

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property owned or leased by YMCA of Metropolitan Washington or YMCA Community Investment Initiative, nonprofit organizations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “YMCA Community Investment Initiative Real Property Tax Exemption Act of 2013”.

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

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

“47-1092. YMCA Community Investment Initiative, Lot 2010, Square 234.”.

(b) A new section 47-1089 is added to read as follows:

“§ 47-1092. YMCA Community Investment Initiative, Lot 2010, Square 234.

“(a) The real property located at 1325 W Street, N.W., Washington, D.C., and described as Lot 2010, Square 234, shall be exempt from real property taxation, and interests in the property shall be exempt from possessory interest taxation so long as the real property continues to be:

“(1) Used and occupied by the Young Men’s Christian Association of Metropolitan Washington (“YMCA DC”);

“(2) Owned by YMCA DC or the Young Men’s Christian Association Community Investment Initiative (“YMCA CII”); and

“(3) Used for carrying out the charitable functions of the YMCA DC, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009 as if the exemption had been granted administratively.

“(b)(1) Any transfer, assignment, or other disposition of all or any portion of the real property described in subsection (a) of this section to YMCA DC or YMCA CII, any security interest instrument with respect to the property given by YMCA DC or YMCA CII to a third party lender, or a lease of the property between YMCA DC and YMCA CII shall be exempt

from the tax imposed by § 42-1103, so long as the real property continues to be used and occupied by YMCA DC; and

“(2) Any transfer, assignment, or other disposition of all or any portion of the real property described in subsection (a) of this section by YMCA DC or YMCA CII, including a lease of the property between YMCA DC and YMCA CII, shall be exempt from the tax imposed by § 47-903, so long as the real property continues to be used and occupied by YMCA DC.

“(c) The exemptions set forth in this section shall apply to successor nonprofit entities formed by YMCA DC for purposes of meeting requirements under the New Market Tax Credit provided by section 45D of the Internal Revenue Code of 1986, so long as the real property continues to be used and occupied by YMCA DC.

“(d) The Council orders that all real property tax, penalties, interest, fees, and other related charges assessed against the real property described in subsection (a) of this section through the end of the month during which this act becomes effective be forgiven, and that any payments already made be refunded. The Council further orders that all recordation and transfer taxes, penalties, and interest collected with respect to the transfers described in subsection (b) of this section through the end of the month during which this act becomes effective be forgiven and payments already made be refunded.”.

Sec. 3. Applicability.

This act shall apply as of May 28, 2013.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia