

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Child Wealth Building Act of 2021 to authorize distributions from the Child Trust Fund for eligible enrollees, to eliminate child trust fund accounts, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Child Wealth Building Emergency Amendment Act of 2022”.

Sec. 2. The Child Wealth Building Act of 2021, effective February 18, 2022 (D.C. Law 24-53; D.C. Official Code § 4-681.01 *et. seq.*), is amended to read as follows:

(a) Section 2 (D.C. Official Code § 4-681.01) is amended as follows:

(1) Subsection (4) is repealed.

(2) Subsection (8)(A)(i) is amended by striking the word “Medicaid” and inserting the phrase “DC Medicaid” in its place.

(b) Section 3 (D.C. Official Code § 4-681.02) is amended as follows:

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

(A) Strike the phrase “subsection (c)” and insert the phrase “subsection (d) in its place.

(B) Strike the sentence “The Chief Financial Officer shall establish within the Fund a child trust fund account for each eligible child enrolled in the CTF Program.”

(2) Subsection (c) is repealed.

32 (3) Subsection (d) is amended as follows:

33 (A) Strike the phrase “paid into the fund” and insert the phrase “paid into the
34 Fund” in its place.

35 (B) Paragraph (1) is amended by striking the phrase “Make distributions
36 pursuant to section 7 (D.C. Official Code § 4-681.06);” and adding the
37 phrase “Make distributions pursuant to section 7 (D.C. Official Code § 4-
38 681.06), and in accordance with the rules issued pursuant to this chapter;”
39 in its place;

40 (4) Subsection (e) is amended by striking the phrase “subsections (c) and (d) of this
41 section” and inserting the phrase “subsection (d) of this section” in its place.

42 (c) Section 4 (D.C. Official Code § 4-681.03) is amended as follows:

43 (1) Subsection (a) is amended by striking the sentence “There is established a Child
44 Trust Fund Program, which shall be administered by the Chief Financial Officer,
45 under which an annual deposit amount from the Fund shall be designated to the
46 child trust fund account for each eligible child enrolled in the CTF Program.” and
47 inserting the following sentence in its place: “There is established a Child Trust
48 Fund Program, which shall be administered by the Chief Financial Officer, the
49 Department of Human Services, and the Department of Health Care Finance,
50 under which amounts from the Fund shall be designated for each enrollee in the
51 CTF program pursuant to section 7 (D.C. Official Code § 4-681.06).”

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

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

54 (i) Strike the word “Medicaid” and insert the phrase “DC Medicaid” in its
55 place.

56 (ii) Strike the period and insert the following phrase in its place “, provided
57 that parental consent must be provided by the eligible child’s parent or guardian
58 within 18 months of the birth of the child to be eligible for enrollment in the CTF
59 Program.”

60 (B) Paragraph (2) is amended by striking the phrase “The Chief Financial Officer,
61 or the designee, or employees of the Chief Financial Officer, or employees of the
62 designee shall not disclose information with respect to a child trust fund account
63 maintained in the Fund; except that child trust fund account information may be
64 disclosed, pursuant to rule, to the beneficiary of the child trust fund account or to
65 another person at the beneficiary's request.” and inserting the phrase “(2) The
66 Chief Financial Officer, or the designee, or employees of the Chief Financial
67 Officer, or employees of the designee shall not disclose information with respect
68 to a distribution made from the Fund; except that information regarding
69 distribution may be disclosed, pursuant to rule, to the beneficiary of the
70 distribution or to another person at the beneficiary's request.” in its place.

71 (C) A new Paragraph (3) is added to read as follows:

72 “The Chief Financial Officer, or the designee, or employees of the Chief Financial
73 Officer, or employees of the designee may disclose information regarding a
74 distribution made pursuant to section 7 (D.C. Official Code § 4-681.06) to a
75 parent or guardian in the event that the beneficiary lacks legal capacity to request
76 such information.”

77 (3) Subsection (c) is amended as follows:

78 (a) Paragraph (1) is amended by striking the phrase “to the child trust fund
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80 account” and inserting the phrase “in the Fund” in its place.

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82 (b) Paragraph (2) is amended as follows:

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84 (i) Strike the phrase “the deposit amount designated to the child trust fund
85 account” and insert the phrase “the deposit amount designated in the Fund” in its
86 place.

87 (ii) Strike the phrase “Annual Deposit Amount” in tabular array and insert
88 the phrase “Annual Designated Amount” in its place.

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90 (a) Paragraph (3) is amended by striking the phrase “annual deposit” and
91 inserting the phrase “annual amount” in its place.

92 (4) Subsection (d) is amended as follows:

93 (a) Strike the phrase “the annual deposit amounts shall cease but the amounts
94 credited to the eligible child’s trust fund account during the period of deposits” and insert
95 the phrase “the annual amounts designated in the Fund for the enrollee shall cease but the
96 amounts already designated for the enrollee in the Fund” in its place.

97 (d) Section 6 (D.C. Official Code § 4-681.05) is amended as follows:

98 (1) Subsection (a)(1)(A) is amended by striking the phrase “shall be automatic.”
99 and inserting the phrase “shall be automatic, pursuant to the requirements of section 4
100 (D.C. Official Code § 4-681.03).” in its place.

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102 (2) Subsection (b)(1) is amended by striking the phrase “verification by the Chief
103 Financial Officer” and inserting the phrase “verification by the Department of Human
104 Services and/or the Department of Health Care Finance” in its place.

105 (e) Section 7 (D.C. Official Code § 4-681.06) is amended as follows:

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

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

108 (i) Subparagraph (A) is amended as follows:

109 (1) Strike the phrase “pro rata share of money in the Fund”
110 and insert the phrase “dedicated share of money in the Fund pursuant to section 4 (D.C. Official
111 Code § 4-681.03)” in its place.

112 (2) Strike the phrase “resident.” and insert the phrase
113 “resident, and meets all other requirements set forth in this
114 chapter.”

115 (ii) Subparagraph (B) is amended by striking the word “disable”
116 and inserting the word “disabled” in its place.

117 (B) Paragraph (2) is amended by striking the phrase “credited to her or her
118 child trust fund account” and inserting the phrase “designated in the Fund” in its place.

119 (2) Subsection (b)(1) is amended by striking the phrase “a child trust fund
120 account” and inserting the phrase “the Fund” in its place.

121 (f) Section 8 (D.C. Official Code § 4-681.07) is amended as follows:

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

123 (2) Subsection (a) is amended as follows:

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125 (A) Paragraph (1) is amended by striking the phrase “The number of
126 eligible children in the CTF Program;” and inserting the phrase “The aggregate amount of funds
127 in the CTF Program;” in its place.

128 (B) Paragraph (2) is amended by striking the phrase “The race or ethnicity
129 of each eligible child, where possible;” and inserting the phrase “An aggregated list of the
130 purposes for which distributed funds were used;”

131 (C) Paragraph (3) is amended by striking the phrase “The amount of funds
132 in each eligible child’s trust fund account;” and inserting the phrase “The amount of money in
133 the Fund gained by investments;”

134 (D) Paragraph (4) is amended by striking the phrase “A list, by eligible
135 child, of the purpose for which distributed funds were to be used” and inserting the phrase “The
136 amount of money in the Fund decreased by investment loss;”

137 (E) Paragraph (5) is amended by striking the phrase “The amount of
138 money in the Fund gained by investment;” and inserting the phrase “The amount of money in the
139 Fund decreased by administrative costs; and”

140 (F) Paragraph (6) is amended by striking the phrase “The amount of
141 money in the Fund decreased by investment loss.” and inserting the phrase
142 “Recommendations for improving the CTF Program.”

143 (G) Paragraph (7) is repealed.

144 (H) Paragraph (8) is repealed.

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

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147 “(b)” By March 1, of each year, the Department of Human Services shall submit a
148 report to the Council for the preceding fiscal year that includes:

149 “(1) The number of eligible children in the CTF Program;

150 “(2) The race or ethnicity of each eligible child, where possible; and

151 “(3) Recommendations for improving the CTF Program.”

152 (g) Section 9 (D.C. Official Code § 4-681.08) is amended by striking the phrase “Within
153 60 days after the applicability of this chapter, the Chief Financial Officer” and inserting the
154 phrase “The Chief Financial Officer” in its place.

155 Sec. 3. Applicability.

156 This act shall apply as of October 1, 2021.

157 Sec. 4. Fiscal impact statement.

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

161 Sec. 5. Effective date.

162 This act shall take effect following approval by the Mayor (or in the event of veto by the
163 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
164 90 days, as provided for emergency acts of the Council of the District of Columbia in section
165 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
166 D.C. Official Code § 1-204.12(a)).