying the unit.

1481 “(3) The name of, address of, number of project-based units in, and project-based
1482 voucher assistance contract end date of, each project that has a contract with the Authority for
1483 project-based voucher assistance that is scheduled to expire within 24 months after the last day
1484 of the reporting period;

1485 “(4) The name of, address of, number of project-based units in, and contract end
1486 date of each project whose contract with the Authority for project-based voucher assistance
1487 expired during the reporting period;

1488 “(5) The name of, address of, and number of project-based units to be located in
1489 each project that has been awarded project-based voucher assistance but for which a contract
1490 with the Authority for such assistance has not been entered into, along with the date by which the
1491 Authority expects to enter into such a contract.

1492 “(d) Each report shall include the following information with respect to sponsor-based
1493 voucher assistance:

1494 “(1) The name and address of each non-profit organization or landlord
1495 (“sponsor”) with sponsor-based vouchers, along with the number of vouchers issued to the
1496 sponsor;

1497 “(2) For each sponsor listed pursuant to paragraph (1) of this subsection, the
1498 following information with respect to each sponsor-based unit of the sponsor:

1499 “(A) The address of the sponsor-based unit;

1500 “(B) The occupancy level of each sponsor-based unit, defined as the
1501 number of days in the reporting quarter the unit was leased to a household eligible for Rent
1502 Supplement Program assistance;

1503 “(C) The contract rent of the unit, including the tenant-paid portion of the
1504 rent and the sponsor-based subsidy amount allocated to the unit; and

1505 “(D) The income level at last income certification of the household
1506 occupying the sponsor-based unit.

1507 “(e) Each report shall include the following information with respect to tenant-based
1508 voucher assistance:

1509 “(1) The number of households, categorized separately as individual households
1510 and family households, receiving tenant-based voucher assistance on the first day and last day of
1511 the reporting quarter, listed separately by the program in which the household is participating,
1512 including the Permanent Supportive Housing and Targeted Affordable Housing program;

1513 “(2) The total dollar amount of rental payments made for tenant-based voucher
1514 recipients during the reporting quarter and fiscal year to date, listed separately by the program in
1515 which the household is participating, including the Permanent Supportive Housing and Targeted
1516 Affordable Housing program;

1517 “(3) The average monthly rent of housing units leased by households receiving
1518 tenant-based voucher assistance, listed separately by the program in which the household is
1519 participating, including the Permanent Supportive Housing and Targeted Affordable Housing
1520 program;

1521 “(4) The number of households receiving tenant-based vouchers at the beginning
1522 of the fiscal year that were no longer receiving tenant-based vouchers on the last day of the
1523 reporting quarter, listed separately by the program in which the household is participating,
1524 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1525 “(5) Tenant-based voucher assistance funding spent on security deposits,
1526 administrative services, and any other non-rental expenses, by expenditure type, during the
1527 reporting quarter and fiscal year to date.

1528 “(f) Each report shall include the following information with respect to capital-based
1529 assistance:

1530 “(1) The name of, address of, and number of project-based and sponsor-based
1531 units in each project that received capital-based assistance during the reporting quarter; and

1532 “(2) The dollar amount of capital assistance provided to each project listed
1533 pursuant to paragraph (1) of this subsection.

1534 “Sec. 26d-2. Rent Supplement Program Project-Based Allocation Fund quarterly
1535 reporting.

1536 “(a) The Department of Housing and Community Development shall submit to the
1537 Council, within 30 days after the end of each fiscal quarter, a Project-Based Rent Supplement
1538 Program report.

1539 “(b) Each report shall include the following information with respect to the Rent
1540 Supplement Program Project-Based Allocation Fund:

1541 “(1) The total amount of money in the fund at the beginning and end of the
1542 reporting period;

1543 “(2) The amount of money in the fund transferred to the Authority for project-
1544 based voucher assistance during the reporting period, listed separately by the project for which
1545 the funds were awarded;

1546 “(3) The amount of money in the fund awarded to projects that do not yet have a
1547 certificate of occupancy, listed separately by project;

1548 “(4) For each project that has been awarded project-based voucher assistance, the
1549 developer, address, planned number of total housing units, planned number of units subsidized
1550 by project-based voucher assistance, planned period of project-based voucher assistance, date of
1551 award, expected completion date, and whether the project is new construction or existing
1552 housing rehabilitation or preservation; and

1553 “(5) The amount of money expended from the fund during the reporting period on
1554 administrative costs, which shall contain a breakdown by category of expense.

1555 “Sec. 26d-3. Rent Supplement Program Tenant-Based Allocation Fund quarterly
1556 reporting.

1557 “(a) The Department of Human Services shall submit to the Council, within 30 days after
1558 the end of each fiscal quarter, a Rent Supplement Program Tenant-Based Allocation Fund report.

1559 “(b) Each report shall include the following information with respect to the Rent
1560 Supplement Program Tenant-Based Allocation Fund:

1561 “(1) The total amount of money in the fund at the beginning and end of the
1562 reporting period;

1563 “(2) The amount of money in the fund transferred to the Authority for each
1564 tenant-based voucher assistance program during the reporting period, listed separately by the

1565 program in which the household is participating, including the Permanent Supportive Housing,
1566 Targeted Affordable Housing program, and the Rapid Rehousing program, and categorized by
1567 individual households and family households;

1568 “(3) The amount of money remaining in the fund at the end of the reporting
1569 period, listed separately by the program in which the household is participating, including the
1570 Permanent Supportive Housing, Targeted Affordable Housing program, and the Rapid
1571 Rehousing program, and categorized by individual households and family households;

1572 “(4) The number of households, categorized separately as individual households
1573 and family households, matched with a tenant-based voucher assistance program during the
1574 reporting quarter, listed separately by the program in which the household is participating,
1575 including the Permanent Supportive Housing and Targeted Affordable Housing program; and

1576 “(5) The amount of money expended from the fund during the reporting period on
1577 administrative costs, which shall contain a breakdown by category of expense.”.

1578 **SUBTITLE F. HOUSING PRODUCTION TRUST FUND CONTRACTS**

1579 Sec. 2051. Short title.

1580 This subtitle may be cited as the “Housing Production Trust Fund Pipeline Advancement
1581 Emergency Amendment Act of 2021”.

1582 Sec. 2052. Section 3(f)(2) of the Housing Production Trust Fund Act of 1989, effective
1583 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(f)(2)), is repealed.

1584 **SUBTITLE G. PROPERTY TAX RELIEF FOR LOW INCOME HOUSING**

1585 Sec. 2061. Short title.

1586 This subtitle may be cited as the “Property Tax Relief for Low Income Housing
1587 Harmonization Emergency Act of 2021”.

1588 Sec. 2062. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as
1589 follows:

1590 (a) Section 47-1005.02 is amended as follows:

1591 (1) Subsection (a) is amended as follows:

1592 (A) Paragraph (1) is amended to read as follows:

1593 “(1) Real property eligible for the low-income housing tax credit provided by
1594 section 42 of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2189; 26
1595 U.S.C. § 42), (“affordable housing”) that is owned by or leased to an organization that is not
1596 organized or operated for private gain, or that is owned by or leased to an entity controlled,
1597 directly or indirectly, by such an organization, for which a certification has been made as to both
1598 the real property and owner or lessee pursuant to subsection (b)(1) of this section (and that has
1599 not been revoked under subsection (b)(2) of this section) shall be exempt from the taxes imposed
1600 by Chapters 8 and 10 of this title and from a payment in lieu of tax imposed under § 47-1002(20)
1601 during the time that the real property is being developed for or being used as affordable housing
1602 and is subject to restrictive covenants governing the income of residents that occupy the
1603 affordable housing units during the federal low-income housing tax credit compliance period,
1604 including any extended use period; provided, that if the property is eligible for the tax relief
1605 provided by this subsection in part because it is leased to an organization that is not organized or
1606 operated for private gain, or is leased to an entity controlled, directly or indirectly, by such an

1607 organization, the owner and lessee shall certify to the Mayor, and the Mayor shall confirm, that
1608 the value of the tax abatement provided by this subsection will be passed through to the lessee.”.

1609 (B) Paragraph (2) is amended by striking the word “owner” wherever it
1610 appears and inserting the phrase “owner or lessee” in its place.

1611 (2) A new subsection (a-1) is added to read as follows:

1612 “(a-1)(1) Real property shall be exempt from the taxes imposed by Chapters 8 and 10 of
1613 this title and from a payment in lieu of tax imposed under § 47-1002(20), for the time period set
1614 forth in paragraph (2) of this subsection, if:

1615 “(A) The real property is owned by or leased to a nonprofit owner, as
1616 defined by § 47-1005.03(a)(2), or leased to a nonprofit organization that provides rental housing
1617 in buildings that it owns and that satisfies the requirements of § 47-1005.03(a)(2)(B);

1618 “(B) Affordable housing developed or to be developed on the real property
1619 has been awarded financial assistance in the form of a grant or a loan from the Housing
1620 Production Trust Fund or other District government low-income housing financing assistance
1621 program designated by the Mayor to provide housing affordable to households earning not in
1622 excess of 80% of the adjusted median income, as defined by § 47-1005.03(a)(1);

1623 “(C) The financial assistance described in subparagraph (B) of this
1624 paragraph was awarded after the effective date of the Property Tax Relief for Low Income
1625 Housing Harmonization Act of 2021;

1626 “(D) A certification as to both the real property and owner or lessee has
1627 been made pursuant to subsection (b)(1) of this section (and that has not been revoked under
1628 subsection (b)(2) of this section); and

1629 “(E) The real property is subject to, and in compliance with, restrictive
1630 covenants governing the income of residents that occupy or will occupy the affordable housing
1631 units developed or to be developed on the real property.

1632 “(2) Real property described in paragraph (1) of this subsection shall be exempt
1633 from the taxes imposed by Chapters 8 and 10 of this title and from a payment in lieu of tax
1634 imposed under § 47-1002(20) during the time that the real property is being developed for or
1635 being used as affordable housing.”.

1636 (3) Subsection (b) is amended as follows:

1637 (A) Paragraph (1) is amended as follows:

1638 (i) The lead-in text is amended to read as follows:

1639 “The Mayor shall certify to the Office of Tax and Revenue (“OTR”) each property and
1640 owner or lessee eligible for an exemption. The certification shall identify:”.

1641 (ii) Subparagraph (B) is amended by striking the word “owner”
1642 and inserting the phrase “owner or lessee” in its place.

1643 (iii) Subparagraph (E) is amended to read as follows:

1644 “(E) The effective date of the exemption, which shall be:

1645 “(i) In the case of an application by an eligible owner, the date on
1646 which the eligible owner acquired the real property or October 1, 2012, whichever is later; and

1647 “(ii) In the case of an application by an eligible lessee, the date on
1648 which the eligible lessee leased the real property, or October 1, 2021, whichever is later.”.

1649 (B) Paragraph (2) is amended as follows:

1650 (i) The lead-in text is amended as follows:

1651 (I) Strike the phrase “owner or property” and insert the
1652 phrase “property or owner or lessee” in its place.

1653 (II) Strike the phrase “subsection (a)” and insert the phrase
1654 “subsection (a) or (a-1)” in its place.

1655 (ii) Subparagraph (B) is amended by striking the word “owner”
1656 and inserting the phrase “owner or lessee” in its place.

1657 (iii) Subparagraph (E) is amended by striking the phrase “taxpayer
1658 or property” and inserting the phrase “property, owner, or lessee” in its place.

1659 (C) Paragraph (3) is amended as follows:

1660 (i) Strike the phrase “subsection (a)” and insert the phrase
1661 “subsection (a) or (a-1)” in its place.

1662 (ii) Strike the word “owner” and insert the phrase “owner or lessee,
1663 whichever is applicable,” in its place.

1664 (4) Subsection (c) is amended by striking the word “owner” and inserting
1665 the phrase “owner or lessee” in its place.

1666 (b) Section 47-1005.03 is amended as follows:

1667 (1) Subsection(a)(2)(B) is amended as follows:

1668 (A) Sub-subparagraph (i) is amended by striking the word “or”.

1669 (B) Sub-subparagraph (ii) is amended by striking the period and inserting
1670 the phrase “; or” in its place.

1671 (C) A new sub-subparagraph (iii) is added to read as follows:

1672 “(iii) Is a limited-equity cooperative as defined by § 42–2061(2).”.

1673 (2) Subsection (b) is amended as follows:

1674 (A) The lead-in language is amended by striking the phrase “provided,
1675 that” and inserting the phrase “provided, that the land and buildings are acquired by the nonprofit
1676 owner in an arm’s-length transaction on or after October 1, 2020, or, in the case of a nonprofit
1677 owner that is a limited-equity cooperative as defined by § 42–2061(2), on or after October 1,
1678 2021; provided further, that” in its place.

1679 (B) Paragraph (6) is amended to read as follows:

1680 “(6) Such nonprofit owner, or its sole member if the nonprofit owner is
1681 disregarded for income tax purposes, is the subject of a Determination Letter issued by the
1682 Internal Revenue Service providing for recognition under section 501(c)(3) of the Internal
1683 Revenue Code; except, that this requirement shall not apply to a limited-equity cooperative.”.

1684 **SUBTITLE H. SECTION 108 DEBT RESERVE ACCOUNT**

1685 Sec. 2071. Short title.

1686 This subtitle may be cited as the “Section 108 Debt Reserve Account Establishment
1687 Emergency Act of 2021”.

1688 Sec. 2072. Section 108 debt reserve account.

1689 (a) The Chief Financial Officer shall establish as a special fund under section 450 of the
1690 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official
1691 Code § 1-204.50), or as an account at a financial institution outside the District government, the
1692 Section 108 Debt Reserve Account (“Account”).

1693 (b) There shall be deposited into the Account such amounts as are appropriated for the
1694 Account. The amount of money in the Account at any point during a fiscal year should be at least

1695 equal to the amount necessary to pay the principal and interest due during the remainder of that
1696 fiscal year to the Department of Housing and Urban Development (“HUD”) on amounts
1697 borrowed by the District under the federal loan guarantee program authorized by section 108 of
1698 the Housing and Community Development Act of 1974, approved August 22, 1974 (88 Stat.
1699 647; 42 U.S.C. 5308) (“Section 108 Loan Guarantee Program”).

1700 **SUBTITLE I. PARK MORTON REDEVELOPMENT**

1701 Sec. 2081. Short title.

1702 This subtitle may be cited as the “Park Morton Redevelopment Emergency Act of
1703 2021”.

1704 Sec. 2082. Park Morton Redevelopment.

1705 The use of funds allocated for the redevelopment of public housing at Park Morton shall
1706 be limited to furthering the project requirements and shall be subject to the guidelines,
1707 conditions, and standards as approved by Zoning Commission Order Nos. 16-11 and 16-12, and
1708 any subsequent applicable orders issued by the Zoning Commission.

1709 **SUBTITLE J. REENTRY HOUSING AND SERVICES PROGRAM**

1710 Sec. 2091. Short title.

1711 This subtitle may be cited as the “Reentry Housing and Services Program Emergency Act
1712 of 2021”.

1713 Sec. 2092. Definitions

1714 For purposes of this subtitle, the term:

1715 (1) “Area median income” means the area median income of the Washington
1716 Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S.
1717 Department of Housing and Urban Development.

1718 (2) “Community Housing Development Organization” means a private nonprofit
1719 community-based organization with the capacity to develop affordable housing for the target
1720 population.

1721 (3) “Extremely low-income” means having a household income equal to 30% or
1722 less of the area median income.

1723 (4) “Housing production” means the construction, rehabilitation, or preservation
1724 of decent, safe, and affordable housing.

1725 (5) “Low-income” means having a household income that is less than 60% of the
1726 area median income.

1727 (6) “On-site services” means services, provided in connection with housing,
1728 designed primarily to help tenants maintain housing, including coordination or case
1729 management, physical and mental health support, substance use management and recovery
1730 support, job training, literacy and education, youth and children’s programs, and money
1731 management.

1732 (7) “Qualifying housing project” means a development that has an approved
1733 building permit and provides permanent and transitional housing with on-site services for the
1734 target population.

1735 (8) “Returning citizen” means a District resident who was previously
1736 incarcerated.

1737 (9) “Sponsor-based assistance” means funds allocated to a particular Community
1738 Housing Development Organization to subsidize rent and social services in units owned and
1739 operated by the Community Housing Development Organization for a maximum number of
1740 households as established by contract.

1741 (10) “Target population” means low-income, very low-income, and extremely
1742 low-income individuals, families, or returning citizens.

1743 (11) “Very low-income” means a household income equal to or less than 50% of
1744 the area median income.

1745 Sec. 2093. (a)(1) The Department of Housing and Community Development (“DHCD”)
1746 shall establish a Reentry Housing and Services Program (“Program”), subject to available
1747 funding, to provide sponsor-based assistance to a Community Housing Development for
1748 qualifying housing projects.

1749 (2) The Program shall allocate sponsor-based funds to produce and maintain new
1750 affordable housing units and subsidize the cost of monthly rent and on-site services for the target
1751 population at a qualifying housing project.

1752 (b) To be eligible, a qualifying housing project shall provide:

1753 (1) No fewer than 60 units of housing, which may include single room occupancy
1754 units;

1755 (2) On-site services for the target population; and

1756 (3) A preference for returning citizens as tenants.

1757 (c) The agency shall issue a request for proposals no later than January 31, 2022, and
1758 issue awards no later than July 1, 2022.

1759 (d)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative
1760 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
1761 shall issue rules to implement the provisions of this act, including rules addressing:

1762 (A) The distribution of funds under this program; and

1763 (B) The allocation of sponsor-based funds pursuant to this section,
1764 including by combining funds under this program with other sources of funds for housing
1765 production and development.

1766 (2) The proposed rules shall be submitted to the Council for a 45-day period of
1767 review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council
1768 does not approve or disapprove the proposed rules, by resolution, within the 45-day review
1769 period, the proposed rules shall be deemed approved.”

1770 **SUBTITLE K. EMORY BEACON OF LIGHT TAX EXEMPTION**

1771 Sec. 2101. Short title.

1772 This subtitle may be cited as the “Emory United Methodist Church Tax Exemption and
1773 Equitable Tax Relief Emergency Act of 2021”.

1774 Sec. 2102. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as
1775 follows:

1776 (a) The table of contents is amended by adding a new section designation to read as
1777 follows:

1778 “47-1099.11. Emory United Methodist Church; Square 2940, lots 826, 828, 831, 832,
1779 7007, 7008, 7009, 7010, 7011, and 7012.”.

1780 (b) A new section § 47-1099.11 is added to read as follows:

1781 “§ 47-1099.11. Emory United Methodist Church; Square 2940, lots 826, 828, 831, 832,
1782 7007, 7008, 7009, 7010, 7011, and 7012.

1783 “(a) The real property described for assessment and taxation purposes as Square 2940,
1784 Lots 826, 828, 831, 832, 7007, 7008, 7009, 7010, 7011, and 7012 (“real property”) shall be
1785 exempt from real property taxation and possessory interest taxation so long as the real property
1786 is:

1787 “(1) Owned by Emory United Methodist Church or an entity controlled directly or
1788 indirectly by Emory United Methodist Church;

1789 “(2) If leased, leased to Beacon Center QALICB, LLC, or a nonprofit
1790 organization, including Emory Beacon of Light;

1791 “(3) If subleased, subleased to Beacon Center QALICB, LLC, or a nonprofit
1792 organization, including Emory United Methodist Church or Emory Beacon of Light; and

1793 “(4) Used, or, if vacant, held for use, by Emory United Methodist Church, an
1794 entity controlled directly or indirectly by Emory United Methodist Church, Beacon Center
1795 QALICB, LLC, or a nonprofit organization, including Emory Beacon of Light, for affordable
1796 housing or community-serving purposes, such as a church, gymnasium, classroom, food pantry,
1797 community or incubator kitchen, immigration clinic, small-business services, restaurant staffed
1798 by returning citizens, youth leadership academy, or health clinic.

1799 “(b) Any transfer, assignment, or other disposition of all or any portion of the real
1800 property, including a lease or sublease of the real property between Emory United Methodist
1801 Church or any entity controlled directly or indirectly by Emory United Methodist Church
1802 including Emory Beacon of Light, and Beacon Center QALICB, LLC, and any security interest

1803 instrument in the real property granted by Emory United Methodist Church, an entity controlled
1804 directly or indirectly by Emory United Methodist Church, or Beacon Center QALICB, LLC,
1805 shall be exempt from the tax imposed by § 42-1103 and § 47-903.”.

1806 Sec. 2103. The Council orders that all recordation and transfer taxes, interest, and
1807 penalties assessed or assessable, fees, and other related charges assessed with respect to
1808 documents recorded concerning the real property, for the period beginning with January 1, 2016,
1809 through the end of the month following the effective date of this act shall be forgiven, and any
1810 payments made of such taxes, interest, penalties, fees, or other related charges shall be refunded.

1811 Sec. 2104. This section shall apply as of January 1, 2016.

1812 **SUBTITLE L. DSLBD GRANTS**

1813 Sec. 2111. Short title.

1814 This subtitle may be cited as the “Department of Small and Local Business Development
1815 Grant Emergency Act of 2021”.

1816 Sec. 2112. Notwithstanding the Grant Administration Act of 2013, effective December
1817 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), in Fiscal Year 2022, the
1818 Department of Small Business and Local Development shall award:

1819 (a) By November 1, 2021, a grant in the amount of \$175,000 to Columbia Heights Day
1820 Initiative DBA District Bridges to hire two full-time positions to provide direct support,
1821 relationship development, and resource brokering to individuals who spend time in the Columbia
1822 Heights Civic Plaza who face systemic challenges and mental health or substance abuse issues.

1823 (b)(1) A grant in the amount of up to \$250,000 to the DC Community Development
1824 Consortium (“Consortium”) to develop a Ward 8 Community Investment Fund to provide access

1825 to capital to entrepreneurs residing in Ward 8 or to assist in operating a small business in Ward 8.

1826 (2) Grant funds shall be matched with private capital and shall be used to provide
1827 grants or microloans to eligible entrepreneurs.

1828 (3) The Consortium shall give Ward 8 residents control over the deployment of
1829 capital in the Community Investment Fund through an investment committee comprised of Ward
1830 8 residents and supported by technical and administrative staff, as necessary.

1831 (c) A grant of not less than \$300,000 to an organization partnering with property owners
1832 in the Friendship Heights neighborhood for place making, place management, branding, and
1833 economic development.

1834 **SUBTITLE M. REDEVELOPMENT OF THE CENTER LEG FREEWAY**

1835 Sec. 2121. Short title.

1836 This subtitle may be cited as the “Redevelopment of the Center Leg Freeway (Interstate
1837 395) Emergency Amendment Act of 2021”.

1838 Sec. 2122. Section 47-4640 of the District of Columbia Official Code is amended by
1839 adding a new subsection (i) to read as follows:

1840 “(i)(1) For the purposes of this subsection, the term “Property” means the real property,
1841 including any improvements thereon, described as Lots 50, 861, and 862 in Square 566 and Lots
1842 44 and 865 in Square 568, including any future subdivisions of those lots.

1843 “(2) The Owner may make a payment to the District in the amount of 25% of the
1844 real property taxes that would otherwise be imposed on the Property by Chapter 8 of this title for
1845 10 years starting October 1, 2027; provided, that:

1846 “(A) The residential building on the Property is constructed and has
1847 received its final certificate of occupancy by September 30, 2027;

1848 “(B) The Owner and the Mayor, prior to October 1, 2022, have executed
1849 an amendment to the documents governing the transfer of the Center Leg Freeway (Interstate
1850 395) PILOT Area to the Owner pursuant to section 3 of the Redevelopment of the Center Leg
1851 Freeway (Interstate 395) Act of 2010, effective October 26, 2010 (D.C. Law 18-257; 57 DCR
1852 8144), to require, in addition to completion of the residential building on the Property by
1853 September 30, 2027, completion of all remaining development of the Property by September 30,
1854 2033, and such economic inclusion requirements as the Mayor may require;

1855 “(C) The Owner is in compliance with the amended documents described
1856 in subparagraph (B) of this paragraph; and

1857 “(D) The total amount of real property taxes that may be abated under this
1858 paragraph shall not exceed \$100 million.”.

1859 **SUBTITLE N. DMPED GRANTS AND INITIATIVES**

1860 Sec. 2131. Short title.

1861 This subtitle may be cited as the “Deputy Mayor for Planning and Economic
1862 Development Grants and Initiatives Emergency Amendment Act of 2021”.

1863 Sec. 2132. Vibrant places recovery support.

1864 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1865 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1866 Official Code § 1-328.04), is amended by adding new subsections (j) and (k) to read as follows:

1867 “(j)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1868 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make
1869 grants to eligible BID corporations, as defined by section 2(4) of the Business Improvement
1870 Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-
1871 1215.02(4)), and Main Street corridors supported by the Department of Small and Local
1872 Business Development for the purpose of making the area served by the BID corporation or
1873 Main Street organization (“commercial district”) and the surrounding area more people-focused
1874 and engaging to attract more residents and visitors to the commercial district and surrounding
1875 area.

1876 “(2) A grant awarded pursuant to paragraph (1) of this subsection may be used to
1877 pay for the costs of:

1878 “(A) The development of neighborhood brand identities;

1879 “(B) Investments to implement neighborhood brand identities guidelines;

1880 “(C) Marketing campaigns for the commercial district and surrounding
1881 area;

1882 “(D) Wayfinding signage and resources for the commercial district and
1883 surrounding area;

1884 “(E) Training of employees who work in the commercial district;

1885 “(F) Market studies that examine visitor attraction, hotel occupancy,
1886 marketing campaigns in competitive jurisdictions, and other indicators that may inform actions
1887 that may be taken to gain market share; and

1888 “(G) Public space improvements and activation, including pedestrian
1889 priority zones in the commercial district and surrounding area.

1890 “(3) A BID corporation or Main Street organization seeking a grant under
1891 paragraph (1) of this subsection shall submit to the Deputy Mayor an application, in a form
1892 proscribed to the Deputy Mayor. The application shall include:

1893 “(A) A description of how the applicant proposes to spend the grant funds
1894 to attract visitors to its commercial district and surrounding area to shop, eat, and attend or
1895 engage in cultural and entertainment activities.

1896 “(B) A description of how the increased spending by visitors attracted
1897 through the expenditure of the grant funds will directly impact local businesses in the
1898 commercial district and surrounding area; and

1899 “(C) Any additional information requested by the Deputy Mayor.

1900 “(k) Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013
1901 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Deputy Mayor may make grants:

1902 “(1) To the Anacostia BID to support an art and culture district;

1903 “(2) To the Southwest Waterfront BID to support autonomous vehicle shuttles;

1904 and

1905 “(3) To the Golden Triangle BID for an innovation district.”.

1906 Sec. 2133. Small Business Rent Relief Program.

1907 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1908 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1909 Official Code § 1-328.04), is amended by adding a new subsection (l) to read as follows:

1910 “(1)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1911 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and subject to the availability of
1912 funds, the Deputy Mayor shall establish the Small Business Rent Relief Program to award grants
1913 to small businesses operating a restaurant, tavern, nightclub, entertainment venue, or retail
1914 establishment on leased property to pay one-third of the applicant’s past-due rent for the period
1915 of April 1, 2020, through March 31, 2021.

1916 “(2)(A) To be eligible for rent relief, a small business operating a restaurant,
1917 tavern, nightclub, entertainment venue, or retail establishment on leased property shall meet the
1918 following criteria:

1919 “(i) The restaurant, tavern, nightclub entertainment venue, or retail
1920 establishment shall be physically located in the District;

1921 “(ii) The small business shall have operated the restaurant, tavern,
1922 nightclub entertainment venue, or retail establishment continuously since at least December 1,
1923 2018, except for any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and
1924 subsequent public health emergency orders;

1925 “(iii) The small business shall be in good standing with the District
1926 of Columbia’s Office of Tax and Revenue;

1927 “(iv) The small business shall have experienced a 50% decrease in
1928 revenue during any three-month period from April through March 2021 when compared to the
1929 same time period in 2019;

1930 “(v) The lease for the restaurant, tavern, nightclub entertainment
1931 venue, or retail establishment shall extend at least until December 31, 2023;

1932 “(vi) If the small business is a franchisee of a franchise with
1933 multiple locations, the business receiving assistance must be independently owned and operated;

1934 “(vii) The small business did not receive funding from the
1935 Restaurant Revitalization Fund established by Section 5003 of the American Rescue Plan Act of
1936 2021, approved March 11, 2021 (Pub. L. 117-2; H.R. 1319);

1937 “(viii) The small business did not receive funding from the
1938 Shuttered Venue Operators Grant established by Section 324 of the Economic Aid to Hard-Hit
1939 Small Businesses, Nonprofits and Venues Act of 2020 (Economic Aid Act), approved December
1940 27, 2020 (Pub. L. 116-260; H.R. 748); and”

1941 “(ix) The small-business owner shall demonstrate that he or she
1942 will pay one-third of the amount of past due rent.

1943 “(B) In addition to the requirements set forth under subparagraph (A) of
1944 this paragraph, as part of the grant application, the landlord of a small-business owner applying
1945 to receive grants shall certify that:

1946 “(i) He or she will forgive one-third of the past due rent; and

1947 “(ii) The grant will make the business current on rent.

1948 “(3) The Mayor shall prioritize grant funding under this subsection for eligible
1949 small businesses that did not receive Paycheck Protection Program loans from the Coronavirus
1950 Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. §
1951 9001 *et seq.*) or section 501 of Division N of the Consolidated Appropriations Act, 2021,
1952 approved December 27, 2020 (134 Stat. 2069; 15 U.S.C. § 9058a).

1953 “(A) The Mayor may issue one or more grants to a third-party grant-
1954 managing entity for the purpose of administering the grant program under subsection (u) of this
1955 section and making subgrants on behalf of the Mayor in accordance with the requirements of this
1956 section.

1957 “(B) The Mayor, and any third-party entity chosen pursuant to
1958 subparagraph (A) of this paragraph, shall, at a minimum, maintain the following information for
1959 each grant award:

1960 “(i) The name, location and business license number of the grant
1961 recipient;

1962 “(ii) Proof of revenue declines as required by subsection
1963 (l)(2)(A)(iv) of this section;

1964 “(iii) The date and amount, if any, of Paycheck Protection Program
1965 loans received by the small business for purposes of compliance with paragraph (3) of this
1966 subsection;

1967 “(iv) The date of the award;

1968 “(v) The intended uses of the award;

1969 “(vi) A certification of rent forgiveness by the landlord as required
1970 by subsection (l)(2)(B)(i) of this section;

1971 “(vii) Proof of the small-business owners’ ability to pay a third of
1972 past due rent as required by subsection (l)(2)(A)(vii) of this section;

1973 “(viii) The award amount; and

1974 “(ix) Any other information deemed necessary to implement the
1975 requirements of this section.

1976 “(C) The Mayor shall issue a report with information required by
1977 paragraph (3)(B) of this subsection to the Council no later than June 1, 2022.

1978 “(4) For purposes of this section, the term “small business” means a brick-and-
1979 mortar, for-profit establishment located in the District that made no more than \$5 million in
1980 revenue in 2020.”.

1981 Sec. 2134. LGBTQ+ Center.

1982 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1983 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1984 Official Code § 1-328.04), is amended by adding a new subsection (m) to read as follows:

1985 “(m) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1986 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), the Deputy Mayor may make
1987 grants to support the buildout of new office and community space for the DC Center for the
1988 LGBT Community, currently located at the Frank D. Reeves Center.”.

1989 Sec. 2135. Employment center vitality and local jobs creation.

1990 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
1991 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
1992 Official Code § 1-328.04), is amended by adding a new subsection (n) to read as follows:

1993 “(n)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
1994 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), the Deputy Mayor may award

1995 grants to attract large companies, in sectors designated by the Deputy Mayor, that have the
1996 ability to attract additional businesses to the District.

1997 “(2) Grants awarded pursuant to this subsection may be used for the following
1998 purposes:

1999 (A) As initial startup capital;

2000 (B) To cover operational costs;

2001 (C) As down-payment assistance or to subsidize rent;

2002 (D) Tenant improvements;

2003 (E) Workforce training or professional development costs not eligible for
2004 support through other workforce programs; and

2005 (F) Recruitment and hiring costs.

2006 “(3) To be eligible to receive a grant under this subsection, a business must:

2007 “(A) Have 25 or more employees;

2008 “(B) Lease or own, or agree to lease or acquire, a physical office or
2009 business location of at least 20,000 square feet in the District’s central business District and enter
2010 into an agreement with the District to remain in the leased or owned space for at least 10 years;

2011 “(C) Be in the field of cloud and computer systems, food technology,
2012 cybersecurity, artificial intelligence, big data, life sciences, education, education technology,
2013 research, consulting services, professional services, marketing, or communications;

2014 “(D) Enter into an agreement with the District to implement a workforce
2015 development program that offers District residents opportunities for training or employment
2016 within the business or the industry in which it operates;

2017 “(E) Commit to spending at least 5% of its total annual contracting with
2018 businesses eligible for certification as local business enterprises, pursuant to section 2331 of the
2019 Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005,
2020 effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31), during the 10-year
2021 period referred to in paragraph (B) of this subsection; and

2022 “(F) Require its employees, in the aggregate, to be on-site at the location
2023 referred to in paragraph (B) of this subsection for at least 50% of their work hours.”.

2024 Sec. 2136. Local food access.

2025 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2026 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2027 Official Code § 1-328.04), is amended by adding a new subsection (o) to read as follows:

2028 “(o)(1) Notwithstanding the Grant Administration Act of 2013, effective December 24,
2029 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*) the Deputy Mayor may make
2030 grants and loans for the purpose of supporting the equitable distribution of food businesses in
2031 Wards 7 and 8 and in eligible areas, including:

2032 “(A) Grants and loans to assist in the startup, growth, and long-term
2033 sustainability of food business in Wards 7 and 8 and in eligible areas; and

2034 “(B) Grants for the provision of technical assistance to food businesses
2035 and individuals seeking to establish food businesses in the District.

2036 “(2) The Deputy Mayor may issue one or more grants to a third-party grant-
2037 managing entity to issue or administer, or both, the grants and loans authorized by this
2038 subsection.

2039 “(3) For the purposes of this subsection, the term “eligible areas” shall have the
2040 same meaning as set forth in D.C. Official Code § 47-3801(1D).”.

2041 Sec. 2137. Guaranteed income pilot.

2042 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2043 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2044 Official Code § 1-328.04), is amended by adding a new subsection (p) to read as follows:

2045 “(p)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2046 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in fiscal year 2022, the
2047 Deputy Mayor shall have grant-making authority for the purpose of providing funds, on or
2048 before November 1, 2021, and in amount of at least \$1.5 million to support District-based direct
2049 cash assistance programs or pilot programs administered by a nonprofit organization or an
2050 organization that provides unrestricted cash assistance directly to individuals or households.

2051 “(2) By September 30, 2022, a grantee who has received a grant pursuant to
2052 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2053 grant funds, including a description of:

2054 “(A) The cash assistance program, including how often cash was
2055 distributed and in what amounts, and for any grant funds not yet distributed, the plan for their
2056 distribution and in what amounts;

2057 “(B) The eligibility requirements for the program or pilot, including the
2058 total number of individuals or households served;

2059 “(C) The funding structure for the program or pilot program; and

2060 “(D) Information on how the program or pilot-program participants used
2061 the cash assistance they received.

2062 “(3) By November 1, 2022, the Deputy Mayor shall provide to the Council a
2063 report based on the information required by paragraph (2) of this subsection, along with a
2064 summary analysis of the efficacy and benefits of the cash assistance issued by the grantee or
2065 grantees.”.

2066 Sec. 2138. CDFI and MDI small business assistance.

2067 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2068 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2069 Official Code § 1-328.04), is amended by adding a new subsection (q) to read as follows:

2070 “(q)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2071 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in fiscal year 2022, the
2072 Deputy Mayor shall make grants to multiple Community Development Financial Institutions or
2073 Minority Depository Institutions located in the District of Columbia in an aggregate amount of
2074 up to \$6 million to asses activities that support equitable economic recovery and increase access
2075 to loans, grants, technical assistance, and financial services to eligible entities.

2076 “(2) An applicant shall submit a grant application in the form and with the
2077 information required by the Deputy Mayor, which may include:

2078 “(A) An explanation of proposed activities to be supported by the grant
2079 funds; and

2080 “(B) A demonstration that the applicant has a record of success in serving
2081 small business based in the District of Columbia.

2082 “(3) Grant funds may be used:

2083 “(A) To provide technical assistance to eligible entities that have
2084 outstanding loans from the CDFI or MDI or to borrow funds from the CDFI or MDI within one
2085 year of the date of the CDFI or MDI’s application for grant funds. Technical assistance shall be
2086 tailored to help ensure the success of borrowers and repayment of loans;

2087 “(B) For loan capital; provided, that the approved loan is for a business
2088 purpose;

2089 “(C) For risk capital, including loan loss reserves, loan guarantees, and
2090 cash collateral support for business loans;

2091 “(D) For administrative support for the CDFI or MDI, including the
2092 provision of technical and financial assistance; except, that the amount of grant proceeds used for
2093 this purpose may not exceed the NICRA between a CDFI and the federal government, or 10% of
2094 the grant proceeds if the CDFI does not have a NICRA in effect.

2095 “(4) By November 1, 2022, a grantee who has received a grant pursuant to
2096 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2097 grant funds, including:

2098 “(A) A description of services provided through the grant funds;

2099 “(B) The aggregate number of eligible entities receiving support from the
2100 grantee and the aggregate amount received; and

2101 “(C) Except as may be prohibited by federal law, the business name and
2102 address for each business receiving support from the grantee and the amount received by each
2103 such business.

2104 “(5) By December 1, 2022, the Deputy Mayor shall provide to the Council a
2105 report based on the information required by paragraph (4) of this subsection, along with a
2106 summary analysis of the efficacy and benefits of the use of the grant funds by the grantee.

2107 “(6) For purposes of this subsection, the term:

2108 “(A) “Community Development Financial Institution” or “CDFI” means
2109 an organization operating the District that has been certified as a community development
2110 financial institution by the federal community development institutions fund, pursuant to 12
2111 U.S.C. 4701 *et seq.*

2112 “(B) “Eligible entity” means an equity impact enterprise, as defined in
2113 section 2302(8A) of the Small and Certified Business Enterprise Development and Assistance
2114 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)),
2115 or a business entity that meets the definition of an equity impact enterprise.

2116 “(C) “Minority Depository Institution” or “MDI” means an organization
2117 operating in the District that qualifies as a minority depository institution pursuant to the
2118 Financial Institutions Reform, Recovery, and Enforcement Act of 1989, approved August 9,
2119 1989 (Pub. L. No. 101-73; 103 Stat. 183).

2120 “(D) “NICRA” means a Negotiated Indirect Cost Rate Agreement, which is
2121 an agreement that estimates the indirect cost rate negotiated between the federal government and
2122 a grantee organization that reflects indirect costs and fringe benefit expenses incurred by the
2123 organization that the federal government may reimburse.

2124 Sec. 2139. Equity impact enterprise growth.

2125 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2126 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2127 Official Code § 1-328.04), is amended by adding a new subsection (r) to read as follows:

2128 “(r)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
2129 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in fiscal year 2022, the
2130 Deputy Mayor shall award a grant in an amount of up to \$400,000 to an organization based and
2131 located in the District and founded in 2017 that is an affiliate of a national organization and that
2132 promotes and supports the growth of equity impact enterprises, as defined in section 2302(8A) of
2133 the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective
2134 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)), to provide resources
2135 for advocacy and education and the facilitation of networking opportunities.

2136 “(2) By November 1, 2022, a grantee who has received a grant pursuant to
2137 paragraph (1) of this subsection shall submit to the Deputy Mayor information on the use of the
2138 grant funds, including a description of services it provided through the grant funds.

2139 “(3) By December 1, 2022, the Deputy Mayor shall provide to the Council a
2140 report based on the information required by paragraph (2) of this subsection, along with a
2141 summary analysis of the efficacy and benefits of services provided by the grantee.”

2142 Sec. 2140. Great Streets grants.

2143 Section 2032 of the Deputy Mayor for Planning and Economic Development Limited
2144 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2145 Official Code § 1-328.04), is amended by adding a new subsection (s) to read as follows:

2146 “(s) For fiscal year 2022, the Deputy Mayor may make grants in an aggregate amount of
2147 up to \$800,000 to businesses that are located within the geographical boundaries set forth in the
2148 Great Streets Neighborhood Retail Priority Amendment Act of 2021, as introduced on March 31,
2149 2021 (Bill 24-179), and that would otherwise qualify for a Great Streets Small Business grant.”.

2150 Sec. 2142. Conforming amendments; rulemaking authority grants authorization from the
2151 Economic Development Special Account.

2152 (a) The Deputy Mayor for Planning and Economic Development Limited Grant-Making
2153 Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; 59 DCR 8050), is
2154 amended by adding a new section 2032a to read as follows:

2155 “Sec. 2032a. Rules.

2156 “The Mayor may, pursuant to Title I of the District of Columbia Administrative
2157 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
2158 issue rules to implement section 2032.”.

2159 (b) Section 301 of the National Capital Revitalization Corporation and Anacostia
2160 Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-
2161 138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-2) to read as
2162 follows:

2163 “(d-2) Monies credited to the Account may be used to provide grants authorized by the
2164 section 2032 (j) and (k) of the Deputy Mayor for Planning and Economic Development Limited
2165 Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168; D.C.
2166 Official Code § 1-328.04(j) and (k)), as introduced on May 27, 2021 (Bill 24-285).”.

2167 **SUBTITLE O. BID CLARIFICATION**

2168 Sec. 2151. Short title.

2169 This subtitle may be cited as the “Business Improvement Districts Clarification
2170 Emergency Amendment Act of 2021”.

2171 Sec. 2152. Section 206 of the Business Improvement Districts Act of 1996, effective
2172 March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56), is amended by adding a new
2173 subsection (a-1) to read as follows:

2174 “(a-1)(1) Notwithstanding any other provision of law or order to the contrary, the initial
2175 term of the Adams Morgan BID began, pursuant to Mayor’s Order 2005-121 dated August 22,
2176 2005, on June 30, 2005, and expired on September 30, 2011.

2177 “(2) This subsection shall apply as of January 1, 2010.”.

2178 **SUBTITLE P. D.C. HOUSING AUTHORITY BOARD OF COMMISSIONERS**
2179 **REFORM**

2180 Sec. 2161. Short title.

2181 This subtitle may be cited as the “District of Columbia Housing Authority Board of
2182 Commissioner Reform Emergency Amendment Act of 2021.”

2183 Sec. 2162. Section 12 of the District of Columbia Housing Authority Act of 1999,
2184 effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), is amended as follows:

2185 (a) Subsection (a) is amended as follows:

2186 (1) The lead-in language is amended by striking the number “11” and inserting
2187 the number “13”.

2188 (2) Paragraph (4) is amended by striking the word “and”.

2189 (3) Paragraph (5) is amended by striking the period and inserting the phrase “;
2190 and” in its place.

2191 (4) A new paragraph (6) is added to read as follows:

2192 “(6) Two Commissioners, who shall not be employees of the
2193 Authority, appointed by the Council, who shall be representatives with
2194 professional experience designing and developing public and private multi-family
2195 housing and who shall:

2196 “(A) Have demonstrated professional competence in at least
2197 one of the following areas:

2198 “(i) Public housing law and regulations;

2199 “(ii) Public or affordable housing development,
2200 operation, and management;

2201 “(iii) Subsidized or nonprofit housing production and
2202 development;

2203 “(iv) Community-based redevelopment;

2204 “(v) Legal or counseling services provided to public or
2205 affordable housing tenants for the purposes of obtaining or maintaining housing; or

2206 “(vi) Multifamily residential housing construction; and

2207 “(B) Not be an officer or employee of the federal government
2208 or the District government.

2209 (b) Subsection (b) is amended as follows:

2210 (1) The lead-in language is amended by striking the phrase
2211 “nominated by the Mayor pursuant to subsection (a)(1) of this section” and
2212 inserting the phrase “nominated by the Mayor pursuant to subsection (a)(1) of this
2213 section or appointed by the Council pursuant to subsection (a)(6) of this section” in
2214 its place.

2215 (2) Paragraph (1) is amended by striking the word “individual’s” and
2216 inserting the word “Commissioner’s” in its place.

2217 (3) Paragraph (2) is amended by striking the phrase “Each individual
2218 shall be selected by the Mayor from among District residents” and inserting the
2219 phrase “Each Commissioner shall be selected from among District residents” in its
2220 place.

2221 (c) Subsection (j) is amended to read as follows:

2222 “(j)(1) The Commissioners shall serve 3-year terms, which shall be
2223 staggered.

2224 “(2) On the initial Board, the 3 elected Commissioners shall each
2225 serve a term of 3 years, the Chairperson shall serve a term of 3 years, 2 of the

2226 appointed Commissioners shall each serve initial terms of 2 years, and the
2227 remaining Commissioners shall each serve a term of one year.

2228 “(3) The 2 Commissioners appointed by the Council shall serve 3-year
2229 terms. Their initial terms may be less than 3 years and shall end in 2024.”.

2230 **SUBTITLE Q. CNHED TOPA STUDY**

2231 Sec. 2171. Short title.

2232 This subtitle may be cited as the “The Coalition for Non-Profit Housing and Economic
2233 Development TOPA Study and Grant Emergency Act of 2021”.

2234 Sec. 2172. Tenant Opportunity to Purchase Act Outcomes Study.

2235 In Fiscal Year 2022, the Department of Housing and Community Development shall
2236 issue a grant in the amount of \$250,000 to the Coalition for Non-Profit Housing and Economic
2237 Development to conduct a study of Tenant Opportunity to Purchase Act outcomes. The study
2238 shall be completed and delivered to the Council by September 30, 2022.

2239 **SUBTITLE R. MCMILLAN SLOW SAND FILTRATION SITE DEVELOPMENT**

2240 Sec. 2181. This subtitle may be cited as the “McMillan Site Development Emergency
2241 Amendment Act of 2021.”

2242 Sec. 2182. (a) Notwithstanding any provision of law, the development of the McMillan
2243 Slow Sand Filtration Site described in subsection (b) of this section, shall proceed expeditiously
2244 and without further delay through all phases of demolition and construction of the foundation of
2245 the community center consistent with the permits already issued by the Department of Consumer
2246 and Regulatory Affairs, including Demolition Permit number D1600814 and Foundation Permit
2247 number FD1800040, and any extensions or reinstatements of, or amendments to, those permits,
2248 and other permits for the project.

2249 (b) The “McMillan Slow Sand Filtration Site” is the property that is located at 2501 First
2250 Street, N.W., and known for tax and assessment purposes as Lot 0800 in Square 3128 (“McMillan
2251 Site”).

2252 Sec. 2183. Applicability.

2253 This subtitle shall apply as of the effective date of this act.

2254 **SUBTITLE S. COVID-19 HOTEL RECOVERY**

2255 Sec. 2191. Short Title.

2256 This subtitle may be cited as the “COVID-19 Hotel Recovery Grant Program Emergency
2257 Act of 2021”.

2258 Sec. 2192. Hotel Recovery Grant Program.

2259 (a) To be eligible for a grant under this section, a business operating a hotel, motel, inn,
2260 or bed and breakfast shall meet the following criteria:

2261 (1) The business shall be physically located in the District;

2262 (2) The business shall have an active hotel, inn and motel, or bed and breakfast
2263 lodging business license;

2264 (3) The business shall have been in continuous operation since at least December
2265 1, 2018, except for any interruptions required by Mayor’s Orders 2020-045 and 2020-046 and
2266 subsequent public health emergency orders;

2267 (4) The business shall be in good standing with the District of Columbia’s Office
2268 of Tax and Revenue; and

2269 (5) The business shall have experienced at least a 40% reduction in occupancy in
2270 2020 due to the COVID-19 pandemic.

2271 (b)(1) The Mayor shall prioritize grant funding for eligible businesses that did not receive
2272 Paycheck Protection Program loans pursuant to the Coronavirus Aid, Relief, and Economic
2273 Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), or section 501
2274 of Division N of the Consolidated Appropriations Act, 2021, approved December 27, 2020 (134
2275 Stat. 2069; 15 U.S.C. § 9058a).

2276 (2) The Mayor may prioritize grant funding for eligible businesses that
2277 experienced a 70% or greater reduction in occupancy in 2020 due to the COVID-19 pandemic.

2278 (c)(1) The amount of funding awarded to an eligible business shall be calculated on a per
2279 room key basis.

2280 (2) Grant funding issued to an eligible business may be used to pay for employee
2281 wages and benefits, rent or other operating costs, taxes, and debt service; except, that grant funds
2282 may not be used to pay debt to close the business or start a new business.

2283 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for
2284 the purpose of administering the grant program and making subgrants on behalf of the Mayor in
2285 accordance with the requirements of this section.

2286 (e)(1) The Mayor, and any third-party entity chosen pursuant to subsection (d) of this
2287 section, shall, at a minimum, maintain the following information for each grant award:

2288 “(A) The name, location and business license number of the grant
2289 recipient;

2290 “(B) Proof of occupancy rate declines as required by subsection (a)(5) of
2291 this section;

2292 “(C) The date and amount of Paycheck Protection Program loans received
2293 by the business for purposes of subsection (b)(1) of this section;

2294 “(D) The date of the award;

2295 “(E) Intended uses of the award;

2296 “(F) The award amount; and

2297 “(G) Any other information deemed necessary to implement the
2298 requirements of this section.

2299 “(2) The Mayor shall issue a report setting forth the information required by
2300 paragraph (1) of this section to the Council no later than June 1, 2022.

2301 “(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
2302 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue
2303 rules as necessary to implement the provisions of this section.

2304 “(g) For purposes of this section, the term “hotel, motel, inn, or bed and breakfast” means
2305 a real property:

2306 “(1) Any part of which is classified as Class 2 Property under D.C. Official Code
2307 § 47-813;

2308 “(2) That is commercially improved and occupied;

2309 “(3) That has 10 or more rooms; and

2310 “(4) That is regularly used for the purpose of furnishing rooms, lodgings, or
2311 accommodations to transients.”.

2312 **SUBTITLE T. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESSES**

2313 Sec. 2201. Short title.

2314 This subtitle may be cited as the “Equitable Impact Assistance for Local Businesses
2315 Emergency Amendment Act of 2021”.

2316 Sec. 2202. The Equitable Impact Assistance for Local Businesses Act of 2020, effective
2317 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 2-281.01 *et seq.*), is amended as
2318 follows:

2319 (a) Section 2162 (D.C. Official Code § 2-281.01) is amended as follows:

2320 (1) Paragraph (2)(A) is amended by striking the phrase “equity impact enterprise”
2321 and inserting the phrase “equity impact enterprise or an entity that would qualify as an equity
2322 impact enterprise” in its place.

2323 (2) A new paragraph (5A) is added to read as follows:

2324 “(5A) “Investment” unless the context otherwise requires, means a grant, loan,
2325 credit enhancement, or other financial funding tool approved by the Mayor.”.

2326 (b) Section 2163 (D.C. Official Code § 2-281.02) is amended to read as follows:

2327 “(a)(1) The Mayor shall select one or more Fund Managers to manage a fund outside the
2328 District of Columbia government to be known as the Equity Impact Fund (“Fund”).

2329 “(2) The selected Fund Manager shall have completed at least one round of prior
2330 funding in an amount greater than or equal to the amount of the District’s initial grant.

2331 “(3) The Deputy Mayor for Planning and Economic Development shall provide,
2332 upon selection of the Fund Manager, the District’s initial grant to the Fund Manager for deposit
2333 into the Fund (“District’s initial investment”).

2334 “(b) The Fund shall be used to:

2335 “(1) Facilitate investment in eligible businesses that lack access to capital; and

2336 “(2) Make investments into eligible businesses based on a strategy determined by
2337 the Fund Manager.”.

2338 (c) Section 2164 (D.C. Official Code § 2-218.03) is amended as follows:

2339 (1) Subsection (a) is amended as follows:

2340 (A) The lead-in text is amended by striking the phrase “contain description
2341 of” and inserting the phrase “contain a description of” in its place.

2342 (B) Paragraph (1) is amended to read as follows:

2343 “(1) The applicant’s qualifications, which shall include 5 or more years of
2344 demonstrable experience investing in:

2345 “(A) Small businesses;

2346 “(B) Businesses owned by economically disadvantaged
2347 individuals;

2348 “(C) Businesses owned by individuals who have been subjected to
2349 racial or ethnic prejudice or cultural bias because of their identity as a member of a group
2350 without regard to their individual qualities;

2351 “(D) Businesses that otherwise meet the definition of, or are
2352 similar to, an equity impact enterprise; or

2353 “(E) District-based businesses.”.

2354 (C) Paragraph (3) is amended by striking the phrase “ability and plans”
2355 and inserting the phrase “evidence, ability, or plans”.

2356 (2) Subsection (b) is amended as follows:

2357 (A) Paragraph (1) is amended to read as follows:

2358 “(1) A preference be given to applicants that:

2359 “(A) Have experience working with entrepreneurs in the District;

2360 and

2361 “(B)(i) Are at least 51% owned, operated, or controlled by

2362 economically disadvantaged individuals or individuals who have been subjected to racial or

2363 ethnic prejudice or cultural bias because of their identity as a member of a group without regard

2364 to their individual qualities; or

2365 (ii) Are an equity impact enterprise; and”.

2366 (B) Paragraph (2) is amended by striking the figure “\$100,000,000” and

2367 inserting the figure “\$50,000,000” in its place.

2368 (d) Section 2165(b)(3) (D.C. Official Code § 2-281.04(b)(3)) is amended to read as

2369 follows:

2370 “(3)(A) The Fund Manager shall establish, for each selected eligible business, a

2371 12-month individualized business plan.

2372 “(B) The individualized business plan shall include technical assistance,

2373 provided at no cost to the eligible business, which shall include education on the management

2374 and scale of a business through live training or guided recorded sessions.

2375 “(C) All eligible businesses that receive an investment from the Fund shall

2376 be required to participate in at least 3 months of technical assistance training prior to receipt of

2377 an investment.

2378 “(D) Investments shall be distributed to the eligible business in
2379 installments based upon completion of specific milestones clearly described in the eligible
2380 business's individualized business plan.”.

2381 (e) Section 2167 (D.C. Official Code § 2-281.06) is amended as follows:

2382 (1) The heading is amended by striking the word “investment” and inserting the
2383 word “grant” in its place.

2384 (2) The text is amended to read as follows:

2385 “The Mayor shall reserve the right to recover the amount of the District’s initial
2386 grant or any subsequent grant of funds to the Fund Manager for deposit into the Fund and may
2387 exercise this right if the Fund Manager does not, within a reasonable period, as determined by
2388 the Mayor, place investments into eligible businesses in an amount equal to the amount of the
2389 District's initial grant or any subsequent grant of funds to the Fund Manager for deposit into the
2390 Fund.”.

2391 **TITLE III. PUBLIC SAFETY AND JUSTICE**

2392 **SUBTITLE A. EMERGENCY MEDICAL SERVICE FEES**

2393 Sec. 3001. Short title.

2394 This subtitle may be cited as the “Emergency Medical Services Fees Emergency
2395 Amendment Act of 2021”.

2396 Sec. 3002. Section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law
2397 1-124; D.C. Official Code § 5-416), is amended as follows:

2398 (a) Subsection (a) is amended by striking the phrase “his or her” both times it appears and
2399 insert the phrase “the person’s” in its place.

2400 (b) Subsection (b)(2) is repealed.

2401 (c) Subsection (c)(2) is amended to read as follows:

2402 “(2) Non-Medicaid revenue generated by fees authorized in subsection (a) of this
2403 section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998, effective
2404 September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in excess of the
2405 amount of Medicaid and non-Medicaid revenue generated by fees authorized in subsection (a) of
2406 this section and section 3(a)(2) of the Access to Emergency Medical Services Act of 1998,
2407 effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802(a)(2)), in Fiscal
2408 Year 2016, shall be deposited in the Fund.”.

2409 (d) New subsections (d) and (e) are added to read as follows:

2410 “(d) Fees charged for pre-hospital medical care and transport services shall be set as
2411 follows:

2412 “(1) For the transportation of each patient in an advanced life support unit or basic
2413 life support unit, when advanced life support or basic life support, respectively, is administered
2414 to the patient being transported, no more than:

2415 “(A) \$750, beginning January 1, 2021;

2416 “(B) \$1,000, beginning January 1, 2022;

2417 “(C) \$1,250, beginning January 1, 2023;

2418 “(D) \$1,500, beginning January 1, 2024;

2419 “(E) \$1,750, beginning January 1, 2025; and

2420 “(F) \$2,000, beginning January 1, 2026; and

2421 “(2) For each patient transported as described in paragraph (1) of this subsection,
2422 an additional fee for each mile, or fraction thereof, that the patient is transported by ambulance,
2423 no more than:

2424 “(A) \$11.25, beginning January 1, 2021;

2425 “(B) \$15, beginning January 1, 2022;

2426 “(C) \$18.75, beginning January 1, 2023;

2427 “(D) \$22.50, beginning January 1, 2024;

2428 “(E) \$26.25, beginning January 1, 2025; and

2429 “(F) \$30, beginning January 1, 2026.

2430 “(e) For the purposes of this section, the term:

2431 “(1) “Advanced life support unit” means an ambulance staffed by an emergency
2432 medical technician and an emergency medical technician intermediate or paramedic.

2433 “(2) “Ambulance” means any privately or publicly owned vehicle specially
2434 designed, constructed, modified, or equipped for use as a means for transporting patients in a
2435 medical emergency, or any privately or publicly owned vehicle that is advertised, marked, or in
2436 any way held out as a vehicle for the transportation of patients in a medical emergency. The term
2437 “ambulance” includes vehicles capable of operation over ground, on water, and in air.

2438 “(3) “Basic life support unit” means an ambulance staffed by 2 emergency
2439 medical technicians, or an emergency medical technician and an emergency medical technician
2440 intermediate or paramedic.

2441 “(4) “Health care facility” shall have the same meaning as provided in section
2442 2(5) of the Nurse Staffing Agency Act of 2003, effective March 10, 2004 (D.C. Law 15-74; D.C.
2443 Official Code § 44-1051.02(5)).”.

2444 **SUBTITLE B. OFFICE OF RESILIENCY**

2445 Sec. 3011. Short title.

2446 This subtitle may be cited as the “Office of Resiliency and Recovery Emergency
2447 Amendment Act of 2021”.

2448 Sec. 3012. Section 2(a) of the Office of Resilience and Recovery Establishment Act of
2449 2020, effective May 6, 2020 (D.C. Law 23-84; D.C. Official Code § 1-301.201(a)), is amended
2450 as follows:

2451 (a) Strike the phrase “Office of the City Administrator” and insert the phrase “Homeland
2452 Security and Emergency Management Agency” in its place.

2453 (b) Strike the phrase “man-made challenges” and insert the phrase “human-made
2454 challenges” in its place.

2455 **SUBTITLE C. CONCEALED PISTOL LICENSING REVIEW BOARD STIPEND**

2456 Sec. 3031. Short title.

2457 This subtitle may be cited as the “Concealed Pistol Licensing Review Board Stipend
2458 Emergency Amendment Act of 2021”.

2459 Sec. 3032. Section 1108(c-2) of the District of Columbia Government Comprehensive
2460 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
2461 611.08(c-2)), is amended as follows:

2462 (a) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in
2463 its place.

2464 (b) Paragraph (5) is amended by striking the period and inserting the phrase “; and” in its
2465 place.

2466 (c) A new paragraph (6) is added to read as follows:

2467 “(6) Each member of the Concealed Pistol Licensing Review Board, except
2468 members who are District or federal government employees, shall be entitled to a stipend of
2469 \$250 per week for their service on the board.”.

2470 Sec. 3033. Section 908(b) of the Firearms Control Regulations Act of 1975, effective
2471 June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08(b)), is amended as follows:

2472 (a) Paragraph (1) is amended as follows:

2473 (1) Sub-paragraph (A) is amended by striking the phrase “his or her designee” and
2474 inserting the phrase “the USAO’s designee” in its place.

2475 (2) Sub-paragraph (B) is amended by striking the phrase “his or her designee” and
2476 inserting the phrase “the Attorney General’s designee” in its place.

2477 (b) Paragraph (4) is amended to read as follows:

2478 “(4) Members of the Board, except members who are District or federal
2479 government employees, shall be entitled to compensation as provided in section 1108 of the
2480 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March
2481 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08), for their service on the Board.”.

2482 **SUBTITLE D. GUN VIOLENCE PREVENTION HOUSING SUPPORT AND**
2483 **INDIVIDUALS AND FAMILIES AT RISK OF GUN VIOLENCE**

2484 Sec. 3041. Short title.

2485 This subtitle may be cited as the “Gun Violence Prevention Housing Support Emergency
2486 Amendment Act of 2021”.

2487 Sec. 3042. Section 26c of the District of Columbia Housing Authority Act of 1999,
2488 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a
2489 new subsection (f-1) to read as follows:

2490 “(f-1) Agencies within the District government may refer individuals and families who
2491 have been victims of gun violence or are at risk of gun violence to the Authority for eligibility
2492 determination for the Local Rent Supplement Program.”.

2493 Sec. 3043. The Neighborhood Engagement Achieves Results Amendment Act of 2016,
2494 effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended by
2495 adding a new section 103b to read as follows:

2496 “Sec. 103b. Housing assistance for victims and those at risk of gun violence.

2497 “(a) The Mayor may issue housing vouchers and provide other forms of financial
2498 assistance to individuals and families who have been victims of gun violence or are at risk of gun
2499 violence.

2500 “(b) The financial assistance provided pursuant to subsection (a) of this section shall be
2501 used to assist the recipients with relocation from their current housing and provide them with
2502 short- and mid-term housing supports.

2503 “(c) The Mayor may also provide housing counseling and other supportive services to the
2504 individuals and families described in subsection (a) of this section.”.

2505 **SUBTITLE E. HUMAN RIGHTS CASE MANAGEMENT METRICS**

2506 Sec. 3051. Short title.

2507 This subtitle may be cited as the “Human Rights Case Management Metrics Emergency
2508 Amendment Act of 2021”.

2509 Sec. 3052. Section 301 of the Human Rights Act of 1977, effective December 13, 1977
2510 (D.C. Law 2-38, D.C. Official Code § 2-1403.01), is amended by adding a new subsection (g-1)
2511 to read as follows:

2512 “(g-1)(1) The Mayor shall report quarterly to the Council as to the volume and age of
2513 cases before the Office and the Commission, including at minimum the following measures:

2514 “(A) The number of initial questionnaires or other inquiries alleging
2515 unlawful discrimination the Office received during the prior quarter, broken down by protected
2516 characteristics and categories of alleged discriminatory action;

2517 “(B) The number of signed formal complaints that were filed during the
2518 prior quarter, broken down by protected characteristics and categories of alleged discriminatory
2519 action;

2520 “(C) The number of intake interviews that took place during the prior
2521 quarter;

2522 “(D) The number of initial inquiries awaiting intake interviews, broken
2523 down by number of weeks since initial questionnaire or other inquiry;

2524 “(E) The number of initial inquiries that were withdrawn or otherwise
2525 closed before a signed formal complaint could be completed;

2526 “(F) The number of mediation sessions that took place during the prior
2527 quarter, broken down by protected characteristics, categories of alleged discriminatory action,
2528 and number of weeks elapsed from complaint to mediation;

2529 “(G) The number of mediation sessions that resulted in conciliation;

2530 “(H) The number of mediation sessions that failed to produce conciliation
2531 and proceeded to the investigation stage;

2532 “(I) The number of signed formal complaints awaiting mediation, broken
2533 down by number of weeks since filing;

2534 “(J) The number of signed formal complaints withdrawn or otherwise
2535 closed before a mediation could be completed;

2536 “(K) The number of determinations of jurisdiction and probable cause or
2537 lack thereof that the Office issued the prior quarter, broken down by protected characteristics,
2538 categories of alleged discriminatory action, determination, and number of weeks between
2539 unsuccessful mediation and determination;

2540 “(L) The number of cases awaiting a determination of jurisdiction and
2541 probable cause following unsuccessful mediation, broken down by number of weeks since
2542 unsuccessful mediation;

2543 “(M) The number of investigations open per Office full-time equivalent
2544 investigator;

2545 “(N) The number of decisions and orders the Commission rendered in the
2546 prior quarter, broken down by protected characteristics and categories of alleged discriminatory
2547 conduct;

2548 “(O) The number of matters withdrawn or otherwise terminated without a
2549 decision of the Commission in the prior quarter; and

2550 “(P) The number of matters pending before the Commission, broken down
2551 by number of weeks since the Office issued a determination of jurisdiction and probable cause,
2552 and whether the Commission has held a hearing.

2553 “(2) In each quarterly report, if the Mayor is unable to calculate one or more of
2554 the metrics specified in paragraph (1) of this subsection,, then for each such omitted measure, the
2555 Mayor shall:

2556 “(A) Briefly explain the obstacle preventing accurate measurement;

2557 “(B) Specify what steps the Office and the Commission are taking to
2558 enable accurate measurement; and

2559 “(C) Estimate the time remaining before the Office will be in a position to
2560 provide consistent quarterly updates on the measure.”.

2561 **SUBTITLE F. ALTERNATIVE RESPONSES TO CALLS FOR SERVICE PILOT**
2562 **PROGRAM**

2563 Sec. 3061. Short title.

2564 This subtitle may be cited as the “Alternative Responses to Calls for Service Emergency
2565 Amendment Act of 2021”.

2566 Sec. 3062. The Office of Unified Communications Establishment Act of 2004, effective
2567 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended by
2568 adding a new section 3205c to read as follows:

2569 “Sec. 3205c. Alternative Responses to Calls for Service Pilot Program.

2570 “(a)(1) The Office shall, in coordination with the Deputy Mayor for Public Safety and
2571 Justice (“DMPSJ”) and the Department of Behavioral Health (“DBH”), establish an Alternative
2572 Responses to Calls for Service Pilot Program (“Pilot Program”) to dispatch non-law enforcement
2573 agency personnel and community-based responders to calls for service, including calls for
2574 service related to individuals experiencing:

2575 “(A) Behavioral health emergencies;

2576 “(B) Homelessness; or

2577 “(C) Substance use.

2578 “(2) The Pilot Program shall:

2579 “(A) Center a public health approach to emergency response in its
2580 protocols, training, operations, and public engagement;

2581 “(B) Prioritize the diversion of calls for service away from a law
2582 enforcement response and towards District agencies or community-based organizations that
2583 employ unarmed practitioners or professionals, such as mental health professionals and social
2584 workers; and

2585 “(C) To the extent possible, operate during non-business hours.

2586 “(b) With regard to the Pilot Program, the Office, DMPSJ, and DBH shall:

2587 “(1) Develop protocols for:

2588 “(A) Identifying and dispatching certain categories of calls for service; and

2589 “(B) Cross-training law enforcement personnel, non-law enforcement

2590 agency personnel, and community-based responders, including call center employees;

2591 “(2) Conduct public education to build awareness and trust in the Pilot Program,

2592 including by developing branding, publicly accessible and lay-friendly educational materials, and

2593 strategic messaging about:

2594 “(A) The Pilot Program’s purpose, goals, and operations; and

2595 “(B) Alternatives to calling 9-1-1 or dispatching law enforcement for

2596 certain categories of calls for service;

2597 “(3) By October 1, 2021, convene a working group of community-based experts

2598 and practitioners in alternative responses to calls for service, in addition to directly-impacted

2599 individuals, to advise on the Pilot Program’s development, training, operations, community

2600 engagement, and evaluation, including the District agencies, community-based organizations, or

2601 other entities to which individuals will be diverted pursuant to subsection (a)(2)(B) of this

2602 section; and

2603 “(4) By January 1, 2022, and every 3 months thereafter, publish, at a minimum,

2604 the following information on the Office’s website:

2605 “(A) The members of the working group convened pursuant to paragraph

2606 (3) of this subsection;

2607 “(B) The Pilot Program’s protocols for identifying and dispatching calls

2608 for service;

2609 “(C) The non-law enforcement agencies and community-based responders
2610 to which eligible calls for service are being dispatched; and

2611 “(D) Aggregated for that reporting period:

2612 “(i) The hours during which the Pilot Program operated;

2613 “(ii) A description of the Pilot Program’s staffing internal and
2614 external to the Office and any training provided;

2615 “(iii) The expenditures for the Pilot Program, by purpose for the
2616 expenditure, amount, and source;

2617 “(iv) A list of the public events held, attended, and upcoming
2618 related to the Pilot Program;

2619 “(v) The number of calls for service eligible for diversion, broken
2620 down by day, period of time, and category of call for service;

2621 “(vi) Of those eligible calls for service identified under sub-
2622 subparagraph (v) of this subparagraph, the number of calls for service diverted, broken down by
2623 day, period of time, category of call for service, entity to which the calls for service were
2624 diverted, response time, the reason for any significant delays in response time, and outcome of
2625 the call for service, including whether anyone on the scene was:

2626 “(I) Taken into custody through arrest or other means, such
2627 as involuntary commitment;

2628 “(II) Sustained physical injuries during the response; or

2629 “(III) Connected to or provided supportive services, and the
2630 nature of those supportive services; and

2631 “(vii) Of those eligible calls for service identified under sub-
2632 subparagraph (v) of this subparagraph, if law enforcement was not initially dispatched in
2633 response to the call for service, whether the responding non-law enforcement agency personnel
2634 or community-based responders later requested a law enforcement response, and if so, the
2635 outcome of that request.”.

2636 **SUBTITLE G. KEEPING YOUTH OUT OF THE JUSTICE SYSTEM REPORT**

2637 Sec. 3071. Short title.

2638 This subtitle may be cited as the “Keeping Youth out of the Justice System Emergency
2639 Amendment Act of 2021”.

2640 Sec. 3072. Section 1505 of the Criminal Justice Coordinating Council for the District of
2641 Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official
2642 Code § 22-4234), is amended as follows:

2643 (a) Subsection (b-2) is amended by striking the phrase “2018, and every 2 years
2644 thereafter, the” and inserting the phrase “2018, the” in its place.

2645 (b) Subsection (b-3) is amended to read as follows:

2646 “(b-3)(1) On October 1, 2020, the CJCC shall submit a report to the Mayor and the
2647 Council analyzing the root causes of youth crime and the prevalence of adverse childhood
2648 experiences among justice-involved youth, such as housing instability, childhood abuse, family
2649 instability, substance abuse, mental illness, family criminal involvement, or other factors deemed
2650 relevant by the CJCC that incorporates the results of the survey conducted pursuant to subsection
2651 (b-2) of this section.

2652 “(2) No later than October 1, 2022, the CJCC shall submit a report to the Mayor
2653 and the Council that includes recommendations on factors, programs, or interventions, informed
2654 by best practices in other jurisdictions, the survey conducted pursuant to subsection (b-2) of this
2655 section, and the report submitted pursuant to paragraph (1) of this subsection, that effectively
2656 prevent District youth from having contact with law enforcement or entering the juvenile and
2657 criminal justice systems, such as access to stable housing, nutrition assistance, healthcare
2658 assistance, violence intervention, and educational, recreational, and youth programming.

2659 “(3) No later than October 1, 2024, the CJCC shall submit a report to the Mayor
2660 and the Council that analyzes the types of school-based incidents that lead to a law enforcement
2661 referral or arrest, and whether factors such as economic resources, race, Individualized Education
2662 Program eligibility, mental health conditions, school location, and school resource officer
2663 assignment statistically affect the likelihood of referrals or arrests.”.

2664 (c) Subsection (b-4) is amended by striking the phrase “the report required” and inserting
2665 the phrase “the reports required” in its place.

2666 **SUBTITLE H. OFFICE OF THE CHIEF MEDICAL EXAMINER AND CHILD**
2667 **FATALITY REVIEW COMMITTEE**

2668 Sec. 3081. Short title.

2669 This subtitle may be cited as the “Office of the Chief Medical Examiner and Child
2670 Fatality Review Committee Emergency Amendment Act of 2021”.

2671 Sec. 3082. The Establishment of the Office of the Chief Medical Examiner Act of 2000,
2672 effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1401 *et seq.*), is amended
2673 as follows:

2674 (a) Section 2902 (D.C. Official Code § 5-1401) is amended as follows:

2675 (1) Paragraph (1) is redesignated as paragraph (1A).

2676 (2) A new paragraph (1) is added to read as follows:

2677 “(1) “CME” means the Chief Medical Examiner within the OCME.”.

2678 (3) A new paragraph (2A) is added to read as follows:

2679 “(2A) “OCME” means the Office of the Chief Medical Examiner.”.

2680 (b) Section 2903 (D.C. Official Code § 5-1402) is amended as follows:

2681 (1) Subsection (a) is amended to read as follows:

2682 “(a) There is established as a subordinate agency in the Executive branch of the District

2683 government, the Office of the Chief Medical Examiner.”.

2684 (2) Subsection (b) is amended by striking the phrase “Examiner (“CME”) within”

2685 and inserting the phrase “Examiner within” in its place.

2686 (3) Subsection (c)(1) is amended by striking the phrase “District of Columbia.”

2687 and inserting the phrase “District.” in its place.

2688 (c) Section 2904(b) (D.C. Official Code § 5-1403(b)) is amended by striking the phrase

2689 “equipment, as” and inserting the phrase “equipment as” in its place.

2690 (d) Section 2905 (D.C. Official Code § 5-1404) is amended as follows:

2691 (1) Subsection (a) is amended by striking the phrase “the District of Columbia”

2692 and inserting the phrase “the District” in its place.

2693 (2) A new subsection (a-1) is added to read as follows:

2694 “(a-1) The CME may provide pathology and toxicology services to other District
2695 government agencies, non-District government agencies, and private entities, and may establish
2696 fees or require the payment of costs for the provision of such services.”.

2697 (3) Subsection (b) is amended to read as follows:

2698 “(b) The CME, and OCME employees authorized by the CME, may teach post-
2699 secondary, medical, and law school classes, conduct special classes for government personnel,
2700 conduct research, and engage in other activities related to their work.”.

2701 (4) Subsection (c) is amended by striking the phrase “in any event within” and
2702 inserting the phrase “in any event, within” in its place.

2703 (5) Subsection (d) is amended to read as follows:

2704 “(d) The CME, or the CME’s designee, shall attend all reviews of deaths by District
2705 government fatality review committees and fatality review boards. The CME shall coordinate
2706 with such committees and boards in their investigations of deaths.”.

2707 (e) Section 2906 (D.C. Official Code § 5-1405) is amended as follows:

2708 (1) Subsection (b) is amended as follows:

2709 (A) The lead-in language is amended by striking the phrase “the District of
2710 Columbia” and inserting the phrase “the District” in its place.

2711 (B) Paragraph (1) is amended by striking the phrase “suicidal or accidental
2712 including” and inserting the phrase “suicidal, or accidental, including” in its place.

2713 (C) Paragraph (7) is amended by striking the phrase “District of Columbia
2714 government” and inserting the phrase “District government” in its place.

2715 (D) Paragraph (9) is amended by striking the phrase “legal custody” and
2716 inserting the phrase “the legal custody” in its place.

2717 (E) Paragraph (10) is amended by striking the phrase “trauma including”
2718 and inserting the phrase “trauma, including” in its place.

2719 (F) Paragraph (11) is amended to read as follows:

2720 “(11) Deaths for which the Metropolitan Police Department, another law
2721 enforcement agency, or the United States Attorney’s Office for the District of Columbia
2722 requests, or a court orders, investigation;”.

2723 (G) Paragraph (12) is amended by striking the phrase “District of
2724 Columbia without” and inserting the phrase “District without” in its place.

2725 (2) The lead-in language of subsection (b-1)(2) is amended by striking the phrase
2726 “a woman’s” and inserting the phrase “a birthing parent’s” in its place.

2727 (3) Subsection (c) is amended by striking the phrase “the District of Columbia”
2728 and inserting the phrase “the District” in its place.

2729 (f) Section 2907(b) (D.C. Official Code § 5-1406(b)) is amended by striking the phrase
2730 “(EMS) personnel,” and inserting the phrase “personnel,” in its place.

2731 (g) Section 2908 (D.C. Official Code § 5-1407) is amended by striking the phrase “in his
2732 or her opinion” and inserting the phrase “in the CME’s opinion” in its place.

2733 (h) Section 2909(a) (D.C. Official Code § 5-1408(a)) is amended by striking the phrase
2734 “in his or her opinion” and inserting the phrase “in the opinion of the medical examiner,
2735 medicolegal investigator, or law enforcement officer” in its place.

2736 (i) Section 2912(b) (D.C. Official Code § 5-1411(b)) is amended by striking the phrase
2737 “the District of Columbia” and inserting the phrase “the District” in its place.

2738 (j) Section 2915 (D.C. Official Code § 5-1414) is amended by striking the phrase “the
2739 United States Attorney, on his or her own motion, or on request of a medical examiner, or the
2740 Metropolitan Police Department, or other law enforcement agency” and inserting the phrase “the
2741 United States Attorney for the District of Columbia, on the United States Attorney’s own motion,
2742 or at the request of a medical examiner, the Metropolitan Police Department, or another law
2743 enforcement agency” in its place.

2744 (k) A new section 2918c is added to read as follows:

2745 “Sec. 2918c. Office of the Chief Medical Examiner Fund.

2746 “(a) There is established as a special fund the Office of the Chief Medical Examiner Fund
2747 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this
2748 section.

2749 “(b) All funds from fees received by OCME for services provided pursuant to section
2750 2905(a-1) shall be deposited in the Fund.

2751 “(c) Money in the Fund shall be used to support any personnel and non-personnel
2752 expenses associated with District fatality reviews, in addition to other agency expenses.

2753 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
2754 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
2755 of a fiscal year, or at any other time.

2756 “(2) Subject to authorization in an approved budget and financial plan, any funds
2757 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

2758 Sec. 3083. The Child Fatality Review Committee Establishment Act of 2001, effective
2759 October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*), is amended as
2760 follows:

2761 (a) Section 4603 (D.C. Official Code § 4-1371.03) is amended to read as follows:

2762 “Sec. 4603. Establishment and purpose.

2763 “(a) There is established a Child Fatality Review Committee. Facilities and other
2764 administrative support shall be provided by the Office of the Chief Medical Examiner.

2765 “(b) The Committee shall:

2766 “(1) Identify and characterize the scope and nature of all child deaths in the
2767 District, particularly those that are violent, accidental, unexpected, or unexplained;

2768 “(2) In an effort to reduce the number of preventable child fatalities, examine past
2769 events and circumstances surrounding child deaths in the District by reviewing the records, files,
2770 and other pertinent documents of public and private agencies responsible for serving families and
2771 children, investigating deaths, or treating children, giving special attention to child deaths that
2772 may have been caused by abuse, negligence, or other forms of maltreatment;

2773 “(3) Develop and revise, as necessary, operating rules and procedures for the
2774 review of child deaths, including identification of cases to be reviewed, coordination among the
2775 agencies and professionals involved, and improvement of the identification, data collection, and
2776 record keeping of the causes of child death;

2777 “(4) Recommend specific and systemic improvements to promote improved and
2778 integrated public and private systems serving families and children;

2779 “(5) Recommend components for prevention and education programs; and

2780 “(6) Recommend training to improve the investigation of child deaths.”.

2781 (b) Section 4604 (D.C. Official Code § 4-1371.04) is amended as follows:

2782 (1) Subsection (a) is amended as follows:

2783 (A) Paragraph (13) is amended by striking the phrase “; and” and inserting
2784 a semicolon in its place.

2785 (B) Paragraph (14) is amended by striking the period and adding the
2786 phrase “; and” in its place.

2787 (C) A new paragraph (15) is added to read as follows:

2788 “(15) Director of Gun Violence Prevention.”.

2789 (2) A new subsection (a-1) is added to read as follows:

2790 “(a-1) The Council Chairpersons with jurisdiction over judiciary and human services
2791 matters, or their designees, shall serve as Committee members.”.

2792 (c) Section 4605 (D.C. Official Code § 4-1371.05) is amended as follows:

2793 (1) The lead-in language of subsection (a) is amended by striking the phrase “the
2794 deaths of children who were residents of the District of Columbia and of such children” and
2795 inserting the phrase “all deaths of children who were residents of the District of Columbia, and
2796 with particular attention, such children” in its place.

2797 (2) Subsection (c) is amended to read as follows:

2798 “(c) The Committee’s manner of review shall be to conduct a multidisciplinary, multi-
2799 agency review of all individual fatalities within 6 months after the final determination of the
2800 cause and manner of death and prioritize fatalities where child abuse, neglect, or another form of
2801 child maltreatment is the cause of death or a contributing factor.”.

2802 (3) Subsection (d) is amended by striking the phrase “establish 2 review teams”
2803 and inserting the phrase “establish at least 2 review teams” in its place.

2804 (4) Subsection (e) is repealed.

2805 (d) Section 4606 (D.C. Official Code § 4-1371.06) is amended as follows:

2806 (1) Subsection (c) is repealed.

2807 (2) Subsection (d) is repealed.

2808 (e) Section 4607(b) (D.C. Official Code § 4-1371.07(b)) is amended by striking the
2809 phrase “or his or her” and inserting the phrase “or the witness’s” in its place.

2810 (f) Section 4608(a) (D.C. Official Code § 4-1371.08(a)) is amended by striking the phrase
2811 “. Committee members” and inserting the phrase “. Unless authorized by a majority vote of the
2812 Committee members appointed pursuant to section 4604(c), Committee members” in its place.

2813 (g) Section 4609 (D.C. Official Code § 4-1371.09) is amended as follows:

2814 (1) Subsection (e) is amended by striking the phrase “any person, other than a
2815 person who has consented to be identified, are” and inserting the phrase “a person identified in
2816 section 4608(c) are” in its place.

2817 (2) Subsection (f) is amended to read as follows:

2818 “(f) The Committee shall compile an Annual Report of Findings and Recommendations
2819 which shall be publicly available and submitted to the Mayor and Council. The annual report
2820 shall include:

2821 “(1) The number of child fatalities in the District annually, with a description of
2822 the causes, and for those fatalities where abuse, neglect, or another form of child maltreatment is

2823 the cause of the fatality or a contributing factor, the number, type, and response of any agency
2824 contact prior to the fatality;

2825 “(2) Statistics on all reviews conducted in the past calendar year, including the
2826 date of each fatality, when the Committee staff learned of the fatality, and when the Committee
2827 began and concluded each review;

2828 “(3) Findings regarding factors, including agency practices, that may have
2829 prevented particular fatalities from occurring;

2830 “(4) Recommendations for preventing fatalities and identifying children most at
2831 risk of fatalities, including agency policies and practices that need improvement to prevent
2832 fatalities;

2833 “(5) A timeline for implementing corrective actions;

2834 “(6) An identification of any necessary funding to implement changes to policies
2835 and practices or corrective actions;

2836 “(7) The responses required by subsection (f-1) of this section; and

2837 “(8) A description of the progress made on the findings and recommendations
2838 made in the prior annual report.”.

2839 (3) A new subsection (f-1) is added to read as follows:

2840 “(f-1) Any agency that has a representative on the Committee pursuant to section 4604(a)
2841 and is implicated by a recommendation included in the Committee’s Annual Report of Findings
2842 and Recommendations shall provide the Committee with a response to the specific
2843 recommendation.”.

2844 (4) Subsection (g) is repealed.

2845 (5) Subsection (j) is amended by striking the phrase “Human Services” and
2846 inserting the phrase “Human Services, Child and Family Services Agency,” in its place.

2847 (h) Section 4610 (D.C. Official Code § 4-1371.10) is amended by striking the phrase
2848 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from
2849 administrative, civil, or criminal liability that” in its place.

2850 (i) Section 4611 (D.C. Official Code § 4-1371.11) is amended by striking the phrase “the
2851 Corporation Counsel or his or her designee” and inserting the phrase “the Attorney General” in
2852 its place.

2853 (j) Section 4613 (D.C. Official Code § 4-1371.13) is amended by striking the phrase
2854 “from liability, administrative, civil, or criminal, that” and inserting the phrase “from
2855 administrative, civil, or criminal liability that” in its place.

2856 (k) Section 4614 (D.C. Official Code § 4-1371.14) is amended by striking the phrase “the
2857 Corporation Counsel of the District of Columbia, or his or her agent, in” and inserting the phrase
2858 “the Attorney General in” in its place.

2859 **SUBTITLE I. REDUCING LAW ENFORCEMENT PRESENCE IN SCHOOLS**

2860 Sec. 3091. Short title.

2861 This subtitle may be cited as the “Reducing Law Enforcement Presence in Schools
2862 Emergency Amendment Act of 2021”.

2863 Sec. 3092. The School Safety and Security Contracting Procedures Act of 2004, effective
2864 April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

2865 (a) Section 101 (D.C. Official Code § 5-132.01) is amended as follows:

2866 (1) Paragraph (1B) is redesignated as paragraph (1C).

2867 (2) A new paragraph (1B) is added to read as follows:

2868 “(1B) “Law enforcement officer” shall have the same meaning as provided in
2869 section 802a(b)(1) of An Act To establish a code of law for the District of Columbia, effective
2870 May 23, 1995 (D.C. Law 10-256; D.C. Official Code § 22-2106(b)(1)).”.

2871 (3) Paragraph (2A) is redesignated as paragraph (2B).

2872 (4) A new paragraph (2A) is added to read as follows:

2873 “(2A) “Non-school-based offense” means conduct punishable as a criminal
2874 offense that is not a school-based offense.”.

2875 (5) A new paragraph (2C) is added to read as follows:

2876 “(2C) “School-based offense” means conduct punishable as a criminal offense
2877 that:

2878 “(A) Occurred at a DCPS or public charter school or on its grounds; or

2879 “(B) Is directly related to a student’s enrollment or attendance at a DCPS
2880 or public charter school.”.

2881 (6) Paragraph (3) is amended to read as follows:

2882 “(3) “School resource officer” means a sworn MPD officer assigned to DCPS or
2883 public charter schools for the purpose of working in collaboration with DCPS, public charter
2884 schools, and community-based organizations to ensure that DCPS schools, public charter
2885 schools, and their grounds are safe environments for students, teachers, and staff through the use
2886 of culturally competent, developmentally-appropriate, and community-oriented policing
2887 strategies and practices.”.

2888 (b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

2889 (1) A new subsection (c-1) is added to read as follows:

2890 “(c-1) School resource officers shall not report any information regarding a student’s
2891 suspected crew or gang affiliation, or that of their family members, to a law enforcement agency
2892 for the purpose of including such information in any District government crew or gang database,
2893 nor shall any such information shared by or derived from a school resource officer be otherwise
2894 included in any District government crew or gang database.”.

2895 (2) A new subsection (e) is added to read as follows:

2896 “(e) The School Safety Division’s sworn and civilian staffing shall be as follows:

2897 “(1) By July 1, 2022, a maximum of 60 personnel;

2898 “(2) By July 1, 2023, a maximum of 40 personnel;

2899 “(3) By July 1, 2024, a maximum of 20 personnel; and

2900 “(4) By July 1, 2025, the School Safety Division shall be dissolved, and MPD
2901 shall no longer staff DCPS and public charter schools with school resource officers.”.

2902 (c) A new section 107 is added to read as follows:

2903 “Sec. 107. Limitations on law enforcement actions against students.

2904 “(a) A law enforcement officer shall not detain, serve a warrant on, or arrest a DCPS or
2905 public charter school student at a DCPS or public charter school or on its grounds for a:

2906 “(1) School-based offense unless:

2907 “(A) The school-based offense is alleged to be a crime of violence, as that
2908 term is defined in D.C. Official Code § 23-1331(4); or

2909 “(B) Exigent circumstances exist; or

2910 “(2) Non-school-based offense unless exigent circumstances exist.

2911 “(b) Prior to detaining, serving a warrant on, or conducting an arrest of a DCPS or public
2912 charter school student at a DCPS or public charter school or on its grounds pursuant to
2913 subsection (a)(1)(A) of this section, a law enforcement officer shall:

2914 “(1) In consultation with the administration of the DCPS or public charter school,
2915 MPD Youth and Family Engagement Bureau leadership, and the Office of the Attorney General,
2916 determine if there are reasonable alternatives to detaining, serving a warrant on, or conducting an
2917 arrest of the DCPS or public charter school student at the DCPS or public charter school or on its
2918 grounds; and

2919 “(2) Present a copy of any warrant to the DCPS or public charter school’s
2920 principal or assistant principal.”.

2921 **TITLE IV. PUBLIC EDUCATION SYSTEMS**

2922 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASES**

2923 Sec. 4001. Short title.

2924 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools
2925 Increase Emergency Amendment Act of 2021”.

2926 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
2927 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
2928 38-2901 *et seq.*), is amended as follows:

2929 (a) Section 102 (D.C. Official Code § 38-2901) is amended as follows:

2930 (1) Redesignate existing paragraph (2B) as paragraph (2C).

2931 (2) Add a new paragraph (2AB) to read as follows:

2932 “(2B) “At-Risk High School Over-age Supplement” means weighting provided in
2933 addition to the at-risk weight for a student who is at-risk because the student is a high school
2934 student that is one year older, or more, than the expected age for the grade in which the student is
2935 enrolled.;

2936 (3) Add a new paragraph (4A) to read as follows:

2937 “(4A) “Elementary ELL” means students who are LEP/NEP and enrolled in
2938 grades pre-kindergarten 3 through 5.”.

2939 (4) Redesignate existing paragraph (10B) as paragraph (10C).

2940 (5) Add a new paragraph (10B) to read as follows:

2941 “(10B) “Secondary ELL” means students who are LEP/NEP and enrolled in:

2942 (A) Grades 6 through 12 at a DCPS or public charter school

2943 (B) An alternative program;

2944 (C) Adult education; or

2945 (D) Grades 6 through 12 at a special education school.

2946 (b) Section 103(b) (D.C. Official Code § 38-2902(b)) is amended by striking the phrase
2947 “Charter Schools” and inserting the phrase “Charter Schools; except, that, for Fiscal Year 2022,
2948 the Formula shall not apply to funding allocated to a DCPS school to meet the requirement of
2949 section 108a(a)(2) that the school be provided with not less than 95% of its prior year allocation
2950 of Formula funds” in its place.

2951 (c) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase
2952 “\$11,310 per student for Fiscal Year 2021” and inserting the phrase “\$11,720 per student for
2953 Fiscal Year 2022” in its place.

2954 (d) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array
 2955 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2022
“Pre-Kindergarten 3	1.34	\$15,705
“Pre-Kindergarten 4	1.30	\$15,236
“Kindergarten	1.30	\$15,236
“Grades 1-5	1.00	\$11,720
“Grades 6-8	1.08	\$12,658
“Grades 9-12	1.22	\$14,298
“Alternative program	1.52	\$17,814
“Special education school	1.17	\$13,712
“Adult	0.89	\$10,431

2956 (e) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

2957 “(c) The supplemental allocations shall be calculated by applying weightings to the
 2958 foundation level as follows:

2959 “Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$11,368
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$14,064
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$23,088
“Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$40,903

“Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	\$1,160
“Attorney’s Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.	0.089	\$1,043
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$19,572

2960

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Elementary ELL	Additional funding for English Language Learners in grades PK3-5.	0.50	\$5,860
“Secondary ELL	Additional funding for English Language Learners in grades 6-12, alternative students, adult students, and students in special education schools.	0.75	\$8,790
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level in high school.	0.24	\$2,813
“At-risk High School Over-Age Supplement	Weighting provided in addition to at-risk weight for students who are behind grade level in high school.	0.06	\$703

2961

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.37	\$4,336
“Level 2: Special	Additional funding to support the after-hours level 2 special education needs of	1.34	\$15,705

Education - Residential	students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting		
“Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$33,871
“Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$33,871
“LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	\$7,829

2962 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated

2963 in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2022
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$738
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,660
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs	0.491	\$5,755
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require extended school year (ESY) services in their IEPs”.	0.491	\$5,755

2964

2965

(f) Section 106a (D.C. Official Code § 38-2905.01) is amended as follows:

2966

(1) Subsection (b) is amended by striking the phrase “a weighting factor” and

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inserting the phrase “weighting factors” in its place.

2968

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

2969

(A) Strike the phrase “weighting for at-risk students” and insert the phrase

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“weighting factors for at-risk students” in its place.

2971

(B) Strike the phrase “both as at-risk” and insert the phrase “both at-risk”

2972

in its place.

2973

(3) A new subsection (c-1) is added to read as follows:

2974

“(c-1) To ensure alignment between the alternative program and at-risk weighting

2975

factors, the alternative program weighting factor should be amended whenever the grades 9-12,

2976

at-risk, or at-risk high school over-age supplement weighting factors are amended.”.

2977

(g) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

2978

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

2979

“(2D) For Fiscal Years 2021, 2022, and 2023, the per pupil facility allowance for

2980

Public Charter Schools will be \$3,408.”.

2981

(2) A new subsection (b-3) is added to read as follows:

2982

“(b-3) Beginning with Fiscal Year 2024, the per pupil facility allowance for

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Public Charter Schools shall increase by 3.1% each fiscal year. The facility allowance shall then

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be multiplied by the number of students estimated to attend each Public Charter School to

2985 determine the actual facility allowance payments to be received by each Public Charter
2986 School.”.

2987 Sec. 4003. Section 1102(a) of the School Based Budgeting and Accountability Act of
2988 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code 38-2801.01) is amended
2989 as follows:

2990 (a) Inserting new paragraphs (1-1), (1C), and (3A) to read as follows:

2991 “(1-1) “At-Risk High School Over-age Supplement” shall have the same meaning
2992 as provided in § 38-2901(2A-1).”;

2993 “(1C) “Elementary ELL” shall have the same meaning as provided in § 38-
2994 2901(4A).”; and

2995 “(3A) “Secondary ELL” shall have the same meaning as provided in § 38-
2996 2901(10A-1).”.

2997 Sec. 4004. Section 6(b) of the Board of Education Continuity and Transition Amendment
2998 Act of 2004, effective December 7, 2004 (D.C. Law 15-211; D.C. Official Code § 38-2831(b)),
2999 is amended as follows:

3000 (a) Paragraph (3)(B) is amended to read as follows:

3001 “(B) Any funding associated with at-risk students and with the at-risk high
3002 school over-age supplement that has been retained by the Chancellor;”.

3003 (b) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in
3004 its place.

3005 (c) Paragraph (5) is amended to read as follows:

3006 “(5) For each school’s individual budget, a separate budget line item for funding
3007 allocated to the following, as coded in the District’s current official financial system of record:

3008 “(A) At-risk students;

3009 “(B) The at-risk high school over-age supplement;

3010 “(C) Elementary ELL; and

3011 “(D) Secondary ELL; and”.

3012 (d) A new paragraph (6) is added to read as follows:

3013 “(6) The projected enrollment, by school, for the following:

3014 “(A) At-risk students;

3015 “(B) The number of students counted for the at-risk high school over-age
3016 supplement;

3017 “(C) Elementary ELL; and

3018 “(D) Secondary ELL.”.

3019 (e) A new subsection (h) is added to read as follows:

3020 “(h) For the purposes of this section, the following terms shall have the same meaning as
3021 provided in section 102 of the Uniform Per Student Funding Formula for Public Schools and
3022 Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official
3023 Code § 38-2901):

3024 (1) “At-risk”;

3025 (2) “At-risk high school over-age supplement”;

3026 (3) “Elementary ELL”;

3027 (4) “Secondary ELL”.

3028 **SUBTITLE B. DCPS REPROGRAMMING FLEXIBILITY**

3029 Sec. 4011. Short title.

3030 This subtitle may be cited as the “DCPS Intra-School Reprogramming Flexibility
3031 Emergency Amendment Act of 2021”.

3032 Sec. 4012. Section 4012(a) of the DCPS Contracting and Spending Flexibility
3033 Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 38-
3034 2955(a)), is amended by striking the figure “\$10,000” and inserting the figure “\$25,000” in its
3035 place.

3036 **SUBTITLE C. PARKS AND RECREATION GRANT-MAKING AUTHORITY**

3037 Sec. 4021. Short title.

3038 This subtitle may be cited as the “Parks and Recreation Grant-Making Authority
3039 Emergency Amendment Act of 2021”.

3040 Sec. 4022. Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law
3041 10-246; D.C. Official Code § 10-302), is amended by adding a new subsection (f) to read as
3042 follows:

3043 “(f) Beginning in Fiscal Year 2022, and on an annual basis thereafter, and in accordance
3044 with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.
3045 Official Code § 1-328.11 *et seq.*), the Department of Parks and Recreation shall issue:

3046 “(1) A grant of not less than \$150,000 to an organization to plan, promote, and
3047 manage events and programs for the community in the new Eastern Market Metro Park. The
3048 organizer shall obtain permits, book talent, publicize programming, and supervise the site during
3049 events and clean up.

3050 “(2) One or more grants that total no more than \$235,000 to individual program
3051 providers and nonprofit organizations to assist the Department in implementing a comprehensive
3052 program of public recreation as described in section 3 of An Act To create a Recreation Board
3053 for the District of Columbia, to define its duties, and for other purposes, approved April 29, 1942
3054 (56 Stat. 263; D.C. Official Code § 10-213).”.

3055 Sec. 4023. In Fiscal Year 2022, the Department of Parks and Recreation, in accordance
3056 with the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.
3057 Official Code § 1-328.11 et seq.), shall award:

3058 (a) A grant of not less than \$7,000 to an organization to conduct a community run or walk
3059 event series. Grant funds shall be used to organize weekly run or walk events in at least 3
3060 locations, and may be spent on outreach, advertising, equipment, or permits associated with the
3061 event series.

3062 (b) One or more grants that total not less than \$50,000 for regular activation of spaces in
3063 Ward 1 at Columbia Heights Plaza, 14th and Girard Park, and Unity Plaza.

3064 (c) A grant of not less than \$500,000 to an organization developing an urban farm and
3065 community wellness space in Oxon Run Park in Ward 8.

3066 **SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA**

3067 **FUNDRAISING MATCH**

3068 Sec. 4031. Short title.

3069 This subtitle may be cited as the “University of the District of Columbia Fundraising
3070 Match Emergency Act of 2021”.

3071 Sec. 4032. (a) In Fiscal Year 2022, of the funds allocated to the Non-Departmental

3072 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the
3073 District of Columbia (“UDC”) for every \$2 that UDC raises from private donations by April 1,
3074 2022.

3075 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less
3076 than one-third of the funds shall be deposited into UDC’s endowment fund.

3077 **SUBTITLE E. APPRENTICESHIP FINES**

3078 Sec. 4041. Short title.

3079 This subtitle may be cited as the “Apprenticeship Fines Emergency Amendment Act of
3080 2021”.

3081 Sec. 4042. Section 5(c)(3) of the Amendments to An Act To Provide for Voluntary
3082 Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-
3083 156; D.C. Official Code § 32-1431(c)(3)), is amended as follows:

3084 (1) Strike the phrase “District of Columbia Public Schools” and insert the phrase
3085 “Department of Employment Services” in its place.

3086 (2) Strike the phrase “, subject to appropriations by Congress”.

3087 **SUBTITLE F. SCHOLARSHIP AND TUITION ASSISTANCE PAYMENTS**

3088 Sec. 4051. Short title.

3089 This subtitle may be cited as the “Scholarship and Tuition Assistance Payment Method
3090 Emergency Amendment Act of 2021”.

3091 Sec. 4052. Section 3(b) of the State Education Office Establishment Act of 2000,
3092 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by
3093 adding a new paragraph (29A) to read as follows:

3094 “(29A) Have the authority to increase access, promote retention, and improve District
3095 resident completion of postsecondary education in the District by:

3096 “(A) Awarding scholarships and financial assistance for tuition, fees, room and
3097 board, books, supplies, and other costs of postsecondary education, including:

3098 “(i) Dual enrollment programs;

3099 “(ii) Costs associated with gaining admission or increasing the chances of
3100 gaining admission to an institution of higher education in the District, including test preparation
3101 programs, standardized test fees, and application fees;

3102 “(iii) Programs designed to support students navigating the college process
3103 through completion;

3104 “(iv) Funding if the cost of education prevents a student or prospective
3105 student from starting, continuing, or completing their postsecondary education.

3106 “(B) Paying for the financial assistance described in subparagraph (A) of this
3107 paragraph through the issuance of direct vouchers or payments to institutions of higher education
3108 in the District;”.

3109 **SUBTITLE G. UNIVERSAL PAID LEAVE**

3110 Sec. 4061. Short title.

3111 This subtitle may be cited as the “Universal Paid Leave Emergency Amendment Act of
3112 2021”.

3113 Sec. 4062. The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017
3114 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*), is amended as follows:

3115 (a) Section 101 (D.C. Official Code § 32-541.01) is amended as follows:

3116 (1) Paragraph (1) is amended to read as follows:

3117 “(1) “Average weekly wage” means the total wages subject to contribution under
3118 section 103 earned by an eligible individual during the 4 quarters during which the individual’s
3119 wages were the highest out of the 5 quarters immediately preceding the qualifying leave event,
3120 divided by 52; except that, for claims filed after the applicability date of the Universal Paid
3121 Leave Amendment Act of 2021, approved by the Committee of the Whole on July 20, 2021
3122 (Committee print of Bill 24-285), and before the 365th day after the end of the public health
3123 emergency, the term “average weekly wage” means the total wages subject to contribution under
3124 section 103 for the 4 quarters during which the individual’s wages were the highest out of the 10
3125 quarters immediately preceding the qualifying leave event, divided by 52.”.

3126 (2) New paragraphs (6A) and (6B) are added to read as follows:

3127 “(6A) “Employer contribution rate” means the uniform percentage of covered
3128 employees’ wages that covered employers must contribute to the Universal Paid Leave Fund,
3129 including the percentage of annual self-employment income that a covered employer who is a
3130 self-employed individual must contribute, as provided under this act.”

3131 “(6B) “Exigent circumstances” means:

3132 “(A) Physical or mental incapacity that prevents an eligible individual or
3133 eligible individual’s authorized representative from filing for paid leave benefits following the
3134 occurrence of a qualifying leave event;

3135 “(B) A demonstrable inability to reasonably access the means by which a
3136 claim could have been filed by the eligible individual or the eligible individual’s authorized
3137 representative following the occurrence of a qualifying leave event; or

3138 “(C) Actual lack of knowledge by an eligible individual of his or her right
3139 to apply for paid leave benefits pursuant to this act due to the noncompliance of all of the eligible
3140 individual’s covered employers with the notice requirements required by section 106(i)(3) during
3141 the period when the individual could have received paid leave benefits pursuant to this act;
3142 provided, that such employer noncompliance shall be confirmed by the Department of
3143 Employment Services before the eligible individual shall be eligible for paid leave benefits
3144 pursuant to this act.”.

3145 (3) A new paragraph (9A) is added to read as follows:

3146 “(9A) “Miscarriage” means the loss of a pregnancy prior to 20 weeks’ gestation.”.

3147 (4) New paragraphs (11A) and (11B) are added to read as follows:

3148 “(11A) “Pre-natal medical care” means routine and specialty appointments,
3149 exams, and treatments associated with a pregnancy provided by a health care provider, including,
3150 but not limited to, pre-natal check-ups, ultrasounds, treatment for pregnancy complications,
3151 bedrest that is required or prescribed by a health care provider, and pre-natal physical therapy.

3152 “(11B) “Public health emergency” means the Coronavirus (COVID-19) public
3153 health emergency declared pursuant to Mayor’s Order 2020-045, on March 11, 2020, and all
3154 subsequent extensions.”.

3155 (5) Paragraph (12) is amended to read as follows:

3156 “(12) “Qualifying family leave” means paid leave that an eligible individual may
3157 take in order to provide care or companionship to a family member because of the occurrence of
3158 a qualifying family leave event.”.

3159 (6) A new paragraph (13A) is added to read as follows:

3160 “(13A) “Qualifying leave event” means a qualifying family leave event, a
3161 qualifying medical leave event, a qualifying pre-natal leave event, or a qualifying parental leave
3162 event.”.

3163 (7) Paragraph (14) is amended to read as follows:

3164 “(14) “Qualifying medical leave” means paid leave that an eligible individual may
3165 take following the occurrence of a qualifying medical leave event.”.

3166 (8) Paragraph (15) is amended to read as follows:

3167 “(15) “Qualifying medical leave event” means, for an eligible individual, the
3168 diagnosis or occurrence of a serious health condition, which shall include the occurrence of a
3169 stillbirth and the medical care related to a miscarriage.”.

3170 (9) Paragraph (16) is amended to read as follows:

3171 “(16) “Qualifying parental leave” means paid leave that an eligible individual
3172 may take within one year of the occurrence of a qualifying parental leave event.”.

3173 (10) New paragraphs (17A) and (17B) are added to read as follows:

3174 “(17A) “Qualifying pre-natal leave” means paid leave that an eligible individual
3175 who is pregnant may take for pre-natal medical care following the occurrence of a qualifying
3176 pre-natal leave event and prior to the occurrence of a qualifying parental leave event.

3177 “(17B) “Qualifying pre-natal leave event” means the diagnosis of pregnancy by a
3178 health care provider.”.

3179 (11) New paragraph (20A) is added to read as follows:

3180 “(20A) “Stillbirth” means the loss of a pregnancy at 20 weeks’ gestation or
3181 later.”.

3182 (12) Paragraph (21) is amended to read as follows:

3183 “(21) “Universal Paid Leave Fund” means the fund established pursuant to
3184 section 1153 of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8,
3185 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.02).”.

3186 (b) Section 102 (D.C. Official Code § 32-541.02) is amended by adding a new subsection
3187 (c) to read as follows:

3188 “(c) Within 30 days after the applicability date of the Universal Paid Leave Amendment
3189 Act of 2021, approved by the Committee of the Whole on July 20, 2021 (committee print of Bill
3190 24-285), or of any expansion of benefits or change to the employer contribution rate pursuant to
3191 section 104a(c), the Mayor, pursuant to Title I of the District of Columbia Administrative
3192 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
3193 shall issue rules, which may include the issuance of emergency rules, to implement the
3194 provisions of this act.”.

3195 (c) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

3196 (1) Subsection (a) is amended by striking the phrase “0.62%” and inserting the
3197 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3198 (2) Subsection (b) is amended by striking the phrase “0.62%” and inserting the
3199 phrase “0.62%, or a lower rate computed pursuant to section 104a(c)(2),” in its place.

3200 (d) Section 104 (D.C. Official Code § 32-541.04) is amended as follows:

3201 (1) Subsection (a) is amended by striking the phrase “qualifying family leave
3202 event, qualifying medical leave event, or qualifying parental leave event” and inserting the
3203 phrase “qualifying leave event” in its place.

3204 (2) Subsection (b) is amended to read as follows:

3205 “(b)(1) Except as provided in paragraph (2) of this subsection, after the
3206 occurrence of a qualifying leave event, an eligible individual shall wait one week during and for
3207 which no benefits are payable before being entitled to receive payment of his or her paid-leave
3208 benefits; provided, that regardless of the number of qualifying events for which an eligible
3209 individual files a claim for paid-leave benefits, he or she shall only have one waiting period
3210 during and for which no benefits are payable within a 52-week period.

3211 “(2) For claims filed after the applicability date of the Universal Paid
3212 Leave Amendment Act of 2021, approved by the Committee of the Whole on July 20, 2021
3213 (Committee print of Bill 24-285), and before the 365th day after the end of the public health
3214 emergency, paragraph (1) of this subsection shall not apply.”.

3215 (3) Subsection (d) is amended to read as follows:

3216 “(d)(1)(A) An eligible individual may submit a claim for payment of his or her
3217 paid-leave benefits for a period during which he or she does not or did not perform his or her
3218 regular and customary work because of the occurrence of a qualifying leave event.

3219 “(B) An eligible individual may receive retroactive paid-leave
3220 benefits pursuant to subparagraph (A) of this paragraph only if he or she submits a claim within
3221 30 calendar days after the qualifying leave event; provided, that the 30-calendar day limitation
3222 may be waived if an individual is unable to apply for his or paid-leave benefits within 30
3223 calendar days after the qualifying leave event due to exigent circumstances.

3224 “(2) Except as provided in paragraph (3), within a 52-workweek period, an
3225 eligible individual shall not receive paid-leave benefits, for any number or combination of

3226 qualifying leave events, for a duration that exceeds the maximum duration of qualifying parental
3227 leave available in the fiscal year during which the individual files a claim for paid-leave benefits,
3228 as provided in subsection (e-1) of this section.

3229 “(3) Within a 52-workweek period, an eligible individual may receive the
3230 maximum duration of qualifying pre-natal leave available in the fiscal year during which the
3231 individual files a claim for paid-leave benefits in addition to the maximum duration of parental
3232 leave available during such fiscal year, as provided in subsection (e-1) of this section; provided,
3233 that an eligible individual shall not receive any combination of qualifying pre-natal leave and
3234 qualifying medical leave for a duration that exceeds the maximum duration of qualifying medical
3235 leave available for the fiscal year during which the individual files a claim for paid-leave
3236 benefits.”.

3237 (4) Subsection (e) is amended to read as follows:

3238 “(e) The International Classification of Diseases, Tenth Revision (ICD-10), or subsequent
3239 revisions by the World Health Organization to the International Classification of Diseases, along
3240 with the health care provider or caretaker assessments, shall be used to determine the appropriate
3241 length of qualifying family leave an eligible individual is entitled to, based on the serious health
3242 condition of the eligible individual’s family member, or the appropriate length of qualifying
3243 medical leave an eligible individual is entitled to, based on the serious health condition of the
3244 eligible individual, subject to the limits set forth in subsection (e-1) of this section.”.

3245 (5) A new subsection (e-1) is added to read as follows:

3246 “(e-1)(1) Before October 1, 2021, the maximum duration of each type of paid-leave
3247 benefits within a 52-workweek period shall be:

3248 “(A) 8 workweeks of qualifying parental leave;
3249 “(B) 6 workweeks of qualifying family leave;
3250 “(C) 2 workweeks of qualifying medical leave; and
3251 “(D) Zero workweeks of qualifying pre-natal leave.

3252 “(2) From October 1, 2021, through September 30, 2022, the maximum duration
3253 of each type of paid-leave benefits within a 52-workweek period shall be:

3254 “(A) 8 workweeks of qualifying parental leave;
3255 “(B) 6 workweeks of qualifying family leave;
3256 “(C) 6 workweeks of qualifying medical leave; and
3257 “(D) 2 workweeks of qualifying pre-natal leave.

3258 “(3) Beginning October 1, 2022, and thereafter, the maximum duration of each
3259 type of paid-leave benefits within a 52-workweek period shall be determined pursuant to section
3260 104a, but shall be no less than the maximum durations for each type of paid-leave benefits set
3261 forth in paragraph (1) of this subsection.”.

3262 (6) Subsection (f) is amended to read as follows:

3263 “(f) An eligible individual may receive payment for intermittent leave; provided, that the
3264 duration of paid-leave benefits an individual receives in a 52-week period shall not exceed the
3265 total maximum duration of paid-leave benefits or the maximum duration of any type of paid-
3266 leave benefits available in the fiscal year during which the individual files a claim to receive
3267 paid-leave benefits, as provided in subsection (d)(2) and (3) and (e-1) of this section.”.

3268 (7) Subsection (g)(4) is amended to read as follows:

3269 “(4) Medical, family, parental, and pre-natal leave benefits for partial weeks of
3270 leave shall be prorated.”.

3271 (e) A new section 104a is added to read as follows:

3272 “Sec. 104a. Expansion of paid-leave benefits and employer contribution rate change.

3273 “(a) By March 1, 2022, and annually thereafter, the Chief Financial Officer (“CFO”) shall
3274 update estimates of the projected cost of the paid-leave program established by this act and any
3275 paid-leave benefit expansions set forth in subsection (c)(1) of this section that have not yet been
3276 implemented.

3277 “(b)(1) On or before March 1 of each year beginning with March 1, 2022, the CFO shall
3278 certify the:

3279 “(A) Fund balance of the Universal Paid Leave Fund;

3280 “(B) Projected annual revenues for the current fiscal year and future fiscal
3281 years, for the duration of the financial plan, to be deposited into the Universal Paid Leave Fund
3282 at the then-existing employer contribution rate;

3283 “(C) Projected annual expenditures from the Universal Paid Leave Fund at
3284 the then-existing maximum paid-leave benefit durations;

3285 “(D) Projected fiscal impact of the paid-leave benefit expansions and
3286 employer contribution rate change set forth in subsection (c) of this section, which shall include
3287 whether, and at what tier of expansion, the paid-leave benefit expansions and employer
3288 contribution rate change would cause the projected fund balance of the Universal Paid Leave
3289 fund to fall below the equivalent of 9 months of paid-leave benefits at the expanded tier; and

3290 “(E) Projected employer contribution rate necessary to maintain the then-
3291 existing level of benefits and continued solvency of the Universal Paid Leave Fund.

3292 “(2) The Mayor shall incorporate the certification required pursuant to paragraph
3293 (1) of this subsection into the Mayor’s annual submission of the District’s multiyear budget and
3294 financial plan to the Council, which shall reflect any paid-leave benefit expansions or employer
3295 contribution rate change required pursuant to subsection (c) of this section, as certified pursuant
3296 to paragraph (1) of this subsection.

3297 “(3) A paid-leave benefit expansion or employer contribution rate change set forth
3298 in subsection (c) of this section shall apply as of July 1 of the year in which the paid-leave
3299 benefit expansion or employer contribution rate change will not cause the projected fund balance
3300 of the Universal Paid Leave Fund to fall below the equivalent of 9 months of benefits at the
3301 expanded tier, as certified pursuant to paragraph (1) of this subsection.

3302 “(c)(1) Paid-leave benefits shall be expanded in the following order:

3303 “(A) Extend the maximum duration of qualifying pre-natal leave by one or
3304 more workweeks, until the maximum duration of qualifying pre-natal leave equals 2 workweeks;

3305 “(B) Extend the maximum duration of qualifying medical leave by one or
3306 more workweeks, until the maximum duration of qualifying medical leave equals 6 workweeks;

3307 “(C) Extend the maximum duration of qualifying parental leave by one or
3308 more workweeks, until the maximum duration of qualifying parental leave equals 10 workweeks;

3309 “(D) Extend the maximum duration of qualifying medical leave by one or
3310 more workweeks, until the maximum duration of qualifying medical leave equals 8 workweeks;

3311 “(E) Extend the maximum duration of qualifying family leave by one or
3312 more workweeks, until the maximum duration of qualifying family leave equals 8 workweeks;

3313 “(F) Extend the maximum duration of qualifying parental leave by one or
3314 more workweeks, until the maximum duration of qualifying parental leave equals 12 workweeks;

3315 “(G) Extend the maximum duration of qualifying medical leave by one or
3316 more workweeks, until the maximum duration of qualifying medical leave equals 10 workweeks;

3317 “(H) Extend the maximum duration of qualifying family leave by one or
3318 more workweeks, until the maximum duration of qualifying family leave equals 10 workweeks;

3319 “(I) Extend the maximum duration of qualifying medical leave by one or
3320 more workweeks, until the maximum duration of qualifying medical leave equals 12 workweeks;

3321 “(J) Extend the maximum duration of qualifying family leave by one or
3322 more workweeks, until the maximum duration of qualifying family leave equals 12 workweeks;

3323 “(2) Beginning with July 1 of the first year in which all paid-leave benefit
3324 expansions set forth in paragraph (1) of this subsection have been implemented, and annually
3325 thereafter, if the projected employer contribution rate calculated by the CFO pursuant to
3326 subsection (b)(1)(E) of this section is below 0.62%, the employer contribution rate shall equal
3327 that projected employer contribution rate. If the projected employer contribution rate calculated
3328 pursuant to subsection (b)(1)(E) is greater than or equal to 0.62%, then the employer contribution
3329 rate shall be 0.62%.

3330 “(d)(1) At least 60 days before implementation of any paid-leave benefit expansion or
3331 employer contribution rate change pursuant to this section, the Mayor shall prescribe and provide
3332 to covered employers an update to the notice required under section 106(i). The Mayor may

3333 conduct a public-education campaign to inform individuals of expanded benefits. Costs of the
3334 notice and campaign authorized under this subsection shall be payable pursuant to section
3335 1153(c)(1) of the Universal Paid Leave Implementation Fund Act of 2016, effective December 3,
3336 2020 (D.C. Law 23-149; D.C. Official Code § 32–551.02(c)(1)), from the Universal Paid Leave
3337 Administration Fund.

3338 “(2) The public education campaign required by paragraph (1) of this subsection
3339 shall include:

3340 “(A) Updated programmatic notices sent electronically to all covered
3341 employers, which shall be distributed to their covered employees;

3342 “(B) At least 3 webinars, of which at least one shall be offered during
3343 evening hours or on the weekend, that are open to the public and that shall be promoted through
3344 multiple methods of communication at least 2 weeks before they occur; and

3345 “(C) Promotional mailers, including postcards, sent to all households with
3346 residents enrolled in the District's Medicaid or Health Care Alliance Program, and other
3347 households as determined by the Mayor.”.

3348 (f) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended by striking the
3349 final sentence.

3350 Sec. 4063. The Universal Paid Leave Implementation Fund Act of 2016, effective
3351 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01 *et seq.*), is amended as
3352 follows:

3353 (a) Section 1152 (D.C. Official Code § 32-551.01) is amended as follows:

3354 (1) Subsection (l) is amended to read as follows:

3355 “(l) As of December 31, 2021, and as of the last day of each quarter thereafter until full
3356 implementation of the paid-leave benefit expansions and any employer contribution rate change
3357 set forth in section 104a(c) of the Act, the Chief Financial Officer shall compare its estimated
3358 costs of each type of paid-leave benefit with the actual cost of such leave during the most
3359 recently completed calendar quarter. If, on the basis of such comparison, the estimated cost of
3360 any type of paid-leave benefit was 3 or more times greater than the actual cost of such leave,
3361 then the Chief Financial Officer shall promptly deliver a letter to the Council disclosing the
3362 extent to which costs were overestimated, whether funds are sufficient to implement all or any
3363 portion of the paid-leave benefit expansions and the employer contribution rate change in the
3364 order set forth in section 104a(c) of the Act, and the earliest point at which the benefits could be
3365 expanded or the employer contribution rate could be reduced.”.

3366 (2) A new subsection (n) is added to read as follows:

3367 “(n) The cost of the benefits authorized under the Act shall be payable solely from the
3368 Fund. Nothing contained in the Act or this act shall be construed to create an obligation on the
3369 part of the District to pay benefits from any source other than the Fund.”.

3370 (b) Section 1153(c)(1) (D.C. Official Code Sec. § 32-551.02(c)(1)) is amended by
3371 striking the phrase “and of those public education funds, at least \$500,000 shall be used to fund
3372 the Workplace Leave Navigators Program established pursuant to section 2093 of the Workplace
3373 Leave Navigators Program Establishment Amendment Act of 2020, passed on 2nd reading on
3374 July 28, 2020 (Enrolled version of Bill 23-760)”.

3375 Sec. 4064. The District of Columbia Family and Medical Leave Act of 1990, effective
3376 October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501(1)(A)), is amended as follows:

3377 (a) Section 2(1)(A) (D.C. Official Code § 32-501(1)(A)) is amended to read as follows:

3378 “(A) For leave provided under sections 3 or 4, an individual who has:

3379 “(i) Been employed by the same employer for at least 12

3380 consecutive or non-consecutive months, inclusive of holiday, sick, or personal leave granted by

3381 the employer as part of its regular benefits whether such leave was paid or unpaid, in the 7 years

3382 immediately preceding the date on which the period of family or medical leave is to commence;

3383 and

3384 “(ii) Worked at least 1,000 hours for the employer during the 12-

3385 month period referenced in sub-subparagraph (i) of this paragraph preceding the date on which

3386 the period of family or medical leave is to commence.”.

3387 (b) Section 11(b) (D.C. Official Code § 32-510(b)) is amended by striking the period and

3388 inserting the phrase “, except that this limitations period shall toll while a claim is pending

3389 administrative review under section 10(b).” in its place.

3390 Sec. 4065. The Workplace Leave Navigators Program Establishment Amendment Act of

3391 2020, effective Dec. 3, 2020 (D.C. Law 23-149; D.C. Official Code § 32-561.01 *et seq.*), is

3392 repealed.

3393 Sec. 4066. Title I of the Fiscal Year 2017 Budget Support Act of 2016, effective Oct. 8,

3394 2016 (D.C. Law 21-160; 63 DCR 10775), is amended by striking the subtitle heading

3395 “SUBTITLE P. UNIVERSAL PAID LEAVE IMPLEMENTATION FUND” and inserting the

3396 subtitle heading “SUBTITLE P. UNIVERSAL PAID LEAVE FUND” in its place.

3397

3398 **SUBTITLE H. STUDENT ACTIVITY FUND**

3399 Sec. 4071. Short title.

3400 This subtitle may be cited as the “Student Activity Fund Theatrical and Music Performance
3401 Expenditures Emergency Act of 2021”.

3402 Sec. 4072. Use of Student Activity Funds for theatrical and music performances.

3403 (a) Expenditures on school-administered theatrical and music performances, including
3404 stipends for non-District of Columbia Public Schools (“DCPS”) employees, but excluding
3405 stipends for DCPS employees, shall be an allowable expenditure from a DCPS school’s Student
3406 Activity Fund.

3407 (b) For the purposes of this act, the term “theatrical and music performances” means the
3408 planning, rehearsal, or presentation of a musical, staged play, choral production, orchestral or
3409 band concert, variety show, improvised or sketch comedy performance, or other live
3410 performance.

3411 **SUBTITLE I. UDC HEI QUALIFIED APPLICANTS**

3412 Sec. 4081. Short title.

3413 This subtitle may be cited as the “UDC HEI Qualified Applicants Expansion Amendment
3414 Act of 2021”.

3415 Sec. 4082. Section 402(b) of the “Pre-k Enhancement and Expansion Amendment Act of
3416 2008, effective July 18, 2008 (D.C. Law 17-202, D.C. Code § 38-274.02(b)), is amended to read
3417 as follows:

3418 “(b)(1) A qualified applicant shall be a high school graduate enrolled in a post-secondary
3419 institution receiving funding pursuant to Title IV of this Act in an effort to pursue an Associate

3420 degree in education or early childhood education or a Bachelor of Arts degree in education,
3421 human development, or early childhood education.

3422 “(2) A preference shall be given to individuals who:

3423 “(A) Are domiciled in the District;

3424 “(B)(i) Work in a bilingual childhood development facility in the District
3425 that is licensed by the Office of the State Superintendent of Education; and

3426 “(ii) Are required to obtain an Associate degree or Bachelor’s
3427 degree pursuant to sections 164 through 171 of Title 5-A of the District of Columbia Municipal
3428 Regulations (5-A DCMR §§ 164-171);

3429 “(C) Graduated from a District of Columbia Public Schools high school or
3430 District public charter high school; or

3431 “(D) Commit to be domiciled in the District within 180 days of accepting a
3432 scholarship.”.

3433 **SUBTITLE J. IT COMMUNITY TRAINING AND ADVISORY BOARD**

3434 **ESTABLISHMENT**

3435 Sec. 4091. Short title.

3436 This subtitle may be cited as the “IT Community Training and Advisory Board
3437 Establishment Emergency Act of 2021”.

3438 Sec. 4092. Definitions.

3439 For the purposes of this subtitle:

3440 (1) “Community training provider” means an entity in the District that has
3441 received an IT training grant awarded pursuant to section 4097.

3442 (2) “Dual-enrollment” means enrollment at both a WIC-approved community-
3443 based IT training program and UDC-CC or WDLL.

3444 (3) “IT” means information technology.

3445 (4) “IT Board” means the Information Technology Occupational Advisory Board.

3446 (5) “IT training” means occupational skills training that leads to an industry-
3447 recognized credential for IT jobs in any sector.

3448 (6) “Program” means the Information Technology Investment Program
3449 established pursuant to section 4093 of this subtitle.

3450 (7) “Program participant” means a District resident who is enrolled in Program
3451 training and receiving Program assistance authorized pursuant to section 4093.

3452 (8) “Program training” means any of the following, collectively or independently,
3453 as determined by context:

3454 (A) Credit-bearing courses at UDC-CC that may be applied toward a
3455 UDC-CC degree;

3456 (B) WDLL courses; or

3457 (C) IT training through a community training provider.

3458 (9) “Program training providers” means UDC-CC and WDLL, to the extent those
3459 entities are engaged in providing Program training, and community training providers.

3460 (10) “Public health emergency” means the Coronavirus (COVID-19) public
3461 health emergency declared pursuant to Mayor’s Order 2020-046, on March 11, 2020, and all
3462 subsequent extensions.

3463 (11) “Satisfactory academic progress” means maintaining an academic standing
3464 consistent with the requirements for program completion, as determined by the Program training
3465 provider.

3466 (12) “UDC” means the University of the District of Columbia.

3467 (13) “UDC-CC” means the UDC Community College.

3468 (14) “UDC-CC degree” means the Associate of Science degree in Computer
3469 Science, Information Technology, or any of the technology academies offered through the UDC-
3470 CC.

3471 (15) “WDLL” means the UDC-CC Division of Workforce Development and
3472 Lifelong Learning.

3473 (16) “WDLL courses” means Information Technology and Office Administration
3474 Career Pathway courses offered through the WDLL.

3475 (17) “WIC” means the Workforce Investment Council, established pursuant to
3476 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000
3477 (D.C. Law 12-150; D.C. Official Code § 32-1603).

3478 (18) “WIOA” means the Workforce Innovation and Opportunity Act of 2014,
3479 approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

3480 Sec. 4093. Establishment of the Information Technology Investment Program.

3481 (a) The WIC, in collaboration with UDC, the University of the District of Columbia
3482 Foundation, Inc., and community training providers, shall establish the Information Technology
3483 Investment Program to provide financial assistance to District residents who seek to obtain IT
3484 occupational credentials through Program training and to support District residents in obtaining

3485 IT jobs. The WIC shall be responsible for providing funding for the Program consistent with the
3486 memoranda of understanding required pursuant to section 4096 and the IT training grants
3487 authorized pursuant to section 4097.

3488 (b) The Program shall provide industry-informed, up-to-date IT training and certification
3489 at no cost to eligible District residents, who, under the Program, may receive the following
3490 financial assistance to pursue Program training:

3491 (1) Payment of tuition, to the extent charged;

3492 (2) Payment of academic costs, including the costs of books, supplies, and
3493 membership fees; and

3494 (3) A monthly stipend to be used toward living expenses and transportation for
3495 participants pursuing WDLL courses or IT training through community training providers.

3496 (c) Program training shall be offered at the UDC-CC campus and any WDLL satellite
3497 location and at community training provider sites located in the District, as approved by the
3498 WIC.

3499 (d) Program marketing and public education shall be provided by UDC-CC, WDLL, and
3500 community training providers to attract District residents to the Program and for the duration of
3501 the Program.

3502 Sec. 4094. Conditions of Program eligibility.

3503 (a) To be eligible for Program assistance to pursue a UDC-CC degree, an individual
3504 shall:

3505 (1) Meet the relevant enrollment requirements for a UDC-CC degree;

3506 (2) Be a resident of the District;

3507 (3) Have a stated interest in working in IT occupations;

3508 (4) Have not already completed an associate degree in IT or a bachelor's degree at

3509 an institution of higher education; and

3510 (5)(A) Have experienced unemployment or significant loss of income due to the

3511 public health emergency; or

3512 (B) Have multiple barriers to employment, as determined by the WIC.

3513

3514 (b) To be eligible for Program assistance to pursue WDLL courses, an individual shall:

3515 (1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4),

3516 and (5) of this section; and

3517 (2) Meet the enrollment requirements for WDLL courses.

3518 (c) To be eligible for Program assistance to pursue IT training through a community

3519 training provider, an individual shall:

3520 (1) Meet the eligibility criteria established pursuant to subsection (a)(2), (3), (4),

3521 and (5) of this section; and

3522 (2) Meet the enrollment requirements of the community training provider.

3523 (d) Program training providers shall select Program participants according to the terms of

3524 the applicable memorandum of understanding or grant agreement with the WIC.

3525 Sec. 4095. Program participation.

3526 (a) To maintain eligibility for Program assistance, an individual shall:

3527 (1) Maintain satisfactory academic progress;

3528 (2) Be a resident of the District throughout enrollment in Program training; and

3529 (3) Meet any other requirements determined by the WIC to be necessary or
3530 appropriate for Program participation.

3531 (b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor
3532 to remain a District resident for 6 months for each Program training course the participant
3533 completes.

3534 (2) The WIC shall establish requirements and procedures to administer this
3535 subsection.

3536 Sec. 4096. Memoranda of Understanding.

3537 (a)(1) No later than November 1, 2021, and by November 1 annually thereafter, the WIC
3538 shall execute Memoranda of Understanding (“MOUs”) with UDC and the University of the
3539 District of Columbia Foundation, Inc. (“Foundation”) for the purpose of implementing the
3540 Program through UDC-CC, including WDLL, and authorizing the intradistrict transfer of funds
3541 in accordance with the terms of this subsection.

3542 (2) The MOU with UDC shall, among other things, include funding from the WIC
3543 to support the following purposes in amounts to be determined by the parties:

3544 (A) Tuition, required fees, equipment, supplies, tools, and memberships
3545 for Program participants who are full-time or part-time students enrolled at UDC-CC to obtain a
3546 UDC-CC degree;

3547 (B) Required academic fees, equipment, supplies, tools, and membership
3548 fees for Program participants who are students enrolled in WDLL courses, and the salaries and
3549 fringe benefits of faculty and staff directly engaged in the provision of such courses;

3550 (C) Reasonable costs of facilities and equipment upgrades
3551 necessary to provide Program training offered through UDC-CC, including
3552 WDLL;

3553 (D) Marketing and recruitment activities to attract District
3554 residents to the Program; and

3555 (E) Development of dual enrollment guidance and policies for the
3556 expansion of dual-enrollment programs.

3557 (3) The MOU with the University shall, among other things, include funding from
3558 the WIC to provide Program participants enrolled in WDLL courses monthly stipends to defray
3559 living expenses in amounts to be determined by the parties. The University will disperse the
3560 stipends in a timely manner and apply criteria for providing stipends, which may include
3561 amounts for the following:

3562 (A) Fees associated with occupational licensing exams;

3563 (B) Reasonable transportation costs to and from classes; and

3564 (C) Any other expenses deemed appropriate by the WIC.

3565 Sec. 4097. Establishment of IT training grants.

3566 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,
3567 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than
3568 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue IT training grants
3569 (“grants”) to eligible providers of IT training in the District.

3570 (b) Grant recipients shall use funds received pursuant to this section to support the
3571 salaries and fringe benefits of faculty and staff engaged in the provision of IT training and to
3572 provide Program participants the financial assistance outlined in section 4093(b).

3573 (c) Subject to availability of funds, the WIC shall award grants totaling not less than
3574 \$1,875,000 per year with the option of one additional year based on performance results from
3575 previous years.

3576 (d) To be eligible for a grant, an applicant shall:

3577 (1) Be licensed by the Higher Education Licensure Commission as a
3578 postsecondary institution, degree or non-degree seeking.

3579 (2) Demonstrate that its IT training participants consistently and successfully
3580 attain the following benchmarks:

3581 (A) Completion of IT training;

3582 (B) Attainment of an IT occupational credential;

3583 (C) Obtainment of unsubsidized employment in an IT occupation; and

3584 (D) Retention of employment in an IT occupation for 6 months or longer.

3585 (e) The WIC may give preference to grant applicants utilizing integrated education and
3586 training, as defined by 34 C.F.R. § 463.35.

3587 Sec. 4098. Program performance and reporting.

3588 (a) At the termination of each semester, UDC shall furnish to the WIC a statement of:

3589 (1) The disaggregated number of Program participants by course who, during that
3590 semester, participated in one or more Program training courses;

3591 (2) The total number of Program training course enrollments attributable to the
3592 Program participants identified pursuant to paragraph (1) of this section;

3593 (3) The disaggregated number of Program participants included in the response to
3594 paragraph (1) of this section who successfully completed each Program training course, who
3595 dropped out, or who otherwise did not complete a Program training course in which the Program
3596 participant had enrolled;

3597 (4) The disaggregated number, by occupational credential, of Program
3598 participants who successfully secured an IT occupational credential; and

3599 (5) The total number of Program participants who successfully secured
3600 employment in an IT occupation and the average starting wage.

3601 (b) At the end of each fiscal year, the University shall furnish to the WIC a written
3602 accounting, for the previous year, of monthly stipends dispersed, the number of Program
3603 participants who received monthly stipends, the average amount of stipend per Program
3604 participant, and the approved purposes for the monthly stipends.

3605 (c) At the middle and end of each grant award cycle, a community training provider shall
3606 furnish to the WIC a report on the number of Program participants achieving the targets
3607 identified by the IT Advisory Report outlined in section 4101(a)(4).

3608 (d) The WIC shall:

3609 (1) Use common performance measures outlined in section 116 of WIOA (128
3610 Stat. 1471; 29 U.S.C. § 3142), to track the performance of Program training providers; and

3611 (2) Report on the performance of the Program as required by section 102 of the
3612 Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018
3613 (D.C. Law 22-95; D.C. Official Code § 32-1622).

3614 (e) Beginning no later than September 30, 2022, and by September 30 annually
3615 thereafter, the WIC shall furnish to the Mayor and the Council of the District of Columbia copies
3616 of the IT Advisory Report issued pursuant to section 4101 and a report, which shall include;

3617 (1) Reporting on the attainment of the target performance outcomes established
3618 pursuant to section 4101(d);

3619 (2) A narrative analysis on the effectiveness of the Program at increasing the
3620 number of District residents in IT occupations; and

3621 (3) Recommendations on the expansion or extension of the Program beyond the
3622 terms of this subtitle, including any additional budgetary needs.

3623 Sec. 4099. Program funding.

3624 The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated
3625 Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

3626 Sec. 4100. Establishment of the Information Technology Occupational Advisory Board.

3627 (a) The WIC shall establish an Information Technology Occupational Advisory Board,
3628 which shall work to advise UDC-CC, WDLL, and community training providers on their IT
3629 training courses to ensure a high quality of training, to maximize the employability of graduates
3630 of IT training course offerings, and to meet the IT staffing needs of employers in the District.

3631 (b) After researching and analyzing existing IT occupational advisory boards in the
3632 District and the metropolitan region, the WIC shall determine the structure and membership of

3633 its IT Board. The WIC may use a third-party to conduct the research and analysis and to
3634 make recommendations on the structure and membership of the IT Board.

3635 (c) No later than March 1, 2022, the WIC's Executive Director shall provide to
3636 the WIC a recommendation on an IT Board structure, membership composition,
3637 membership selection process, and board duties.

3638 (d) The WIC shall approve, deny, or amend the recommendation described in
3639 subsection (c) of this section by vote.

3640 (e) The first meeting of the WIC-approved IT Board shall occur no later than July
3641 1, 2022.

3642 Sec. 4101. IT Advisory Report.

3643 No later than September 30, 2022, the WIC shall submit to the Mayor, Council, UDC-
3644 CC, WDLL, and community training providers, an IT Advisory Report, which shall contain the
3645 following:

3646 (a) The number of District residents needed to meet hiring demands of District employers
3647 hiring for IT occupation jobs;

3648 (b) The occupational credentials less than a bachelor's degree needed for District
3649 residents to be eligible for employment in IT occupations;

3650 (c) The necessary hard and soft skills needed to succeed in IT occupations;

3651 (d) Target performance outcomes for Program training providers to achieve pertaining to
3652 recruitment, enrollment, course or degree completion, credential attainment, employment,
3653 average starting wage, and retention of employment at 6 months and one year; and

3654 (e) Recommendations for Program training providers on the following:

- 3655 (1) New or additional IT courses that Program training providers should offer;
3656 (2) Existing IT course offerings that Program training providers should expand;
3657 (3) IT course content adjustments that could be made to align courses with skills
3658 needed on the job in IT occupations;
3659 (4) Equipment and facilities upgrades necessary for relevant IT education and IT
3660 training to achieve the recommendations in subparagraphs (A), (B), and (C) of this paragraph;
3661 and
3662 (5) Any other information deemed appropriate by the IT Board.

3663 Sec. 4102. Sunset.

3664 This subtitle shall expire on September 30, 2024.

3665 **SUBTITLE K. NURSE EDUCATION ENHANCEMENT**

3666 Sec. 4111. Short title.

3667 This subtitle may be cited as the “DC Nurse Education Enhancement Program
3668 Emergency Amendment Act of 2021”.

3669 Sec. 4112. Definitions.

3670 For the purposes of this subtitle:

3671 (1) “BON” means the Board of Nursing established pursuant section 204 of the
3672 District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C.
3673 Law 6-99; D.C. Official Code § 3-1202.04).

3674 (2) “CNA” means a Certified Nursing Aide.

3675 (3) “Community training provider” means an entity that has been approved by the
3676 BON to provide training to individuals to attain certification as a CNA, HHA, or MA-C.

- 3677 (4) “Direct care worker” means an individual who is certified as a CNA, HHA, or
3678 MA-C.
- 3679 (5) “Direct care worker training grant” means a grant issued pursuant to section
3680 4117.
- 3681 (6) “Direct care worker training grantee” means a community training provider
3682 that has received a direct care worker training grant.
- 3683 (7) “Dual-enrollment” means enrollment in both a BON-approved training
3684 program and the University.
- 3685 (8) “Healthcare Workforce Partnership” means the entity established pursuant to
3686 section 2075 of the Healthcare Workforce Partnership Act of 2020, effective December 3, 2020
3687 (D.C. Law 23-149; D.C. Official Code § 32-1684).
- 3688 (9) “HHA” means Home Health Aide.
- 3689 (10) “LPN to AASN degree” means a Licensed Practical Nurse to Associate in
3690 Applied Science in Nursing degree.
- 3691 (11) “MA-C” means Medication Aide Certified.
- 3692 (12) “Nursing care occupation” means an occupation that requires a worker to be
3693 certified as a CNA, HHA, MA-C, LPN, or RN.
- 3694 (13) “Program” means the DC Nurse Education Enhancement Program
3695 established pursuant to this subtitle.
- 3696 (14) “Program participant” means a District resident who is enrolled in Program
3697 training and receiving Program assistance authorized pursuant to section 4113.

3698 (15) “Program training” means any of the following, collectively or
3699 independently, as determined by context:
3700 “(A) Credit-bearing courses at UDC that may be applied toward an RN to
3701 BSN degree;
3702 “(B) Credit-bearing courses at UDC-CC that may be applied toward an
3703 LPN to AASN degree;
3704 “(C) WDLL courses; or
3705 “(D) Training to obtain a certification as a CNA, HHA, or MA-C, or a
3706 CNA to HHA bridge program, through a community training provider.
3707 (16) “RN to BSN degree” means a Registered Nurse to Bachelor of Science in
3708 Nursing degree.
3709 (17) “Satisfactory academic progress” means maintaining an academic standing
3710 consistent with the requirements for program completion, as determined by the Program training
3711 provider.
3712 (18) “UDC” means the University of the District of Columbia.
3713 (19) “UDC-CC” means the University of the District of Columbia Community
3714 College.
3715 (20) “University” means, collectively, UDC, UDC-CC, and WDLL.
3716 (21) “WDLL” means the UDC-CC Division of Workforce Development and
3717 Lifelong Learning.
3718 (22) “WDLL courses” means courses offered through WDLL’s Healthcare Direct
3719 Career Pathway Nursing Assistant program.

3720 (23) “WIC” means the Workforce Investment Council, established pursuant to
3721 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000
3722 (D.C. Law 12-150; D.C. Official Code § 32-1603).

3723 (24) “WIOA” means the Workforce Innovation and Opportunity Act of 2014,
3724 approved July 22, 2014 (128 Stat. 1425; 29 U.S.C § 3101 *et seq.*).

3725 Sec. 4113. Establishment of the Nurse Education Enhancement Program.

3726 (a) The WIC shall establish, in collaboration with the University, the University of the
3727 District of Columbia Foundation, Inc., and direct care worker training grantees, the DC Nurse
3728 Education Enhancement Program for the purpose of training District residents to obtain an
3729 occupational credential and employment in nursing care occupations. The WIC shall be
3730 responsible for providing funding for the Program consistent with the memoranda of
3731 understanding executed pursuant to section 4116 and the direct care worker training grants
3732 authorized pursuant to section 4117.

3733 (b) The Program shall provide industry-informed, BON-approved training that leads to
3734 certifications required for nursing care occupations at no cost to eligible District residents, who,
3735 under the Program, may receive the following financial assistance to pursue Program training:

3736 (1) Payment of tuition, to the extent charged;

3737 (2) Payment of academic costs, including books, supplies, and membership fees;

3738 and

3739 (3) A monthly stipend to be used toward living expenses and transportation for
3740 Program participants pursuing WDLL courses or certification as a CNA, HHA, MA-C, or a CNA
3741 to HHA bridge program, through a direct care worker training grantee.

3742 (c) Program training shall be offered at the University's campuses and satellite locations
3743 and at community training provider sites located in the District.

3744 (d) Program training shall be approved by the BON.

3745 (e) Program marketing and public education shall be provided by the University and
3746 community training providers to attract residents to the Program and for the duration of the
3747 Program.

3748 (f) The University shall review the recommendations and implement relevant sections of
3749 the Healthcare Occupations Report developed by the Healthcare Workforce Partnership pursuant
3750 to section 2175(e) of the Healthcare Workforce Partnership Act of 2020, effective December 3,
3751 2020 (D.C. Law 23-149; D.C. Official Code §32-1684(e)), to maintain and enhance course
3752 offerings to meet the workforce needs of nursing care occupations in the District.

3753 Sec. 4114. Conditions of Program eligibility.

3754 (a) To be eligible for Program assistance while pursuing an RN to BSN degree through
3755 UDC, an individual shall:

3756 (1) Have met the enrollment requirements of UDC;

3757 (2) Be a resident of the District;

3758 (3) Have a stated interest in employment in a nursing care occupation;

3759 (4) Have not already completed a bachelor's degree at an institution of higher
3760 education;

3761 (5) Have previously obtained a credential as a CNA, HHA, or LPN; and

3762 (6) Have been employed in the District for a minimum of 2 years as a CNA,
3763 HHA, or LPN with a healthcare employer.

3764 (b) To be eligible for Program assistance while pursuing an AASN degree through UDC-
3765 CC, an individual shall:

3766 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

3767 (2) Meet the enrollment requirements of UDC-CC;

3768 (3) Have previously obtained a credential as a CNA, HHA, or MA-C; and

3769 (4) Have been employed in the District for a minimum of 2 years as a CNA,

3770 HHA, or MA-C with a healthcare employer.

3771 (c) To be eligible for Program assistance while pursuing certification as a CNA through
3772 WDLL, an individual shall:

3773 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

3774 and

3775 (2) Meet the enrollment requirements of WDLL;

3776 (d) To be eligible for Program assistance while pursuing a certification as a CNA, HHA,

3777 MA-C, or while pursuing a CNA to HHA bridge program, through a direct care worker training

3778 grantee, an individual shall:

3779 (1) Meet the conditions outlined in subsection (a)(2), (3), and (4) of this section;

3780 and;

3781 (2) Meet the enrollment requirements of the community training provider.

3782 (e) The University and direct care worker training grantees shall select Program

3783 participants according to the terms of the applicable memorandum of understanding or grant

3784 agreement with the WIC.

3785 Sec. 4115. Program participation.

3786 (a) To maintain eligibility for Program assistance, an individual shall:

3787 (1) Maintain satisfactory academic progress, as determined by the University or
3788 the direct care worker training grantee;

3789 (2) Be a resident of the District throughout participation in Program training; and

3790 (3) Meet any other requirements determined by the WIC to be necessary or
3791 appropriate.

3792 (b)(1) In exchange for Program assistance, a Program participant shall agree to endeavor
3793 to remain a District resident for 6 months for each Program training course the participant
3794 completes.

3795 (2) The WIC shall establish requirements and procedures to implement this
3796 subsection.

3797 Sec. 4116. Memoranda of Understanding.

3798 (a)(1) No later than November 1, 2021, and by November 1 annually thereafter, the WIC
3799 shall execute Memoranda of Understanding ("MOUs") with the University and the University of
3800 the District of Columbia Foundation, Inc. ("Foundation") for the purpose of implementing the
3801 Program at the University and authorizing the intradistrict transfer of funds in accordance with
3802 the terms of this subsection.

3803 (2) The MOU with the University shall, among other things, include funding from
3804 the WIC to support the following purposes in amounts to be determined by the parties:

3805 (A) Tuition, required fees, equipment, supplies, tools, and memberships
3806 for Program participants who are full-time or part-time students at UDC and UDC-CC seeking to
3807 obtain an RN to BSN degree or an LPN to AASN degree; provided, that the BON has approved

3808 such degree paths by the date of execution of the MOU; provided further, that the parties may
3809 modify the MOU to incorporate funding for BON-approved degree paths following BON
3810 approval.

3811 (B) Required academic fees, equipment, supplies, tools, certification exam
3812 preparation fees, and memberships for Program participants who are students enrolled in WDLL
3813 courses, and the salaries and fringe benefits of faculty and staff directly engaged in the provision
3814 of such courses;

3815 (C) Reasonable costs of facilities and equipment upgrades necessary for
3816 providing Program training through UDC-CC, including WDLL;

3817 (D) Marketing and recruitment activities to attract District residents to the
3818 Program; and

3819 (E) Development of dual enrollment guidance and policy for the
3820 expansion of dual-enrollment programs.

3821 (3) The MOU with the Foundation shall, among other things, include funding
3822 from the WIC to provide Program participants enrolled in WDLL courses monthly stipends to
3823 defray living expenses in amounts to be determined by the parties, and may include amounts for
3824 the following:

3825 (A) Fees associated with occupational licensing exams;

3826 (B) Reasonable transportation costs to and from classes; and

3827 (C) Any other expenses deemed appropriate by the WIC.

3828 Sec. 4117. Establishment of direct care worker training grants.

3829 (a) Pursuant to section 4(c) of the Workforce Investment Implementation Act of 2000,
3830 effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), no later than
3831 January 31, 2022, and by November 1 annually thereafter, the WIC shall issue direct care worker
3832 training grants (“grants”) to community training providers according to this section.

3833 (b) Grant recipients shall use funds received pursuant to this section to support the
3834 salaries and fringe benefits of faculty and staff engaged in training Program participants to
3835 become direct care workers and to provide Program participants the financial assistance outlined
3836 in section 4113(b).

3837 (c) Subject to availability of funds, the WIC shall award grants totaling not less than
3838 \$900,000 per year with the option of 2 additional years based on performance results from
3839 previous years.

3840 (d) To be eligible for a grant, an applicant shall:

3841 (1) Be located in the District;

3842 (2) Be a community training provider; and

3843 (3) Demonstrate that its training participants consistently and successfully attain
3844 the following benchmarks:

3845 (A) Completion of direct care worker training;

3846 (B) Direct care worker credential attainment;

3847 (C) Obtainment of unsubsidized employment as a direct care worker in the
3848 occupation of training; and

3849 (D) Retention of employment as a direct care worker in the occupation of
3850 training for 6 months or longer.

3851 (e) The WIC may give preference to grant applicants utilizing integrated education and
3852 training, as defined by 34 C.F.R. § 463.35.

3853 Section 4118. Program performance and reporting.

3854 (a) At the termination of each semester, the University shall furnish to the WIC a
3855 statement of:

3856 (1) The disaggregated number of Program participants by course who, during that
3857 semester, participated in each Program course;

3858 (2) The total number of Program training course enrollments attributable to the
3859 Program participants identified pursuant to paragraph (1) of this subsection;

3860 (3) The disaggregated number of Program participants included in the response to
3861 paragraph (1) of this subsection who successfully completed each Program training course, who
3862 dropped out, or who otherwise did not complete the Program training course in which the
3863 program participant had enrolled;

3864 (4) The disaggregated number, by occupational credential, of Program
3865 participants who successfully secured a nursing care occupation credential; and

3866 (5) The total number of Program participants who successfully secured
3867 employment in a nursing care occupation and average starting wage.

3868 (b) At the end of each fiscal year, the University shall furnish to the WIC a written
3869 accounting, for the previous year, of the monthly stipends dispersed, number of Program
3870 participants who received monthly stipends, average amount of stipend per Program participant,
3871 and the approved purposes for the monthly stipends.

3872 (c) At the middle and end of the grant award cycle, each direct care worker training
3873 grantee shall furnish to the WIC a report on Program participant outcomes pertaining to
3874 recruitment, enrollment, completion, credential attainment, employment average starting wage,
3875 and retention of employment at 6 months and one year.

3876 (d) The WIC shall:

3877 (1) Use common performance measures outlined in section 116 of WIOA (128
3878 Stat. 1471; 29 U.S.C. § 3142), to track the performance of the Program training providers; and

3879 (2) Report on the performance of the Program as required by section 102 of the
3880 Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018
3881 (D.C. Law 22-95; D.C. Official Code § 32-1622).

3882 (3) No later than September 30, 2022 and by September 30 annually thereafter,
3883 furnish a report to the Mayor and the Council of the District of Columbia, which shall include:

3884 (A) The data received pursuant subsections (a), (b), and (c) of this section;

3885 (B) A narrative analysis on the effectiveness of the Program at increasing
3886 the number of District residents in nursing care occupations; and

3887 (C) Recommendations on the expansion or extension of the Program
3888 beyond the terms of this subtitle, including any additional budgetary needs.

3889 Sec. 4119. Program funding.

3890 The WIC shall make best efforts to use federal WIOA Title I Adult and Dislocated
3891 Worker funds to supplement funds appropriated for the purposes of implementing this subtitle.

3892 Sec. 4120. The Healthcare Workforce Partnership Act of 2020, effective December 3,
3893 2020 (D.C. Law 23-149, D.C. Official Code § 32-1681 *et seq.*), is amended as follows:

3894 (a) Section 2172(c) (D.C. Official Code § 32-1682(c)) is amended as follows:

3895 (1) Paragraph (2) is amended by striking the phrase “; and” and inserting a
3896 semicolon in its place.

3897 (2) A new paragraph (2A) is added to read as follows:

3898 “(2A) Submit to the Partnership for feedback the proposed statement of work for
3899 the direct care worker training grant outlined in section 4117 of the DC Nurse Education
3900 Enhancement Program Amendment Act of 2021, approved by the Committee of the Whole on
3901 July 20, 2021 (Committee print of Bill 24-285); and”.

3902 (b) Section 2175(b)(3) (D.C. Official Code § 32-1684) is amended as follows:

3903 (1) Subparagraph (D) is amended by striking the phrase “; and” and inserting a
3904 semicolon in its place.

3905 (2) Subparagraph (E) is amended by striking the period and inserting the phrase “;
3906 and” in its place.

3907 (3) A new subparagraph (F) is added to read as follows:

3908 “(F) At least one representative from an employer of workers who are
3909 certified nursing aides, certified home health aides, or medication aide certified, including
3910 licensed home health agencies, assisted living residences, adult day health programs, nursing
3911 facilities, and long-term direct healthcare providers.”.

3912 Sec. 4121. The Nurses Training Corps Establishment Act of 1987, effective October 9,
3913 1987 (D.C. Law 7-32, D.C. Official Code § 38-1501 *et seq.*), is repealed.

3914 Sec. 4122. Sunset.

3915 Sections 4112 through 4120 shall expire on September 30, 2024.

3916 **SUBTITLE L. SCHOOL YEAR INTERNSHIP PROGRAM**

3917 Sec. 4131. Short title.

3918 This subtitle may be cited as the “School Year Internship Program Emergency Amendment
3919 Act of 2021”.

3920 Sec. 4132. Section (a)(2A) of the Youth Employment Act of 1979, effective January 5,
3921 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)(2A)), is amended as follows:

3922 (a) The lead-in language is amended by striking the word “pilot” and inserting the word
3923 “program” in its place.

3924 (b) Subparagraph (A) is amended to read as follows:

3925 “(A) A program called the School Year Internship Program (“Program”) for
3926 a minimum of 350 District high school students, each year, to provide work-based learning
3927 opportunities during the school year.”.

3928 (c) Subparagraph (C) is amended to read as follows:

3929 “(C) DOES shall notify students of their placement with an internship host
3930 by January 5, 2022, and September 15 of each subsequent year.”.

3931 (d) Subparagraph (D) is amended to read as follows:

3932 “(D) Interns shall remain matched with their internship host between the
3933 first week of October and the last day of May; provided, that for Fiscal Year 2022, internships may
3934 begin as late as the second week in January 2022.”.

3935 (e) Subparagraph (F)(ii) is amended by striking the phrase “December 1, 2020.” and
3936 inserting the phrase “December 1, 2021, and July 1 of each subsequent year.” in its place.

3937 **SUBTITLE M. JOBS FIRST DC PILOT PROGRAM ESTABLISHMENT**

3938 Sec. 4141. Short title.

3939 This subtitle may be cited as the "Jobs First DC Pilot Program Emergency Establishment
3940 Act of 2021".

3941 Sec. 4142. Definitions.

3942 For the purposes of this subtitle:

3943 (1) "Digital literacy" means fluency in the use and security of interactive digital tools and
3944 searchable networks including the ability to use digital tools safely and effectively for learning,
3945 collaborating, and producing.

3946 (2) "DOES" means the District Department of Employment Services.

3947 (3) "Employment retention support" means activities delivered to participants after
3948 securing employment that are aimed at assisting participants in maintaining employment with the
3949 same employer.

3950 (4) "Grant" means the Program funds authorized to be issued pursuant to section 4144.

3951 (5) "Grantee" means an organization in receipt of a grant issued pursuant to section 4144.

3952 (6) "Participant" means an individual selected by a grantee, pursuant to section 4144, to
3953 participate in the Program.

3954 (7) "Program" means the Jobs First DC Pilot Program established pursuant to section
3955 4143.

3956 (8) "Supportive services" shall have the same meaning as provided in 20 CFR § 651.10

3957 (9) "WIOA" means the Workforce Innovation and Opportunity Act of 2014, approved
3958 July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

3959 Sec. 4143. Establishment of the Jobs First DC Pilot Program.

3960 (a) There is established a Jobs First DC Pilot Program for the purpose of issuing grants to
3961 assist in the placement of at least 300 District residents in unsubsidized permanent employment
3962 and to fund 12 months of job retention support.

3963 (b) The Program shall provide participants the following assistance:

3964 (1) Assessment and evaluation of their job history, skills, and education;

3965 (2) Information and referral to support services, as defined by 20 CFR § 651.10;

3966 (3) Career services described in section 134(c)(2) of WIOA (128 Stat. 1520; 29
3967 U.S.C. § 3174(c)(2));

3968 (4) Resume development;

3969 (5) Employment-readiness skills development;

3970 (6) Interview preparation;

3971 (7) Job search and application submission;

3972 (8) Job referrals as described in 20 CFR § 651.10, to unsubsidized permanent
3973 employment opportunities;

3974 (9) Job interview follow-up and feedback;

3975 (10) Employment orientation paperwork completion;

3976 (11) Professional networking coaching; and

3977 (12) 12 months of employment retention support.

3978 (c) The Program may provide participants the following assistance:

3979 (1) Digital literacy skills development;

3980 (2) Review of credit scores and creation of a plan to improve a participant’s credit
3981 score; and

3982 (3) Review of criminal history records and creation of a plan to ameliorate the
3983 effects of or correct a participant’s criminal record.

3984 Sec. 4144. Establishment of Jobs First DC grants.

3985 (a) Beginning no later than December 15, 2021, DOES shall award a minimum of 2
3986 grants, each not less than \$250,000 per year for a minimum of 2 years, subject to the availability
3987 of funds, to provide job placement and employment retention support for District residents.

3988 (b) To be eligible for a grant, an applicant shall:

3989 (1) Be located in the District;

3990 (2) Be a nonprofit organization with a 501(c)(3) status, as determined by the
3991 Internal Revenue Service;

3992 (3) Have demonstrated success providing the employment assistance described in
3993 section 4143(b) to individuals with the characteristics described in section 4145(d), as evidenced
3994 by a minimum of a 65% employment placement rate; and

3995 (4) Have demonstrated success providing employment support to individuals for
3996 up to 12 months, as evidenced by a minimum of a 70% employment retention rate.

3997 (c) DOES may give preference to applicants that have partnerships with:

3998 (1) Organizations that provide criminal and credit record review and recovery
3999 support; or

4000 (2) Financial institutions to establish individual development accounts (“IDAs”)
4001 for employed participants, in which the progressive employment retention bonuses outlined in

4002 subsection (d)(3) of this section and other savings may be deposited and matched to help
4003 participants build assets and achieve financial stability.

4004 (d) Grantees shall:

4005 (1) Select Program participants according to the criteria outlined in section 4145.

4006 (2) Provide participants the services outlined in section 4143(b); and

4007 (3) Provide progressive employment retention bonuses totaling up to \$500 for
4008 each participant who meets the following milestones:

4009 (A) At 180 days of employment, a participant shall receive \$250; and

4010 (B) At 365 days of employment, a participant shall receive \$250;

4011 (4) Receive a training outcomes bonus totaling up to \$500 for each participant
4012 who meets the following milestones:

4013 (A) For each participant that remains employed for 180 days, a grantee
4014 shall receive \$250; and

4015 (B) For each participant that remains employed for 365 days, a grantee
4016 shall receive \$250.

4017 (e) Grantees may establish and facilitate a participant alumni group for the purpose of
4018 providing participants access to education and training opportunities and to promote professional
4019 advancement.

4020 Sec. 4145. Participant conditions of eligibility.

4021 To be eligible to participate in the Program, an individual shall:

4022 (a) Be a resident of the District;

4023 (b) Be unemployed at the time of application to the Program;

4024 (c) Be able to engage in regular, full-time employment, as assessed by the
4025 grantee; and

4026 (d) Have one or more of the following barriers to employment:

4027 (1) Lack of consistent work history;

4028 (2) History of a criminal record;

4029 (3) History of substance abuse;

4030 (4) History of mental illness; or

4031 (5) Housing insecurity.

4032 Sec. 4146. Reporting.

4033 (a) Every 6 months, starting from receipt of a grant, a grantee shall furnish to DOES a
4034 report on the following outcomes from the previous 6 months:

4035 (1) The total number of participants placed in employment;

4036 (2) The average starting wage for participants;

4037 (3) The average number of days from official enrollment in the Program to
4038 employment start date;

4039 (4) The total number of participants achieving each progressive employment
4040 milestone outlined in section 4144(d)(3) and the average participant wage at each milestone;

4041 (5) The total sum of progressive employment retention bonuses issued to
4042 participants; and

4043 (6) The total sum of training outcomes bonuses issued to grantees.

4044 (b) Beginning no later than December 15, 2022, and by December 15 annually thereafter,
4045 DOES shall furnish a report to the Mayor and the Council containing the grantee performance
4046 outcomes reported pursuant to subsection (a) of this section.

4047 **SUBTITLE N. WORKPLACE RIGHTS GRANT PROGRAM**

4048 Sec. 4151. This subtitle may be cited as “Workplace Rights Grant Program Emergency
4049 Amendment Act of 2021”.

4050 Sec. 4152. Subtitle J of Title II of the Fiscal Year 2020 Budget Support Act of 2019,
4051 effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 32-171.01 *et seq.*), is
4052 amended to read as follows:

4053 “SUBTITLE J. WORKPLACE RIGHTS GRANT PROGRAM

4054 “Sec. 2091. Short title.

4055 “This subtitle may be cited as the “Workplace Rights Grant Program Amendment Act of
4056 2021”.

4057 “Sec. 2092. Definitions.

4058 For the purposes of this subtitle, the term:

4059 “(1) “Activities” means conducting outreach to, providing worker education to, or
4060 providing legal services for eligible individuals related to employment laws.

4061 “(2) “Community-based organization” means a nonprofit organization, including
4062 a legal services provider, headquartered in the District of Columbia whose purpose OAG
4063 determines is aligned with one or more purposes of the Program.

4064 “(3) “Eligible individual” means an individual who works in the District.

4065 “(4) “Employment laws” means workplace leave laws and:

4066 “(A) The Minimum Wage Act Revision Act of 1992, effective March 25,
4067 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);

4068 “(B) An Act To provide for the payment and collection of wages in the
4069 District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et*
4070 *seq.*);

4071 “(C) The District of Columbia Unemployment Compensation Act,
4072 approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*); and

4073 “(D) Federal laws that relate to or provide similar rights as the laws
4074 identified in subparagraphs (A) through (C) of this paragraph, including the Fair Labor Standards
4075 Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), and the Family
4076 and Medical Leave Act of 1993, approved February 5, 1993 (107 Stat. 6; 29 U.S.C. § 2611 *et*
4077 *seq.*).

4078 “(5) “Grantee” means a community-based organization in receipt of a Program
4079 grant issued pursuant to section 2093.

4080 “(6) “Legal services” means the provision of legal advice, assistance, or
4081 representation regarding an individual's rights or responsibilities related to a particular matter or
4082 more general matters.

4083 “(7) “Legal services provider” means a nonprofit organization or clinical program
4084 headquartered in the District that provides legal services.

4085 “(8) “Low- or moderate-income eligible individual” means an individual who
4086 works in the District and who earns an hourly wage or salary equivalent to less than 3 times the
4087 District minimum wage or who has a household income that falls at or below 400% of the

4088 federal poverty guidelines issued by the United States Department of Health and Human
4089 Services.

4090 “(9) “OAG” means the Office of the Attorney General for the District of
4091 Columbia.

4092 “(10) “Program” means the Workplace Rights Grant Program established
4093 pursuant to section 2093.

4094 “(11) “Workplace leave laws” means laws that provide for eligible individuals to
4095 take leave from their employment and protect the right to do so, and include the:

4096 “(A) Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008
4097 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*);

4098 “(B) Universal Paid Leave Amendment Act of 2016, effective April 7,
4099 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*);

4100 “(C) District of Columbia Family and Medical Leave Act of 1990,
4101 effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*); and

4102 “(D) Protecting Pregnant Workers Fairness Act of 2014, effective March
4103 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*).

4104 “Sec. 2093. Establishment of Program and issuance of grants.

4105 “(a) There is established the Workplace Rights Grant Program for the purpose of
4106 authorizing OAG to provide grants to community-based organizations to conduct activities with
4107 eligible individuals related to employment laws and to inform the OAG’s work related to
4108 employment laws.

4109 “(b) OAG shall administer the Program by:

4110 “(1) Issuing Program grants to community-based organizations to provide
4111 outreach and worker education; outreach and legal services; or a combination of outreach,
4112 worker education, and legal services.

4113 “(2) Awarding Program grants at least annually, which may include the
4114 continuation or renewal of multi-year grants, to at least 2 qualified community-based
4115 organizations;

4116 “(3) Adopting policies, procedures, guidelines, and requirements for the grants,
4117 including performance measures and target outcomes; and

4118 “(4) Issuing all grants pursuant to the requirements set forth in the Grant
4119 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code
4120 § 1-328.11 *et seq.*).

4121 “(c) OAG may:

4122 “(1) Require that at least 95% of the individuals served by a Program grant in a
4123 grant year be low- or moderate-income eligible individuals or reasonably believed to be low- or
4124 moderate-income eligible individuals; and

4125 “(2) Pay grants on a performance basis or a reimbursable basis.

4126 “(d) Program grants shall:

4127 “(1) Have a duration of at least one year and up to 3 years, subject to the
4128 availability of appropriations and contingent on satisfactory performance by a grantee during the
4129 grant’s first year or, if applicable, the grant’s second year; and

4130 “(2) Be for not less than \$100,000 per year per grant.

4131 Sec. 2094. Grantee eligibility requirements.

4132 “(a)(1) To be eligible for a grant authorized under this subtitle, a community-based
4133 organization shall:

4134 “(A) Demonstrate in its application that it is well qualified to engage in the
4135 types of activities which will be funded, in whole or in part, by the grant;

4136 “(B) Specify in its grant application the planned staff, schedule, format,
4137 and intended audience of the activities it plans to provide and provide a summary of the content
4138 of any worker education that will be carried out during the grant period; and

4139 “(C) Have the capacity to provide free legal services if applying to be a
4140 legal services provider; and

4141 “(D) Include other information as required by OAG.

4142 “(2)(A) In addition to the criteria specified in paragraph (1) of this subsection, to
4143 be eligible for Program grant funds, a community-based organization that is not a legal services
4144 provider shall demonstrate that it possesses at least 3 years’ experience:

4145 “(i) Conducting outreach to and establishing working relationships
4146 with significant numbers of eligible individuals; and

4147 “(ii) Working on or assisting workers to secure rights under
4148 employment laws.

4149 “(B) A community-based organization that does not satisfy the criteria in
4150 subparagraph (A)(i) of this paragraph may receive a Program grant if it applies in partnership
4151 with a community-based organization that meets the requirements of both subparagraph (A)(i)
4152 and (ii) of this paragraph.

4153 “Sec. 2095. Grant uses.

4154 “(a) Grantees may conduct activities:

4155 “(1) Regarding a subset of employment laws; and

4156 “(2) With workers in a single occupational group; provided, that the grant

4157 application demonstrates that such occupational group experiences significant,

4158 disproportionately high, or persistent violations of employment laws or that the occupational

4159 group requires targeted assistance in order to access programs under employment laws.

4160 “(b) Grantees that provide worker education shall provide, to an eligible individual or

4161 group of eligible individuals, information on the rights and responsibilities of accessing benefits

4162 under, recognizing violations of and learning how to prevent or rectify violations of, or learning

4163 how to assist others to take steps to prevent or rectify violations of employment laws.

4164 “Sec. 2096. Transparency and reporting.

4165 “(a) OAG shall annually collect the following information from grantees:

4166 “(1) The number of eligible individuals served by gender, race, ethnicity, primary

4167 language, and age;

4168 “(2) The number of eligible individuals served by state of residence, and for

4169 District residents, by election ward;

4170 “(3) The occupational groups of eligible individuals served and the number of

4171 individuals served in each occupational group;

4172 “(4) A list of the activities provided, with a descriptive summary of each activity;

4173 “(5) The number of eligible individuals served in relation to each employment law

4174 or set of employment laws;

4175 “(6) Performance outcomes; and
4176 “(7) An evaluation of implementation challenges and recommendations for future
4177 improvements.

4178 “(b) OAG shall annually provide to the Council a report that includes:

4179 “(1) A list of grantees and the amount of grant funding provided to each;

4180 “(2) For each grantee, the information provided to OAG pursuant to subsection
4181 (a) of this section; and

4182 “(3) An overall evaluation of the Program, including implementation challenges
4183 and recommendations for future improvements.

4184 “(c) OAG may not require grantees to release to OAG any personally identifying
4185 information in connection with the preparation or provision of the reports described in this
4186 section.”.

4187 Sec. 4153. The Attorney General for the District of Columbia Clarification and Elected
4188 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §
4189 1-301.81 *et seq.*), is amended as follows:

4190 (a) Section 106b(c)(1)(B) (D.C. Official Code § 1-301.86b(c)(1)(B)) is amended by
4191 striking the phrase “provided in section 108c(a)” and inserting the phrase “provided in sections
4192 108c(a) and 108d(a)” in its place.

4193 (b) A new section 108d is added to read as follows:

4194 “Sec. 108d. Authority to issue grants for workplace rights.

4195 “(a) The Attorney General may issue grants for the purposes authorized pursuant to the
4196 Workplace Rights Grant Program Amendment Act of 2021, approved by the Committee of the
4197 Whole on July 20, 2021 (Committee print of Bill 24-285).

4198 “(b) Personnel and non-personnel costs related to administering any grants issued
4199 pursuant to the authority provided in subsection (a) of this section may be paid from funds
4200 deposited into the Litigation Support Fund established in section 106b.

4201 “(c) The Attorney General may issue rules to implement this section.”.

4202 **SUBTITLE O. UNEMPLOYMENT COMPENSATION IMPROVEMENTS**

4203 Sec. 4161. This subtitle may be cited as the “Unemployment Compensation
4204 Improvements Emergency Amendment Act of 2021”.

4205 Sec. 4162. The District of Columbia Unemployment Compensation Act, approved
4206 August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

4207 (a) Section 3(c)(2) (D.C. Official Code § 51-103(c)(2)) is amended by adding a new
4208 subparagraph (H) to read as follows:

4209 “(H)(i) The following benefits paid to an individual who became
4210 unemployed or partially unemployed as a result of the circumstances giving rise to the public
4211 health emergency shall not be charged to an employer’s experience rating:

4212 “(I) Benefits paid to an affected employee pursuant to
4213 section 101(a), (b), (d), (e), and (g) of the Coronavirus Support Temporary Amendment Act of
4214 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824) (“section 101”), or any preceding
4215 act of the Council of the District of Columbia authorizing payment of benefits on substantially
4216 similar terms as those described in section 101;

4217 “(II) Benefits paid to an affected employee after the
4218 expiration of the Coronavirus Support Temporary Amendment Act of 2021, effective June 24,
4219 2021 (D.C. Law 24-9; 68 DCR 4824), because the employee continues to otherwise qualify for
4220 benefits; and

4221 “(III) Benefits paid under other local or federal law,
4222 including the federal Pandemic Emergency Unemployment Compensation program and extended
4223 benefits authorized under section 107(g).

4224 “(ii) For the purposes of this subparagraph, the term:

4225 (I) “Affected employee” shall have the same meaning as
4226 provided in section 101(d) of the Coronavirus Support Temporary Amendment Act of 2021,
4227 enacted June 24, 2021 (D.C. Act 24-9; 68 DCR 4824).

4228 (II) “Public health emergency” means the Coronavirus
4229 (COVID-19) public health emergency declared pursuant to Mayor’s Order 2020-046, on March
4230 11, 2020, and all subsequent extensions.”.

4231 (b) Section 10(a) (D.C. Official Code § 51-110(a)) is amended as follows:

4232 (1) Designate the existing text as paragraph (1).

4233 (2) A new paragraph (2) is added to read as follows:

4234 “(2) For the purposes of paragraph (1) of this subsection, the term “good cause”
4235 includes working in unsafe locations or under unsafe conditions where such unsafe working
4236 condition or location would cause a reasonable and prudent person in the labor market to leave
4237 the work, as determined by the Director based on the facts in each case.”

4238 (c) Section 19(d) (D.C. Official Code § 51-119(d)) is amended as follows:

4239 (1) Paragraph (1) is amended by striking the phrase “or by the collection remedy
4240 set forth in D.C. Official Code § 47-1812.11(a)” and inserting the phrase “no more than 3 years
4241 from the date that such sum was paid to the claimant” in its place.

4242 (2) A new paragraph (3) is added to read as follows:

4243 “(3)(A) Notwithstanding paragraph (1) of this subsection, during a covered
4244 period:

4245 “(i) The Director, except as provided in subparagraphs (B) and (C)
4246 of this paragraph, shall not:

4247 “(I) Initiate, file, or threaten to file a civil action for the
4248 collection of sums received as benefits to which a person was not entitled (“overpayment debt”);
4249 or

4250 “(II) Engage in communications related to such civil
4251 actions with persons alleged to owe an overpayment debt or their legal representatives, except as
4252 Directed by a court of competent jurisdiction or as necessary to comply with this subparagraph.

4253 “(ii) All activity in pending civil actions that the Director has
4254 brought against persons for the collection of an overpayment debt shall be stayed, and the
4255 Director shall not engage in any activity in violation of such stay.

4256 “(B) During a covered period, the Director shall continue to notify persons
4257 of their right to request overpayment waivers, to receive and process overpayment waiver
4258 requests, to provide information about an overpayment to a person or a person’s legal
4259 representative, and to engage in negotiations for the settlement of an existing overpayment debt.

4260 “(C)(i) In addition to any requirement under federal law, within 30 days
4261 after the applicability date of the Unemployment Compensation Improvements Amendment Act
4262 of 2021, approved by the Committee on the Whole on July 20, 2021 (Committee print of Bill 24-
4263 285), and, thereafter, within 30 days after a declaration of a public emergency, the Director shall
4264 individually notify each person against whom the Director has initiated a civil action for the
4265 collection of an overpayment debt, in writing, that:

4266 “(I) Any previously instituted civil action for the collection
4267 of an overpayment debt has been stayed until December 29, 2022, or during a public emergency,
4268 until 90 days after the public emergency terminates; and

4269 “(II) The Director is barred from engaging in
4270 communications with the person related to a civil action for the collection of an overpayment
4271 debt according to the terms of subparagraph (A)(i)(II) of this paragraph.

4272 “(ii) The Director shall retain proof that the notice required
4273 pursuant to sub-subparagraph (i) of this subparagraph was sent by a method reasonably
4274 calculated to reach the person alleged to owe the overpayment debt.

4275 “(D) Beginning on the later of the public emergency, or the date the
4276 Mayor issues the declaration of the public emergency, the statute of limitations period prescribed
4277 in paragraph (1) of this subsection shall toll until 90 days after the termination of the public
4278 emergency.

4279 “(E) After the conclusion of a covered period, the Director shall make
4280 reasonable efforts to resolve a dispute related to an overpayment debt for which a civil action

4281 was filed through settlement, including by making a reasonable offer to settle for less than the
4282 amount of the alleged overpayment.

4283 “(F)(i) Any settlement agreement to which the Director, or his or her
4284 designee, is a party for repayment of an alleged overpayment debt entered into during a covered
4285 period shall not be valid or enforceable unless the Director can demonstrate compliance with this
4286 paragraph.

4287 “(ii) A court of competent jurisdiction may void a
4288 settlement agreement described in sub-subparagraph (i) of this subparagraph if a person who is a
4289 party to the agreement demonstrates that the Director has not complied with the requirements of
4290 this paragraph.

4291 “(G) For the purposes of this paragraph the term:

4292 “(i) “Covered period” means:

4293 “(I) Fiscal Year 2022 and 90 days thereafter; or

4294 “(II) A public emergency and 90 days after the termination
4295 of the public emergency.

4296 “(ii) “Public emergency” means a period of time for which the
4297 Mayor has declared a public emergency pursuant to section 5 of the District of Columbia Public
4298 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code §
4299 7-2304).”.

4300 Sec. 4163. Requirement to produce educational videos for common questions about
4301 unemployment insurance.

4302 (a) In Fiscal Year 2022, the Mayor shall produce 2 informational videos consistent with
4303 the requirements of this subtitle related to the administration and payment of benefits under the
4304 District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat.
4305 946; D.C. Official Code § 51-101 *et seq.*) (“UI program”).

4306 (b) The first video shall explain the UI program’s rules regarding the requirement that
4307 claimants report weekly to the Department of Employment Services any earnings they receive
4308 during their benefit year, including earnings from employment and self-employment, (“benefit
4309 year earnings”), and shall specifically address:

4310 (1) What income is considered benefit year earnings for the purpose of the weekly
4311 unemployment claim;

4312 (2) When and how a claimant must report benefit year earnings;

4313 (3) Examples of how to report benefit year earnings for hourly workers and for
4314 tipped workers; and

4315 (4) Common errors claimants make when reporting benefit year earnings and how
4316 to avoid them.

4317 (c) The second video shall explain the UI program’s requirement that the claimant has
4318 inquired about available work in accordance with sections 9 and 10 of the District of Columbia
4319 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code
4320 §§ 51-109, -110), and shall specifically address:

4321 (1) What the work search requirement is;

4322 (2) How a claimant can satisfy the work search requirement; and

4323 (3) Common errors claimants make when trying to comply with the work search
4324 requirement and how to avoid them.

4325 (d) Each video shall:

4326 (1) Explain its content in simple, clear, and concise language that has a high
4327 likelihood of comprehension by a general audience;

4328 (2) Provide audio in English, Spanish, Amharic, Chinese, French, and other
4329 languages commonly spoken in the District;

4330 (3) Provide closed captions in English; and

4331 (4) Be viewable online from both personal computers and mobile devices.

4332 (e) For as long as the content of each video is current and substantially accurate, as
4333 determined by the Mayor, the Mayor shall display each video or a link leading to a website
4334 where the video can be viewed:

4335 (1) On the UI program's website;

4336 (2) On the Department of Employment Services' website;

4337 (3) At American Job Centers;

4338 (4) Through social media posts; and

4339 (5) In emails to UI program claimants.

4340 (f)(1) The Mayor shall procure the informational videos required pursuant to this section
4341 through grant or contract.

4342 (2) The person selected to produce the videos shall prepare a script for each video
4343 prior to the video's production and submit it to the Mayor for review. Within 30 days after
4344 receiving each script, the Mayor shall review and provide feedback on the script in order to:

4345 (A) Correct any misstatements related to federal or District law or
4346 procedures claimants must follow; and

4347 (B) Optimize the videos' accessibility to claimants.

4348 **SUBTITLE P. LEARNING LOSS GRANT FUNDS**

4349 Sec. 4171. Short title.

4350 This subtitle may be cited at the "Learning Loss Grant Program Emergency Act of 2021".

4351 Sec. 4172. (a) In Fiscal Year 2022, the Office of the State Superintendent of Education
4352 ("OSSE") shall use federal American Rescue Plan funds to establish a multi-year learning loss
4353 grant program to support evidence-based approaches to learning acceleration or high impact
4354 tutoring. OSSE shall allocate at least \$10,050,000 in Fiscal Year 2022, \$10,250,000 in Fiscal
4355 Year 2023, and \$7,000,000 in Fiscal Year 2024 for the following purposes:

4356 (1) Award grants, on either a formula or competitive basis, to District of
4357 Columbia Public Schools ("DCPS") schools, public charter schools, or community-based
4358 organizations to support evidence-based approaches to learning acceleration or high impact
4359 tutoring;

4360 (2) Distribute funds to District government agencies for the purposes of starting or
4361 expanding new programs;

4362 (3) Provide technical assistance, professional development, and other supports to
4363 DCPS schools, public charter schools, District government agencies, and community-based
4364 organizations;

4365 (4) Conduct evaluations on the effectiveness of the learning loss grant program; or

4366 (5) Indirect and direct administrative costs associated with administering this
4367 subtitle; provided, that no more than 10% of the funds shall be used for this purpose.

4368 (b) OSSE shall require, at a minimum, that each school or organization indicate, in the
4369 entity's grant application, the specific evidence-based approaches that the school or organization
4370 intends to use to effectuate learning acceleration or high impact tutoring.

4371 (c) As part of the grant conditions, OSSE shall require, at a minimum, that each grantee
4372 that receives grants pursuant to subsection (a)(1) of this section:

4373 (1) Measure the impact of the evidence-based approach stated in the grantee's
4374 application on student educational development; and

4375 (2) Share the de-identified data or results regarding student educational
4376 development with OSSE on a cycle specified by OSSE; provided that, the grantee shall share
4377 annual de-identified data or results with OSSE at least 30 days prior to receiving funding for
4378 additional grant years.

4379 (d) By July 15, 2022, July 15, 2023, and July 15, 2024, OSSE shall submit to the
4380 Council, and make publicly available, a report detailing the following:

4381 (1) Award criteria used by OSSE to determine the grant recipients;

4382 (2) A list of the grantees and the amount of funding received by each grantee;

4383 and

4384 (3) The de-identified results on student progress submitted to OSSE by the
4385 grantees pursuant to subsection (c)(2) of this section.

4386 (e) For purposes of this section, the term

4387 (1) “De-identified data or results” means data or results in which identifying
4388 information about a student is removed.

4389 (2) “Evidence-based approaches” means an activity, strategy, or intervention that:

4390 (A) Demonstrates a statistically significant effect on improving
4391 student outcomes or other relevant outcomes based on:

4392 (i) Strong evidence from at least one well-designed and well-
4393 implemented experimental study;

4394 (ii) Moderate evidence from at least one well-designed and well-
4395 implemented quasi-experimental study; or

4396 (iii) Promising evidence from at least one well-designed and well-
4397 implemented correlational study with statistical controls for selection bias; or

4398 (B)(i) Demonstrates a rationale, based on high-quality research findings or
4399 positive evaluation, that such activity, strategy, or intervention is likely to improve student
4400 outcomes or other relevant outcomes; and

4401 (ii) Includes ongoing efforts to examine the effects of such activity,
4402 strategy, or intervention.”.

4403 **SUBTITLE Q. OSSE SLDS DATA PLAN**

4404 Sec. 4181. This subtitle may be cited as the “OSSE Data Planning for the Future
4405 Emergency Amendment Act of 2021”.

4406 Sec. 4182. Section 7c of the State Education Office Establishment Act of 2000, effective
4407 October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2609), is amended by adding a
4408 new subsection (f) to read as follows:

4409 “(f) By March 31, 2022, the OSSE, in coordination with the Office of the Chief
4410 Technology Officer, shall develop and submit to the Council, a plan for:

4411 “(1) Creating a system to identify, code, and track courses offered by the
4412 District’s local education agencies (“LEAs”) and to delineate which of the offered courses are
4413 substantially similar for research, reporting, and other purposes as determined by OSSE;

4414 “(2) Developing and implementing an early warning system for use by the LEAs
4415 to identify individual students at risk of high school disengagement or dropping out of school,
4416 which shall use at least the following statewide data:

4417 “(A) Student test scores on prior English language arts and math statewide
4418 assessments;

4419 “(B) Chronic absenteeism and truancy rates in the 8th grade;

4420 “(C) Out-of-school suspension rates;

4421 “(D) Mid-year school transfer rates; and

4422 “(E) Designation of students as special education, English language
4423 learner, or at-risk.

4424 “(3) Making improvements to the District’s EDW that align with the National
4425 Forum of Education Statistics guidance for statewide data system capacities and the collection,
4426 maintenance of, and longitudinal linkage of standard statewide data system data elements.”.

4427 Sec. 4183. The Early Warning and Support System Act of 2012, effective June 19, 2012
4428 (D.C. Law 19-142; D.C. Official Code § 38-751.01 *et seq.*), is repealed.

4429 **SUBTITLE R. TEACHER PREPARATION PIPELINE**

4430 Sec. 4191. Short title.

4431 This subtitle may be cited as the “Teacher Preparation Emergency Amendment Act of
4432 2021”.

4433 Sec. 4192. Definitions.

4434 For the purposes of this subtitle:

4435 (1) “DCPS” means the District of Columbia Public Schools.

4436 (2) “District university grantees” means an accredited university or college, other
4437 than UDC, that operates in the District and has received a teacher preparation grant from OSSE.

4438 (3) “Dual enrollment student” means a student who is enrolled in:

4439 (A) A DCPS or public charter school high school; and

4440 (B) UDC or an accredited college or university, other than UDC, that
4441 operates in the District of Columbia.

4442 (3) “Local education agency” or “LEA” means the District of Columbia Public
4443 Schools system, any individual District public charter school, or any group of public charter
4444 schools operating under a single charter.

4445 (4) “OSSE” means the Office of the State Superintendent of Education.

4446 (5) “Paraprofessional” means an individual employed by an LEA to provide
4447 instructional, behavioral, or other support, under the supervision of a licensed or certified
4448 teacher, to students in or outside of the classroom. This term includes instructional aides or
4449 assistants, teacher aides, and paraeducators.

4450 (6) “Program” means the “Grow Your Own” Teacher Preparation Support
4451 Program established pursuant to this subtitle.

4452 (7) “Program participant” means a public high school dual enrollment student, a

4453 public high school graduate, or a paraprofessional employed by an LEA that is receiving
4454 financial assistance or professional support through the Program.

4455 (8) “Public high school” means a high school in the DCPS system or a District
4456 public charter high school.

4457 (9) “UDC” means the University of the District of Columbia.

4458 Sec. 4193. “Grow Your Own” Teacher Preparation Support Program establishment.

4459 (a)(1) OSSE shall establish, in collaboration with UDC, District university grantees, and
4460 the District’s LEAs, a dual pathway “Grow Your Own” Teacher Preparation Support Program
4461 for the purpose of educating, training, and providing financial support to public high school dual
4462 enrollment students, public high school graduates, and paraprofessionals to become licensed
4463 teachers at DCPS schools or certified teachers at District public charter schools.

4464 (b) Through UDC and District university grantees, the Program shall provide:

4465 (1) Education and training to District residents that will lead to:

4466 (A) The successful completion of coursework for a baccalaureate or a
4467 Master’s degree in education or teaching needed to become a teacher licensed by OSSE or a
4468 certified teacher at a District public charter school;

4469 (B) Passage of examinations required by OSSE or an LEA to become a
4470 teacher licensed by OSSE or a certified teacher at a District public charter school; and

4471 (C) Hiring by an LEA as a licensed or certified teacher.

4472 (2) Two pathways to teacher licensure or certification, which shall be:

4473 (A) The baccalaureate degree pathway, which shall be available to District
4474 residents who:

4475 (i) Enroll as or are public high school dual enrollment students that
4476 intend to continue to pursue a baccalaureate or Master's degree in education or teaching to
4477 become a teacher licensed by OSSE or a certified teacher at a District public charter school; or

4478 (ii) Are public high school graduates who are pursuing a
4479 baccalaureate or Master's degree in education or teaching to become a teacher licensed by OSSE
4480 or a certified teacher at a District public charter school; and

4481 (B) The paraprofessional pathway, which shall be available to District
4482 residents who are paraprofessionals currently employed by an LEA and who need to complete
4483 additional coursework or obtain a baccalaureate or Master's degree in education or teaching to
4484 become a teacher licensed by OSSE or a certified teacher at a District public charter school; and

4485 (3) Financial assistance to Program participants for payment of:

4486 (A) Tuition and fees at UDC or a District university grantee, to the extent
4487 charged;

4488 (B) Academic costs, including books and supplies; and

4489 (C) Testing fees associated with examinations required by OSSE or an
4490 LEA to become a licensed or certified teacher.

4491 (c)(1) UDC shall select individuals to enroll or who are enrolled in UDC to participate in
4492 the Program, consistent with the eligibility criteria established pursuant to section 4196.

4493 (2) District university grantees shall select individuals to enroll or who are
4494 enrolled in their institutions to participate in the Program consistent with the eligibility criteria
4495 established pursuant to section 4196 and their grant agreements with OSSE.

4496 (3) OSSE and UDC shall coordinate to ensure that Program participants do not

4497 receive Program financial assistance from more than one post-secondary institution at the same
4498 time.

4499 Sec. 4194. The Program at UDC.

4500 (a) Beginning with School Year 2022-2023, UDC shall begin using at least \$200,000 of
4501 the subsidy it receives from the District government for the Program to pay for the tuition,
4502 required academic fees, bootcamp preparation or training academies, required examination fees,
4503 and book and supply costs for District residents it selects to participate in the Program. UDC
4504 shall select individuals to participate in both Program pathways, provide extensive mentorship to
4505 each Program participant, including continued mentorship during the first 2 years after a
4506 Program participant is hired by an LEA as a teacher, and assist Program participants in obtaining
4507 employment at an LEA if the Program participant meets all of the employment criteria set by the
4508 LEA

4509 (b) UDC may also use the subsidy it receives from the District government to pay:

4510 (1) The salaries and fringe benefits of faculty, staff, and peer mentors directly
4511 engaged in the provision of courses necessary to obtain a baccalaureate or Master's degree in
4512 education or teaching at UDC;

4513 (2) For instructional materials used in courses necessary to obtain a baccalaureate
4514 or Master's degree in education or teaching at UDC; and

4515 (3) For marketing and recruitment activities to attract District residents to the
4516 Program at UDC.

4517 Sec. 4195. The Program at District university grantees.

4518 (a)(1) OSSE shall establish and administer a competitive grant program to provide "grow

4519 your own” teacher preparation support grants (“grants”) to eligible universities or colleges
4520 located in the District for the purposes of educating, training, and providing financial support to
4521 District residents pursuing a pathway to teacher licensure or certification described in section
4522 4193(b)(2) at the university or college.

4523 (2) No later than April 30, 2022 and annually thereafter, subject to the availability
4524 of funds, OSSE shall award at least 2 grants totaling not less than \$550,000 per year for the
4525 purposes described in subsection (a) of this section. At least one grant shall be for the
4526 baccalaureate degree pathway described in section 4193(b)(2)(A), and at least one grant shall be
4527 for the paraprofessional degree pathway described in section 4193(b)(2)(B). OSSE may award a
4528 baccalaureate degree pathway grant and a paraprofessional pathway grant to the same university
4529 or college.

4530 (3) OSSE may award the grants on a multi-year basis; provided, that no grant
4531 shall be for longer than 5 years.

4532 (4) OSSE may consider the cost of attendance at a particular university or college
4533 in determining how much funding to award to each grantee.

4534 (b) To be eligible for a grant, an applicant shall:

4535 (1) Be an accredited university or college that has a physical campus in the
4536 District;

4537 (2) Offer a baccalaureate or Master’s degree in education or teaching;

4538 (3) Have an education program that includes at least one year of residency or
4539 student teaching for all participants; and

4540 (4) Demonstrate that its students pursuing degrees in education or teaching
4541 consistently and successfully attain the following benchmarks:

4542 (A) Graduate within 5 years with a baccalaureate or Master's degree in
4543 education or teaching;

4544 (B) Pass the PRAXIS examination;

4545 (C) Obtain licensure by OSSE, if hired as a DCPS teacher;

4546 (D) Be hired by an LEA within one-year of graduating; and

4547 (E) Remain employed as a licensed or certified teacher at an LEA for at
4548 least 3 years.

4549 (c) Each District university grantee shall:

4550 (1) Use the grant to pay for Program participants' tuition, required academic fees,
4551 bootcamp preparation or training academies, required examination fees, and book and supply
4552 costs;

4553 (2) Commit to paying, on behalf of Program participants, 100% of any remaining
4554 tuition, required academic fees, required examination fees, and book and supply costs not
4555 covered by the grant;

4556 (3) Ensure the design and use of a teacher development plan for each Program
4557 participant, consistent with the requirements of subsection (d) of this section;

4558 (4) Provide extensive mentorship and academic support to Program participants
4559 enrolled in its institution, including continued mentorship during the first 2 years after a Program
4560 participant is hired by a LEA as a teacher;

4561 (5) Provide licensure examination support to all Program participants enrolled in
4562 its university or college;

4563 (6) Execute a memorandum of understanding (“MOU”) with an LEA or LEAs,
4564 consistent with the requirements of subsection (e) of this section, to facilitate participation in the
4565 Program and the hiring of Program participants;

4566 (7) Assist Program participants in obtaining employment at an LEA if the
4567 Program participant meets all of the employment criteria set by the LEA; and

4568 (8) Submit proof of each Program participant’s progress to OSSE on a cycle, and
4569 in a manner, prescribed by OSSE.

4570 (d)(1) The teacher development plan required pursuant to subsection (c)(2) of this section
4571 shall:

4572 (A) Specify how the Program participant will attain the credentials or
4573 degree necessary to meet OSSE teacher licensure requirements or the certification requirements
4574 set forth by a public charter school LEA if the Program participant anticipates teaching at a
4575 District public charter school; and

4576 (B) Identify one or more tools to be used to assess a Program participant’s
4577 performance once the Program participant is halfway through the participant’s teacher residency
4578 or student teaching.

4579 (2) If a Program participant is pursuing licensure or credentials through the
4580 paraprofessional pathway, the teacher development plan shall be developed by comparing the
4581 participant’s prior experience and coursework with the District’s teacher licensure requirements
4582 or LEA’s certification requirements.

4583 (e) The MOU between a District university grantee and LEA or LEAs required pursuant
4584 to subsection (c)(6) of this section shall:

4585 (1) Identify, indicate the commitment of, and describe the role of the District
4586 university grantee and the LEA, including specific duties of each partner, in supporting the goals
4587 of the Program; and

4588 (2) Specify the:

4589 (A) Responsibilities of each party in the recruitment, screening, selection,
4590 and oversight of Program participants;

4591 (B) Role of each party in field placement and student teaching and a
4592 description of the time frame during each pathway described in section 4193 (b)(2) each begins;
4593 and

4594 (C) Role of each party in selecting, training, and supporting mentors for
4595 Program participants.

4596 (f)(1) Prior to April 30, 2022, and every 4 years thereafter, OSSE shall conduct an
4597 assessment to identify the areas of high need in the District's elementary and secondary teaching
4598 workforce, which shall include an assessment of the District's progress toward achieving
4599 diversity in its elementary and secondary public school teachers that matches the demographics
4600 of the District's corresponding student population.

4601 (2) In issuing the grants authorized pursuant to this section, OSSE may give a
4602 preference to applicants that offer a high-quality education or teaching degree program in one or
4603 more high-need categories identified pursuant to paragraph (1) of this subsection.

4604 Sec. 4196. Conditions of Program eligibility and participation.

4605 (a) To be eligible for Program participation through the baccalaureate degree pathway
4606 described in section 4193(b)(2)(A), an individual shall:

4607 (1) Meet the relevant enrollment requirements for UDC or the District university
4608 grantee in which the individual enrolls;

4609 (2) Be a resident of the District;

4610 (3)(A)(i) Become or be a dual enrollment student; or

4611 (ii) Be a graduate of a public high school; and

4612 (B) Be enrolled in UDC or a District university grantee with an intent to
4613 pursue a baccalaureate or Master's degree in education or teaching; and

4614 (4) In exchange for Program financial assistance and professional support,
4615 commit to teaching at an LEA for a minimum of 3 years after receiving a baccalaureate or
4616 Master's degree in education or teaching and earning the appropriate licensure or certification
4617 needed to teach at an LEA.

4618 (b) To be eligible for Program participation through the paraprofessional degree pathway
4619 described in section 4193(b)(2)(B), an individual shall:

4620 (1) Meet the relevant enrollment requirements for UDC or District university
4621 grantee in which the individual enrolls;

4622 (2) Be a resident of the District;

4623 (3) Be currently employed by an LEA as a paraprofessional;

4624 (4) Enroll in a UDC or District university grantee to complete coursework or with
4625 the intent to pursue a baccalaureate or Master's degree in education or teaching necessary to be a
4626 teacher licensed by OSSE or a certified teacher at a public charter school ; and

4627 (5) In exchange for Program financial assistance and support, commit to teaching
4628 at an LEA for a minimum of 3 years after completing the necessary coursework or receiving a
4629 baccalaureate or Master’s degree in education or teaching and earning the appropriate licensure
4630 or certification needed to teach at an LEA.

4631 (c) To maintain eligibility for Program assistance, a Program participant shall:

4632 (1)(A) Maintain the requisite cumulative grade point average to maintain
4633 satisfactory academic progress, as determined by UDC or the District university grantee; and

4634 (B) If participating in the Program through the baccalaureate degree
4635 pathway described in section 4193(b)(2)(A), be consecutively enrolled as a full-time student in
4636 the Program at UDC or a District university grantee to pursue a baccalaureate or Master’s degree
4637 in education or teaching;

4638 (2) Remain a District resident throughout participation in the Program;

4639 (3) If pursuing teacher licensure or certification through the Paraprofessional
4640 pathway described in section 4193(b)(2)(B), remain employed by an LEA as a paraprofessional
4641 while participating in the Program; and

4642 (4) Meet any other requirement determined by UDC or OSSE to be necessary or
4643 appropriate for Program participation.

4644 **SUBTITLE S. ADULT, EARLY CHILDHOOD, AND RESIDENTIAL CHARTER**
4645 **STABILIZATION**

4646 Sec. 4201. Short title.

4647 This subtitle may be cited as the “Public Charter Schools Equity in Stabilization Funding
4648 Emergency Amendment Act of 2021”.

4649 Sec. 4202. The Uniform Per Student Funding Formula for Public Schools and Public
4650 Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code §
4651 38-2901 *et seq.*) is amended by adding a new section 107c to read as follows:

4652 “Sec. 107c. Public charter school stabilization funding.

4653 “(a) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Agency, up to
4654 \$10,208,530 shall be transferred to the Office of the State Superintendent of Education (“OSSE”)
4655 to award formula-based payments to each eligible charter school described in subsection (b) of
4656 this section.

4657 “(b) A public charter school shall be eligible to receive funds pursuant to this section if it
4658 operates:

4659 “(1) An adult public charter school, an early childhood education public charter
4660 school, or a residential public charter school; and

4661 “(2) The total annual payment the adult public charter, early childhood education
4662 public charter, or residential public charter school is projected to receive for School Year 2021-
4663 2022, based on the school’s unverified October 15, 2021 enrollment count, is less than 95% of
4664 the total annual payment the school actually received for School Year 2019-2020.

4665 “(c)(1) No later than December 31, 2021, OSSE shall award each eligible school its
4666 stabilization funding amount.

4667 “(2) Notwithstanding paragraph (1) of this subsection, if the total amount of funds
4668 required to provide each eligible school its stabilization funding amount is more than
4669 \$10,208,530, OSSE shall pay to each eligible school a proportional share of available funds

4670 equal to the product of the school’s stabilization funding amount multiplied by the stabilization
4671 factor.

4672 “(d) Payments allocated pursuant to this section shall be supplemental to other funds a
4673 school may receive from the District and shall not supplant other funds to which a school or local
4674 education agency is entitled, including pursuant to this act or federal law.

4675 “(e) For the purposes of this section, the term:

4676 “(1) “Adult public charter school” means a public charter school or a program in a
4677 public charter school that, during School Year 2021-2022, was identified as an adult education
4678 performance management framework school by the District of Columbia Public Charter School
4679 Board; provided that, all students enrolled in a public charter school or program serving both
4680 adult and alternative students shall be considered enrolled in an adult education program for the
4681 purposes of this section.

4682 “(2) “Annual payment” means the sum of the quarterly payments described in
4683 section 107b, including all applicable weightings provided pursuant to sections 105, 106, and
4684 106a.

4685 “(3) “Early childhood education public charter school” means a public charter
4686 school LEA whose prekindergarten 3 and prekindergarten 4 student enrollment comprised at
4687 least 33% of the public charter school LEA’s total enrollment during School Year 2019-2020 and
4688 whose LEA will serve only grades pre-kindergarten 3 up to third grade for School Year 2021-
4689 2022 or a public charter school that is an adult public charter school that also serves grades
4690 prekindergarten 3 and grades prekindergarten 4; provided, that if a public charter school LEA
4691 served more grades in School Year 2019-2020 than it serves during School Year 2021-2022, the

4692 percentage of the public charter school LEA’s prekindergarten 3 and prekindergarten 4 student
4693 enrollment shall be calculated using only the grade bands that the public charter school serves in
4694 School Year 2021-2022.

4695 “(4) “Eligible school” means an adult public charter school, early childhood
4696 education public charter school, or residential public charter school that meets the criteria for
4697 funding described in subsection (b)(2) of this section.

4698 “(5) “LEA” means any individual District public charter school, or any group of
4699 public charter schools operating under a single charter.”

4700 “(6) “Residential public charter school” means:

4701 “(A) A public charter school that, during School Year 2021-2022,
4702 provides students with room and board in a residential setting, in addition to their instructional
4703 program; or

4704 “(B) A public charter school that operates a residential program that
4705 provides support services to its students, in addition to an instructional program, but is unable to
4706 provide its students with overnight room and board in a residential setting in order to comply
4707 with health guidance provided by the D.C. Department of Health during the COVID-19 public
4708 health emergency.

4709 “(7) Stabilization funding amount” means the amount of money equal to 95% of
4710 an eligible school’s actual School Year 2019-2020 total annual payment, less the amount of the
4711 total annual payment the school is projected to receive for School Year 2021-2022 based on its
4712 unverified October 15, 2021 enrollment count.

4713 “(8) “Stabilization factor” means the quotient of \$10,208,530 divided by the sum
4714 of all eligible schools’ stabilization funding amounts.”.

4715 Sec. 4203. Any funds that are not expended by December 31, 2021 pursuant to section
4716 4202 shall be transferred to the Office of Victim Services and Justice Grants for the Access to
4717 Justice program.

4718 **SUBTITLE T. OFFICE OF WAGE AND HOUR ENFORCEMENT**
4719 **TRANSPARENCY ACT**

4720 Sec. 4211. Short title.

4721 This subtitle may be cited as the “Office of Wage and Hour Enforcement Transparency
4722 Emergency Amendment Act of 2021”.

4723 Sec. 4212. Wage and Hour Enforcement Report.

4724 (a) No more than 90 days after the end of the first quarter of fiscal year 2022, and no later
4725 than 90 days after the end of each subsequent quarter, the Department of Employment Services
4726 (“DOES”) shall post online the following information for the most-recently completed quarter, in
4727 the following order:

4728 (1) Total number of all complaints DOES received;

4729 (2) Total number of complaints DOES received for each of the covered laws;

4730 (3) Total new agency-initiated investigations into the covered laws in the quarter;

4731 (4) Total new audits of compliance with the covered laws in the quarter;

4732 (5) Number of complaints DOES received alleging that an employer violated:

4733 (A) The Accrued Sick and Safe Leave Act of 2008, effective May 13,
4734 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*), by:

4735 (i) Failing to provide an employee with covered leave;
4736 (ii) Failing to pay an employee for covered leave taken; or
4737 (iii) Denying a request for covered leave;

4738 (B) The Minimum Wage Revision Act of 1992, effective March 25, 1993
4739 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*) (“Minimum Wage Act”), by:

4740 (i) Failing to pay the District minimum wage;
4741 (ii) Failing to pay overtime; or
4742 (iii) Failing to provide an employee with the written notice
4743 required to be furnished pursuant to section 9(c) of the Minimum Wage Act (D.C. Law 9-248;
4744 D.C. Official Code § 32-1008(c)), at the time of hire;

4745 (C) An Act To provide for the payment and collection of wages in the
4746 District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et*
4747 *seq.*), by:

4748 (i) Failing to pay full wages; or
4749 (ii) Failing to pay wages on time.

4750 (6) For each of the covered laws, a separate downloadable, data-unlocked
4751 spreadsheet that provides the following information for complaint-based investigations in the
4752 most recently completed quarter:

4753 (A) Total number of complaints DOES received;
4754 (B) Total number of investigations opened;
4755 (C) Number of notices of complaint sent to employers, disaggregated by
4756 the quarter in which the complaint that generated the notice was received;

4757 (D) Number of complaints closed without the agency notifying the
4758 employer about the complaint, disaggregated by common reasons for closure;

4759 (E) Number of employers investigated, disaggregated by the quarter in
4760 which the complaint generating the investigation was received;

4761 (F) Number of final determinations reached, disaggregated by the quarter
4762 in which the complaint that resulted in the determination was received;

4763 (G) Number of final determinations that included a finding of at least one
4764 violation of the covered law, disaggregated by the quarter in which the complaint that resulted in
4765 the determination was received;

4766 (H) Total dollar amount of damages determined by DOES to be owed to
4767 employees and, of this amount, the amount paid to employees;

4768 (I) All-time cumulative total dollar amount of damages remaining unpaid
4769 to employees at the end of the quarter;

4770 (J) Total dollar amount of penalties assessed against employers and, of this
4771 amount, the amount DOES collected from employers;

4772 (K) All-time cumulative total dollar amount of penalties remaining
4773 uncollected at the end of the quarter;

4774 (L) Number of settlement agreements entered into by complainants and
4775 employers, disaggregated by the quarter or quarters in which the underlying complaint or
4776 complaints were received;

4777 (M) Number of settlement agreements entered into by DOES and
4778 employers, disaggregated by the quarter in which the underlying complaint was received; and

4779 (N) The 10 industries about which the most complaints were received and
4780 the number of complaints for each industry; and

4781 (7) All final orders issued by the Office of Administrative Hearings regarding
4782 adjudications of the covered laws with the basis for any redactions clearly stated.

4783 (b) For the purposes of this section, the term “covered laws” means:

4784 (1) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C.
4785 Law 17-152; D.C. Official Code § 32-531.01 *et seq.*);

4786 (2) The Minimum Wage Act Revision Act of 1992, effective March 25, 1993
4787 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*); and

4788 (3) An Act To provide for the payment and collection of wages in the District of
4789 Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*).

4790 Sec. 4213. Section 8a of Minimum Wage Act Revision Act of 2009, effective August 19,
4791 2016 (D.C. Law 21-144; D.C. Official Code § 32-1007.01), is repealed.

4792 **SUBTITLE U. ELLINGTON SCHOOL PERSONNEL GRANT**

4793 Sec. 4221. Short title.

4794 This subtitle may be cited as the “Duke Ellington School of the Arts Project Grant
4795 Emergency Act of 2021”.

4796 Sec. 4222. Notwithstanding the Grant Administration Act of 2013, effective December
4797 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year 2022, the
4798 Office of the State Superintendent of Education shall provide a \$1,500,000 grant to Duke
4799 Ellington School of the Arts Project to support personnel costs at the Duke Ellington School of
4800 the Arts.

4801 **SUBTITLE V. DISTRICT OF COLUMBIA PUBLIC SCHOOLS INSIGHT**

4802 **SURVEY DATA**

4803 Sec. 4231. Short title.

4804 This subtitle may be cited as the “District of Columbia Public Schools INSIGHT Survey
4805 Data Emergency Act of 2021.”

4806 Sec. 4232. District of Columbia Public Schools INSIGHT survey data.

4807 The District of Columbia Public Schools (DCPS) shall release publicly the full analysis
4808 conducted by American University’s School of Education for DCPS of IMPACT, the DCPS
4809 evaluation and feedback system for school-based personnel, and the raw, aggregated quantitative
4810 data related to the INSIGHT surveys of DC educators’ perceptions of the IMPACT evaluation
4811 system; provided, that no personally identifiable information may be released.

4812

4813 **TITLE V. HUMAN SUPPORT SERVICES**

4814 **SUBTITLE A. MEDICAID HOSPITAL OUTPATIENT PAYMENT**

4815 Sec. 5001. Short title.

4816 This subtitle may be cited as the “Medicaid Hospital Outpatient Payment Emergency
4817 Amendment Act of 2021”.

4818 Sec. 5002. Section 5066 of the Medicaid Hospital Outpatient Supplemental Payment Act
4819 of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.05), is
4820 amended by adding a new subsection (b-1) to read as follows:

4821 “(b-1) For visits and services beginning October 1, 2021, the District shall make fee-for-
4822 service outpatient rate payments to hospitals at a rate that is an aggregate of Medicaid allowable
4823 costs for the fiscal year in which payments are being made.”.

4824 **SUBTITLE B. MEDICAL ASSISTANCE AND IMMIGRANT CHILDREN’S**
4825 **PROGRAM**

4826 Sec. 5011. Short title.

4827 This subtitle may be cited as the “Medical Assistance and Immigrant Children’s Program
4828 Emergency Amendment Act of 2021”.

4829 Sec. 5012. Section 2202 of the Medical Assistance Expansion Program Act of 1999,
4830 effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 1-307.03), is amended as
4831 follows:

4832 (a) Subsection (a) is amended as follows:

4833 (1) The lead-in language is amended by striking the phrase “family income” and
4834 inserting the phrase “household income” in its place.

4835 (2) Paragraph (5) is amended by striking the phrase “family income” and inserting
4836 the phrase “household income” in its place.

4837 (b) Subsection (b) is amended as follows:

4838 (1) The lead-in language is amended to read as follows:

4839 “(b) The Mayor shall establish a program to provide medical assistance to undocumented
4840 children not eligible for coverage under Medicaid who reside in the District and have an annual
4841 household income up to 319% of the federal poverty level for children age 18 or younger, and up
4842 to 216% of the federal poverty level for children ages 19 and 20. In determining a household

4843 income under this subsection, the Mayor may implement an income disregard amount, based on
4844 family size, of up to 5% of the federal poverty level or such higher percentage as may be
4845 authorized by the federal government as an income disregard for the determination of eligibility
4846 for Medicaid.”.

4847 (2) Paragraph (2) is amended to read as follows:

4848 “(2) Upon the Mayor’s determination of a resident’s eligibility for the program,
4849 the Mayor shall enroll the resident in the program and assign the enrollee to a health maintenance
4850 organization with a current contract with the District to provide health care services for program
4851 enrollees.”.

4852 (3) Paragraph (3) is amended to read as follows:

4853 “(3) For a period of time of at least 30 days after the Mayor’s assignment of an
4854 enrollee under paragraph (2) of this subsection, the enrollee may choose to enroll in a different
4855 health maintenance organization with a current contract with the District to provide health care
4856 services for program enrollees.”.

4857 (c) Subsection (c) is amended to read as follows:

4858 “(c) Beginning on October 1, 2021, the Mayor may modify the standards for eligibility to
4859 enroll in a program established by subsections (a) and (b) of this section, to increase the number
4860 of District residents who would be eligible to enroll in the program, to the extent such expansion
4861 is consistent with the District’s budget and financial plan.”.

4862 **SUBTITLE C. MEDICAID RESERVE FUND**

4863 Sec. 5021. Short title.

4864 This subtitle may be cited as the “Medicaid Reserve Fund Emergency Amendment Act of
4865 2021”.

4866 Sec. 5022. The Department of Health Care Finance Establishment Act of 2007, effective
4867 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 et seq.), is amended as
4868 follows:

4869 (a) Section 8b (D.C. Official Code § 7-771.07b) is repealed.

4870 (b) Section 11a (D.C. Official Code § 7-771.10a) is repealed.

4871 **SUBTITLE D. UNJUST CONVICTIONS HEALTH CARE**

4872 Sec. 5031. Short title.

4873 This subtitle may be cited as the “Unjust Convictions Emergency Amendment Act of
4874 2021”.

4875 Sec. 5032. Section 4b(a)(3)(A) of the District of Columbia Unjust Imprisonment Act of
4876 1980, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 2-423.02(a)(3)(A)),
4877 is amended to read as follows:

4878 “(A) Physical and behavioral health care for the duration of the
4879 petitioner’s life through participation in the D.C. Healthcare Alliance or any successor
4880 comprehensive community-centered health care and medical services system established
4881 pursuant to section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12,
4882 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405), or through another locally funded
4883 comprehensive health care and medical services program offered by the District;”.

4884 **SUBTITLE E. MATERNAL HEALTH RESOURCES AND ACCESS**

4885 Sec. 5041. Short title.

4886 This subtitle may be cited as the “Maternal Health Resources and Access Emergency Act
4887 of 2021”.

4888 Sec. 5042. Definitions.

4889 For the purposes of this subtitle, the term:

4890 (1) “Doula” means an individual approved by the Department of Health to provide
4891 culturally competent and continuous physical, emotional, and informational support to the
4892 birthing parent during pregnancy, labor, birth, and postpartum, including:

4893 (A) Providing continuous and culturally competent support to pregnant
4894 individuals and their families, including surrogates and adoptive parents;

4895 (B) Conducting prenatal and postpartum visits;

4896 (C) Accompanying pregnant individuals to health care and social service
4897 appointments;

4898 (D) Connecting individuals to medical, community-based, or government
4899 funded resources, including those addressing social determinants of health; and

4900 (E) Providing support to individuals following either the loss of pregnancy
4901 or birth of a child up to one year.

4902 (2) “Medicaid” means the medical assistance programs authorized by title XIX of
4903 the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by
4904 section 1 of An Act To enable the District of Columbia to receive Federal financial assistance
4905 under title XIX of the Social Security Act for a medical assistance program, and for other
4906 purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and
4907 administered by the Department of Health Care Finance.

4908 (3) “Postpartum” means the time after delivery when maternal physiological
4909 changes related to pregnancy return to the nonpregnant state, which may last for as long as 12
4910 months after delivery.

4911 (4) “Transportation costs” means expenses incurred for travel using public
4912 transportation or a public or private vehicle-for-hire service regulated by the Department of For-
4913 Hire Vehicles, but does not include the cost of travel by private vehicle or parking fees.

4914 Sec 5043. Doula guidelines for training.

4915 (a) An individual applying to be approved as a doula under this subtitle shall establish to
4916 the Department of Health’s (“Department”) satisfaction that the individual:

4917 (1) Completed a training program by an organization approved in doula training
4918 by the Department; and

4919 (2) Successfully completed any other requirements as determined by the
4920 Department.

4921 Sec. 5044. Coverage of doula services.

4922 (a) By October 1, 2022, health insurance coverage through Medicaid or the DC
4923 HealthCare Alliance and the Immigrant Children’s Program shall cover and reimburse eligible
4924 services provided by doulas; except, that no Medicaid payment shall be made until such time that
4925 the Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment
4926 described in subsection (b) of this section.

4927 (b)(1) By September 30, 2022, the Department of Health Care Finance (“DHCF”) shall
4928 submit for approval from the Centers for Medicare and Medicaid Services an amendment to the
4929 Medicaid State Plan to authorize the Medicaid payments described in this section.

4930 (2) While preparing the Medicaid State Plan amendment application, DHCF shall:

4931 (A) In consultation with organizations providing doula services and other
4932 relevant entities, establish processes for billing and reimbursement of doula services, including:

4933 (i) Setting competitive reimbursement rates;

4934 (ii) Setting a reasonable number of doula visits to be reimbursed
4935 during the course of the pregnancy and postpartum period;

4936 (iii) Developing program support and training for doula service
4937 providers to facilitate billing; and

4938 (iv) Assessing the viability of incentive payments to doulas whose
4939 clients attend postpartum appointments with a medical provider.

4940 (B) In consultation with the Department of Health and other relevant
4941 entities, issue rules to determine eligibility for reimbursement by Medicaid, the DC HealthCare
4942 Alliance, and the Immigrant Children’s Program.

4943 Sec. 5045. Coverage of transportation costs.

4944 By October 1, 2021, health insurance coverage through the DC HealthCare Alliance shall
4945 cover and reimburse transportation costs for travel to and from nonemergency prenatal and
4946 postpartum health care appointments.

4947 **SUBTITLE F. HOWARD UNIVERSITY HOSPITAL CENTERS OF**
4948 **EXCELLENCE**

4949 Sec. 5051. Short title.

4950 This subtitle may be cited as the “Howard University Hospital Centers of Excellence
4951 Fund Emergency Amendment Act of 2021”.

4952 Sec. 5052. Section 47-4673 of the District of Columbia Official Code is amended by
4953 adding a new subsection (j) to read as follows:

4954 “(j)(1) There is established as a special fund the Howard University Hospital Centers of
4955 Excellence Fund (“Fund”), which shall be administered by the Department of Health in
4956 accordance with paragraph (3) of this subsection.

4957 “(2) The following funds shall be deposited into the Fund:

4958 “(A) Funds appropriated in Fiscal Year 2022 or later for the purpose of
4959 providing operational and start-up support to the centers of excellence described in subsection (f)
4960 of this section; and

4961 “(B) Funds appropriated in Fiscal Year 2021 for the purposes of providing
4962 operational and start-up support to the centers of excellence described in subsection (f) of this
4963 section that remain unspent at the end of Fiscal Year 2021.

4964 “(3) Money in the Fund shall be used to provide operational and start-up support
4965 to the centers of excellence described in subsection (f) of this section. Such support may be
4966 provided through non-competitive grants or other means.

4967 “(4)(A) The money deposited into the Fund, but not expended in a fiscal year
4968 shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at
4969 the end of a fiscal year, or at any other time.

4970 “(B) Subject to authorization in an approved budget and financial plan,
4971 money in the Fund shall be continually available without regard to fiscal year limitation.”.

4972 Sec. 5053. Applicability.

4973 This subtitle shall apply as of September 30, 2021.

4974 **SUBTITLE G. SNAP REINVESTMENT FUND**

4975 Sec. 5061. Short title.

4976 This subtitle may be cited as the “SNAP Reinvestment Fund Establishment Emergency
4977 Amendment Act of 2021”.

4978 Sec. 5062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law
4979 18-111; D.C. Official Code § 4-261.01 *et seq.*), is amended by adding a new section 5085 to read
4980 as follows:

4981 “Sec. 5085. SNAP Reinvestment Fund.

4982 “(a) There is established as a special fund the SNAP Reinvestment Fund (“Fund”), which
4983 shall be administered by the Mayor in accordance with subsection (c) of this section.

4984 “(b) The unspent local fund dollars remaining in the operating budget of the Department
4985 of Human Services at the end of each fiscal year shall be deposited into the Fund; provided, that
4986 the amount of unspent local fund dollars deposited into the Fund at the end of a fiscal year shall
4987 not exceed the difference between the total of all amounts that remain to be invested by the
4988 Department of Human Services pursuant to active Supplemental Nutrition Assistance Program
4989 excessive payment error rate liability settlement agreements (“Settlement Agreements”) between
4990 the Department of Human Services and the United States Department of Agriculture minus the
4991 amount in the Fund at the end of the fiscal year.

4992 “(c) Money in the Fund shall be used to implement the Settlement Agreements.

4993 “(d)(1) The money deposited into the Fund but not expended during a fiscal year shall not
4994 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
4995 of a fiscal year, or at any other time.

4996 “(2) Subject to authorization in an approved budget and financial plan, any funds
4997 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

4998 Sec. 5063. Applicability.

4999 This subtitle shall apply as of September 30, 2021.

5000 **SUBTITLE H. VETERAN TRANSPORTATION PROGRAM EXPANSION**

5001 Sec. 5071. Short title.

5002 (a) This subtitle may be cited as the “Veteran Transportation Program Expansion
5003 Emergency Amendment Act of 2021”.

5004 Sec. 5072. Section 704 of the Office of Veterans Affairs Establishment Act of 2001,
5005 effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 49-1003), is amended as
5006 follows:

5007 (a) Paragraph (24) is amended by striking the phrase “; and” and inserting a semicolon in
5008 its place.

5009 (b) Paragraph (25) is amended by striking the period and inserting the phrase “; and” in
5010 its place.

5011 (c) A new paragraph (26) is added to read as follows:

5012 “(26) Subject to the availability of funding, provide a free on-demand
5013 transportation or public transportation option to veterans who reside in a household with an
5014 annual household income of less than or equal to 80% of area median income as defined in D.C.
5015 Official Code § 47-1806.09(1)(A), which, at a minimum:

5016 “(A) Offers 15 one-way trips per month for each eligible veteran in the
5017 program;

5018 “(B) Operates 6 days a week; and
5019 “(C) Does not restrict the point of origin or destination of each trip, except
5020 that trips must begin and end within the District.”.

5021 **SUBTITLE I. FIRST TIME MOTHERS HOME VISITING PROGRAM**

5022 Sec. 5081. Short title.

5023 This subtitle may be cited as the “Still Leverage for Our Future Emergency Amendment
5024 Act of 2021”.

5025 Sec. 5082. Section 105a(a) of the Birth-to-Three for All DC Amendment Act of 2018,
5026 effective September 11, 2019 (D.C. Law 23-16; D.C. Official Code § 4-651.05a(a)), is amended
5027 by adding a new paragraph (3) to read as follows:

5028 “(3) In Fiscal Year 2022, DOH shall provide an amount not to exceed \$150,000 to
5029 the home visiting provider who was awarded the competitive grant pursuant to paragraph (1) of
5030 this subsection.”.

5031 **SUBTITLE J. STEVIE SELLOW’S DIRECT SUPPORT PROFESSIONALS**
5032 **QUALITY IMPROVEMENTS**

5033 Sec. 5091. Short title.

5034 This subtitle may be cited as the “Stevie Sellow’s Direct Support Professionals Quality
5035 Improvements Emergency Amendment Act of 2021”.

5036 Sec. 5092. Title 47 of the District of Columbia Official Code is amended as follows:

5037 (a) The table of contents is amended by striking the phrase “12D. Stevie Sellows” and
5038 inserting the phrase “12D. Stevie Sellow’s” in its place.

5039 (b) Chapter 12D is amended as follows:

5040 (1) The heading is amended by striking the phrase “Stevie Sellows” and inserting
5041 the phrase “Stevie Sellow’s” in its place.

5042 (2) Section 47-1270 is amended as follows:

5043 (A) Strike the phrase “Stevie Sellows” both times it appears and insert the
5044 phrase “Stevie Sellow’s” in its place.

5045 (B) The existing paragraph (1A) is redesignated as paragraph (1B).

5046 (C) The existing paragraph (1B) is redesignated as paragraph (1C).

5047 (D) A new paragraph (1A) is added to read as follows:

5048 “(1A) “DD waiver provider” means an entity that provides residential, in-home,
5049 day, or support services, including employment and community development services under the
5050 District’s Medicaid Home and Community-Based Services Waiver for Persons with Intellectual
5051 and Developmental Disabilities program as authorized by section 1915(c) of the Social Security
5052 Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1396n(c)).”.

5053 (3) Section 47-1271 is amended as follows:

5054 (A) Strike the phrase “Stevie Sellows” both times it appears and insert the
5055 phrase “Stevie Sellow’s” in its place.

5056 (B) Subsection (b)(1) is amended by striking the phrase “reimbursement of
5057 ICF/IID.” and inserting the phrase “reimbursement of ICF/IID; provided that if the quality-of-
5058 care improvement is for an increase in salaries, the total payment amount, on average, for
5059 qualifying direct support professionals should be up to the greater of 117.6% of the District
5060 minimum wage pursuant to section 4 of the Minimum Wage Act Revision Act of 1992, effective
5061 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003) or 117.6% of the District

5062 living wage pursuant to the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118;
5063 D.C. Official Code § 2-220.01 *et seq.*)” in its place.

5064 (C) A new subsection (c-1) is added to read as follows:

5065 “(c-1) Notwithstanding subsection (b) of this section, revenues deposited in the Fund
5066 beginning in fiscal year 2022 may be used to support quality of care improvements for DD
5067 waiver providers.”.

5068 (3) Section 47-1272 is amended by striking the phrase “an ICF-IDD” both times it
5069 appears and inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5070 (4) Section 47-1275 is amended by striking the phrase “ICF-IDD” both times it
5071 appears and inserting the phrase “an ICF-IDD or DD waiver provider” in its place.

5072 **SUBTITLE K. EARLY CHILDHOOD EDUCATOR PAY EQUITY FUND**

5073 Sec. 5101. Short title.

5074 This subtitle may be cited as the “Early Childhood Educator Pay Equity Fund
5075 Establishment Emergency Act of 2021”.

5076 Sec. 5102. Early Childhood Educator Pay Equity Fund.

5077 (a) There is established as a special fund an Early Childhood Educator Pay Equity Fund
5078 (“Fund”), which shall be administered by the Office of the State Superintendent of Education in
5079 accordance with subsection (c) of this section.

5080 (b)The following funds shall be deposited into the Fund:

5081 (1) In Fiscal Year 2022, \$53,920,878 in local funds collected pursuant to the
5082 Income Tax Fairness Amendment Act of 2021, passed on 1st reading on July 20, 2021
5083 (Engrossed version of Bill 24-285); and

5084 (2) Any appropriated funds.

5085 (c) The Fund shall be used to support the cost of implementing an employee
5086 compensation salary scale to increase the minimum compensation for employees of early
5087 childhood development providers.

5088 (d)(1) Money deposited into the Fund but not expended in a fiscal year shall not revert to
5089 the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal
5090 year, or at any time.

5091 (2) Subject to authorization in an approved budget and financial plan, any funds
5092 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5093 **SUBTITLE L. DC HEALTHCARE ALLIANCE**

5094 Sec. 5111. Short title.

5095 This subtitle may be cited as the “DC HealthCare Alliance Conforming Amendments and
5096 Non-Lapsing Fund Emergency Amendment Act of 2021”.

5097 Sec. 5112. The Health Care Privatization Amendment Act of 2001, effective July 12,
5098 2001 (D.C. Law 14-18; D.C. Official Code § 7-1401 *et seq.*) is amended as follows:

5099 (a) Section 7b (D.C. Official Code § 7-1407) is amended to read as follows:

5100 “Sec. 7b. DC HealthCare Alliance recertification.

5101 “(a) The Mayor shall allow enrollees for the DC HealthCare Alliance (“Alliance”)
5102 program to complete an application for recertification with the Department of Human Services:

5103 “(1) In person;

5104 “(2) Over the telephone; and

5105 “(3) Through electronic means, including through a web-based portal.

5106 “(b) Applicants for the Alliance program shall not be required to complete a face-to-face
5107 interview to establish eligibility for enrollment in the Alliance program or to recertify their
5108 enrollment in person; provided that the Mayor may require enrollees to complete one in-person
5109 certification each year in Fiscal Years 2023, 2024, and 2025.

5110 “(c) Enrollees in the Alliance before April 1, 2025, shall be required to recertify his or her
5111 enrollment every 6 months.

5112 “(d) Enrollees in the Alliance after March 31, 2025, shall be required to recertify his or
5113 her enrollment on an annual basis.”.

5114 (b) Section 7c (D.C. Official Code § 7-1408) is repealed.

5115 (c) Section 7e (D.C. Official Code § 7-1410) is repealed.

5116 Sec. 5113. The Department of Health Care Finance Establishment Act of 2007, effective
5117 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended by
5118 adding a new section 8c as follows:

5119 “Sec. 8c. DC HealthCare Alliance Reform Fund.

5120 “(a) There is established as a special fund the DC HealthCare Alliance Reform Fund
5121 (“Fund”), which shall be administered by the Department in accordance with subsection (c) of
5122 this section.

5123 “(b) Local funds appropriated in Fiscal Years 2021 through 2024 for the Department
5124 which remain unspent at the close of each fiscal year shall be deposited into the Fund.

5125 “(c) Money in the Fund shall be used exclusively within the Department of Health Care
5126 Finance to fully fund reforms to the D.C. HealthCare Alliance Program, including:

5127 “(1) Permanently eliminating the requirement for a face-to-face interview as a
5128 recertification requirement for the DC HealthCare Alliance program; and

5129 “(2) Extending the period of time before recertification of enrollment from 6 to
5130 one year.

5131 “(3)(A) The money deposited into the Fund, but not expended in a fiscal year
5132 shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at
5133 the end of a fiscal year, or at any other time.

5134 “(B) Subject to authorization in an approved budget and financial plan,
5135 money in the Fund shall be continually available without regard to fiscal year limitation.”.

5136 Sec. 5114. Section 47-362(h) of the District of Columbia Official Code is amended to
5137 read as follows:

5138 “(h) Notwithstanding § 47-363, local funds appropriated for the Department of Health
5139 Care Finance in Fiscal Years 2021, 2022, 2023, 2024, and 2025 shall not be reprogrammed to
5140 other agencies unless the Council approves the reprogramming by resolution.”.

5141 Sec. 5115. Applicability.

5142 This subtitle shall apply as of August 8, 2021.

5143 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

5144 **SUBTITLE A. HIGHWAY TRUST FUND REPROGRAMMINGS**

5145 Sec. 6001. Short title.

5146 This subtitle may be cited as the “Highway Trust Fund Reprogramming Emergency
5147 Amendment Act of 2021”.

5148 Sec. 6002. Section 47-363 of the District of Columbia Official Code is amended by
5149 adding a new subsection (h) to read as follows:

5150 “(h)(1) This subchapter shall not apply to a reprogramming from a master capital project
5151 in the Highway Trust Fund portion of the District’s capital improvements plan to another master
5152 capital project in the Highway Trust Fund portion of the District’s capital improvements plan,
5153 other than as provided in this subsection.

5154 “(2) At the request of the Mayor, the Chief Financial Officer of the District of
5155 Columbia (“CFO”) shall reprogram funds between master capital projects in the Highway Trust
5156 Fund portion of the District’s capital improvements plan; provided, that the reprogramming of
5157 funds is consistent with the State Transportation Improvement Plan included in the
5158 Transportation Improvement Plan prepared and approved by the Metropolitan Washington
5159 Council of Governments National Capital Region Transportation Planning Board; provided
5160 further, that the CFO determines that the funds are available for reprogramming.

5161 “(3) After funds are reprogrammed pursuant to paragraph (2) of this subsection,
5162 the director of the implementing agency for the project may obligate and expend the
5163 reprogrammed funds.”.

5164 Sec. 6003. Applicability.

5165 This subtitle shall apply as of July 1, 2021.

5166 **SUBTITLE B. UTILITY RELOCATION ON INTERSTATE HIGHWAYS**

5167 Sec. 6011. Short title.

5168 This subtitle may be cited as the “Utility Relocation Reimbursement Emergency
5169 Amendment Act of 2021”.

5170 Sec. 6012. Section 4(a) of the District of Columbia Public Utilities Reimbursement Act
5171 of 1972, approved October 14, 1972 (86 Stat. 812; D.C. Official Code § 9-107.02(a)), is
5172 amended by striking the phrase “The cost of relocation, adjustment, replacement, or removal,
5173 and the cost of abandonment of such facilities, shall be paid to the utility by the District of
5174 Columbia, as a part of the cost of such project.” and inserting the phrase “50% of the cost of
5175 relocation, adjustment, replacement, or removal, and 50% of the cost of abandonment of such
5176 facilities, shall be paid by the District of Columbia, as a part of the cost of such project. The
5177 remainder of such cost shall be paid by the utility.” in its place.

5178 **SUBTITLE C. BUSINESS RECOVERY AND SUSTAINABILITY FEE**
5179 **REDUCTIONS**

5180 Sec. 6021. Short title.

5181 This subtitle may be cited as the “Business Recovery and Sustainability Fee
5182 Reductions Emergency Amendment Act of 2021”.

5183 Sec. 6022. Business recovery and sustainability fee reductions.

5184 Title 17 of the District of Columbia Municipal Regulations is amended as follows:

5185 (a) Chapter 5 is amended as follows:

5186 (1) Section 500.2 (17 DCMR § 500.2) is amended to read as follows:

5187 “500.2 The Director shall charge a fee of seventy dollars (\$70) for
5188 each basic business license, plus a fee of twenty-five dollars (\$25) for each endorsement
5189 added to the basic business license, except for a General Business license and
5190 endorsement under 17 DCMR 516.1(c), for which no fee shall be charged. Each basic
5191 business license and endorsement shall be valid for two (2) years from the date of

5192 issuance, unless earlier revoked or voluntarily relinquished.”.

5193 (2) Section 500.3 (17 DCMR § 500.3) is amended to read as follows:

5194 “500.3 The Director shall charge a fee of seventy dollars (\$70) for the
5195 renewal of each basic business license, plus a fee of twenty-five dollars (\$25) for each
5196 renewal endorsement added to a basic business license, except for a General Business
5197 license and endorsement under 17 DCMR 516.1(c), for which no fee shall be charged.”.

5198 (3) Section 513.1 (17 DCMR § 513.1) is amended as follows:

5199 (A) Paragraph (a) is amended by striking the figure “\$1,300” and
5200 inserting the figure “\$90” in its place.

5201 (B) Paragraph (b) is amended by striking the figure “\$1,300” and
5202 inserting the figure “\$90” in its place.

5203 (C) Paragraph (c) is amended by striking the figure “\$1,300” and
5204 inserting the figure “\$90” in its place.

5205 (4) Section 516.1(c) (17 DCMR § 516.1(c)) is amended by striking the
5206 figure “\$200” and inserting the figure “\$90” in its place.

5207 (b) Chapter 6 is amended as follows:

5208 (1) Section 602.1(a)(1) (17 DCMR § 602(a)(1)) is amended by striking the
5209 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars
5210 (\$99)” in its place.

5211 (2) Section 606.1(a) (17 DCMR § 606.1(a)) is amended by striking the
5212 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars
5213 (\$99)” in its place.

5214 (3) Section 607.1(a) (17 DCMR § 607.1(a)) is amended by striking the
5215 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars
5216 (\$99)” in its place.

5217 (4) Section 608.1(a) (17 DCMR § 608.1(a)) is amended by striking the
5218 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars
5219 (\$99)” in its place.

5220 (5) Section 611.1(a) (17 DCMR § 611.1(a)) is amended by striking the
5221 phrase “two hundred twenty dollars (\$220)” and inserting the phrase “ninety-nine dollars
5222 (\$99)” in its place.

5223 (c) Section 1607.1 (17 DCMR § 1607.1) is amended by striking the phrase “five hundred
5224 dollars (\$500)” and inserting the phrase “zero dollars (\$0)” in its place.

5225 (d) Chapter 35 is amended as follows:

5226 (1) A new section 3500.6 (17 DCMR § 3500.6) is added to read as
5227 follows:

5228 “3500.6. From October 1, 2021, through September 30, 2022, the
5229 following fees shall be charged for each class of non-health occupation license issued by
5230 the Department of Consumer and Regulatory Affairs (DCRA) in lieu of the fees listed in
5231 3500.2:

5232 “(a) The application fee and examination fee shall be zero dollars
5233 (\$0).

5234 “(b) The license fee and the renewal fee shall be ninety-nine
5235 dollars (\$99).”.

5236 Sec. 6023. Taxi industry recovery support.

5237 During Fiscal Year 2022, the following fees shall not be charged:

5238 (a) The Department of For-Hire Vehicles' fee for the renewal of an annual operator ID
5239 license, imposed by 31 DCMR § 827, for operators of public vehicles-for-hire;

5240 (b) The Department of For-Hire Vehicles' per vehicle registration fee, imposed by 31
5241 DCMR § 1104, for public vehicles-for-hire;

5242 (c) The Department of For-Hire Vehicles' independent taxicab owner certificate of
5243 operating authority application fee, imposed by 31 DCMR § 505.2;

5244 (d) The Department of For-Hire Vehicles' taxicab company, association, and fleet
5245 certificate of operating authority fee, imposed pursuant to 31 DCMR § 501.8;

5246 (e) The Department of For-Hire Vehicles' application fee for a certificate of operating
5247 authority to operate an independent luxury vehicle business, imposed by 31 DCMR § 1221.6(e);

5248 (f) The Department of Motor Vehicles' fee for certified and uncertified abstracts of
5249 operating records, imposed by 18 DCMR §§ 801.3 and 801.5), for operators of public vehicles-
5250 for-hire;

5251 (g) The Department of Motor Vehicles' motor vehicle inspection fee, imposed by section
5252 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia,
5253 approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1101), and 18 DCMR §
5254 601.8(i)), for public vehicles-for-hire; and

5255 (h) The Department of Motor Vehicles' motor vehicle registration fee, imposed by
5256 section 3 of title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937
5257 (50 Stat. 679; D.C. Official Code § 50-1501.03), for public vehicles-for-hire.

5258 Sec. 6024. Biennial corporate report fee forgiveness authority.

5259 Section 29-102.12 of the District of Columbia Official Code is amended by

5260 adding a new subsection (e) to read as follows:

5261 “(e) The Mayor may implement fee forgiveness programs by rulemaking to encourage
5262 entities to come into compliance with the entity filing requirements of this subchapter.”.

5263 **SUBTITLE D. SUSTAINABLE ENERGY TRUST FUND**

5264 Sec. 6031. Short title.

5265 This subtitle may be cited as the “Sustainable Energy Trust Fund Emergency Amendment
5266 Act of 2021”.

5267 Sec. 6032. Section 210(c)(16) of the Clean and Affordable Energy Act of 2008, effective
5268 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)(16)), is amended to read
5269 as follows:

5270 “(16) In Fiscal Years 2022, 2023, 2024, and 2025, transferring at least \$10
5271 million, but no more than \$15 million, to the Green Finance Authority to support sustainable
5272 projects and programs; provided, that funding for such transfers is included in an approved
5273 budget and financial plan; provided further, that the total amount of money transferred to the
5274 Green Finance Authority from the Sustainable Energy Trust Fund in fiscal years 2020 through
5275 2025 shall not exceed \$70 million; and”.

5276 Sec. 6033. Section 4(b) of the Energy Efficiency Standards Act of 2007, effective
5277 December 11, 2007 (D.C. Law 17-64; D.C. Official Code § 8-1771.03(b)), is amended as
5278 follows:

5279 (a) Paragraph (3B) is redesignated as paragraph (2D).

5280 (b) Paragraph (3C) is redesignated as paragraph (3B).

5281 (c) Paragraph (3D) is redesignated as paragraph (3C).

5282 (d) Paragraph (3E) is redesignated as paragraph (3D).

5283 (e) The newly redesignated paragraph (2D) is amended by striking the phrase

5284 “Residential ventilating fans shall have a fan motor efficacy of no less than 2.8 cubic feet” and

5285 inserting the phrase “In-line residential ventilating fans shall have a fan motor efficacy of no less

5286 than 2.8 cubic feet” in its place.

5287 **SUBTITLE E. WMATA DEDICATED FUNDING**

5288 Sec. 6041. Short title.

5289 This subtitle may be cited as the “WMATA Dedicated Funding Emergency Amendment

5290 Act of 2021”.

5291 Sec. 6042. Section 6002 of the Dedicated WMATA Funding and Tax Changes Affecting

5292 Real Property and Sales Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168;

5293 D.C. Official Code § 1-325.401), is amended as follows:

5294 (a) Subsection (b)(3) is amended to read as follows:

5295 “(3) In Fiscal Year 2021, and each successive year, \$178.5 million.”.

5296 (b) A new subsection (b-1) is added to read as follows:

5297 “(b-1) Notwithstanding paragraph (3) of this subsection, the District may reduce its

5298 dedicated funding payment to WMATA if Maryland or Virginia reduces its dedicated funding

5299 payment below the amount required in its dedicated funding agreement with WMATA;

5300 provided, that the District’s reduction shall be not be greater in proportion than the proportion by

5301 which Maryland or the proportion by which Virginia, whichever is greater, reduces its
5302 payment.”.

5303 **SUBTITLE F. URBAN AGRICULTURE FUNDING AND CLARIFICATION**

5304 Sec. 6051. Short title.

5305 This subtitle may be cited as the “Urban Agriculture Funding Emergency Amendment
5306 Act of 2021”.

5307 Sec. 6052. The Food Production and Urban Gardens Program Act of 1986, effective
5308 February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as
5309 follows:

5310 (a) Section 2(4) (D.C. Official Code § 48-401(4)) is amended as follows:

5311 (1) Strike the word “produce” and insert the word “crops” in its place.

5312 (2) Strike the phrase “purposes.” and insert the phrase “purposes. The term “urban
5313 farm” shall not include backyard or community gardens.” in its place.

5314 (b) Section 3b (D.C. Official Code § 48-402.02) is amended by striking the figure
5315 “\$150,000” and inserting the figure “\$90,000” in its place.

5316 Sec. 6053. Section 47-868(d) of the District of Columbia Official Code is amended as
5317 follows:

5318 (a) Paragraph (1) is amended by striking the phrase “shall, before the property is put to
5319 use as an urban farm,” and inserting the word “shall” in its place.

5320 (b) Paragraph (2) is amended by striking the phrase “to object to the proposed annual
5321 planting plan and request modifications to the annual planting plan” and inserting the phrase “to
5322 determine eligibility for an abatement under this section” in its place.

5323 (c) Paragraph (3) is amended by striking the phrase “retain the annual planting plan for at
5324 least 3 years” and insert the phrase “submit an annual planting plan for approval pursuant to this
5325 subsection at the beginning of each fiscal year” in its place.

5326 (d) A new paragraph (4) is inserted to read as follows:

5327 “(4) The Department may establish additional requirements for eligibility by
5328 rulemaking or by publication on its website.”.

5329 **SUBTITLE G. ZERO WASTE FUNDING AND CLARIFICATION**

5330 **AMENDMENT**

5331 Sec. 6061. Short title.

5332 This subtitle may be cited as the “Zero Waste Funding and Clarification Emergency
5333 Amendment Act of 2021”.

5334 Sec. 6062. Title I of the Sustainable Solid Waste Management Amendment Act of 2014,
5335 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is
5336 amended as follows:

5337 (a) Section 103a (D.C. Official Code § 8-1031.03a) is amended as follows:

5338 (1) Subsection (a) is amended as follows:

5339 (i) Paragraph (1) is amended by striking the word “food” and inserting the
5340 phrase “food to the extent practicable” in its place.

5341 (ii) Paragraph (3) is amended by striking the word “employee work area”
5342 and inserting the phrase “work area where employees are handling back-of-house commercial
5343 food waste” in its place.

5344 (2) Subsection (e)(1) is repealed.

5345 (b) Section 111(a) (D.C. Official Code § 8–1031.11(a)) is amended as follows:

5346 (1) Paragraph (1) is amended by striking the phrase “facilities.” and inserting the
5347 phrase “facilities. Beginning January 1, 2023, the minimum fee for transfer at District-owned
5348 solid waste facilities shall be \$13.38 per ton.” in its place.

5349 (2) Paragraph (2) is amended by striking the figure “\$1” and inserting the figure
5350 “\$2” in its place.

5351 (c) Section 112b (D.C. Official Code § 8-1031.12b) is amended to read as follows:

5352 “112b. On-Site Composting.

5353 “Owners of commercial and residential properties in the District may engage in
5354 composting on the property; provided, that the composting is conducted in a manner that does
5355 not:

5356 “(1) Promote the development, attraction, or harborage of vectors; or

5357 “(2) Create a public nuisance.”.

5358 (d) Section 128(2)(B) (D.C. Official Code § 8-771.01(2)(B)) is amended to read as
5359 follows:

5360 “(B) A product in which the only batteries used are supplied by a producer
5361 that:

5362 “(i) Is a member of a battery stewardship organization that has an
5363 approved battery stewardship plan pursuant to section 130(b) and is registered in accordance
5364 with section 131(b); and

5365 “(ii) Has provided written certification of that membership to both
5366 the producer of the covered battery-containing product and the battery stewardship organization
5367 of which the battery producer is a member;”.

5368 (e) Section 130(a)(5) is amended to read as follows:

5369 “(5) A description of how the battery stewardship organization will arrange for
5370 components of the discarded batteries to be recycled to the maximum extent economically and
5371 technically feasible, in a manner that is environmentally sound and safe for waste management
5372 workers;”.

5373 (f) Section 132(a) (D.C. Official Code § 8-771.05(a)) is amended by striking the phrase
5374 “April 1” and inserting the phrase “June 1” in its place.

5375 Sec. 6063. Section 3(e) of the Human and Environmental Health Protection Act of 2010,
5376 effective March 31, 2011 (D.C. Law 18-336; D.C. Official Code § 8-108.02(e)), is amended as
5377 follows:

5378 (a) The existing text is designated as paragraph (1).

5379 (b) A new paragraph (2) is added to read as follows:

5380 “(2) There shall be a de minimis exemption for the sale of products containing
5381 0.1% or less by mass of penta mixtures of polybrominated diphenyl ethers due to the presence of
5382 recycled raw materials.”.

5383 Sec. 6064. Section 720.7 of Title 21 of the District of Columbia Municipal Regulations
5384 (21 DCMR § 720.7), is amended to read as follows:

5385 “720.7 The applicable fees for the disposal of commodities included in the District's solid
5386 waste reduction and recycling program at the waste-handling facilities shall be fifty-one dollars

5387 and fifty-nine cents (\$51.59) for each ton disposed; Provided, that a minimum fee of twelve
5388 dollars and eighty-nine cents (\$12.89) shall be imposed on each load weighing five hundred
5389 pounds (500 lbs.) or less.”.

5390 **SUBTITLE H. DEPARTMENT OF MOTOR VEHICLES KIOSKS FUND**

5391 Sec. 6071. Short title.

5392 This subtitle may be cited as the “Department of Motor Vehicles Kiosk Fund Emergency
5393 Amendment Act of 2021”.

5394 Sec. 6072. The Department of Motor Vehicles Establishment Act of 1998, effective
5395 March 26, 1999 (D.C. Law 12–175; D.C. Official Code § 50-901 *et seq.*), is amended by adding
5396 a new section 1825a to read as follows:

5397 “Sec. 1825a. Department of Motor Vehicles Kiosk Fund.

5398 “(a) There is established as a special fund the Department of Motor Vehicles Kiosk Fund
5399 (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this
5400 section.

5401 “(b) All convenience fees collected from the operation of the Department of Motor
5402 Vehicles’ self-service kiosks shall be deposited in the Fund.

5403 “(c) Money in the Fund shall be used to pay the costs of installing, renting, operating,
5404 maintaining, and providing supplies for the Department of Motor Vehicles’ self-service kiosks.

5405 “(d)(1) The money deposited in the Fund but not expended in a fiscal year shall not revert
5406 to the unassigned fund balance of the General Fund of the District of Columbia at the end of a
5407 fiscal year, or at any other time.

5408 “(2) Subject to authorization in an approved budget and financial plan, any funds
5409 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5410 “(e) For the purposes of this section, the term “self-service kiosk” means a hardware
5411 device with specialized integrated software that enables users to conduct transactions related to
5412 the Department of Motor Vehicles’ services without the need for assistance from Department of
5413 Motor Vehicles staff.”.

5414 **SUBTITLE I. DC CIRCULATOR FARE**

5415 Sec. 6081. Short title.

5416 This subtitle may be cited as the “DC Circulator Amendment Act of 2021”.

5417 Sec. 6082. Section 11d(b) of the Department of Transportation Establishment Emergency
5418 Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.34(b)), is
5419 amended to read as follows:

5420 “(b) The base fare to ride the DC Circulator shall be at least \$1; except, that the Department
5421 may provide discounts for:

5422 “(1) Seniors, veterans, students, children, and disabled persons;

5423 “(2) All riders during a public health emergency declared by the Mayor;

5424 “(3) All riders during promotional periods; provided, that promotional periods may
5425 not cumulatively total more than 2 months in a calendar year;

5426 “(4) Transfers.”.

5427 **SUBTITLE J. LOW-INCOME WEATHERIZATION ASSISTANCE**

5428 Sec. 6091. Short title.

5429 This subtitle may be cited as the “Low-Income Weatherization Assistance Emergency
5430 Amendment Act of 2021”.

5431 Sec. 6092. Section 211(c) of the Clean and Affordable Energy Act of 2008, effective
5432 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.11(c)), is amended to read as
5433 follows:

5434 “(c)(1) Except as described in paragraph (2) of this subsection, the Energy Assistance
5435 Trust Fund shall be used solely to fund the existing low-income program, and the Mayor shall
5436 have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection
5437 (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF.

5438 “(2) In Fiscal Year 2022, the Energy Assistance Trust Fund may also be used to
5439 fund weatherization assistance for low-income District residents.”.

5440 **SUBTITLE K. ATE SYSTEM REVENUE DESIGNATION**

5441 Sec. 6101. Short title.

5442 This subtitle may be cited as the “ATE System Revenue Designation Emergency
5443 Amendment Act of 2021”.

5444 Sec. 6102. The Department of Transportation Establishment Act of 2002, effective May
5445 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a
5446 new section 9r to read as follows:

5447 “Sec. 9r. ATE system revenue designation.

5448 “(a) There is established as a special fund, the Vision Zero Enhancement Omnibus
5449 Amendment Act Implementation Fund (“Fund”), which shall be administered by the Director of

5450 the District Department of Transportation (“Director”) in accordance with subsections (c) and (d)
5451 of this section.

5452 “(b) There shall be deposited in the Fund the amount by which the projected local funds
5453 revenue from fines generated from the automated traffic enforcement system, authorized by
5454 section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C.
5455 Law 11-198; D.C. Official Code § 50-2209.01), for that fiscal year exceeds \$98,757,000; and

5456 “(c)(1) Money in the Fund shall be used according to the following order of priority:

5457 “(A) To implement the Vision Zero Enhancement Omnibus Amendment
5458 Act of 2020, effective December 23, 2020 (D.C. Law 23-158; 67 DCR 13057), including to pay
5459 recurring costs;

5460 “(B) To enhance the safety and quality of pedestrian and bicycle
5461 transportation, including education, engineering, and enforcement efforts designed to calm traffic
5462 and provide safe routes.

5463 “(2) The Director is authorized to enter into intra-District transfers from the Fund
5464 and other agreements with the Department of Health, Department of Motor Vehicles,
5465 Department of Public Works, and Metropolitan Police Department as necessary to implement
5466 provisions of the Vision Zero Enhancement Omnibus Amendment Act of 2020, effective
5467 December 23, 2020 (D.C. Law 23-158; 67 DCR 13057).

5468 “(d)(1) The money deposited into the Fund shall not revert to the unassigned fund
5469 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any
5470 other time.

5471 “(2) Subject to authorization in an approved budget and financial plan, any funds
5472 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”

5473 **SUBTITLE L. ELECTRIC MOBILITY DEVICE AMENDMENT**

5474 Sec. 6111. Short title.

5475 This subtitle may be cited as the “Electric Mobility Device Emergency Amendment Act of
5476 2021”.

5477 Sec. 6112. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
5478 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

5479 (a) Section 2(6A)(A) (D.C. Official Code § 50-2201.02(6A)(A)) is amended as follows:

5480 (1) The lead-in language is amended by striking the number “60” and inserting the
5481 number “75” in its place.

5482 (2) Sub-subparagraph (iv) is amended striking the number “48” and inserting the
5483 number “55” in its place.

5484 (b) Section 6c(b) (D.C. Official Code § 50-2201.03c(b)) is amended by adding a new
5485 paragraph (5) to read as follows:

5486 “(5) The Director shall fine a permitted operator \$100 per device that the permitted
5487 operator represented to DDOT as an electronic mobility device and deployed that, when inspected
5488 by DDOT, weighs greater than 75 pounds or is longer than 55 inches.”.

5489 **SUBTITLE M. GREEN BUILDING FUND SETF DISBURSEMENTS**

5490 Sec. 6121. Short title.

5491 This subtitle may be cited as the “Green Building Fund SETF Disbursement Emergency
5492 Amendment Act of 2021”.

5493 Sec. 6122. Section 8 of the Green Building Act of 2006, effective March 8, 2007 (D.C.
5494 Law 16-234; D.C. Official Code § 6-1451.07), is amended to read as follows:

5495 “Sec. 8. Green Building Fund.

5496 “(a) There is established as a special fund the Green Building Fund (“Fund”), which shall
5497 be administered by the Mayor in accordance with subsection (c) of this section. The purpose of
5498 the Fund is to streamline administrative green building processes, improve sustainability
5499 performance outcomes, build capacity of development and administrative oversight professionals
5500 in green building skills and knowledge, institutionalize innovation, overcome barriers to
5501 achieving high-performance buildings, and continuously promote the sustainability of green
5502 building practices in the District.

5503 “(b) Monies obtained pursuant to sections 6 and 9 shall be deposited into the Fund.

5504 “(c) Money in the Fund shall be used for the following:

5505 “(1) The following amounts shall be transferred to the Sustainable Energy Trust
5506 Fund (“SETF”) established by section 210 of the Clean and Affordable Energy Act of 2008,
5507 effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10):

5508 “(A) For each of Fiscal Years 2022, 2023, 2024, and 2025, a minimum of
5509 \$900,000; and

5510 “(B) For each fiscal year thereafter, 50% of monies in the Fund; and

5511 “(2) Costs for at least 3 full-time employees at DCRA, or elsewhere as assigned
5512 by the Mayor, whose primary job duties are devoted to technical assistance, plan review, and
5513 inspections and monitoring of green buildings;

5514 “(3) Additional staff and operating costs to provide training, technical assistance,
5515 plan review, inspections and monitoring of green buildings, and green codes development;

5516 “(4) Research and development of green building practices;

5517 “(5) Education, training, outreach, and other market transformation initiatives;

5518 “(6) Seed support for demonstration projects, their evaluation, and when
5519 successful, their institutionalization; and

5520 “(7) Costs incurred to make green building materials accessible to low-income
5521 residents.

5522 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
5523 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of
5524 a fiscal year, or at any other time.

5525 “(2) Subject to authorization in an approved budget and financial plan, any funds
5526 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

5527 “(e) The Mayor may receive and administer grants for the purpose of carrying out the
5528 goals of this act.”.

5529 Sec. 6123. Section 210 of the Clean and Affordable Energy Act of 2008, effective
5530 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10), is amended as follows:

5531 (a) Subsection (a) is amended by striking the phrase “Fiscal Agent.” and inserting the
5532 phrase “Fiscal Agent. In addition, money transferred from the Green Building Fund, pursuant to
5533 section 8(c)(1) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234;
5534 D.C. Official Code § 6-1451.07(c)(1)), shall be deposited into the SETF; provided, that any such

5535 money shall be used solely for the purpose described in subsection (c)(18) of this section.” in its
5536 place.

5537 (b) Subsection (c) is amended as follows:

5538 (1) Paragraph (16) is amended by striking the phrase “; and” and inserting a semi-
5539 colon in its place.

5540 (2) Paragraph (17) is amended by striking the period and inserting the phrase “;
5541 and” in its place.

5542 (3) A new paragraph (18) is added to read as follows:

5543 “(18) Activities permitted under section 8(c)(2) through (7) of the Green Building
5544 Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)-
5545 (7)).”.

5546 **SUBTITLE N. LEAD PIPE REPLACEMENT ASSISTANCE PROGRAM**

5547 **SUBSIDY**

5548 Sec. 6131. Short title.

5549 This subtitle may be cited as the “Lead Pipe Replacement Assistance Program Subsidy
5550 Emergency Amendment Act of 2021”.

5551 Sec. 6132. Section 6019b(b)(1) of the Lead Service Line Priority Replacement Assistance
5552 Act of 2004, effective March 13, 2019 (D.C. Law 22-241; D.C. Official Code § 34-2159(b)(1)),
5553 is amended as follows:

5554 (a) Subparagraph (A) is amended as follows:

5555 (1) Sub-subparagraph (i) is amended by striking the phrase “80% or” and
5556 inserting the phrase “100% or” in its place.

5557 (2) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the
5558 phrase “; and” in its place.

5559 (b) Subparagraph (B) is repealed.

5560 **SUBTITLE O. LEAD SERVICE LINE PLANNING TASK FORCE**

5561 Sec. 6141. Short title.

5562 This subtitle may be cited as the “Lead Service Line Planning Task Force Establishment
5563 Emergency Act of 2021”.

5564 Sec. 6142. The Lead Service Line Priority Replacement Assistance Act of 2004, effective
5565 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*), is amended by
5566 adding new sections 6019d and 6019e to read as follows:

5567 “Sec. 6019d. Lead Service Line Planning Task Force establishment.

5568 “(a) There is established a Lead Service Line Planning Task Force (“Task Force”), to be
5569 administered by the Department of Energy and Environment (“DOEE”), to develop an
5570 interagency plan for the removal and replacement of all lead water service lines by 2030
5571 (“Plan”).

5572 “(b) The Task Force shall consist of 6 members as follows:

5573 “(1) The Director of DOEE, or the Director’s designee;

5574 “(2) The General Manager of the District of Columbia Water and Sewer Authority
5575 (“DC Water”); or the General manager’s designee;

5576 “(3) The Director of the District Department of Transportation, or the Director’s
5577 designee;

5578 “(4) The Director of the Department of Consumer and Regulatory Affairs, or the

5579 Director’s designee;

5580 “(5) One representative appointed by the Chairperson of the Council committee
5581 with oversight of DC Water; and

5582 “(6) One representative appointed by the Chairperson of the Council committee
5583 with oversight of DOEE.

5584 “(c)(1) Within 2 months after the effective date of the Lead Free DC Planning Task Force
5585 Establishment Act of 2021, as approved by the Committee of the Whole on July 20, 2021
5586 (Committee print of Bill 24-185), the Task Force shall hold its first meeting. The Task Force
5587 shall meet at least monthly.

5588 “(2) The Task Force shall dissolve after submitting the report required by
5589 subsection (d) of this section.

5590 “(d)(1) Within 10 months after the effective date of this Act, the Task Force shall transit
5591 the Plan to the Mayor, Council, and Chairperson of the DC Water Board of Directors.

5592 “(2) The Plan shall include:

5593 “(A) An account of the role of each District agency, including agencies
5594 not part of the Task Force, in the removal and replacement of all lead water service lines by
5595 2030;

5596 “(B) An account of identified barriers to the District removing and
5597 replacing all lead water services lines by 2030, and proposed solutions to reduce or eliminate
5598 those barriers;

5599 “(C) An account of opportunities for interagency coordination or
5600 cooperation to accelerate or improve the efficiency and cost-effectiveness of lead water service

5601 line replacements;

5602 “(D) An interagency spending proposal;

5603 “(E) Recommended changes or clarifications to DC Water’s Lead Service

5604 Line Replacement Plan, released on June 14, 2021;

5605 “(F) A list of potential funding sources to support lead water service line

5606 replacements; and

5607 “(G) A list of legislative, regulatory, and policy changes to effectively and

5608 efficiently complete and fund lead line replacement work by 2030, including draft language,

5609 where appropriate.

5610 “(3)(A) The interagency spending proposal required by paragraph (2)(D) of this

5611 subsection shall include an account of estimated spending, broken down by:

5612 “(i) Fiscal year;

5613 “(ii) Spending agency;

5614 “(iii) How the funds are intended to be used; and

5615 “(iv) Whether a funding source has been identified for the

5616 expenditure.

5617 “(B) The spending proposal required by paragraph (2)(D) of this

5618 subsection shall also include:

5619 “(i) Costs for recommendations identified pursuant to paragraph

5620 (2)(B) and (C) of this subsection; and

5621 “(ii) A separate list of unfunded agency costs identified in the

5622 spending proposal, including the number of unfunded FTEs, by agency and the FTEs anticipated

5623 responsibilities.

5624 “(4) At least 2 months before transmitting the Plan to the Council, the Task Force
5625 shall make a draft version of the Plan available to the Mayor, the Council, and the public. The
5626 Task Force shall accept public comments on the report for at least 4 weeks following the Plan
5627 being made public.

5628 “(e) Nothing in this section shall be construed to limit the authority of DC Water or
5629 DOEE to undertake lead water service line removal or replacements before the submission of the
5630 Plan.

5631 “Sec. 6019e. Reporting on lead water service line replacement spending.

5632 “(a) The District of Columbia Water and Sewer Authority (“DC Water”) and the
5633 Department of Energy and Environment (“DOEE”) shall separately provide the Council with a
5634 report on agency spending of federal and local funds on lead water service line replacements,
5635 broken down by spending of federal and local funds and by program. DC Water’s report shall
5636 also include a breakdown of spending on lead line replacements, program management costs,
5637 street restoration, water main replacements, and other costs.

5638 “(b) DC Water and DOEE shall transmit the reports required by subsection (a) of this
5639 section twice a year, on:

5640 “(1) February 1st, for the period beginning July 1st and ending December 31st of
5641 the immediately preceding year; and

5642 “(2) August 1st, for the period beginning January 1st and ending June 30th of the
5643 same year.”.

5644 **SUBTITLE P. PROTECT LOCAL WILDLIFE TAGS AND ANACOSTIA RIVER**

5645 **CLEAN UP AND PROTECTION FUND ELIGIBLE USES**

5646 Sec. 6151. Short title.

5647 This subtitle may be cited as the “Protect Local Wildlife Specialty License Plate and Anacostia
5648 River Clean Up and Protection Fund Eligible Use Emergency Amendment Act of 2021”.

5649 Sec. 6152. Title IV of the District of Columbia Revenue Act of 1937, approved August
5650 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01 *et seq.*), is amended as follows:

5651 (a) A new section 21 is added to read as follows:

5652 “Sec. 21. Issuance of Protect Local Wildlife motor vehicle identification tags.

5653 “(a) The Mayor shall design and make available for issue one or more Protect Local Wildlife
5654 vehicle identification tags to demonstrate support for the protection, rescue, and rehabilitation of native
5655 wildlife placed at risk due to the encroaching urban environment.

5656 “(b)(1) A resident ordering a Protect Local Wildlife tag shall pay a one-time application fee and
5657 a display fee each year thereafter. The application fee shall be \$25, and the display fee shall be \$20, or
5658 such other amount as may be established by the Mayor by rule.

5659 “(2) The application fee and annual display fee shall be deposited into the Anacostia
5660 River Clean Up and Protection Fund established by section 6 of the Anacostia River Clean Up and
5661 Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-
5662 102.05).”.

5663 (b) Section 3 (D.C. Official Code § 50-1501.03) is amended as follows:

5664 (1) Subsection (a)(1) is amended by adding a new subparagraph (P) to read as
5665 follows:

5666 “(P) Any person ordering a Protect Local Wildlife identification tag shall
5667 pay the fees set forth in section 21(b)(1).”.

5668 (2) Subsection (d) is amended as follows:

5669 (A) Paragraph (12) is amended by striking the phrase “; and” and inserting
5670 a semicolon in its place.

5671 (B) Paragraph (13) is amended by striking the period and inserting the
5672 phrase “; and” in its place.

5673 (C) A new paragraph (14) to read as follows:

5674 “(14) The fees collected for the Protect Local Wildlife identification tags under
5675 section 21 shall be deposited into Anacostia River Clean Up and Protection Fund, established by
5676 section 6 of the Anacostia River Clean Up and Protection Act of 2009, effective September 23,
5677 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05).”.

5678 Sec. 6153. Section 6 of the Anacostia River Clean Up and Protection Act of 2009,
5679 effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05), is amended as
5680 follows:

5681 (a) Subsection (a) is amended as follows:

5682 (1) Strike the phrase “Plates,” and insert the phrase “Plates, all fees collected
5683 pursuant to section 21(b)(1) of Title IV of the District of Columbia Revenue Act of 1937, as
5684 approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285),” in
5685 its place.

5686 (2) Strike the phrase “District Department of the Environment” and insert the
5687 phrase “Department of Energy and Environment (“DOEE”)” in its place.

5688 (b) Subsection (b) is amended as follows:

5689 (1) Paragraph (1A) is amended by striking the phrase “District Department of the
5690 Environment” and inserting the phrase “DOEE” in its place.

5691 (2) Paragraph (3) is amended by striking the phrase “District Department of the
5692 Environment” and inserting the phrase “DOEE” in its place.

5693 (3) New paragraphs (7A) and (7B) are added to read as follows:

5694 “(7A) Awarding an annual grant, on a competitive basis, in an amount not to
5695 exceed \$200,000, to provide wildlife rehabilitation services;

5696 “(7B) In Fiscal Year 2022, at least \$50,000 to produce a report, which, upon its
5697 completion, shall be published on DOEE’s website, analyzing the projected effects of banning
5698 the sale of beverages packaged in single-use plastic containers in the District, including effects
5699 on waterways, equity, and the local economy;”.

5700 **SUBTITLE Q. RAIL SAFETY AND SECURITY RULEMAKING**

5701 Sec. 6161. Short title.

5702 This subtitle may be cited as the “Rail Safety and Security Rulemaking Emergency
5703 Amendment Act of 2021”.

5704 Sec. 6162. Section 110(c) of the District Department of the Environment Establishment
5705 Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.10(c)), is
5706 amended as follows:

5707 (a) Paragraph (1) is amended by striking the phrase “carriers.” and inserting the phrase
5708 “carriers to cover the costs of administering and managing the expenses of the emergency

5709 response, rail safety, and rail security programs for railroad operations in the District.” in its
5710 place.

5711 (b) Paragraph (2) is amended to read as follows:

5712 “(2) In issuing rules pursuant to this subsection, the Mayor shall consider any
5713 recommendations submitted pursuant to section 203(b)(4) of the Rail Safety and Security
5714 Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-
5715 333(b)(4)).”.

5716 (c) Paragraph (3) is amended as follows:

5717 (1) Strike the phrase “the Rail Advisory Board’s” and insert the word “any” in its
5718 place.

5719 (2) Strike the phrase “provide the Rail” and insert the phrase “provide the
5720 Railroad” in its place.

5721 Sec. 6163. Section 203(b)(4) of the Rail Safety and Security Amendment Act of 2016,
5722 effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 35-333(b)(4)) is amended to
5723 read as follows:

5724 “(4) At least once per year, submit recommendations to the Mayor regarding rules
5725 that have or should be adopted pursuant to pursuant to section 110(c) of the District Department
5726 of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51;
5727 D.C. Official Code § 8-151.10(c)).”.

5728 **SUBTITLE R. DOEE AND DDOT GRANTS**

5729 Sec. 6171. Short title.

5730 This subtitle may be cited as the “Grants Emergency Act of 2021”.

5731 Sec. 6172. In Fiscal Year 2022, the Department of Energy and the Environment shall
5732 award grants, on a competitive basis, in an amount not to exceed \$50,000 for each grant and
5733 \$150,000 for all grants awarded under this section, to community-based groups working to
5734 remove trash and invasive species, maintain trails, and engage residents in the District’s
5735 parklands.

5736 Sec. 6173. In Fiscal Year 2022, the District Department of Transportation shall award a
5737 grant in an amount not to exceed \$200,000 for a local airport authority to study aircraft
5738 operations and noise at Ronald Reagan Washington National Airport, and its impact on the
5739 quality of life of residents along the Potomac River.

5740

5741 **TITLE VII. FINANCE AND REVENUE**

5742 **SUBTITLE A. UNCLAIMED PROPERTY**

5743 Part 1. Short Title; Definitions; Rules

5744 Sec. 7001. Short title.

5745 This subtitle may be cited as the “Revised Uniform Unclaimed Property Emergency Act
5746 of 2021”.

5747 Sec. 7002. Definitions.

5748 For the purposes of this subtitle, the term:

5749 (1) “Administrator” means the authorized representative of the Mayor.

5750 (2) “Administrator’s agent” means a person with which the Administrator
5751 contracts to conduct an examination under Part 10 on behalf of the Administrator. The term

5752 includes an independent contractor of the person and each individual participating in the
5753 examination on behalf of the person or contractor.

5754 (3) “Apparent owner” means a person whose name appears on the records of a
5755 holder as the owner of property held, issued, or owing by the holder.

5756 (4) “Attorney General” means the Attorney General for the District of Columbia.

5757 (5) “Business association” means a corporation, joint stock company, investment
5758 company other than an investment company registered under the Investment Company Act of
5759 1940, approved August 22, 1940 (54 Stat. 789;15 U.S.C. §§ 80a-1 *et seq.*), partnership,
5760 unincorporated association, joint venture, limited liability company, business trust, trust
5761 company, land bank, safe deposit company, safekeeping depository, financial organization,
5762 insurance company, federally chartered entity, utility, sole proprietorship, or other business
5763 entity, whether or not for profit.

5764 (6) “Confidential information” means records, reports, and information that are
5765 confidential under section 7083.

5766 (7) “District” means the District of Columbia.

5767 (8) “Domicile” means:

5768 (A) For a corporation, the state of its incorporation;

5769 (B) For a business association whose formation requires a filing with a
5770 state, other than a corporation, the state of its filing;

5771 (C) For a federally chartered entity or an investment company registered
5772 under the Investment Company Act of 1940, approved August 22, 1940 (54 Stat. 789; 15 U.S.C.
5773 §§ 80a-1 *et seq.*), the state of its home office; and

5774 (D) For any other holder, the state of its principal place of business.

5775 (9) “Electronic” means relating to technology having electrical, digital, magnetic,
5776 wireless, optical, electromagnetic, or similar capabilities.

5777 (10) “Electronic mail” means a communication by electronic means which is
5778 automatically retained and stored and may be readily accessed or retrieved.

5779 (11) “Financial organization” means a savings and loan association, building and
5780 loan association, savings bank, industrial bank, bank, banking organization, or credit union.

5781 (12)(A) “Game-related digital content” means digital content that exists only in an
5782 electronic game or electronic-game platform.

5783 (B) The term “game-related digital content” includes:

5784 (i) Game-play currency such as a virtual wallet, even if
5785 denominated in United States currency; and

5786 (ii) The following if for use or redemption only within the game or
5787 platform or another electronic game or electronic-game platform:

5788 (I) Points, sometimes referred to as gems, tokens, gold, and
5789 similar names; and

5790 (II) Digital codes; and

5791 (C) The term “game-related digital content” does not include an item that
5792 the issuer:

5793 (i) Permits to be redeemed for use outside a game or platform for:

5794 (I) Money; or

5795 (II) Goods or services that have more than minimal value;

5796 or

5797 (ii) Otherwise monetizes for use outside a game or platform.

5798 (13)(A) “Gift card” means a stored-value card:

5799 (i) The value of which does not expire;

5800 (ii) That may be decreased in value only by redemption for

5801 merchandise, goods, or services; and

5802 (iii) That, unless required by law, may not be redeemed for or

5803 converted into money or otherwise monetized by the issuer; and

5804 (B) The term “gift card” includes a prepaid commercial mobile radio

5805 service, as defined in 47 C.F.R. 20.3.

5806 (14) “Holder” means a person obligated to hold for the account of, or to deliver or

5807 pay to, the owner, property subject to this subtitle.

5808 (15) “Insurance company” means an association, corporation, or fraternal or

5809 mutual-benefit organization, whether or not for profit, engaged in the business of providing life

5810 endowments, annuities, or insurance, including accident, burial, casualty, credit-life, contract-

5811 performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice,

5812 marine, mortgage, surety, wage-protection, and worker-compensation insurance.

5813 (16) “Loyalty card” means a record given without direct monetary consideration

5814 under an award, reward, benefit, loyalty, incentive, rebate, or promotional program which may

5815 be used or redeemed only to obtain goods or services or a discount on goods or services. The

5816 term does not include a record that may be redeemed for money or otherwise monetized by the
5817 issuer.

5818 (17) “Mineral” means gas, oil, coal, oil shale, other gaseous liquid or solid
5819 hydrocarbon, cement material, sand and gravel, road material, building stone, chemical raw
5820 material, gemstone, fissionable and nonfissionable ores, colloidal and other clay, steam and other
5821 geothermal resources, and any other substance defined as a mineral by law of the District other
5822 than this subtitle.

5823 (18)(A) “Mineral proceeds” means an amount payable for extraction, production,
5824 or sale of minerals, or, on the abandonment of the amount, an amount that becomes payable after
5825 abandonment.

5826 (B) The term “mineral proceeds” includes an amount payable:

5827 (i) For the acquisition and retention of a mineral lease, including a
5828 bonus, royalty, compensatory royalty, shut-in royalty, minimum royalty, and delay rental;

5829 (ii) For the extraction, production, or sale of minerals, including a
5830 net revenue interest, royalty, overriding royalty, extraction payment, and production payment;
5831 and

5832 (iii) Under an agreement or option, including a joint-operating
5833 agreement, unit agreement, pooling agreement, and farm-out agreement.

5834 (19) “Money order” means a payment order for a specified amount of money,
5835 including an express money order and a personal money order on which the remitter is the
5836 purchaser.

5837 (20) “Municipal bond” means a bond or evidence of indebtedness issued by a
5838 municipality or other political subdivision of a state.

5839 (21) “Net card value” means the original purchase price or original issued value
5840 of a stored-value card, plus amounts added to the original price or value, minus amounts used
5841 and any service charge, fee, or dormancy charge permitted by law.

5842 (22) “Non-freely transferable security” means a security that cannot be delivered
5843 to the Administrator by the Depository Trust Clearing Corporation or similar custodian of
5844 securities providing post-trade clearing and settlement services to financial markets or cannot be
5845 delivered because there is no agent to effect transfer. The term includes a worthless security.

5846 (23) “Owner” means a person that has a legal, beneficial, or equitable interest in
5847 property subject to this subtitle or the person’s legal representative when acting on behalf of the
5848 owner, including:

5849 (A) A depositor, for a deposit;

5850 (B) A beneficiary, for a trust other than a deposit in trust;

5851 (C) A creditor, claimant, or payee, for other property; and

5852 (D) The lawful bearer of a record that may be used to obtain money, a
5853 reward, or a thing of value.

5854 (24) “Payroll card” means a record that evidences a payroll-card account as
5855 defined in Regulation E, 12 C.F.R. Part 1005.

5856 (25) “Person” means an individual, estate, business or nonprofit entity, public
5857 corporation, government or governmental subdivision, agency, or instrumentality, or other legal
5858 entity.

5859 (26)(A) “Property” means tangible property described in section 7009 or a fixed
5860 and certain interest in intangible property held, issued, or owed in the course of a holder’s
5861 business or by a government, governmental subdivision, agency, or instrumentality.

5862 (B) The term “property” includes all income from or increments to the
5863 property and includes property referred to as or evidenced by:

5864 (i) Money, virtual currency, interest, or a dividend, check, draft,
5865 deposit, or payroll card;

5866 (ii) A credit balance, customer’s overpayment, stored-value card,
5867 security deposit, refund, credit memorandum, unpaid wage, unused ticket for which the issuer
5868 has an obligation to provide a refund, mineral proceeds, or unidentified remittance;

5869 (iii) A security except for:

5870 (I) A worthless security; or

5871 (II) A security that is subject to a lien, legal hold, or
5872 restriction evidenced on the records of the holder or imposed by operation of law, if the lien,
5873 legal hold, or restriction restricts the holder’s or owner’s ability to receive, transfer, sell, or
5874 otherwise negotiate the security;

5875 (iv) A bond, debenture, note, or other evidence of indebtedness;

5876 (v) Money deposited to redeem a security, make a distribution, or
5877 pay a dividend;

5878 (vi) An amount due and payable under an annuity contract or
5879 insurance policy; and

5880 (vii) An amount distributable from a trust or custodial fund
5881 established under a plan to provide health, welfare, pension, vacation, severance, retirement,
5882 death, stock purchase, profit-sharing, employee-savings, supplemental-unemployment insurance,
5883 or a similar benefit; and

5884 (C) The term “property” does not include:

5885 (i) Property held in a plan described in section 529A of the Internal
5886 Revenue Code of 1986, approved December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A);

5887 (ii) Game-related digital content; or

5888 (iii) A loyalty card.

5889 (27) “Putative holder” means a person believed by the Administrator to be a
5890 holder, until the person pays or delivers to the Administrator property subject to this subtitle or
5891 the Administrator or a court makes a final determination that the person is or is not a holder.

5892 (28) “Record” means information that is inscribed on a tangible medium or that is
5893 stored in an electronic or other medium and is retrievable in perceivable form.

5894 (29) “Security” means:

5895 (A) A security as defined in D.C. Official Code § 28:8-102(15);

5896 (B) A security entitlement as defined in D.C. Official Code § 28:8-

5897 102(17), including a customer security account held by a registered broker-dealer, to the extent
5898 the financial assets held in the security account are not:

5899 (i) Registered on the books of the issuer in the name of the person
5900 for which the broker-dealer holds the assets;

5901 (ii) Payable to the order of the person; or

5902 (iii) Specifically indorsed to the person; and

5903 (C) An equity interest in a business association not included in

5904 subparagraph (A) or (B) of this paragraph.

5905 (30) “Sign” means, with present intent to authenticate or adopt a record:

5906 (A) To execute or adopt a tangible symbol; or

5907 (B) To attach to or logically associate with the record an electronic

5908 symbol, sound, or process.

5909 (31) “State” means a state of the United States, the District of Columbia, the

5910 Commonwealth of Puerto Rico, the United States Virgin Islands, or any territory or insular

5911 possession subject to the jurisdiction of the United States.

5912 (32)(A) “Stored-value card” means a record evidencing a promise made for

5913 consideration by the seller or issuer of the record that goods, services, or money will be provided

5914 to the owner of the record to the value or amount shown in the record.

5915 (B) The term “stored-value card” includes

5916 (i) A record that contains or consists of a microprocessor chip,

5917 magnetic strip, or other means for the storage of information, which is prefunded and whose

5918 value or amount is decreased on each use and increased by payment of additional consideration;

5919 and

5920 (ii) A gift card and payroll card; and

5921 (C) The term “stored-value card” does not include a loyalty card or game-

5922 related digital content.

5923 (33) “Superior Court” means the Superior Court of the District of Columbia.

5924 (34) “Utility” means a person that owns or operates for public use a plant,
5925 equipment, real property, franchise, or license for the following public services:

5926 (A) Transmission of communications or information;

5927 (B) Production, storage, transmission, sale, delivery, or furnishing of
5928 electricity, water, steam, or gas; or

5929 (C) Provision of sewage or septic services, or trash, garbage, or recycling
5930 disposal.

5931 (35) “Virtual currency” means a digital representation of value used as a medium
5932 of exchange, unit of account, or store of value, which does not have legal tender status
5933 recognized by the United States. The term “virtual currency” does not include:

5934 (A) The software or protocols governing the transfer of the digital
5935 representation of value;

5936 (B) Game-related digital content; or

5937 (C) A loyalty card or gift card.

5938 (36) “Worthless security” means a security whose cost of liquidation and delivery
5939 to the Administrator would exceed the value of the security on the date a report is due under this
5940 subtitle.

5941 Sec. 7003. Inapplicability to foreign transaction.

5942 This subtitle does not apply to property held, due, and owing in a foreign country if the
5943 transaction out of which the property arose was a foreign transaction.

5944 Sec. 7004. Rules.

5945 (a) The Mayor may, pursuant to Title I of the District of Columbia Administrative
5946 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
5947 issue rules to implement this subtitle.

5948 (b) The rules issued pursuant to section 138 of the Uniform Disposition of Unclaimed
5949 Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-138),
5950 shall remain in effect, unless inconsistent with this subtitle, until repealed or amended pursuant
5951 to this section.

5952 Part 2. Presumption of Abandonment.

5953 Sec. 7005. When property is presumed abandoned.

5954 Subject to section 7014, the following property is presumed abandoned if it is unclaimed
5955 by the apparent owner during the period specified below:

5956 (1) A traveler's check, 15 years after issuance;

5957 (2) A money order, 7 years after issuance;

5958 (3) A state or municipal bond, bearer bond, or original-issue-discount bond, 3
5959 years after the earliest of the date the bond matures or is called or the obligation to pay the
5960 principal of the bond arises;

5961 (4) A debt of a business association, 3 years after the obligation to pay arises;

5962 (5) A payroll card or demand, savings, or time deposit, including a deposit that is
5963 automatically renewable, 3 years after the maturity of the deposit, except a deposit that is
5964 automatically renewable is deemed matured on its initial date of maturity unless the apparent
5965 owner consented in a record on file with the holder to renewal at or about the time of the
5966 renewal;

5967 (6) Money or a credit owed to a customer as a result of a retail business
5968 transaction, 3 years after the obligation arose;

5969 (7) An amount owed by an insurance company on a life or endowment insurance
5970 policy or an annuity contract that has matured or terminated, 3 years after the obligation to pay
5971 arose under the terms of the policy or contract or, if a policy or contract for which an amount is
5972 owed on proof of death has not matured by proof of the death of the insured or annuitant, as
5973 follows:

5974 (A) With respect to an amount owed on a life or endowment insurance
5975 policy, 3 years after the earlier of the date:

5976 (i) The insurance company has knowledge of the death of the
5977 insured; or

5978 (ii) The insured has attained, or would have attained if living, the
5979 limiting age under the mortality table on which the reserve for the policy is based; and

5980 (B) With respect to an amount owed on an annuity contract, 3 years after
5981 the date the insurance company has knowledge of the death of the annuitant.

5982 (8) Property distributable by a business association in the course of dissolution,
5983 one year after the property becomes distributable;

5984 (9) Property held by a court, including property received as proceeds of a class
5985 action, one year after the property becomes distributable;

5986 (10) Property held by a government or governmental subdivision, agency, or
5987 instrumentality, including municipal bond interest and unredeemed principal under the

5988 administration of a paying agent or indenture trustee, one year after the property becomes
5989 distributable;

5990 (11) Wages, commissions, bonuses, or reimbursements to which an employee is
5991 entitled, or other compensation for personal services, other than amounts held in a payroll card,
5992 one year after the amount becomes payable;

5993 (12) A deposit or refund owed to a subscriber by a utility, one year after the
5994 deposit or refund becomes payable; and

5995 (13) Property not specified in this section or sections 7006 through 7012, the
5996 earlier of 3 years after the owner first has a right to demand the property and 3 years after the
5997 obligation to pay or distribute the property arises.

5998 Sec. 7006. When tax-deferred retirement account presumed abandoned.

5999 (a) Subject to section 7014, property held in a pension account or retirement account that
6000 qualifies for tax deferral under the income-tax laws of the United States is presumed abandoned
6001 if it is unclaimed by the apparent owner 3 years after the later of:

6002 (1) The following date:

6003 (A) Except as otherwise provided in subparagraph (B) of this paragraph,
6004 the date a second consecutive communication sent by the holder by first-class United States mail
6005 to the apparent owner is returned to the holder undelivered by the United States Postal Service;
6006 or

6007 (B) If the second communication is sent later than 30 days after the date
6008 the first communication is returned undelivered, the date the first communication was returned
6009 undelivered by the United States Postal Service; and

6010 (2) The earlier of the following dates:

6011 (A) The date the apparent owner becomes 70.5 years of age, if

6012 determinable by the holder; or

6013 (B) If the Internal Revenue Code of 1986, approved August 16, 1954 (68A

6014 Stat. 3; 26 U.S.C. § 1 *et seq.*) requires distribution to avoid a tax penalty, 2 years after the date

6015 the holder:

6016 (i) Receives confirmation of the death of the apparent owner in the

6017 ordinary course of its business; or

6018 (ii) Confirms the death of the apparent owner under subsection (b)

6019 of this section.

6020 (b) If a holder in the ordinary course of its business receives notice or an indication of the

6021 death of an apparent owner and subsection (a)(2) of this section applies, the holder shall attempt

6022 not later than 90 days after receipt of the notice or indication to confirm whether the apparent

6023 owner is deceased.

6024 (c) If the holder does not send communications to the apparent owner of an account

6025 described in subsection (a) of this section by first-class United States mail, the holder shall

6026 attempt to confirm the apparent owner's interest in the property by sending the apparent owner

6027 an electronic-mail communication not later than 2 years after the apparent owner's last indication

6028 of interest in the property. However, the holder promptly shall attempt to contact the apparent

6029 owner by first-class United States mail if:

6030 (1) The holder does not have information needed to send the apparent owner an
6031 electronic mail communication or the holder believes that the apparent owner's electronic mail
6032 address in the holder's records is not valid;

6033 (2) The holder receives notification that the electronic-mail communication was
6034 not received; or

6035 (3) The apparent owner does not respond to the electronic-mail communication
6036 not later than 30 days after the communication was sent.

6037 (d) If first-class United States mail sent under subsection (c) of this section is returned to
6038 the holder undelivered by the United States Postal Service, the property is presumed abandoned
6039 three 3 years after the later of:

6040 (1) Except as in paragraph (2) of this subsection, the date a second consecutive
6041 communication to contact the apparent owner sent by first-class United States mail is returned to
6042 the holder undelivered;

6043 (2) If the second communication is sent later than 30 days after the date the first
6044 communication is returned undelivered, the date the first communication was returned
6045 undelivered; or

6046 (3) The date established by subsection (a)(2) of this section.

6047 Sec. 7007. When other tax-deferred account presumed abandoned.

6048 Subject to section 7014 and except for property described in section 7006 and property
6049 held in a plan described in section 529A of the Internal Revenue Code of 1986, approved
6050 December 19, 2014 (128 Stat. 4056; 26 U.S.C. § 529A) property held in an account or plan,
6051 including a health savings account, that qualifies for tax deferral under the income-tax laws of

6052 the United States is presumed abandoned if it is unclaimed by the apparent owner 3 years after
6053 the earlier of:

6054 (1) The date, if determinable by the holder, specified in the income-tax laws and
6055 regulations of the United States by which distribution of the property must begin to avoid a tax
6056 penalty, with no distribution having been made; or

6057 (2) 30 years after the date the account was opened.

6058 Sec. 7008. When custodial account for minor presumed abandoned.

6059 (a) Subject to section 7014, property held in an account established under D.C. Official
6060 Code §§ 21-301 to 21-324, or another state's Uniform Gifts to Minors Act or Uniform Transfers
6061 to Minors Act, is presumed abandoned if it is unclaimed by or on behalf of the minor on whose
6062 behalf the account was opened 3 years after the later of:

6063 (1) Except as otherwise provided in subparagraph (2) of this paragraph, the date a
6064 second consecutive communication sent by the holder by first-class United States mail to the
6065 custodian of the minor on whose behalf the account was opened is returned undelivered to the
6066 holder by the United States Postal Service;

6067 (2) If the second communication is sent later than 30 days after the date the first
6068 communication is returned undelivered, the date the first communication was returned
6069 undelivered; or

6070 (3) The date on which the custodian is required to transfer the property to the
6071 minor or the minor's estate in accordance with the Uniform Gifts to Minors Act or Uniform
6072 Transfers to Minors Act of the state in which the account was opened.

6073 (b) If the holder does not send communications to the custodian of the minor on whose
6074 behalf an account described in subsection (a) of this section was opened by first-class United
6075 States mail, the holder shall attempt to confirm the custodian's interest in the property by sending
6076 the custodian an electronic-mail communication not later than 2 years after the custodian's last
6077 indication of interest in the property. However, the holder promptly shall attempt to contact the
6078 custodian by first-class United States mail if:

6079 (1) The holder does not have information needed to send the custodian an
6080 electronic mail communication or the holder believes that the custodian's electronic-mail-mail
6081 address in the holder's records is not valid;

6082 (2) The holder receives notification that the electronic-mail communication was
6083 not received; or

6084 (3) The custodian does not respond to the electronic-mail communication not later
6085 than 30 days after the communication was sent.

6086 (c) If first-class United States mail sent under subsection (b) of this section is returned
6087 undelivered to the holder by the United States Postal Service, the property is presumed
6088 abandoned 3 years after the later of:

6089 (1) The date a second consecutive communication to contact the custodian by
6090 first-class United States mail is returned to the holder undelivered by the United States Postal
6091 Service; or

6092 (2) The date established by subsection (a)(3) of this section.

6093 (d) When the property in the account described in subsection (a) of this section is
6094 transferred to the minor on whose behalf an account was opened or to the minor's estate, the
6095 property in the account is no longer subject to this section.

6096 Sec. 7009. When contents of safe-deposit box presumed abandoned.

6097 Tangible property held in a safe-deposit box and proceeds from a sale of the property by
6098 the holder permitted by law of the District other than this subtitle are presumed abandoned if the
6099 property remains unclaimed by the apparent owner 3 years after the earlier of the:

6100 (1) Expiration of the lease or rental period for the box; or

6101 (2) Earliest date when the lessor of the box is authorized by law of the District

6102 other than this subtitle to enter the box and remove or dispose of the contents without consent or
6103 authorization of the lessee.

6104 Sec. 7010. When stored-value card presumed abandoned.

6105 (a) Subject to section 7014, the net card value of a stored-value card, other than a payroll
6106 card or a gift card, is presumed abandoned on the latest of 3 years after:

6107 (1) December 31 of the year in which the card is issued or additional funds are
6108 deposited into it;

6109 (2) The most recent indication of interest in the card by the apparent owner; or

6110 (3) A verification or review of the balance by or on behalf of the apparent owner.

6111 (b) The amount presumed abandoned in a stored-value card is the net card value at the
6112 time it is presumed abandoned.

6113 Sec. 7011. When gift card presumed abandoned.

6114 Subject to section 7014, a gift card is presumed abandoned if it is unclaimed by the
6115 apparent owner 5 years after the later of the date of purchase or its most recent use.

6116 Sec. 7012. When security presumed abandoned.

6117 (a) Subject to section 7014, a security is presumed abandoned 3 years after:

6118 (1) The date a second consecutive communication sent by the holder by first-class
6119 United States mail to the apparent owner is returned to the holder undelivered by the United
6120 States Postal Service; or

6121 (2) If the second communication is made later than 30 days after the first
6122 communication is returned, the date the first communication is returned undelivered to the holder
6123 by the United States Postal Service.

6124 (b) If the holder does not send communications to the apparent owner of a security by
6125 first-class United States mail, the holder shall attempt to confirm the apparent owner's interest in
6126 the security by sending the apparent owner an electronic-mail communication not later than 2
6127 years after the apparent owner's last indication of interest in the security. However, the holder
6128 promptly shall attempt to contact the apparent owner by first-class United States mail if:

6129 (1) The holder does not have information needed to send the apparent owner an
6130 electronic-mail communication or the holder believes that the apparent owner's electronic-mail
6131 address in the holder's records is not valid;

6132 (2) The holder receives notification that the electronic-mail communication was
6133 not received; or

6134 (3) The apparent owner does not respond to the electronic-mail communication
6135 not later 30 days after the communication was sent.

6136 (c) If first-class United States mail sent under subsection (b) of this section is returned to
6137 the holder undelivered by the United States Postal Service, the security is presumed abandoned 3
6138 years after the date the mail is returned.

6139 Sec. 7013. When related property presumed abandoned.

6140 At and after the time property is presumed abandoned under this subtitle, any other
6141 property right or interest accrued or accruing from the property and not previously presumed
6142 abandoned is also presumed abandoned.

6143 Sec. 7014. Indication of apparent owner interest in property.

6144 (a) The period after which property is presumed abandoned is measured from the later of:

6145 (1) The date the property is presumed abandoned under this part; or

6146 (2) The latest indication of interest by the apparent owner in the property.

6147 (b) Under this subtitle, an indication of an apparent owner's interest in property includes:

6148 (1) A record communicated by the apparent owner to the holder or agent of the
6149 holder concerning the property or the account in which the property is held;

6150 (2) An oral communication by the apparent owner to the holder or agent of the
6151 holder concerning the property or the account in which the property is held, if the holder or its
6152 agent contemporaneously makes and preserves a record of the fact of the apparent owner's
6153 communication;

6154 (3) Presentment of a check or other instrument of payment of a dividend, interest
6155 payment, or other distribution, or evidence of receipt of a distribution made by electronic or
6156 similar means, with respect to an account, underlying security, or interest in a business
6157 association.

6158 (4) Activity directed by an apparent owner in the account in which the property is
6159 held, including accessing the account or information concerning the account, or a direction by
6160 the apparent owner to increase, decrease, or otherwise change the amount or type of property
6161 held in the account;

6162 (5) A deposit into or withdrawal from an account at a financial organization,
6163 including an automatic deposit or withdrawal previously authorized by the apparent owner other
6164 than an automatic reinvestment of dividends or interest;

6165 (6) Subject to subsection (e) of this section, payment of a premium on an
6166 insurance policy; and

6167 (7) Any other action by the apparent owner which reasonably demonstrates to the
6168 holder that the apparent owner knows that the property exists.

6169 (c) An action by an agent or other representative of an apparent owner, other than the
6170 holder acting as the apparent owner's agent, is presumed to be an action on behalf of the
6171 apparent owner.

6172 (d) A communication with an apparent owner by a person other than the holder or the
6173 holder's representative is not an indication of interest in the property by the apparent owner
6174 unless a record of the communication evidences the apparent owner's knowledge of a right to the
6175 property.

6176 (e) If the insured dies or the insured or beneficiary of an insurance policy otherwise
6177 becomes entitled to the proceeds before depletion of the cash surrender value of the policy by
6178 operation of an automatic-premium-loan provision or other nonforfeiture provision contained in
6179 the policy, the operation does not prevent the policy from maturing or terminating.

6180 Sec. 7015. Knowledge of death of insured or annuitant.

6181 (a) In this section, “death master file” means the United States Social Security
6182 Administration Death Master File or other database or service that is at least as comprehensive as
6183 the United States Social Security Administration Death Master File for determining that an
6184 individual reportedly has died.

6185 (b) With respect to a life or endowment insurance policy or annuity contract for which an
6186 amount is owed on proof of death, but which has not matured by proof of death of the insured or
6187 annuitant, the company has knowledge of the death of an insured or annuitant when:

6188 (1) The company receives a death certificate or court order determining that the
6189 insured or annuitant has died;

6190 (2) Due diligence, performed as required under section 31 of Chapter V of the
6191 Life Insurance Act, approved June 19, 1934 (48 Stat. 1128; D.C. Official Code § 31-4731), to
6192 maintain contact with the insured or annuitant or determine whether the insured or annuitant has
6193 died validates the death of the insured or annuitant;

6194 (3) The company conducts a comparison for any purpose between a death master
6195 file and the names of some or all of the company’s insureds or annuitants, finds a match that
6196 provides notice that the insured or annuitant has died, and validates the death;

6197 (4) The Administrator or the Administrator’s agent conducts a comparison for the
6198 purpose of finding matches during an examination conducted under Part 10 between a death
6199 master file and the names of some or all of the company’s insureds or annuitants, finds a match
6200 that provides notice that the insured or annuitant has died, and the company validates the death;

6201 or

6202 (5) The company:

6203 (A) receives notice of the death of the insured or annuitant from an

6204 administrator, beneficiary, policy owner, relative of the insured, or trustee or from a personal

6205 representative or other legal representative of the insured's or annuitant's estate; and

6206 (B) validates the death of the insured or annuitant.

6207 (c) The following rules apply under this section:

6208 (1) A death-master-file match under subsection (b)(3) or (4) of this section occurs

6209 if the criteria for an exact or partial match are satisfied as provided by:

6210 (A) Section 7093(d) of the Revised Uniform Unclaimed Property Act of

6211 2021, as introduced on May 27, 2021; or

6212 (B) A rule or policy adopted by the Mayor under section 28 of the Life

6213 Insurance Act, approved June 19, 1934 (48 Stat. 1125; D.C. Official Code § 31-4728), or a

6214 policy of the Commissioner of the Department of Insurance, Securities, and Banking.

6215 (2) The death-master-file match does not constitute proof of death for the purpose

6216 of submission to an insurance company of a claim by a beneficiary, annuitant, or owner of the

6217 policy or contract for an amount due under an insurance policy or annuity contract.

6218 (3) The death-master-file match or validation of the insured's or annuitant's death

6219 does not alter the requirements for a beneficiary, annuitant, or owner of the policy or contract to

6220 make a claim to receive proceeds under the terms of the policy or contract.

6221 (d) This subtitle does not affect the determination of the extent to which an insurance

6222 company before the effective date of this subtitle had knowledge of the death of an insured or

6223 annuitant or was required to conduct a death-master-file comparison to determine whether

6224 amounts owed by the company on a life or endowment insurance policy or annuity contract were
6225 presumed abandoned or unclaimed.

6226 Sec. 7016. Deposit account for proceeds of insurance policy or annuity contract.

6227 If proceeds payable under a life or endowment insurance policy or annuity contract are
6228 deposited into an account with check or draft-writing privileges for the beneficiary of the policy
6229 or contract and, under a supplementary contract not involving annuity benefits other than death
6230 benefits, the proceeds are retained by the insurance company or the financial organization where
6231 the account is held, the policy or contract includes the assets in the account.

6232 Part 3. Rules for Taking Custody of Property Presumed Abandoned

6233 Sec. 7017. Address of apparent owner to establish priority.

6234 In this part, the following rules apply:

6235 (1) The last-known address of an apparent owner is any description, code, or other
6236 indication of the location of the apparent owner which identifies the state, even if the description,
6237 code, or indication of location is not sufficient to direct the delivery of first-class United States
6238 mail to the apparent owner.

6239 (2) If the United States postal zip code associated with the apparent owner is for a
6240 post office located in the District, the District is deemed to be the state of the last-known address
6241 of the apparent owner unless other records associated with the apparent owner specifically
6242 identify the physical address of the apparent owner to be in another state.

6243 (3) If the address under paragraph (2) of this subsection is in another state, the
6244 other state is deemed to be the state of the last-known address of the apparent owner.

6245 (4) The address of the apparent owner of a life or endowment insurance policy or
6246 annuity contract or its proceeds is presumed to be the address of the insured or annuitant if a
6247 person other than the insured or annuitant is entitled to the amount owed under the policy or
6248 contract and the address of the other person is not known by the insurance company and cannot
6249 be determined under section 7018.

6250 Sec. 7018. Address of apparent owner in the District.

6251 The Administrator may take custody of property that is presumed abandoned, whether
6252 located in the District, another state, or a foreign country if:

6253 (1) The last-known address of the apparent owner in the records of the holder is in
6254 the District; or

6255 (2) The records of the holder do not reflect the identity or last-known address of
6256 the apparent owner, but the Administrator has determined that the last-known address of the
6257 apparent owner is in the District.

6258 Sec. 7019. If records show multiple addresses of apparent owner.

6259 (a) Except as otherwise provided in subsection (b) of this section, if records of a holder
6260 reflect multiple addresses for an apparent owner and the District is the state of the most recently
6261 recorded address, the District may take custody of property presumed abandoned, whether
6262 located in the District or another jurisdiction.

6263 (b) If it appears from records of the holder that the most recently recorded address of the
6264 apparent owner under subsection (a) of this section is a temporary address and the District is the
6265 jurisdiction of the next most recently recorded address that is not a temporary address, the
6266 District may take custody of the property presumed abandoned.

6267 Sec. 7020. Holder domiciled in the District.

6268 (a) Except as otherwise provided in subsection (b) of this section or section 7018 or 7019,
6269 the Administrator may take custody of property presumed abandoned, whether located in the
6270 District, another state, or a foreign country, if the holder is domiciled in the District or is the
6271 District or a governmental subdivision, agency, or instrumentality of the District; and

6272 (1) Another state or foreign country is not entitled to the property because there is
6273 no last-known address of the apparent owner or other person entitled to the property in the
6274 records of the holder; or

6275 (2) The state or foreign country of the last-known address of the apparent owner
6276 or other person entitled to the property does not provide for custodial taking of the property.

6277 (b) Property is not subject to custody of the Administrator under subsection (a) of this
6278 section if the property is specifically exempt from custodial taking under the law of the District
6279 or the state or foreign country of the last-known address of the apparent owner.

6280 (c) If a holder's state of domicile has changed since the time property was presumed
6281 abandoned, the holder's state of domicile in this section is deemed to be the state where the
6282 holder was domiciled at the time the property was presumed abandoned.

6283 Sec. 7021. Custody if transaction took place in the District.

6284 Except as otherwise provided in section 7018, 7019, or 7020, the Administrator may take
6285 custody of property presumed abandoned whether located in the District or another state if:

6286 (1) The transaction out of which the property arose took place in the District;

6287 (2) The holder is domiciled in a state that does not provide for the custodial taking
6288 of the property, except that if the property is specifically exempt from custodial taking under the

6289 law of the state of the holder's domicile, the property is not subject to the custody of the
6290 Administrator; and

6291 (3) The last-known address of the apparent owner or other person entitled to the
6292 property is unknown or in a state that does not provide for the custodial taking of the property,
6293 except that if the property is specifically exempt from custodial taking under the law of the state
6294 of the last-known address, the property is not subject to the custody of the Administrator.

6295 Sec. 7022. Traveler's check, money order, or similar instrument.

6296 The Administrator may take custody of sums payable on a traveler's check, money order,
6297 or similar instrument presumed abandoned to the extent permissible under 12 U.S.C. §§ 2501
6298 through 2503.

6299 Sec. 7023. Burden of proof to establish Administrator's right to custody.

6300 If the Administrator asserts a right to custody of unclaimed property, the Administrator
6301 has the burden to prove:

6302 (1) The existence and amount of the property;

6303 (2) That the property is presumed abandoned; and

6304 (3) That the property is subject to the custody of the Administrator.

6305 Part 4. Report by Holder

6306 Sec. 7024. Report required by holder.

6307 (a) A holder of property presumed abandoned and subject to the custody of the
6308 Administrator shall report in a record to the Administrator concerning the property. The
6309 Administrator may not require a holder to file a paper report.

6310 (b) A holder may contract with a third party to make the report required under subsection
6311 (a) of this section.

6312 (c) Whether or not a holder contracts with a third party under subsection (b) of this
6313 section, the holder is responsible:

6314 (1) For the complete, accurate, and timely reporting of property presumed
6315 abandoned to the Administrator; and

6316 (2) For paying or delivering to the Administrator property described in the report.

6317 Sec. 7025. Content of report.

6318 (a) The report required under section 7024 shall:

6319 (1) Be signed by or on behalf of the holder and verified as to its completeness and
6320 accuracy;

6321 (2) If filed electronically, be in a secure format approved by the Administrator
6322 which protects confidential information of the apparent owner in the same manner as required of
6323 the Administrator and the Administrator's agent under Part 14;

6324 (3) Describe the property;

6325 (4) Except for a traveler's check, money order, or similar instrument, contain the
6326 name, if known, last-known address, if known, and Social Security number or taxpayer
6327 identification number, if known or readily ascertainable, of the apparent owner of property with a
6328 value of \$50 or more;

6329 (5) For an amount held or owing under a life or endowment insurance policy or
6330 annuity contract, contain the name and last-known address of the insured, annuitant or other
6331 apparent owner of the policy or contract and of the beneficiary;

6332 (6) For property held in or removed from a safe-deposit box, indicate the location
6333 of the property, where it may be inspected by the Administrator, and any amounts owed to the
6334 holder under section 7038;

6335 (7) Contain the commencement date for determining abandonment under Part 2;

6336 (8) State that the holder has complied with the notice requirements of section
6337 7029;

6338 (9) Identify property that is a non-freely transferable security and explain why it is
6339 a non-freely transferable security; and

6340 (10) Contain other information the Administrator prescribes by rules.

6341 (b) A report under section 7024 may include personal information as defined in section
6342 7082(a) about the apparent owner or the apparent owner's property to the extent not otherwise
6343 prohibited by federal law.

6344 (c) If a holder has changed its name while holding property presumed abandoned or is a
6345 successor to another person that previously held the property for the apparent owner, the holder
6346 shall include in the report under section 7024 its former name or the name of the previous holder,
6347 if any, and the known name and address of each previous holder of the property.

6348 Sec. 7026. When report to be filed.

6349 (a) Except as otherwise provided in subsection (b) of this section and subject to
6350 subsection (c) of this section, the report under section 7024 shall be filed before November 1 of
6351 each year and cover the 12 months preceding July 1 of that year.

6352 (b) Subject to subsection (c) of this section, the report under section 7024 to be filed by
6353 an insurance company shall be filed before May 1 of each year for the immediately preceding
6354 calendar year.

6355 (c) Before the date for filing the report under section 7024, the holder of property
6356 presumed abandoned may request the Administrator to extend the time for filing. The
6357 Administrator may grant an extension. If the extension is granted, the holder may pay or make a
6358 partial payment of the amount the holder estimates ultimately will be due. The payment or
6359 partial payment terminates accrual of interest on the amount paid.

6360 Sec. 7027. Retention of records by holder.

6361 A holder required to file a report under section 7024 shall retain records for 10 years after
6362 the later of the date the report was filed or the last date a timely report was due to be filed, unless
6363 a shorter period is provided by rule of the Administrator. The holder may satisfy the requirement
6364 to retain records under this section through an agent. The records shall contain:

6365 (1) The information required to be included in the report;

6366 (2) The date, place, and nature of the circumstances that gave rise to the property
6367 right;

6368 (3) The amount or value of the property;

6369 (4) The last address of the apparent owner, if known to the holder; and

6370 (5) If the holder sells, issues, or provides to others for sale or issue in the District
6371 traveler's checks, money orders, or similar instruments, other than third-party bank checks, on
6372 which the holder is directly liable, a record of the instruments while they remain outstanding
6373 indicating the state and date of issue.

6374 Sec. 7028. Property reportable and payable or deliverable absent owner demand.
6375 Property is reportable and payable or deliverable under this subtitle even if the owner
6376 fails to make demand or present an instrument or document otherwise required to obtain
6377 payment.

6378 Part 5. Notice to Apparent Owner of Property Presumed Abandoned

6379 Sec. 7029. Notice to apparent owner by holder.

6380 (a) Subject to subsection (b) of this section, the holder of property presumed abandoned
6381 shall send to the apparent owner notice by first-class United States mail that complies with
6382 section 7030 in a format acceptable to the Administrator not more than 180 days nor less than 60
6383 days before filing the report under section 7024 if:

6384 (1) The holder has in its records an address for the apparent owner which the
6385 holder's records do not disclose to be invalid and is sufficient to direct the delivery of first-class
6386 United States mail to the apparent owner; and

6387 (2) The value of the property is \$50 or more.

6388 (b) If an apparent owner has consented to receive electronic-mail delivery from the
6389 holder, the holder shall send the notice described in subsection (a) of this section both by first-
6390 class United States mail to the apparent owner's last-known mailing address and by electronic
6391 mail, unless the holder believes that the apparent owner's electronic-mail address is invalid.

6392 Sec. 7030. Contents of notice by holder.

6393 (a) Notice under section 7029 shall contain a heading that reads substantially as follows:

6394 “Notice. The District of Columbia requires us to notify you that your property may be transferred

6395 to the custody of the District of Columbia’s Unclaimed Property Administrator if you do not
6396 contact us before (insert date that is 30 days after the date of this notice).”.

6397 (b) The notice under section 7029 shall:

6398 (1) Identify the nature and, except for property that does not have a fixed value,
6399 the value of the property that is the subject of the notice;

6400 (2) State that the property will be turned over to the Administrator;

6401 (3) State that after the property is turned over to the Administrator an apparent
6402 owner that seeks return of the property must file a claim with the Administrator;

6403 (4) State that property that is not legal tender of the United States may be sold by
6404 the Administrator; and

6405 (5) Provide instructions that the apparent owner must follow to prevent the holder
6406 from reporting and paying or delivering the property to the Administrator.

6407 Sec. 7031. Notice by Administrator.

6408 (a) The Administrator shall make a reasonable effort to give notice to an apparent owner
6409 that property of the owner that is presumed to be abandoned is held by the Administrator under
6410 this subtitle. The Administrator shall use available resources, including information services, to
6411 ascertain the mailing address of an apparent owner.

6412 (b) Subject to subsection (a) of this section, the Administrator shall:

6413 (1) Except as otherwise provided in paragraph (2) of this subsection, send written
6414 notice by first-class United States mail to each apparent owner of property valued at \$50 or more
6415 held by the Administrator, unless the Administrator determines that a mailing by first-class
6416 United States mail would not be received by the apparent owner, and, in the case of a security

6417 held in an account for which the apparent owner had consented to receiving electronic mail from
6418 the holder, send notice by electronic mail if the electronic-mail address of the apparent owner is
6419 known to the Administrator instead of by first-class United States mail; or

6420 (2) Send the notice to the apparent owner's electronic-mail address if the
6421 Administrator does not have a valid United States mail address for an apparent owner, but has an
6422 electronic-mail address that the Administrator does not know to be invalid.

6423 (c) In addition to the notice under subsection (b) of this section, the Administrator shall:

6424 (1) Publish every 6 months in at least one newspaper of general circulation in the
6425 District a notice with the following information:

6426 (A) The total value of property received by the Administrator during the
6427 preceding 6-month period, taken from the reports under section 7024;

6428 (B) The total value of claims paid by the Administrator during the
6429 preceding 6-month period;

6430 (C) The Internet web address of the unclaimed property website
6431 maintained by the Administrator;

6432 (D) A telephone number and electronic-mail address to contact the
6433 Administrator to inquire about or claim property; and

6434 (E) A statement that a person may access the Internet by a computer to
6435 search for unclaimed property and a computer may be available as a service to the public at a
6436 local public library; and

6437 (2) Maintain a website or database that (i) is accessible by the public and
6438 electronically searchable, (ii) contains the names reported to the Administrator of all apparent
6439 owners for whom property is being held by the Administrator.

6440 (d) The website or database maintained under subsection (c) of this section must include
6441 instructions for filing with the Administrator a claim to property and a printable claim form with
6442 instructions for its use.

6443 (e) In addition to giving notice under subsections (b) and (c) of this section, the
6444 Administrator may use other printed publication, telecommunication, the Internet, or other media
6445 to inform the public of the existence of unclaimed property held by the Administrator.

6446 Sec. 7032. Cooperation among District officers and agencies to locate apparent owner.

6447 Unless prohibited by law of the District other than this subtitle, on request of the
6448 Administrator, each officer, agency, board, commission, division, and department of the District
6449 and any body politic and corporate created by the District for a public purpose shall make its
6450 books and records available to the Administrator and cooperate with the Administrator to
6451 determine the current address of an apparent owner of property held by the Administrator under
6452 this subtitle.

6453 Part 6. Taking Custody of Property by Administrator

6454 Sec. 7033. Definition of good faith.

6455 In this part, payment or delivery of property is made in good faith if a holder:

6456 (1) Had a reasonable basis for believing, based on the facts then known, that the
6457 property was required or permitted to be paid or delivered to the Administrator under this
6458 subtitle; or

6459 (2) Made payment or delivery:

6460 (A) In response to a demand by the Administrator or Administrator's
6461 agent; or

6462 (B) Under a guidance or ruling issued by the Administrator which the
6463 holder reasonably believed required or permitted the property to be paid or delivered.

6464 Sec. 7034. Dormancy charge.

6465 (a) A holder may deduct a dormancy charge from property required to be paid or
6466 delivered to the Administrator if:

6467 (1) A valid contract between the holder and the apparent owner authorizes
6468 imposition of the charge for the apparent owner's failure to claim the property within a specified
6469 time; and

6470 (2) The holder regularly imposes the charge and regularly does not reverse or
6471 otherwise cancel the charge.

6472 (b) The amount of the deduction under subsection (a) of this section is limited to an
6473 amount that is not unconscionable considering all relevant factors, including the marginal
6474 transactional costs incurred by the holder in maintaining the apparent owner's property and any
6475 services received by the apparent owner. A deduction of \$10 a year for maintaining property
6476 valued at \$50 or less, or \$20 a year for maintaining property valued at more than \$50, or other
6477 amounts established by the Administrator by rule, is not unconscionable, although a higher
6478 charge, if permitted under subsection (a) of this section, may be proper considering all relevant
6479 factors.

6480 Sec. 7035. Payment or delivery of property to Administrator.

6481 (a) Except as otherwise provided in this section, on filing a report under section 7024, the
6482 holder shall pay or deliver to the Administrator the property described in the report.

6483 (b) If property in a report under section 7024 is an automatically renewable deposit and a
6484 penalty or forfeiture in the payment of interest would result from paying the deposit to the
6485 Administrator at the time of the report, the date for payment of the property to the Administrator
6486 is extended until a penalty or forfeiture no longer would result from payment, if the holder
6487 informs the Administrator of the extended date.

6488 (c) Tangible property in a safe-deposit box may not be delivered to the Administrator
6489 until 120 days after filing the report under section 7024.

6490 (d) If property reported to the Administrator under section 7024 is a security, the
6491 Administrator may:

6492 (1) Make an endorsement, instruction, or entitlement order on behalf of the
6493 apparent owner to invoke the duty of the issuer, its transfer agent, or the securities intermediary
6494 to transfer the security; or

6495 (2) Dispose of the security under section 7044.

6496 (e) If the holder of property reported to the Administrator under section 7024 is the issuer
6497 of a certificated security, the Administrator may obtain a replacement certificate in physical or
6498 book-entry form under D.C. Official Code § 28:8-405. An indemnity bond is not required.

6499 (f) The Administrator shall establish procedures for the registration, issuance, method of
6500 delivery, transfer, and maintenance of securities delivered to the Administrator by a holder.

6501 (g) An issuer, holder, and transfer agent or other person acting under this section under
6502 instructions of and on behalf of the issuer or holder is not liable to the apparent owner for, and

6503 shall be paid by the Administrator for the value of the property turned over to the Administrator
6504 by the District against, a claim arising with respect to property after the property has been
6505 delivered to the Administrator.

6506 (h) A holder is not required to deliver to the Administrator a security identified by the
6507 holder as a non-freely transferable security. If the Administrator or holder determines that a
6508 security is no longer a non-freely transferable security, the holder shall deliver the security on the
6509 next regular date prescribed for delivery of securities under this subtitle. The holder shall make a
6510 determination annually whether a security identified in a report filed under section 7024 as a
6511 non-freely transferable security is no longer a non-freely transferable security.

6512 Sec. 7036. Effect of payment or delivery of property to Administrator.

6513 (a) On payment or delivery of property to the Administrator under this subtitle, the
6514 Administrator as agent for the District assumes custody and responsibility for safekeeping the
6515 property. A holder that pays or delivers property to the Administrator in good faith and
6516 substantially complies with sections 7029 and 7030 is relieved of liability arising thereafter with
6517 respect to payment or delivery of the property to the Administrator.

6518 (b) A holder is not liable for a claim against the holder resulting from the payment or
6519 delivery of property to the Administrator made in good faith and after the holder substantially
6520 complied with sections 7029 and 7030.

6521 Sec. 7037. Recovery of property by holder from Administrator.

6522 (a) A holder that under this subtitle pays money to the Administrator may file a claim for
6523 reimbursement from the Administrator of the amount paid if the holder:

6524 (1) Paid the money in error; or

6525 (2) After paying the money to the Administrator, paid money to a person the
6526 holder reasonably believed entitled to the money.

6527 (b) If a claim for reimbursement under subsection (a) of this section is made for a
6528 payment made on a negotiable instrument, including a traveler's check, money order, or similar
6529 instrument, the holder shall submit proof that the instrument was presented and payment was
6530 made to a person the holder reasonably believed entitled to payment. The holder may claim
6531 reimbursement even if the payment was made to a person whose claim was made after expiration
6532 of a period of limitation on the owner's right to receive or recover property, whether specified by
6533 contract, statute, or court order.

6534 (c) If a holder is reimbursed by the Administrator under subsection (a)(2) of this section,
6535 the holder may also recover from the Administrator income or gain under section 7039 that
6536 would have been paid to the owner if the money had been claimed from the Administrator by the
6537 owner to the extent the income or gain was paid by the holder to the owner.

6538 (d) A holder that under this subtitle delivers property other than money to the
6539 Administrator may file a claim for return of the property from the Administrator if:

6540 (1) The holder delivered the property in error; or

6541 (2) The apparent owner has claimed the property from the holder.

6542 (e) If a claim for return of property under subsection (d) of this section is made, the
6543 holder shall include with the claim evidence sufficient to establish that the apparent owner has
6544 claimed the property from the holder or that the property was delivered by the holder to the
6545 Administrator in error.

6546 (f) The Administrator may determine that an affidavit submitted by a holder is evidence
6547 sufficient to establish that the holder is entitled to reimbursement or to recover property under
6548 this section.

6549 (g) A holder is not required to pay a fee or other charge for reimbursement or return of
6550 property under this section.

6551 (h) Not later than 90 days after a claim is filed under subsection (a) or (d) of this section,
6552 the Administrator shall allow or deny the claim and give the claimant notice of the decision in a
6553 record. If the Administrator does not take action on a claim during the 90-day period, the claim
6554 is deemed denied.

6555 (i) The claimant may bring an action in the Superior Court for review of the
6556 Administrator's decision or the deemed denial under subsection (h) of this section not later than:

6557 (1) 30 days following receipt of the notice of the Administrator's decision; or

6558 (2) 120 days following the filing of a claim under subsection (a) or (d) of this
6559 section in the case of a deemed denial under subsection (h) of this section.

6560 (j) A final decision in an action brought under subsection (i) of this section is subject to
6561 review by the District of Columbia Court of Appeals.

6562 Sec. 7038. Property removed from safe-deposit box.

6563 (a) Property removed from a safe-deposit box and delivered under this subtitle to the
6564 Administrator under this subtitle is subject to the holder's right to reimbursement for the cost of
6565 opening the box and a lien or contract providing reimbursement to the holder for unpaid rent
6566 charges for the box, provided that the holder makes a request under subsection (b) of this section.

6567 (b) The Administrator shall reimburse the holder from the proceeds remaining after
6568 deducting the expense incurred by the Administrator in selling the property, if the holder makes a
6569 request for reimbursement after property from the safe deposit box is delivered to the
6570 Administrator.

6571 Sec. 7039. Crediting income or gain to owner's account.

6572 (a) If property other than money is delivered to the Administrator, the owner is entitled to
6573 receive from the Administrator income or gain realized or accrued on the property before the
6574 property is sold. If the property is an interest-bearing demand, savings, or time deposit that
6575 continues to earn interest after delivery to the Administrator, the owner is entitled to that interest
6576 before the property is sold. Interest begins to accrue when the property is delivered to the
6577 Administrator and ends on the earlier of the expiration of 10 years after its delivery or the date on
6578 which payment is made to the owner.

6579 (b) Interest on interest-bearing property is not payable under this section for any period
6580 before the effective date of this subtitle, unless authorized by section 121 of the Uniform
6581 Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C.
6582 Official Code § 41-121).

6583 Sec. 7040. Administrator's options as to custody.

6584 (a) The Administrator may decline to take custody of property reported under section
6585 7024 if the Administrator determines that:

6586 (1) The property has a value less than the estimated expenses of notice and sale of
6587 the property; or

6588 (2) Taking custody of the property would be unlawful.

6589 (b) A holder may pay or deliver property to the Administrator before the property is
6590 presumed abandoned under this subtitle if the holder:

6591 (1) Sends the apparent owner of the property notice required by section 7029 and
6592 provides the Administrator evidence of the holder's compliance with this paragraph;

6593 (2) Includes with the payment or delivery a report regarding the property
6594 conforming to section 7025; and

6595 (3) First obtains the Administrator's consent in a record to accept payment or
6596 delivery.

6597 (c) A holder's request for the Administrator's consent under subsection (b)(3) of this
6598 section shall be in a record. If the Administrator fails to respond to the request not later than 30
6599 days after receipt of the request, the Administrator is deemed to consent to the payment or
6600 delivery of the property and the payment or delivery is considered to have been made in good
6601 faith.

6602 (d) On payment or delivery of property under subsection (b) of this section, the property
6603 is presumed abandoned.

6604 Sec. 7041. Disposition of property having no substantial value; immunity from liability.

6605 (a) If the Administrator takes custody of property delivered under this subtitle and later
6606 determines that the property has no substantial commercial value or that the cost of disposing of
6607 the property will exceed the value of the property, the Administrator may return the property to
6608 the holder or destroy or otherwise dispose of the property.

6609 (b) An action or proceeding may not be commenced against the District, an agency of the
6610 District, the Administrator, another officer, employee, or agent of the District, or a holder for or

6611 because of an act of the Administrator under this section, except for intentional misconduct or
6612 malfeasance.

6613 Sec. 7042. Periods of limitation and repose.

6614 (a) Expiration, before, on, or after the effective date of this subtitle, of a period of
6615 limitation on an owner's right to receive or recover property, whether specified by contract,
6616 statute, or court order, does not prevent the property from being presumed abandoned or affect
6617 the duty of a holder under this subtitle to file a report or pay or deliver property to the
6618 Administrator.

6619 (b) The Administrator may not commence an action or proceeding to enforce this subtitle
6620 with respect to the reporting, payment, or delivery of property more than 10 years after the
6621 holder filed a non-fraudulent report under section 7024 with the Administrator. The parties may
6622 agree in a record to extend the limitation in this subsection.

6623 (c) The Administrator may not commence an action, proceeding, or examination with
6624 respect to a duty of a holder under this subtitle more than 10 years after the duty arose.

6625 Part 7. Sale of Property by Administrator

6626 Sec. 7043. Public sale of property.

6627 (a) Subject to section 7044, not earlier than one year after receipt of property presumed
6628 abandoned, the Administrator may sell the property.

6629 (b) Before selling property under subsection (a) of this section, the Administrator shall
6630 give notice to the public of:

6631 (1) The date of the sale; and

6632 (2) A reasonable description of the property.

6633 (c) A sale under subsection (a) of this section shall be to the highest bidder:
6634 (1) At public sale at a location in the District which the Administrator determines
6635 to be the most favorable market for the property;
6636 (2) On the Internet; or
6637 (3) On another forum the Administrator determines is likely to yield the highest
6638 net proceeds of sale.

6639 (d) The Administrator may decline the highest bid at a sale under this section and reoffer
6640 the property for sale if the Administrator determines the highest bid is insufficient.

6641 (e) If a sale held under this section is to be conducted other than on the Internet, the
6642 Administrator shall publish at least one notice of the sale, at least 3 weeks but not more than 5
6643 weeks before the sale, in a newspaper of general circulation in the District of Columbia.

6644 Sec. 7044. Disposal of securities.

6645 (a) The Administrator may not sell or otherwise liquidate a security until 60 days after the
6646 Administrator receives the security and gives the apparent owner notice under section 7031 that
6647 the Administrator holds the security.

6648 (b) The Administrator may not sell a security listed on an established stock exchange for
6649 less than the price prevailing on the exchange at the time of sale. The Administrator may sell a
6650 security not listed on an established exchange by any commercially-reasonable method.

6651 Sec. 7045. Recovery of securities or value by owner.

6652 (a) If the Administrator sells a security before the expiration of 60 days after delivery of
6653 the security to the Administrator, an apparent owner that files a valid claim under this subtitle of

6654 ownership of the security before the 60-day period expires is entitled, at the option of the
6655 Administrator, to receive:

6656 (1) Replacement of the security; or

6657 (2) The market value of the security at the time the claim is filed, plus dividends,
6658 interest, and other increments on the security up to the time the claim is paid.

6659 (b) Replacement of the security or calculation of market value under subsection (a) of this
6660 section shall take into account a stock split, reverse stock split, stock dividend, or similar
6661 corporate action.

6662 (c) A person that makes a valid claim under this subtitle of ownership of a security after
6663 expiration of 60 days after delivery of the security to the Administrator is entitled to receive:

6664 (1) The security the holder delivered to the Administrator, if it is in the custody of
6665 the Administrator, plus dividends, interest, and other increments on the security up to the time
6666 the Administrator delivers the security to the person; or

6667 (2) The net proceeds of the sale of the security, plus dividends, interest, and other
6668 increments on the security up to the time the security was sold.

6669 Sec. 7046. Purchaser owns property after sale.

6670 A purchaser of property at a sale conducted by the Administrator under this subtitle takes
6671 the property free of all claims of the owner, a previous holder, or a person claiming through the
6672 owner or holder. The Administrator shall execute documents necessary to complete the transfer
6673 of ownership to the purchaser.

6674 Sec. 7047. Military medal or decoration.

6675 (a) The Administrator may not sell a medal or decoration awarded for military service in
6676 the armed forces of the United States.

6677 (b) The Administrator, with the consent of the respective organization under paragraph
6678 (1) of this subsection, agency under paragraph (2) of this subsection, or entity under paragraph
6679 (3) of this subsection, may deliver a medal or decoration described in subsection (a) of this
6680 section to be held in custody for the owner, to:

6681 (1) A military veterans organization qualified under section 501(c)(19) of the
6682 Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. §
6683 501(c)(19));

6684 (2) The agency that awarded the medal or decoration; or

6685 (3) A governmental entity.

6686 (c) On delivery under subsection (b) of this section, the Administrator is not responsible
6687 for safekeeping the medal or decoration.

6688 Part 8. Administration of Property

6689 Sec. 7048. Deposit of funds by Administrator.

6690 (a) The Administrator shall deposit all funds received under this subtitle, including
6691 proceeds from the sale of property under Part 7, into an account in the General Fund designated
6692 the Unclaimed Property Account. For each fiscal year, the Administrator shall designate an
6693 amount in the Unclaimed Property Account to be held for the payment of claims that reflects the
6694 Administrator's reasonable estimate of the value of claims that will be asserted under this subtitle
6695 during the fiscal year. Funds in the Unclaimed Property Account that exceed this designated

6696 amount may be used to pay the costs of administering the unclaimed property program
6697 established in this subtitle and to satisfy the District's cash flow needs during the fiscal year.

6698 (b) All assets, liabilities, and unexpended balances of funds in the trust fund created by
6699 section 123 of the Uniform Disposition of Unclaimed Property Act of 1980, effective March 5,
6700 1981 (D.C. Law 3-160; D.C. Official Code § 41-123), shall be transferred to the Unclaimed
6701 Property Account established under subsection (a) of this section on the applicability date of this
6702 subtitle.

6703 Sec. 7049. Administrator to retain records of property.

6704 The Administrator shall:

6705 (1) Record and retain the name and last-known address of each person shown on a
6706 report filed under section 7024 to be the apparent owner of property delivered to the
6707 Administrator;

6708 (2) Record and retain the name and last-known address of each insured or
6709 annuitant and beneficiary shown on the report;

6710 (3) For each policy of insurance or annuity contract listed in the report of an
6711 insurance company, record and retain the policy or account number, the name of the company,
6712 and the amount due or paid; and

6713 (4) For each apparent owner listed in the report, record and retain the name of the
6714 holder that filed the report and the amount due or paid.

6715 Sec. 7050. Expenses and service charges of Administrator.

6716 Before making a deposit of funds received under this subtitle to the General Fund of the
6717 District, the Administrator may deduct:

6718 (1) Expenses of disposition of property delivered to the Administrator under this
6719 subtitle;

6720 (2) Costs of mailing and publication in connection with property delivered to the
6721 Administrator under this subtitle;

6722 (3) Reasonable service charges; and

6723 (4) Expenses incurred in examining records of or collecting property from a
6724 putative holder or holder.

6725 Sec. 7051. Administrator holds property as custodian for owner.

6726 Property received by the Administrator under this subtitle is held in custody for the
6727 benefit of the owner and is not owned by the District.

6728 Part 9. Claim to Recover Property from Administrator

6729 Sec. 7052. Claim of another state to recover property.

6730 (a) If the Administrator knows that property held by the Administrator under this subtitle
6731 is subject to a superior claim of another state, the Administrator shall:

6732 (1) Report and pay or deliver the property to the other state; or

6733 (2) Return the property to the holder so that the holder may pay or deliver the
6734 property to the other state.

6735 (b) The Administrator is not required to enter into an agreement to transfer property to
6736 the other state under subsection (a) of this section.

6737 Sec. 7053. When property subject to recovery by another state.

6738 (a) Property held under this subtitle by the Administrator is subject to the right of another
6739 state to take custody of the property if:

6740 (1) The property was paid or delivered to the Administrator because the records of
6741 the holder did not reflect a last-known address in the other state of the apparent owner and:

6742 (A) The other state establishes that the last-known address of the apparent
6743 owner or other person entitled to the property was in the other state; or

6744 (B) Under the law of the other state, the property has become subject to a
6745 claim by the other state of abandonment;

6746 (2) The records of the holder did not accurately identify the owner of the property,
6747 the last-known address of the owner was in another state, and, under the law of the other state,
6748 the property has become subject to a claim by the other state of abandonment;

6749 (3) The property was subject to the custody of the Administrator of the District
6750 under section 7021 and, under the law of the state of domicile of the holder, the property has
6751 become subject to a claim by the state of domicile of the holder of abandonment; or

6752 (4) The property:

6753 (A) Is a sum payable on a traveler's check, money order, or similar
6754 instrument that was purchased in the other state and delivered to the Administrator under section
6755 7022; and

6756 (B) Under the law of the other state, has become subject to a claim by the
6757 other state of abandonment.

6758 (b) A claim by another state to recover property under this section shall be presented in a
6759 form prescribed by the Administrator, unless the Administrator waives presentation of the form.

6760 (c) The Administrator shall decide a claim under this section not later than 90 days after it
6761 is presented. If the Administrator determines that the other state is entitled under subsection (a)

6762 of this section to custody of the property, the Administrator shall allow the claim and pay or
6763 deliver the property to the other state.

6764 (d) The Administrator may require another state, before recovering property under this
6765 section, to agree to indemnify the District and its agents, officers, and employees against any
6766 liability on a claim to the property.

6767 Sec. 7054. Claim for property by person claiming to be owner.

6768 (a) A person claiming to be the owner of property held under this subtitle by the
6769 Administrator may file a claim for the property on a form prescribed by the Administrator. The
6770 claimant shall verify the claim as to its completeness and accuracy.

6771 (b) The Administrator may waive the requirement in subsection (a) of this section and
6772 may pay or deliver property directly to a person if:

6773 (1) The person receiving the property or payment is shown to be the apparent
6774 owner included on a report filed under section 7024;

6775 (2) The Administrator reasonably believes the person is entitled to receive the
6776 property or payment; and

6777 (3) The property has a value of less than \$500.

6778 Sec. 7055. When Administrator must honor claim for property.

6779 (a) The Administrator shall pay or deliver property to a claimant under section 7054(a) if
6780 the Administrator receives evidence sufficient to establish to the satisfaction of the Administrator
6781 that the claimant is the owner of the property.

6782 (b) Not later than 90 days after a claim is filed under section 7054(a), the Administrator
6783 shall allow or deny the claim and give the claimant notice in a record of the decision.

6784 (c) If the claim is denied under subsection (b) of this section:

6785 (1) The Administrator shall inform the claimant of the reason for the denial and
6786 specify what additional evidence, if any, is required for the claim to be allowed;

6787 (2) The claimant may file an amended claim with the Administrator or commence
6788 an action under section 7057; and

6789 (3) The Administrator shall consider an amended claim filed under paragraph (2)
6790 of this subsection as an initial claim.

6791 (d) If the Administrator does not take action on a claim during the 90-day period
6792 following the filing of a claim under section 7054(a), the claim is deemed denied.

6793 Sec. 7056. Allowance of claim for property by the District.

6794 (a) Not later than 45 days after a claim is allowed under section 7055(b), the
6795 Administrator shall pay or deliver to the owner the property or pay to the owner the net proceeds
6796 of a sale of the property, together with income or gain to which the owner is entitled under
6797 section 7039. On request of the owner, the Administrator may sell or liquidate a security and
6798 pay the net proceeds to the owner, even if the security had been held by the Administrator for
6799 less than 60 days or the Administrator has not complied with the notice requirements under
6800 section 7044.

6801 (b) Property held under this subtitle by the Administrator is subject to a claim for the
6802 payment of an enforceable debt the owner owes to the District for:

6803 (1) Child-support arrearages, including any child-support collection costs and
6804 child-support arrearages that are combined with maintenance;

6805 (2) A civil or criminal fine or penalty, court costs, a surcharge, or restitution
6806 imposed by a final order of an administrative agency or a final court judgment; or

6807 (3) District taxes, penalties, and interest that have been determined to be
6808 delinquent, including delinquent debts under Delinquent Debt Recovery Act of 2012, effective
6809 September 20, 2012, (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), and collection
6810 fees owed to the Central Collection Unit under Chapter 38 of Title 9 of the District of Columbia
6811 Municipal Regulations.

6812 (c) Before delivery or payment to an owner under subsection (a) of this section of
6813 property or payment to the owner of net proceeds of a sale of the property, the Administrator first
6814 shall apply the property or net proceeds to a debt under subsection (b) of this section the
6815 Administrator determines is owed by the owner. The Administrator shall pay the amount to the
6816 appropriate District agency and notify the owner of the payment, unless another District agency
6817 is required to notify the owner of the payment.

6818 (d) The Administrator may make periodic inquiries of District agencies in the absence of
6819 a claim filed under section 7054 to determine whether an apparent owner included in the
6820 unclaimed-property records of the District has an enforceable debt described in subsection (b) of
6821 this section. The Administrator first shall apply the property or net proceeds of a sale of property
6822 held by the Administrator to a debt under subsection (b) of this section of an apparent owner
6823 which appears in the records of the Administrator and deliver the amount to the appropriate
6824 District agency. The Administrator shall notify the apparent owner of the payment, unless
6825 another District agency is required to notify the owner of the payment.

6826 Sec. 7057. Action by person whose claim is denied.

6827 Not later than one year after filing a claim under section 7054(a), the claimant may
6828 commence an action against the Administrator in the Superior Court to establish a claim that has
6829 been denied or deemed denied under section 7054(d).

6830 Part 10. Verified Report of Property; Examination of Records

6831 Sec. 7058. Verified report of property.

6832 If a person does not file a report required by section 7024 or the Administrator believes
6833 that a person may have filed an inaccurate, incomplete, or false report, the Administrator may
6834 require the person to file a verified report in a form prescribed by the Administrator. The
6835 verified report shall:

6836 (1) State whether the person is holding property reportable under this subtitle;

6837 (2) Describe property not previously reported or about which the Administrator
6838 has inquired;

6839 (3) Specifically identify property described under paragraph (2) of this subsection
6840 about which there is a dispute about whether it is reportable under this subtitle; and

6841 (4) State the amount or value of the property.

6842 Sec. 7059. Examination of records to determine compliance.

6843 The Administrator, at reasonable times and on reasonable notice, may:

6844 (1) Examine the records of a person, including examination of appropriate records
6845 in the possession of an agent of the person under examination, if the records are reasonably
6846 necessary to determine whether the person has complied with this subtitle;

6847 (2) Apply to the Superior Court for the issuance of a subpoena requiring the
6848 person or agent of the person to make records available for examination; and

6849 (3) Request that the Attorney General bring an action seeking judicial
6850 enforcement of the subpoena.

6851 Sec. 7060. Rules for conducting examination.

6852 (a) The Administrator shall adopt rules governing procedures and standards for an
6853 examination under section 7059, including rules for use of an estimation, extrapolation, and
6854 statistical sampling in conducting an examination.

6855 (b) An examination under section 7059 shall be performed under rules adopted under
6856 subsection (a) of this section and with generally accepted examination practices and standards
6857 applicable to an unclaimed-property examination.

6858 (c) If a person subject to examination under section 7059 has filed the reports required
6859 under sections 7024 and 7058 and has retained the records required by section 7027, the
6860 following rules apply:

6861 (1) The examination shall include a review of the person's records.

6862 (2) The examination may not be based on an estimate unless the person expressly
6863 consents in a record to the use of an estimate.

6864 (3) The person conducting the examination shall consider the evidence presented
6865 in good faith by the person in preparing the findings of the examination under section 7064.

6866 Sec. 7061. Records obtained in examination.

6867 Records obtained and records, including work papers, compiled by the Administrator in
6868 the course of conducting an examination under section 7049:

6869 (1) Are subject to the confidentiality and security provisions of Part 14 and are not
6870 public records;

6871 (2) May be used by the Administrator in an action to collect property or otherwise
6872 enforce this subtitle;

6873 (3) May be used in a joint examination conducted with another state, the United
6874 States, a foreign country or subordinate unit of a foreign country, or any other governmental
6875 entity if the governmental entity conducting the examination is legally bound to maintain the
6876 confidentiality and security of information obtained from a person subject to examination in a
6877 manner substantially equivalent to Part 14;

6878 (4) Shall be disclosed, on request, to the person that administers the unclaimed
6879 property law of another state for that state's use in circumstances equivalent to circumstances
6880 described in this part, if the other state is required to maintain the confidentiality and security of
6881 information obtained in a manner substantially equivalent to Part 14;

6882 (5) Shall be produced by the Administrator under an administrative or judicial
6883 subpoena or administrative or court order; and

6884 (6) Shall be produced by the Administrator on request of the person subject to the
6885 examination in an administrative or judicial proceeding relating to the property.

6886 Sec. 7062. Evidence of unpaid debt or undischarged obligation.

6887 (a) A record of a putative holder showing an unpaid debt or undischarged obligation is
6888 prima facie evidence of the debt or obligation.

6889 (b) A putative holder may establish by a preponderance of the evidence that there is no
6890 unpaid debt or undischarged obligation for a debt or obligation described in subsection (a) of this
6891 section or that the debt or obligation was not, or no longer is, a fixed and certain obligation of the
6892 putative holder.

6893 (c) A putative holder may overcome prima facie evidence under subsection (a) of this
6894 section by establishing by a preponderance of the evidence that a check, draft, or similar
6895 instrument was:

- 6896 (1) Issued as an unaccepted offer in settlement of an unliquidated amount;
- 6897 (2) Issued but later was replaced with another instrument because the earlier
6898 instrument was lost or contained an error that was corrected;
- 6899 (3) Issued to a party affiliated with the issuer;
- 6900 (4) Paid, satisfied, or discharged;
- 6901 (5) Issued in error;
- 6902 (6) Issued without consideration;
- 6903 (7) Issued but there was a failure of consideration;
- 6904 (8) Voided not later than 90 days after issuance for a valid business reason set
6905 forth in a contemporaneous record; or
- 6906 (9) Issued but not delivered to the third-party payee for a sufficient reason
6907 recorded within a reasonable time after issuance.

6908 (d) In asserting a defense under this section, a putative holder may present evidence of a
6909 course of dealing between the putative holder and the apparent owner or of custom and practice.

6910 Sec. 7063. Failure of person examined to retain records.

6911 If a person subject to examination under section 7059 does not retain the records required
6912 by section 7027, the Administrator may determine the value of property due using a reasonable
6913 method of estimation based on all information available to the Administrator, including
6914 extrapolation and use of statistical sampling when appropriate and necessary, consistent with

6915 examination procedures and standards adopted under section 7060(a) and in accord with section
6916 7060(b).

6917 Sec. 7064. Report to person whose records were examined.

6918 At the conclusion of an examination under section 7059, the Administrator shall provide
6919 to the person whose records were examined a complete and unredacted examination report that
6920 specifies:

6921 (1) The work performed;

6922 (2) The property types reviewed;

6923 (3) The methodology of any estimation technique, extrapolation, or statistical
6924 sampling used in conducting the examination;

6925 (4) Each calculation showing the value of property determined to be due; and

6926 (5) The findings of the person conducting the examination.

6927 Sec. 7065. Complaint to Administrator about conduct of person conducting examination.

6928 (a) If a person subject to examination under section 7059 believes the person conducting
6929 the examination has made an unreasonable or unauthorized request or is not proceeding
6930 expeditiously to complete the examination, the person in a record may ask the Administrator to
6931 intervene and take appropriate remedial action, including countermanding the request of the
6932 person conducting the examination, imposing a time limit for completion of the examination, or
6933 reassigning the examination to another person.

6934 (b) If a person in a record requests a conference with the Administrator to present matters
6935 that are the basis of a request under subsection (a) of this section, the Administrator shall hold

6936 the conference not later than 30 days after receiving the request. The Administrator may hold
6937 the conference in person, by telephone, or by electronic means.

6938 (c) If a conference is held under subsection (b) of this section, not later than 30 days after
6939 the conference ends, the Administrator shall provide a report in a record of the conference to the
6940 person that requested the conference.

6941 Sec. 7066. Administrator's contract with another to conduct examination.

6942 (a) In this section, "related to the Administrator" means an individual who is:

6943 (1) The Administrator's spouse, partner in a civil union, domestic partner, or
6944 reciprocal beneficiary;

6945 (2) The Administrator's child, stepchild, grandchild, parent, stepparent, sibling,
6946 step-sibling, half-sibling, aunt, uncle, niece, or nephew;

6947 (3) A spouse, partner in a civil union, domestic partner, or reciprocal beneficiary
6948 of an individual under paragraph (2) of this subsection; or

6949 (4) Any individual residing in the Administrator's household.

6950 (b) The Administrator may contract with a person to conduct an examination under this
6951 part.

6952 (c) If the person with which the Administrator contracts under subsection (b) of this
6953 section is:

6954 (1) An individual, the individual may not be related to the Administrator; or

6955 (2) A business entity, the entity may not be owned in whole or in part by the
6956 Administrator or an individual related to the Administrator.

6957 (d) At least 60 days before assigning a person under contract with the Administrator
6958 under subsection (b) of this section to conduct an examination, the Administrator shall demand
6959 in a record that the person to be examined submit a report and deliver property that is previously
6960 unreported.

6961 (e) If the Administrator contracts with a person under subsection (b) of this section:

6962 (1) The contract may provide for compensation of the person based on a fixed fee,
6963 hourly fee, or contingent fee;

6964 (2) A contingent fee arrangement may not provide for a payment that exceeds 10
6965 percent of the amount or value of property paid or delivered as a result of the examination,
6966 except for contracts in force on the effective date of this subtitle; and

6967 (3) On request by a person subject to examination by a contractor, the
6968 Administrator shall deliver to the person a complete and unredacted copy of the contract and any
6969 contract between the contractor and a person employed or engaged by the contractor to conduct
6970 the examination.

6971 (f) A contract under subsection (b) of this section is subject to public disclosure without
6972 redaction under District of Columbia Freedom of Information Act, effective March 25, 1977
6973 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

6974 Sec. 7067. Limit on future employment.

6975 The Administrator or an individual employed by the Administrator who participates in,
6976 recommends, or approves the award of a contract under section 7066(b) is subject to the Code of
6977 Conduct, or other ethical rules, applicable to employees in the Office of the Chief Financial
6978 Officer concerning post-employment conflicts of interest.

6979 Sec. 7068. Report by Administrator at request of Mayor.

6980 (a) Pursuant to a request of the Mayor, the Administrator shall compile and submit a
6981 report containing information about property presumed abandoned for the preceding fiscal year
6982 for the District: The information requested may include:

6983 (1) The total amount and value of all property paid or delivered under this subtitle
6984 to the Administrator;

6985 (2) The name of and amount paid to each contractor under section 7066 and the
6986 percentage the total compensation paid to all contractors under section 7066 bears to the total
6987 amount paid or delivered to the Administrator as a result of all examinations performed under
6988 section 7066;

6989 (3) The total amount and value of all property paid or delivered by the
6990 Administrator to persons that made claims for property held by the Administrator under this
6991 subtitle and the percentage the total payments made and value of property delivered to claimants
6992 bears to the total amounts paid and value delivered to the Administrator; and

6993 (4) The total amount of claims made by persons claiming to be owners.

6994 (b) The report under subsection (a) of this section is a public record subject to public
6995 disclosure without redaction under the District of Columbia Freedom of Information Act,
6996 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

6997 Part 11. Determination of Liability; Putative Holder Remedies

6998 Sec. 7069. Determination of liability for unreported reportable property.

6999 If the Administrator determines from an examination conducted under section 7059 that a
7000 putative holder failed or refused to pay or deliver to the Administrator property which is

7001 reportable under this subtitle, the Administrator shall issue a determination of the putative
7002 holder's liability to pay or deliver and give notice in a record to the putative holder of the
7003 determination.

7004 Sec. 7070. Informal conference.

7005 (a) Not later than 30 days after receipt of a notice under section 7069, the putative holder
7006 may request an informal conference with the Administrator to review the determination. Except
7007 as otherwise provided in this section, the Administrator may designate an employee to act on
7008 behalf of the Administrator.

7009 (b) If a putative holder makes a timely request under subsection (a) of this section for an
7010 informal conference:

7011 (1) Not later than 20 days after the date of the request, the Administrator shall set
7012 the time and place of the conference;

7013 (2) The Administrator shall give the putative holder notice in a record of the time
7014 and place of the conference;

7015 (3) The conference may be held in person, by telephone, or by electronic means,
7016 as determined by the Administrator;

7017 (4) The request tolls the 90-day period under section 7071 until notice of a
7018 decision under paragraph (7) of this subsection has been given to the putative holder or the
7019 putative holder withdraws the request for the conference;

7020 (5) The conference may be postponed, adjourned, and reconvened as the
7021 Administrator determines appropriate;

7022 (6) The Administrator or Administrator's designee with the approval of the
7023 Administrator may modify a determination made under section 7069 or withdraw it; and

7024 (7) The Administrator shall issue a decision in a record and provide a copy of the
7025 record to the putative holder and examiner not later than 20 days after the conference ends.

7026 (c) A conference under subsection (b) of this section is not an administrative remedy and
7027 is not a contested case subject to the District of Columbia Administrative Procedure Act,
7028 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*). An oath is not
7029 required and rules of evidence do not apply in the conference.

7030 (d) At a conference under subsection (b) of this section, the putative holder shall be given
7031 an opportunity to confer informally with the Administrator and the person that examined the
7032 records of the putative holder to:

7033 (1) Discuss the determination made under section 7069; and

7034 (2) Present any issue concerning the validity of the determination.

7035 (e) If the Administrator fails to act within the period prescribed in subsection (b)(1) or (7)
7036 of this section, the failure does not affect a right of the Administrator, except that interest does
7037 not accrue on the amount for which the putative holder was determined to be liable under section
7038 7069 during the period in which the Administrator failed to act until the earlier of:

7039 (1) The date the putative holder requests a hearing under section 7071; or

7040 (2) 90 days after the putative holder received notice of the Administrator's
7041 determination under section 7069 if the putative holder did not request a hearing under section
7042 7071.

7043 (f) The Administrator may hold an informal conference with a putative holder about a
7044 determination under section 7069 without a request at any time before the putative holder
7045 requests a hearing under section 7071.

7046 (g) Interest and penalties under section 7075 continue to accrue on property not reported,
7047 paid, or delivered as required by this subtitle after the initiation, and during the pendency, of an
7048 informal conference under this section.

7049 Sec. 7071. Review of Administrator's determination.

7050 (a) Not later than 90 days after receiving notice of the Administrator's determination
7051 under section 7069, a putative holder may request a hearing on the Administrator's determination
7052 by the Office of Administrative Hearings, which shall make findings of fact and conclusions of
7053 law and render a final order in accordance with the District of Columbia Administrative
7054 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

7055 (b) A final decision in a proceeding under subsection (a) of this section is subject to
7056 judicial review by the District of Columbia Court of Appeals.

7057 Part 12. Enforcement

7058 Sec. 7072. Judicial action to enforce liability.

7059 (a) If a determination under section 7069 becomes final and is not subject to
7060 administrative or judicial review, the Administrator may request that the Attorney General bring
7061 an action in the Superior Court or in an appropriate court of another state to enforce the
7062 determination and secure payment or delivery of past due, unpaid, or undelivered property. The
7063 action must be brought not later than one year after the determination becomes final.

7064 (b) In an action under subsection (a) of this section, if no court in the District has
7065 jurisdiction over the defendant, the Attorney General may commence an action in any court
7066 having jurisdiction over the defendant.

7067 Sec. 7073. Interstate and international agreement; cooperation.

7068 (a) Subject to subsection (b) of this section, the Administrator may:

7069 (1) Exchange information with another state or foreign country relating to
7070 property presumed abandoned or relating to the possible existence of property presumed
7071 abandoned; and

7072 (2) Authorize in a record another state or foreign country or a person acting on
7073 behalf of the other state or country to examine its records of a putative holder as provided in Part
7074 10.

7075 (b) An exchange or examination under subsection (a) of this section may be done only if
7076 the state or foreign country has confidentiality and security requirements substantially equivalent
7077 to those in Part 14 or agrees in a record to be bound by the District's confidentiality and security
7078 requirements.

7079 Sec. 7074. Action involving another state or foreign country.

7080 (a) The Administrator may request that the Attorney General join another state or foreign
7081 country to examine and seek enforcement of this subtitle against a putative holder.

7082 (b) On request of another state or foreign country, the Attorney General may commence
7083 an action on behalf of the other state or country to enforce, in the District, the law of the other
7084 state or country against a putative holder subject to a claim by the other state or country, if the
7085 other state or country agrees to pay costs incurred by the Attorney General in the action.

7086 (c) The Administrator may request the official authorized to enforce the unclaimed
7087 property law of another state or foreign country to commence an action to recover property in the
7088 other state or country on behalf of the Administrator.

7089 (d) The Administrator may request that the Attorney General pursue an action on behalf
7090 of the District to recover property subject to this subtitle but delivered to the custody of another
7091 state if the Administrator believes the property is subject to the custody of the Administrator.

7092 (e) The Administrator, with the approval of the Attorney General, may retain an attorney
7093 in the District, another state, or a foreign country to commence an action to recover property on
7094 behalf of the Administrator and may agree to pay attorney's fees based in whole or in part on a
7095 fixed fee, hourly fee, or a percentage of the amount or value of property recovered in the action.

7096 (f) Expenses incurred by the District in an action under this section may be paid from
7097 property received under this subtitle or the net proceeds of the property subject to appropriations.
7098 Expenses paid to recover property may not be deducted from the amount that is subject to a
7099 claim under this subtitle by the owner.

7100 Sec. 7075. Interest and penalty for failure to act in timely manner.

7101 (a) A holder that fails to report, pay, or deliver property within the time prescribed by this
7102 subtitle shall pay to the Administrator interest at 10% per year on the property or value of the
7103 property from the date the property should have been reported, paid, or delivered to the
7104 Administrator until the date reported, paid, or delivered.

7105 (b) Except as otherwise provided in section 7076 or 7077, the Administrator may require
7106 a holder that fails to report, pay, or deliver property within the time prescribed by this subtitle to
7107 pay to the Administrator, in addition to interest included under subsection (a) of this section, a

7108 civil penalty of \$200 for each day the duty is not performed, up to a cumulative maximum
7109 amount of \$5,000.

7110 Sec. 7076. Other civil penalties.

7111 (a) If a holder enters into a contract or other arrangement for the purpose of evading an
7112 obligation under this subtitle or otherwise willfully fails to perform a duty imposed on the holder
7113 under this subtitle, the Administrator may require the holder to pay the Administrator, in addition
7114 to interest as provided in section 7075(a), a civil penalty of \$1,000 for each day the obligation is
7115 evaded or the duty is not performed, up to a cumulative maximum amount of \$25,000, plus 25
7116 percent of the amount or value of property that should have been but was not reported, paid, or
7117 delivered as a result of the evasion or failure to perform.

7118 (b) If a holder makes a fraudulent report under this subtitle, the Administrator may
7119 require the holder to pay to the Administrator, in addition to interest under section 7075(a), a
7120 civil penalty of \$1,000 for each day from the date the report was made until corrected, up to a
7121 cumulative maximum of \$25,000, plus 25 percent of the amount or value of any property that
7122 should have been reported but was not included in the report or was underreported.

7123 Sec. 7077. Waiver of interest and penalty.

7124 The Administrator:

7125 (1) May waive, in whole or in part, interest under section 7075(a) and penalties under
7126 section 7075(b) or 7076; and

7127 (2) Shall waive a penalty under section 7075(b) if the Administrator determines that the
7128 holder acted in good faith and without negligence.

7129 Sec. 7078. Right to administrative hearing; entry of civil judgment by Superior Court.

7130 (a) A holder is entitled to a hearing on the Administrator's imposition of a civil penalty or
7131 interest under section 7075 or a civil penalty under section 7076 by the Office of Administrative
7132 Hearings, which shall make findings of fact and conclusions of law and render a final order in
7133 accordance with the District of Columbia Administrative Procedure Act, approved October 21,
7134 1968 (82 Stat. 1245; D.C. Official Code § 2-501 *et seq.*).

7135 (b) The Administrator may cause a final order requiring a holder to pay a civil penalty,
7136 interest, or costs entered by the Office of Administrative Hearings under subsection (c) of this
7137 section as a judgment against the holder by requesting that the Attorney General file an action to
7138 enter the civil penalty, interest, or costs to as a civil judgment.

7139 Part 13. Agreement to Locate Property of Apparent Owner Held by Administrator
7140 Sec. 7079. When agreement to locate property enforceable.

7141 An agreement by an apparent owner and another person, the primary purpose of which is
7142 to locate, deliver, recover, or assist in the location, delivery, or recovery of property held by the
7143 Administrator, is enforceable only if the agreement:

7144 (1) Is in a record that clearly states the nature of the property and the services to
7145 be provided;

7146 (2) Is signed by or on behalf of the apparent owner; and

7147 (3) States the amount or value of the property reasonably expected to be
7148 recovered, computed before and after a fee or other compensation to be paid to the person has
7149 been deducted.

7150 Sec. 7080. When agreement to locate property void.

7151 (a) Subject to subsection (b) of this section, an agreement under section 7079 is void if it
7152 is entered into during the period beginning on the date the property was paid or delivered by a
7153 holder to the Administrator and ending 24 months after the payment or delivery.

7154 (b) If a provision in an agreement described in subsection (a) of this section applies to
7155 mineral proceeds for which compensation is to be paid to the other person based in whole or in
7156 part on a part of the underlying minerals or mineral proceeds not then presumed abandoned, the
7157 provision is void regardless of when the agreement was entered into.

7158 (c) An agreement under subsection (a) of this section that provides for compensation in
7159 an amount that is unconscionable is unenforceable except by the apparent owner. An apparent
7160 owner that believes the compensation the apparent owner has agreed to pay is unconscionable
7161 may file an action in the Superior Court to reduce the compensation to the maximum amount that
7162 is not unconscionable.

7163 (d) An apparent owner may assert that an agreement described in this section is void on a
7164 ground other than it provides for payment of unconscionable compensation.

7165 (e) This section does not apply to an apparent owner's agreement with an attorney to
7166 pursue a claim for recovery of specifically identified property held by the Administrator or to
7167 contest the Administrator's denial of a claim for recovery of the property.

7168 Sec.7081. Right of agent of apparent owner to recover property held by Administrator.

7169 (a) An apparent owner that contracts with another person to locate, deliver, recover, or
7170 assist in the location, delivery, or recovery of property of the apparent owner which is held by
7171 the Administrator may designate the person as the agent of the apparent owner. The designation
7172 must be in a record signed by the apparent owner.

7173 (b) The Administrator shall give the agent of the apparent owner all information
7174 concerning the property which the apparent owner is entitled to receive, including information
7175 that otherwise is confidential information under section 7083.

7176 (c) If authorized by the apparent owner, the agent of the apparent owner may bring an
7177 action against the Administrator on behalf of and in the name of the apparent owner.

7178 Part 14. Confidentiality and Security of Information

7179 Sec. 7082. Definitions; applicability.

7180 (a) In this part, “personal information” means:

7181 (1) Information that identifies or reasonably can be used to identify an individual,
7182 such as first and last name in combination with the individual’s:

7183 (A) Social security number or other government-issued number or
7184 identifier;

7185 (B) Date of birth;

7186 (C) Home or physical address;

7187 (D) Electronic-mail address or other online contact information or Internet
7188 provider address;

7189 (E) Financial account number or credit or debit card number;

7190 (F) Biometric data, health or medical data, or insurance information; or

7191 (G) Passwords or other credentials that permit access to an online or other
7192 account;

7193 (2) Personally identifiable financial or insurance information, including nonpublic
7194 personal information defined by applicable federal law; and

7195 (3) Any combination of data that, if accessed, disclosed, modified, or destroyed
7196 without authorization of the owner of the data or if lost or misused, would require notice or
7197 reporting under D.C. Official Code §§ 28-3851 to 28-3864. and federal privacy and data security
7198 law, whether or not the Administrator or the Administrator's agent is subject to the law.

7199 (b) A provision of this part that applies to the Administrator or the Administrator's
7200 records applies to an Administrator's agent.

7201 Sec. 7083. Confidential information.

7202 (a) Except as otherwise provided in this subtitle, the following are confidential and
7203 exempt from public inspection or disclosure:

7204 (1) Records of the Administrator and the Administrator's agent related to the
7205 administration of this subtitle;

7206 (2) Reports and records of a holder in the possession of the Administrator or the
7207 Administrator's agent; and

7208 (3) Personal information and other information derived or otherwise obtained by
7209 or communicated to the Administrator or the Administrator's agent from an examination under
7210 this subtitle of the records of a person.

7211 (b) A record or other information that is confidential under law of the District other than
7212 this subtitle, another state, or the United States continues to be confidential when disclosed or
7213 delivered under this subtitle to the Administrator or Administrator's agent.

7214 Sec. 7084. When confidential information may be disclosed.

7215 (a) When reasonably necessary to enforce or implement this subtitle, the Administrator
7216 may disclose confidential information concerning property held by the Administrator or the
7217 Administrator's agent only to:

7218 (1) An apparent owner or the apparent owner's personal representative, attorney,
7219 other legal representative, relative, or agent designated under section 7081 to have the
7220 information;

7221 (2) The personal representative other legal representative, relative of a deceased
7222 apparent owner, agent designated under section 7081 by the deceased apparent owner, or a
7223 person entitled to inherit from the deceased apparent owner;

7224 (3) Another department or agency of the District or the United States;

7225 (4) The person that administers the unclaimed property law of another state, if the
7226 other state accords substantially reciprocal privileges to the Administrator of the District if the
7227 other state is required to maintain the confidentiality and security of information obtained in a
7228 manner substantially equivalent to Part 14;

7229 (5) A person subject to an examination as required by section 7061(6).

7230 (b) Except as otherwise provided in section 7083(a), the Administrator shall include on
7231 the website or in the database required by section 7031(c)(2) the name of each apparent owner of
7232 property held by the Administrator. The Administrator may include in published notices, printed
7233 publications, telecommunications, the Internet, or other media and on the website or in the
7234 database additional information concerning the apparent owner's property if the Administrator
7235 believes the information will assist in identifying and returning property to the owner and does
7236 not disclose personal information except the home or physical address of an apparent owner.

7237 (c) The Administrator and the Administrator's agent may not use confidential
7238 information provided to them or in their possession except as expressly authorized by this
7239 subtitle or required by law other than this subtitle.

7240 Sec. 7085. Confidentiality agreement.

7241 A person to be examined under section 7059 may require, as a condition of disclosure of
7242 the records of the person to be examined, that each person having access to the records disclosed
7243 in the examination execute and deliver to the person to be examined a confidentiality agreement
7244 that:

7245 (1) Is in a form that is reasonably satisfactory to the Administrator; and

7246 (2) Requires the person having access to the records to comply with the provisions of this
7247 part applicable to the person.

7248 Sec. 7086. No confidential information in notice.

7249 Except as otherwise provided in sections 7029 and 7030, a holder is not required under
7250 this subtitle to include confidential information in a notice the holder is required to provide to an
7251 apparent owner under this subtitle.

7252 Sec. 7087. Security of information.

7253 (a) If a holder is required to include confidential information in a report to the
7254 Administrator, the information must be provided by a secure means.

7255 (b) If confidential information in a record is provided to and maintained by the
7256 Administrator or Administrator's agent as required by this subtitle, the Administrator or agent
7257 shall:

7258 (1) Implement administrative, technical, and physical safeguards to protect the
7259 security, confidentiality, and integrity of the information required by D.C. Official Code §§ 28-
7260 3851 to 28-3864 and federal privacy and data security law whether or not the Administrator or
7261 the Administrator's agent is subject to the law;

7262 (2) Protect against reasonably anticipated threats or hazards to the security,
7263 confidentiality, or integrity of the information; and

7264 (3) Protect against unauthorized access to or use of the information which could
7265 result in substantial harm or inconvenience to a holder or the holder's customers, including
7266 insureds, annuitants, and policy or contract owners and their beneficiaries.

7267 (c) The Administrator:

7268 (1) After notice and comment, shall adopt and implement a security plan that
7269 identifies and assesses reasonably foreseeable internal and external risks to confidential
7270 information in the Administrator's possession and seeks to mitigate the risks; and

7271 (2) Shall ensure that an Administrator's agent adopts and implements a similar
7272 plan with respect to confidential information in the agent's possession.

7273 (d) The Administrator and the Administrator's agent shall educate and train their
7274 employees regarding the plan adopted under subsection (c) of this section.

7275 (e) The Administrator and the Administrator's agent shall in a secure manner return or
7276 destroy all confidential information no longer reasonably needed under this subtitle.

7277 Sec. 7088. Security breach.

7278 (a) Except to the extent prohibited by law other than this subtitle, the Administrator or
7279 Administrator's agent shall notify a holder as soon as practicable of:

7280 (1) A suspected loss, misuse or unauthorized access, disclosure, modification, or
7281 destruction of confidential information obtained from the holder in the possession of the
7282 Administrator or an Administrator's agent; and

7283 (2) Any interference with operations in any system hosting or housing
7284 confidential information which:

7285 (A) Compromises the security, confidentiality, or integrity of the
7286 information; or

7287 (B) Creates a substantial risk of identity fraud or theft.

7288 (b) Except as necessary to inform an insurer, attorney, investigator, or others as required
7289 by law, the Administrator and an Administrator's agent may not disclose, without the express
7290 consent in a record of the holder, an event described in subsection (a) of this section to a person
7291 whose confidential information was supplied by the holder.

7292 (c) If an event described in subsection (a) of this section occurs, the Administrator and
7293 the Administrator's agent shall:

7294 (1) Take action necessary for the holder to understand and minimize the effect of
7295 the event and determine its scope; and

7296 (2) Cooperate with the holder with respect to:

7297 (A) Any notification required by law concerning a data or other security
7298 breach; and

7299 (B) A regulatory inquiry, litigation, or similar action.

7300 Sec. 7089. Indemnification for breach by agent.

7301 (a) If a claim is made or action commenced arising out of an event described in section
7302 7088(a) relating to confidential information possessed by an Administrator's agent, the
7303 Administrator's agent shall indemnify, defend, and hold harmless a holder and the holder's
7304 affiliates, officers, directors, employees, and agents as to:

7305 (1) Any claim or action and

7306 (2) A liability, obligation, loss, damage, cost, fee, penalty, fine, settlement,
7307 charge, or other expense, including reasonable attorney's fees and costs, established by the claim
7308 or action.

7309 (b) The Administrator shall require an Administrator's agent that will receive confidential
7310 information required under this subtitle to maintain adequate insurance for indemnification
7311 obligations of the Administrator's agent under subsection (a) of this section. The agent required
7312 to maintain the insurance shall provide evidence of the insurance to:

7313 (1) The Administrator not less frequently than annually; and

7314 (2) The holder on commencement of an examination and annually thereafter until
7315 all confidential information is returned or destroyed under section 7087(e).

7316 Part 15. Miscellaneous Provisions

7317 Sec. 7090. Uniformity of application and construction.

7318 In applying and construing this uniform act consideration must be given to the need to
7319 promote uniformity of the law with respect to its subject matter among states that enact it.

7320 Sec. 7091. Relation to electronic signatures in global and national commerce act.

7321 This subtitle modifies, limits, or supersedes the Electronic Signatures in Global and
7322 National Commerce Act, 15 U.S.C. § 7001 *et seq.*, but does not modify, limit, or supersede

7323 section 101(c) of that act, 15 U.S.C. § 7001(c), or authorize electronic delivery of any of the
7324 notices described in section 103(b) of that act, 15 U.S.C. § 7003(b).

7325 Sec. 7092. Transitional provision.

7326 (a) An initial report filed under this subtitle for property that was not required to be
7327 reported before the effective date of this subtitle, but that is required to be reported under this
7328 subtitle, must include all items of property that would have been presumed abandoned during the
7329 10-year period preceding the effective date of this subtitle as if this subtitle had been in effect
7330 during that period.

7331 (b) This subtitle does not relieve a holder of a duty that arose before the effective date of
7332 this subtitle to report, pay, or deliver property. Subject to section 7042(b) and (c), a holder that
7333 did not comply with the law governing unclaimed property before the effective date of this
7334 subtitle is subject to applicable provisions for enforcement and penalties in effect before the
7335 effective date of this subtitle.

7336 Sec. 7093. Conforming amendments.

7337 (a) Upon the applicability of the Revised Uniform Unclaimed Property Act of 2021, as
7338 approved by the Committee of the Whole on July 20, 2021 (Committee print of Bill 24-285),
7339 (“Revised Uniform Unclaimed Property Act of 2021”):

7340 (1) The Uniform Disposition of Unclaimed Property Act of 1980, effective March
7341 5, 1981 (D.C. Law 3-160; D.C. Official Code § 41-101 *et seq.*), is repealed; and

7342

7343 (2) All funds in the trust fund established under section 123 of the Uniform
7344 Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C.

7345 Official Code § 41-123), shall be transferred to the Unclaimed Property Account, established
7346 under section 7048(a) of the Revised Uniform Unclaimed Property Act of 2021.

7347 (b) Section 204(a) of Title II of the District of Columbia Administrative Procedure Act,
7348 effective March 29, 1977 (D.C. Law 1-96; D. C. Official Code § 2-534(a)), is amended as
7349 follows:

7350 (1) The first paragraph (17), is amended by striking the period at the end and
7351 inserting a semicolon in its place.

7352 (2) The second paragraph (17), is redesignated as paragraph (18).

7353 (3) The redesignated paragraph (18) is amended by striking the period and
7354 inserting the phrase “; and” in its place.

7355 (4) A new paragraph (19) is added to read as follows:

7356 “(19) Information exempt from disclosure under Part 14 of the Revised Uniform
7357 Unclaimed Property Act of 2021, approved by the Committee of the Whole on July 20, 2021
7358 (Committee print of Bill 24-285).”.

7359 (c) Section 6 of the Office of Administrative Hearings Establishment Act of 2001,
7360 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by
7361 adding a new subsection (b-29) to read as follows:

7362 “(b-29) This act shall apply to all adjudicated cases authorized by sections 7071 and 7073
7363 of the Revised Uniform Unclaimed Property Act of 2021, as introduced on May 27, 2021.”.

7364 (d) Chapter V of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1156; D.C.
7365 Official Code § 31-4701 *et seq.*), is amended by adding a new section 31 to read as follows:

7366 “Sec. 31. Duty of insurers to compare names of insureds with death master file and to
7367 locate beneficiaries.

7368 “(a) For purposes of this section:

7369 “(1) “Contract” means an annuity contract. The term “contract” does not include
7370 an annuity used to fund an employment-based retirement plan or program if:

7371 “(A) The insurer does not perform the record keeping services; or

7372 “(B) The insurer is not committed by terms of the annuity contract to pay
7373 death benefits to the beneficiaries of specific plan participants.

7374 “(2) “Death master file” means the United States Social Security Administration
7375 Death Master File or other database or service that is at least as comprehensive as the United
7376 States Social Security Administration Death Master File for determining that an individual
7377 reportedly has died.

7378 “(3) “Death master file match” means a search of the death master file that results
7379 in a match of the Social Security number or the name and date of birth of an insured, annuity
7380 owner, or retained asset account holder.

7381 “(4) “Knowledge of death” means:

7382 “(A) Receipt of an original or valid copy of a certified death certificate; or

7383 “(B) A death master file match validated by the insurer in accordance with
7384 subsection (b)(1)(A).

7385 “(5) “Policy” means any policy or certificate of life insurance that provides a
7386 death benefit. The term “policy” does not include:

7387 “(A) A policy or certificate of life insurance that provides a death benefit
7388 under an employee benefit plan:

7389 “(i) Subject to the Employee Retirement Income Security Act of
7390 1974, approved September 2, 1974 (88 Stat. 832; 29 U.S.C. § 1001 *et seq.*); or

7391 “(ii) Under any federal employee benefit program;

7392 “(B) A policy or certificate of life insurance that is used to fund a pre-need
7393 funeral contract or prearrangement;

7394 “(C) A policy or certificate of credit life or accidental death insurance; or

7395 “(D) A policy issued to a group master policyholder for which the insurer
7396 does not provide record keeping services.

7397 “(6) “Record keeping services” means those services which the insurer has agreed
7398 with a group policy or contract customer to be responsible for obtaining, maintaining, and
7399 administering in its own or its agents' systems information about each individual insured under
7400 an insured's group insurance contract, or a line of coverage thereunder, at least the following
7401 information:

7402 “(A) Social Security number or name and date of birth;

7403 “(B) Beneficiary designation information;

7404 “(C) Coverage eligibility;

7405 “(D) Benefit amount; and

7406 “(E) Premium payment status.

7407 “(7) “Retained asset account” means a mechanism whereby the settlement of
7408 proceeds payable under a policy or contract is accomplished by the insurer or an entity acting on

7409 behalf of the insurer depositing the proceeds into an account with check or draft writing
7410 privileges, if those proceeds are retained by the insurer or its agent, pursuant to a supplementary
7411 contract not involving annuity benefits other than death benefits.

7412 “(b)(1) An insurer shall perform a comparison of its insureds’ in-force policies, contracts,
7413 and retained asset accounts against a death master file, on at least a semi-annual basis, by using
7414 the full death master file once and thereafter using the death master file update files for future
7415 comparisons to identify potential matches of its insureds. For those potential matches identified
7416 as a result of a death master file match, the insurer shall within 90 days of a death master file
7417 match:

7418 “(A) Complete a good faith effort, which shall be documented by the
7419 insurer, to confirm the death of the insured or retained asset account holder against other
7420 available records and information;

7421 “(B) Determine whether benefits are due in accordance with the applicable
7422 policy or contract; and if benefits are due in accordance with the applicable policy or contract:

7423 “(i) Use good faith efforts, which shall be documented by the
7424 insurer, to locate the beneficiary or beneficiaries; and

7425 “(ii) Provide the appropriate claims forms or instructions to the
7426 beneficiary or beneficiaries to make a claim including the need to provide an official death
7427 certificate, if applicable under the policy or contract.

7428 “(2) With respect to group life insurance, insurers are required to confirm the
7429 possible death of an insured when the insurers maintain at least the following information of
7430 those covered under a policy or certificate:

7431 “(A) Social Security number or name and date of birth;

7432 “(B) Beneficiary designation information;

7433 “(C) Coverage eligibility;

7434 “(D) Benefit amount; and

7435 “(E) Premium payment status.

7436 “(3) Every insurer shall implement procedures to account for:

7437 “(A) Common nicknames, initials used in lieu of a first or middle name,

7438 use of a middle name, compound first and middle names, and interchanged first and middle

7439 names;

7440 “(B) Compound last names, maiden or married names, and hyphens, blank

7441 spaces or apostrophes in last names;

7442 “(C) Transposition of the “month” and “date” portions of the date of birth;

7443 and

7444 “(D) Incomplete Social Security numbers.

7445 “(4) To the extent permitted by law, the insurer may disclose minimum necessary

7446 personal information about the insured or beneficiary to a person who the insurer reasonably

7447 believes may be able to assist the insurer locate the beneficiary or a person otherwise entitled to

7448 payment of the claims proceeds.

7449 “(c) An insurer or its service provider shall not charge any beneficiary or other authorized

7450 representative for any fees or costs associated with a death master file search or verification of a

7451 death master file match conducted pursuant to this section.

7452 “(d) The benefits from a policy, contract or a retained asset account, plus any applicable
7453 accrued contractual interest shall first be payable to the designated beneficiaries or owners and in
7454 the event said beneficiaries or owners cannot be found, shall be transferred to the Unclaimed
7455 Property Administrator as unclaimed property pursuant to the Revised Uniform Unclaimed
7456 Property Act of 2021, approved by the Committee of the Whole on July 20, 2021 (Committee
7457 print of Bill 24-285) (“Revised Uniform Unclaimed Property Act of 2021”). Interest payable
7458 under District of Columbia Official Code § 28-3302 shall not be payable as unclaimed property.

7459 “(e) Pursuant to section 7014 of the Revised Uniform Unclaimed Property Act of 2021,
7460 an insurer shall notify the Unclaimed Property Administrator upon the expiration of the statutory
7461 time period for abandoned property that:

7462 “(1) A policy or contract beneficiary or retained asset account holder has not
7463 submitted a claim with the insurer; and

7464 “(2) The insurer has complied with subsection (b) of this section and has been
7465 unable, after good faith efforts documented by the insurer, to contact the retained asset account
7466 holder, beneficiary or beneficiaries

7467 “(f) Upon such notice, an insurer shall immediately submit the unclaimed policy or
7468 contract benefits or unclaimed retained asset accounts, plus any applicable accrued interest, to
7469 the Unclaimed Property Administrator pursuant section 7014 of to the Revised Uniform
7470 Unclaimed Property Act of 2021.

7471 “(g) Failure to meet any requirement of this section with such frequency as to constitute a
7472 general business practice is a violation of a law of the District under section 6 of this act.

7473 Nothing herein shall be construed to create or imply a private cause of action for a violation of
7474 this section.”.

7475 **SUBTITLE B. PAYGO CAPITAL FUNDING**

7476 Sec. 7101. Short title.

7477 This subtitle may be cited as the “Paygo Capital Funding Emergency Amendment Act of
7478 2021”.

7479

7480 Sec. 7102. Section 47-392.02(f) of the District of Columbia Official Code is amended as
7481 follows:

7482 (a) The lead-in language is amended by striking the phrase “Local funds revenue
7483 transfer” and inserting the phrase “Transfer of local or dedicated funds” in its place.

7484 (b) Paragraph (2) is amended as follows:

7485 (1) Strike the phrase “local funds transfer” and insert the phrase “transfer of local
7486 or dedicated funds” in its place.

7487 (2) Strike the phrase “Fiscal Year 2020” and insert the phrase “Fiscal Year 2020
7488 (“minimum transfer amount”); except, that in Fiscal Year 2025, the minimum transfer amount
7489 shall be \$206 million” in its place.

7490 (c) Paragraph (3) is amended by striking the phrase “minimum local funds transfer” both
7491 times it appears and inserting the phrase “minimum transfer amount” in its place.

7492 **SUBTITLE C. MAKING UNEMPLOYMENT COMPENSATION NONTAXABLE**

7493 Sec. 7111. Short title.

7494 This subtitle may be cited as the “Making Unemployment Compensation Nontaxable
7495 Emergency Amendment Act of 2021”.

7496 Sec. 7112. Section 47-1803.02(a)(2) of the District of Columbia Official Code is
7497 amended by adding a new subparagraph (LL) to read as follows:

7498 “(LL) For taxable years beginning after December 31, 2020, unemployment
7499 insurance benefits provided by the District or any other state, including:

7500 (i) District-funded benefits paid pursuant to Subchapter I of Title 51 or a
7501 similar program in another state, including any extension of such benefits;

7502 (ii) Fully or partially federally funded benefits paid pursuant to temporary
7503 or permanent unemployment benefits programs, including Federal Pandemic Unemployment
7504 Compensation (15 U.S.C. § 9023); and

7505 (iii) Benefits paid pursuant to special programs, including Disaster
7506 Unemployment Assistance (42 U.S.C. § 5177) or Pandemic Unemployment Assistance (15
7507 U.S.C. § 9021) to individuals who do not qualify for regular unemployment insurance benefits.”.

7508 **SUBTITLE D. DCRB EXECUTIVE LEADERSHIP**

7509 Sec. 7121. Short title.

7510 This subtitle may be cited as the “District of Columbia Retirement Board Executive
7511 Leadership Emergency Amendment Act of 2021”.

7512 Sec. 7122. Section 121 of the District of Columbia Retirement Reform Act, approved
7513 November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711), is amended as follows:

7514 (a) Subsection (c)(1) is amended as follows:

7515 (1) Strike the phrase “exceed \$10,000.” and insert the phrase “exceed:” in its
7516 place.

7517 (2) New subparagraphs (A) and (B) are added to read as follows:

7518 “(A) Beginning in Fiscal Year 2021, \$25,000 for the Chairperson of the
7519 Board; and

7520 “(B) Beginning in Fiscal Year 2021, \$15,000 for each member entitled to
7521 compensation under this paragraph other than the Chairperson.”.

7522 (b) Subsection (g)(2) is amended by adding a new subparagraph (D) to read as follows:

7523 “(D) Notwithstanding any other provision of law, the annual salary of the
7524 Executive Director shall be fixed by the Board as it considers necessary at a rate not to exceed
7525 135% of the highest step of Grade E5 of the Executive Service.”.

7526 **SUBTITLE E. TAX ABATEMENTS FOR AFFORDABLE HOUSING**

7527 Sec. 7131. Short title.

7528 This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-Need
7529 Areas Emergency Amendment Act of 2021”.

7530 Sec. 7132. Section 2062(b) of the Fiscal Year 2021 Budget Support Act of 2020, effective
7531 December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 47-859.06) is amended by striking
7532 the phrase “and shall not exceed \$4 million annually thereafter” and inserting the phrase “and for
7533 every fiscal year thereafter shall be a minimum of \$4 million, increased annually by 4% starting
7534 in Fiscal Year 2026” in its place.

7535 **SUBTITLE F. EVENTS DC**

7536 Sec. 7141. Short title.

7537 This subtitle may be cited as the “Events DC Grant-Making Emergency Act of
7538 2021”.

7539 Sec. 7142. National Cherry Blossom Festival Fundraising.

7540 (a) There is established a matching grant program to support the 2022 National
7541 Cherry Blossom Festival (“Program”), which shall be administered by the Washington
7542 Convention and Sports Authority (“Events DC”). Under the Program, a matching grant
7543 shall be awarded to a nonprofit organization that organizes and produces an event or
7544 events as part of the official, month-long National Cherry Blossom Festival (“Festival”)
7545 of up to \$1,000,000 for every dollar above \$1,000,000 that the organization has raised in
7546 corporate donations by March 31, 2022.

7547 (b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account,
7548 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by
7549 subsection (a) of this section.

7550 (c) A grant awarded pursuant to this section shall be in addition to any other grant
7551 awarded by Events DC in support of the Festival.

7552 Sec. 7143. Youth and Science Museum Grant.

7553 (a) The Washington Convention and Sports Authority (“Events DC”) shall
7554 administer a grant to support a museum geared toward youth and science in the
7555 Downtown Business Improvement District established by Section 201 of the Business
7556 Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C.
7557 Official Code § 2-1215.51).

7558 (b) In Fiscal Year 2022, of the funds allocated to the Non-Departmental Account,
7559 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by
7560 subsection (a) of this section.

7561 (c) A grant awarded pursuant to this section shall be in addition to any other grant
7562 awarded by Events DC in support of a museum geared toward youth and science.

7563 Sec. 7144. The lead-in language of section 204(m) of the Washington Convention Center
7564 Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §
7565 10-1202.04(m)), is amended by striking the phrase “Fiscal Year 2020 or Fiscal Year 2021” and
7566 inserting the phrase “Fiscal Year 2021 or Fiscal Year 2022” in its place.

7567 **SUBTITLE G. EXCLUDED WORKER PAYMENT**

7568 Sec. 7151. Short title.

7569 This subtitle may be cited as the “Excluded Worker Payment Emergency Amendment
7570 Act of 2021”.

7571 Sec. 7152. The lead-in language of section 203a(a) of the Washington Convention Center
7572 Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §
7573 10-1202.03a(a)), is amended to read as follows:

7574 “(a) The Washington Convention and Sports Authority shall issue, subject to the
7575 availability of funds, grants or contracts to nonprofit entities to use to provide cash assistance to
7576 District residents who are otherwise excluded from District and federal aid related to COVID-19.
7577 To qualify for cash assistance from grants or contracts awarded pursuant to this section, a
7578 District resident shall:”.

7579 Sec. 7153. Section 47-1803.02(a)(2)(JJ) of the District of Columbia Official Code is
7580 amended to read as follows:

7581 “(JJ) Cash assistance for excluded workers given pursuant to grants
7582 awarded by the Washington Convention and Sports Authority in 2020, 2021, and 2022.”.

7583 **SUBTITLE H. COUNCIL PERIOD 24 RULE 736 AND OTHER REPEALS**

7584 Sec. 7161. Short title.

7585 This subtitle may be cited as the “Council Period 24 Rule 736 and Other Repeals
7586 Emergency Amendment Act of 2021”.

7587 Sec. 7162. Section 5(b)(1) of the District of Columbia Public Emergency Act of 1980,
7588 effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(1)), is repealed.

7589 Sec. 7163. The Trash Compactor Tax Incentive Act of 2014, effective March 11, 2015
7590 (D.C. Law 20-223; 62 DCR 227), is repealed.

7591 Sec. 7164. The Public School Health Services Amendment Act of 2017, effective
7592 February 17, 2018 (D.C. Law 22-61; 65 DCR 127), is repealed.

7593 Sec. 7165. The Maternal Mental Health Task Force Act of 2018, effective July 17, 2018
7594 (D.C. Law 22-139; 65 DCR 5966), is repealed.

7595 Sec. 7166. The Hearing Aid Assistance Program Act of 2018, effective July 27, 2018
7596 (D.C. Law 22-151; 65 DCR 6123), is repealed.

7597 Sec. 7167. The Traffic and Parking Ticket Penalty Amendment Act of 2018, effective
7598 October 30, 2018 (D.C. Law 22-175; 65 DCR 9546), is repealed.

7599 Sec. 7168. The Save Good Food Amendment Act of 2018, effective February 22, 2019
7600 (D.C. Law 22-212; 65 DCR 12927), is repealed.

7601 Sec. 7169. The Rental Housing Smoke Free Common Area Amendment Act of 2018,
7602 effective March 22, 2019 (D.C. Law 22-260; 66 DCR 1370), is repealed.

7603 Sec. 7170. The Paperwork Reduction and Data Collection Act of 2018, effective March
7604 22, 2019 (D.C. Law 22-264; 66 DCR 1388), is repealed.

7605 Sec. 7171. The District Historical Records Advisory Board Amendment Act of 2018,
7606 effective March 28, 2019 (D.C. Law 22-271; 66 DCR 1446), is repealed.

7607 Sec. 7172. The Language Access for Education Amendment Act of 2018, effective April
7608 11, 2019 (D.C. Law 22-282; 66 DCR 1606), is repealed.

7609 Sec. 7173. The Disabled Veterans Homestead Exemption Act of 2018, effective April 11,
7610 2019 (D.C. Law 22-283; 66 DCR 1615), is repealed.

7611 Sec. 7174. The Safe Disposal of Pharmaceuticals Amendment Act of 2018, effective
7612 April 11, 2019 (D.C. Law 22-285; 66 DCR 1621), is repealed.

7613 Sec. 7175. The D.C. Healthcare Alliance Reform Amendment Act of 2019, effective
7614 September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

7615 **SUBTITLE I. SUBJECT-TO-APPROPRIATIONS REPEALS AND**
7616 **MODIFICATIONS**

7617 Sec. 7181. Short title.

7618 This subtitle may be cited as the “Subject to Appropriations Repeals and Modifications
7619 Emergency Amendment Act of 2021”.

7620 Sec. 7182. Section 10(a) of the Campaign Finance Reform Amendment Act of 2018,
7621 effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

7622 “(a) Sections 6(b)(4), (8), and (22), and (pp)(8) and (9) shall not apply to contracts, as
7623 defined in section 101(10C)(A)(ii) of the Board of Ethics and Government Accountability
7624 Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27,
7625 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)(A)(ii)), including those contracts’
7626 option periods or similar contract extensions or modifications, sought, entered into, or executed
7627 before November 9, 2022.”.

7628 Sec. 7183. Section 5 of the Public Restroom Facilities Installation and Promotion Act of
7629 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is repealed.

7630 Sec. 7184. Section 4 of the Care for LGBTQ Seniors and Seniors with HIV Amendment
7631 Act of 2020, effective December 23, 2020 (D.C. Law 23-154; 67 DCR 13244), is repealed.

7632 Sec. 7185. Section 3 of the Autonomous Vehicles Testing Program Amendment Act of
7633 2020, effective December 23, 2020 (D.C. Law 23-156; 67 DCR 13048), is repealed.

7634 Sec. 7186. Section 5 of the Dementia Training for Direct Care Workers Support
7635 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-201; 67 DCR 14750), is
7636 repealed.

7637 Sec. 7187. Section 3 of the Helping Children Impacted by Parental Incarceration
7638 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-278; 68 DCR 1154), is
7639 repealed.

7640 Sec. 7188. Section 3 of the MLK Gateway Real Property Tax Abatement Amendment
7641 Act of 2019, effective January 10, 2020 (D.C. Law 23-46; 66 DCR 15345), is repealed.

7642 Sec. 7189. Section 4 of the Postpartum Coverage Expansion Amendment Act of 2020,
7643 effective October 20, 2020 (D.C. Law 23-132; 67 DCR 9887), is repealed.

7644 Sec. 7190. Section 3 of the Office for the Deaf, DeafBlind, and Hard of Hearing
7645 Establishment Amendment Act of 2021, effective December 8, 2020 (D.C. Law 23-152; 67 DCR
7646 12254), is repealed.

7647 Sec. 7191. Section 301 of the Commission on Poverty Establishment Amendment Act of
7648 2020, effective March 16, 2021 (D.C. Law 23-184; 68 DCR 1220), is repealed.

7649 Sec. 7192. Section 5(A) of the Residential Housing Environmental Safety Amendment
7650 Act of 2020, effective March 16, 2021 (D.C. Law 23-188; 68 DCR 1227), is amended as
7651 follows:

7652 (a) Subsection (a) is amended by striking the phrase “This act” and inserting the phrase
7653 “Sections 2 and 3” in its place.

7654 (b) Subsection (c)(2) is amended by striking the phrase “this act” and inserting the phrase
7655 “the provisions identified in subsection (a) of this section” in its place.

7656 Sec. 7193. Section 3 of the Psychology Interjurisdictional Compact Act of 2020,
7657 effective March 16, 2021 (D.C. Law 23-190; 68 DCR 16), is repealed.

7658 Sec. 7194. Section 301 of the Addressing Dyslexia and Other Reading Difficulties
7659 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-191; 68 DCR 115), is
7660 repealed.

7661 Sec. 7195. Section 4 of the Initiative and Referendum Process Improvement Amendment
7662 Act of 2020, effective March 16, 2021 (D.C. Law 23-192; 68 DCR 1073), is repealed.

7663 Sec. 7196. Section 3 of the Energy Efficiency Standards Amendment Act of 2020,
7664 effective March 16, 2021 (D.C. Law 23-195; 68 DCR 39), is amended as follows:

7665 (a) Subsection (a) is amended by striking the phrase “one year after the date described in
7666 subsection (b) of this section” and inserting the phrase “October 1, 2022” in its place.

7667 (b) Subsection (b) is repealed.

7668 Sec. 7197. Section 4 of the Diverse Washingtonians Commemorative Works Amendment
7669 Act of 2020, effective March 16, 2021 (D.C. Law 23-196; 68 DCR 753), is repealed.

7670 Sec. 7198. Section 301 of the Shared Fleet Devices Amendment Act of 2020, effective
7671 March 16, 2021 (D.C. Law 23-203; 67 DCR 13886), is repealed.

7672 Sec. 7199. Section 12 of the Students’ Right to Home or Hospital Instruction Act of
7673 2020, effective March 16, 2021 (D.C. Law 23-204; 67 DCR 14756), is repealed.

7674 Sec. 7200. Section 302 of the Ban on Non-Compete Agreements Amendment Act of
7675 2020, effective March 16, 2021 (D.C. Law 23-209; 68 DCR 782), is amended to read as follows:

7676 “Section 302. Applicability.

7677 “This act shall apply as of April 1, 2022.”.

7678 Sec. 7201. Section 6(a) of the Zero Waste Omnibus Amendment Act of 2020, effective
7679 March 16, 2021 (D.C. Law 23-211; 68 DCR 68), is amended to read as follows:

7680 “(a) Section 2(b)(2), the amendatory section 103(e) within 2(b)(3), 2(d)(2), amendatory
7681 sections 112c and 112e within 2(k), and 2(m)(1) shall apply upon the date of inclusion of their
7682 fiscal effect in an approved budget and financial plan.”.

7683 Sec. 7202. Section 5 of the District of Columbia Water and Sewer Authority Omnibus
7684 Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-229; 68 DCR 1112), is
7685 repealed.

7686 Sec. 7203. Section 4 of the Public Facilities Environmental Safety Amendment Act of
7687 2020, effective March 16, 2021, (D.C. Law 23-233; 68 DCR 1128), is amended to read as follows:

7688 “Sec. 4. Applicability.

7689 “(a) Section 2(b)(2) of this act shall apply upon the date of inclusion of its fiscal effect in
7690 an approved budget and financial plan.

7691 “(b) The Chief Financial Officer shall certify the date of inclusion of the fiscal effect in an
7692 approved budget and financial plan and provide notice to the Budget Director of the Council of
7693 the certification.

7694 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
7695 the District of Columbia Register.

7696 “(2) The date of publication of the notice of the certification shall not affect the
7697 applicability of section 2(b)(2).”.

7698 Sec. 7204. Section 601 of the Department of Buildings Establishment Act of 2019,
7699 effective April 5, 2021 (D.C. Law 23-269; 68 DCR 1490), is repealed.

7700 Sec. 7205. Section 301 of the Office of the Ombudsperson for Children Establishment
7701 Amendment Act of 2020, effective April 5, 2021 (D.C. Law 23-270; 68 DCR 1510), is repealed.

7702 Sec. 7206. The Omnibus Public Safety and Justice Amendment Act of 2020, effective
7703 April 27, 2021 (D.C. Law 23-274; 68 DCR 1034), is amended as follows:

7704 (a) Section 1101 is amended to read as follows:

7705 “Sec. 1101. Section 4902(a-1)(1) of the Department of Health Functions Clarification Act
7706 of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a-1)(1)), is

7707 amended by striking the phrase “Central Detention Facility” and inserting the phrase “Central
7708 Detention Facility, Correctional Treatment Facility, and Central Cell Block” in its place.”.

7709 (b) Section 1501 is repealed.

7710 Sec. 7207. Section 4 of the Medical Marijuana Program Patient Employment Protection
7711 Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-276; 68 DCR 4794), is
7712 repealed.

7713 Sec. 7208. Section 5 of the Restore the Vote Amendment Act of 2020, effective April 27,
7714 2021 (D.C. Law 23-277; 67 DCR 13867), is repealed.

7715 Sec. 7209. Section 6 of the Bella Evangelista and Tony Hunter Panic Defense Prohibition
7716 and Hate Crimes Response Amendment Act of 2020, effective May 15, 2021 (D.C. Law 23-283;
7717 68 DCR 764), is repealed.

7718 Sec. 7210. Section 4 of the Green Food Purchasing Amendment Act of 2021, enacted on
7719 June 7, 2021 (D.C. Act 24-93; 68 DCR 6015), is amended to read as follows:

7720 “Sec. 4. Applicability.

7721 “Section 3 shall apply as of January 1, 2023.”.

7722 Sec. 7211. Section 3 of the D.C. Central Kitchen, Inc. Tax Rebate Amendment Act of
7723 2021, enacted on June 7, 2021 (D.C. Act 24-94; 68 DCR 6020), is repealed.

7724 Sec. 7212. Section 6(b)(1) of the Comprehensive Plan Amendment Act of 2021, enacted
7725 July 7, 2021 (D.C. Act 24-110), is amended by striking the phrase “Sections 3 and 4” and
7726 inserting the phrase “Section 3” in its place.

7727 Sec. 7213. Section 3 of the Certified Midwife Credential Amendment Act of 2021, as
7728 approved by the Committee on Health on June 30, 2021 (Committee print of Bill 24-143), is
7729 repealed.

7730 **SUBTITLE J. INCOME TAX FAIRNESS**

7731 Sec. 7221. Short title.

7732 This subtitle may be cited as the “Income Tax Fairness Emergency Amendment Act of
7733 2021”.

7734 Sec. 7222. D.C. Official Code § 47-1806.03(a) is amended by adding a new paragraph
7735 (11) to read as follows:

7736 “(11) In the case of taxable years beginning after December 31, 2021, there is
7737 imposed on the taxable income of every resident a tax determined in accordance with the
7738 following table:

Not over \$10,000	4% of the taxable income
Over \$10,000 but not over \$40,000	\$400, plus 6% of the excess over \$10,000
Over \$40,000 but not over \$60,000	\$2,200, plus 6.5% of the excess over \$40,000
Over \$60,000 but not over \$250,000	\$3,500, plus 8.5% of the excess over \$60,000
Over \$250,000 but not over \$500,000	\$19,650, plus 9.25% of the excess over \$250,000
Over \$500,000 but not over \$1,000,000	\$42,775, plus 9.75% of the excess over \$500,000
Over \$1,000,000	\$91,525, plus 10.75% of the excess over \$1,000,000

7739 .”

7740 **SUBTITLE K. EARNED INCOME TAX CREDIT AS BASIC INCOME**

7741 Sec. 7231. Short title.

7742 This subtitle may be cited as the “Earned Income Tax Credit as Basic Income Emergency
7743 Amendment Act of 2021”.

7744 Sec. 7232. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
7745 follows:

7746 (a) The table of contents is amended by adding a new section designation to read as
7747 follows:

7748 “47-1806.04a. Public outreach for earned income tax credit.”.

7749 (b) Section 47-1806.04 is amended as follows:

7750 (1) Subsection (f) is amended is amended as follows:

7751 (A) Paragraph (1) is amended by adding a new subparagraph (B-1) to read
7752 as follows:

7753 “(B-1) If a return is filed for a full calendar or fiscal year beginning after
7754 December 31, 2021, an individual with a qualifying child who is allowed an earned income tax
7755 credit under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against
7756 the tax imposed by this chapter for the taxable year in an amount equal to 55% of the earned
7757 income tax credit allowed under section 32 of the Internal Revenue Code of 1986.”.

7758 (B) Paragraph (3) is amended to read as follows:

7759 “(3)(A) The credit allowed under this subsection shall be refundable to the
7760 individual claiming the credit.

7761 “(B)(i) For the taxable year ending December 31, 2022, the amount equal
7762 to 40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of
7763 1986 shall be paid to the individual in one lump sum payment with the remaining refund to be
7764 paid in 11 equal monthly payments.

7765 “(ii) For taxable years beginning after December 31, 2022, the
7766 entire amount of the earned income tax credit allowed shall be paid to the individual in 12 equal
7767 monthly payments.

7768 “(iii) Notwithstanding sub-subparagraphs (i) and (ii) of this
7769 subparagraph, any refunds to be paid for taxable years ending after December 31, 2021, for
7770 credits totaling \$1,200 or less shall be paid in one lump sum payment.

7771 “(iv) No interest shall be allowed on any refund payments made
7772 under this subparagraph.

7773 “(v) Notwithstanding sub-subparagraphs (ii) and (iii) of this
7774 subparagraph, the entire amount of a credit to be refunded shall be immediately subject to the
7775 offset provisions of subchapter III of chapter 44 of this title.

7776 “(vi) The Chief Financial Officer shall send a notice to every
7777 individual whose refund, or any portion thereof, will be paid in monthly refund payments
7778 pursuant to this sub-subparagraphs (ii) and (iii) of this subparagraph.”.

7779 (2) Subsection (g) is amended by adding a new paragraph (3) to read as follows:

7780 “(3) Any refunds paid pursuant to this subsection shall be paid in the manner
7781 described in subsection (f)(3) of this section.”.

7782 (c) A new section 47-1806.04a is added to read as follows:

7783 “§ 47-1806.04a. Public outreach for earned income tax credit
 7784 “(a) The Mayor may, subject to available funding, issue grants to a nonprofit organization
 7785 registered in the District, pursuant to Chapter 4 of Title 29 of the District of Columbia Official
 7786 Code, to provide outreach and education about the tax credit allowed pursuant to § 47-1806.04(f)
 7787 and (g).

7788 “(b) By January 1, 2025, the Mayor shall issue a grant of \$250,000 to a research
 7789 institution located in the District for the purpose of collecting data and issuing a report to the
 7790 Council describing the impact on eligible households of the payments required pursuant to § 47-
 7791 1806.04(f) and (g).”.

7792 **TITLE VIII. SPECIAL PURPOSE REVENUE, DEDICATED REVENUE, AND**
 7793 **CAPITAL**

7794 **SUBTITLE A. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

7795 Sec. 8001. Short title.

7796 This title may be cited as the “Designated Fund Transfer Emergency Act of 2021”.

7797 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the
 7798 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year
 7799 2021 the following amounts from certified funds and other revenue in the identified accounts to
 7800 the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Fund Detail	Fund Name	FY21	FY22
AG0	602	Lobbyist Fund	235,063	
AM0	2225	West End Library/Firehouse Maintenance	222,678	
AT0	606	Recorder of Deeds Surcharge	1,587,489	
BG0	1111	Disability Compensation Fund	6,674,750	
CF0	619	DC Jobs Trust Fund	158,008	

CJO	1121	Fair Elections Fund	668,173	
CRO	6008	Real Estate Guaranty and Education Fund	352,749	
CRO	6009	Real Estate Appraisal Fee	101,041	
DBO	602	HPAP-Repay	103,550	
EBO	609	Industrial Revenue Bond Program	455,646	
ENO	632	Small Business Access to Capital Access Fund	167,338	813,313
GAO	640	DC Non-Profit School Food Service	525,000	
GDO	618	Student Residency Verification	91,162	
GDO	620	Child Development Facilities	180,248	
HAO	602	Enterprise Fund Account	402,388	
HCO	649	Health Facility Fee	12,534	
HCO	673	DOH Regulatory Enforcement Fund	13,963	
HCO	612	Animal Control Dog License Fees	14,449	
HCO	612	Food Handlers Certification	183,887	
HCO	110	Nursing Home Quality of Care	318,190	
HCO	614	Adjudication Fines	32,840	
HCO	632	Pharmacy Protection	30,923	
HCO	643	Board of Medicine	2,487,363	
HCO	661	ICF/MR Fees and Fines	239,376	
HTO	631	Medicaid – Third Party Liability	129,101	
HTO	632	Bill of Rights – Grievance/Appeals	692,366	
KAO	6000	General O-Type Revenue Sources	331,180	
LQO	110	MPD Reimbursable Subsidy Program	650,000	
RJO	640	Subrogation Fund	350,987	
RJO	640	Subrogation Fund	386,825	
RJO	1240	Captive Insurance Fund	580,509	
SRO	2350	Securities and Banking Fund	1,444,934	
TOO	602	DC Net Services Support	181,835	
TOO	1200	SERV US Program	48,761	
ULO	622	Universal Paid Leave Fund	54,886,145	
VAO	600	Office of Veterans Affairs Fund	15,000	

7801

7802 (c) The total amounts identified in subsections (a) and (b) of this section shall be made

7803 available as set forth in the approved Fiscal Year 2022 Budget and Financial Plan.

7804 Sec. 8003. Applicability.

7805 This subtitle shall apply as of September 1, 2021.

7806 **SUBTITLE B. CAPITAL BUDGET ADJUSTMENTS**

7807 Sec. 8011. Short title.

7808 This subtitle may be cited as the “Fiscal Year 2022 Capital Project Reallocation Approval
7809 Emergency Act of 2021”.

7810 Sec. 8012. In Fiscal Year 2021, the Chief Financial Officer shall rescind or adjust capital
7811 project allotments as set forth in the following tabular array, with the savings to be used in
7812 accordance with the Fiscal Year 2022 Local Budget Act of 2021, as approved by the Committee
7813 of the Whole on July 20, 2021 (Committee print of Bill 24-285):

Owner Agency	Project No	Project Title	Fund Detail	Total
AM0	PL902C	CRITICAL SYSTEM REPLACEMENT	300	713,000
	PL901C	ENERGY RETROFITTING OF DISTRICT BUILDING	300	1,000,000
	PL602C	ROOF REPLACEMENT POOL	300	(401,000)
	PL601C	HVAC REPAIR RENOVATION POOL	300	(200)
	PL108C	BIG 3 BUILDINGS POOL	300	(56,004)
	PL105C	ARCHIVES RECORDER OF DEEDS	300	(24,562)
	PL104C	ADA COMPLIANCE POOL	300	(34,287)
	PL101C	SHELTER AND TRANSITIONAL HOUSING POOL	300	(219,800)
	DLY19C	DALY BUILDING REHABILITATION - PHASE ONE	300	(1,000,000)
	DCHSEC	NEW HOSPITAL PROJECT PUBLIC PARKING STRU	309	(128,348)
	BRM04C	MARION S. BARRY, JR. BUILDING	300	(1,121)
	BC101C	FACILITY CONDITION ASSESSMENT	300	1,000,000
CEO	LAR37C	LAMOND RIGGS LIBRARY	300	250,000
CFO	PFL08C	PAID FAMILY LEAVE IT APPLICATION	304	(4,660,399)
	PFL08C	PAID FAMILY LEAVE IT APPLICATION	314	(339,601)
EBO	SC216C	CRUMMELL SCHOOL_CONSTRUCTION- REDEVELOPM	300	(1,600,000)
	EB015C	LINCOLN HEIGHTS, RICHARDSON DWELLINGS	300	(850,346)
	AWR01C	SAINT ELIZABETHS E CAMPUS INFRASTRUCTURE	300	2,200,346
FAO	PLT10C	CRIME FIGHTING TECHNOLOGY	300	(838,997)
FBO	20630C	FIRE APPARATUS	300	(4,800)
FRO	DIG19C	FORENSIC EVIDENCE DIGITAL STORAGE	304	(1,000,000)
GAO	YY1MLC	MILITARY ROAD SCHOOL MODERNIZATION/RENO	300	(867)
HAO	QG638C	KENILWORTH PARKSIDE RECREATION CENTER	300	(1,269)

	QE834C	SMALL PARK IMPROVEMENTS	300	70,000
HYO	DHA21C	DEVELOPMENT AND REHABILITATION - DCHA	309	650,050
JA0	THK22C	SINGLES SHELTER REPLACEMENT/SEASONAL SHE	300	6,000,000
KA0	MNT00A	MAINTENANCE	385	14,499,408
	LMEQUC	EQUIPMENT	304	1,342,949
	LMALLC	ALLEYS	300	845,933
	CE302C	EQUIPMENT MAINTENENCE	300	(164,862)
	CE302C	EQUIPMENT MAINTENENCE	304	(406,034)
	CE302C	EQUIPMENT MAINTENENCE	330	(271,738)
	BR005C	H STREET BRIDGE	385	25,000,000
	6EQ05C	PARKING METERS	304	(500,000)
KTO	CP201C	COMPOSTING FACILITY	300	(315)
PO0	DWB03C	PROCUREMENT SYSTEMS	304	(164)
RK0	RMS01C	RISK MANAGEMENT IT SYSTEM	301	(91,131)
TO0	ZB141C	HUMAN RESOURCES APPLICATION SECURITY INI	300	(873)
	ZB141C	HUMAN RESOURCES APPLICATION SECURITY INI	303	(1,501)
	ZB141C	HUMAN RESOURCES APPLICATION SECURITY INI	304	(3)
	ZA143C	IT GIS MANAGEMENT	300	(109,911)
	NMM17C	ENTERPRISE NETWORK MONITORING MODERNIZAT	300	(2,284)
	N9001C	NEXT GENERATION DATA CENTER ARCHITECTURE	300	(30,593)
	N6002C	TRANSPORTATION INFRASTRUCTURE MODERNIZAT	300	(326,104)
	N6002C	TRANSPORTATION INFRASTRUCTURE MODERNIZAT	304	(2,063)
	N3802C	PROCURMENT SYSTEM	300	(372)
	N3802C	PROCURMENT SYSTEM	304	(172)
	N3102C	DATA MANAGEMENT AND PUBLICATION PLATFORM	300	(41,319)
	N2503C	DATA CENTER RELOCATION-GO BOND	304	(7,129)
	N1601B	DCWAN	300	(4,402)
	N1601B	DCWAN	304	(11,220)
	EQ103C	CREDENTIALING AND WIRELESS	300	(108,696)
	EAP20C	PEOPLESFT ENTERPRISE DATA RECLAMATION	304	(276,786)
	AB115C	ARCHIVES BUILDING	300	(553,005)
	Total			

7814 Sec. 8113. Applicability.

7815 This subtitle shall apply as of September 30, 2021.

7816 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

7817 Sec. 9001. Applicability.

7818 Except as otherwise provided, this act shall apply as of October 1, 2021.

7819 Sec. 9002. Fiscal impact statement.

7820 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
7821 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
7822 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

7823 Sec. 9003. Effective date.

7824 This act shall take effect following approval by the Mayor (or in the event of veto by the
7825 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
7826 90 days, as provided for emergency acts of the Council of the District of Columbia in section
7827 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
7828 D.C. Official Code § 1-204.12(a)).

7829