

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Columbia
Official Code*

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To amend, on a temporary basis, the Fiscal Year 2009 Budget Support Act of 2008 to provide that an increase in the earned income tax credit applies as of January 1, 2009, and to clarify the purpose of a grant to City Dance, the grant recipient for the 2009 Freedom Schools summer program, and the information that must be submitted to the Office of the Budget Director to receive a grant.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Designated Appropriation Allocations Temporary Amendment Act of 2008”.

Sec. 2. The Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; 55 DCR 7602), is amended as follows:

(a) Subtitle A of Title VII is amended by adding a new section 7002a to read as follows:

“Sec. 7002a. Applicability.

“This act shall apply as of January 1, 2009.”.

(b) Title VIII is amended as follows:

(1) Section 8002 is amended as follows:

(A) Subsection (b)(2) is amended by striking the phrase “to build out new studio and black box dance theater space at 14th and T Streets, N.W.” and inserting the phrase “to provide operational support for its work in the District of Columbia” in its place

(B) Subsection (c)(1)(G) is amended as follows:

(i) Strike the phrase “Children’s Defense Fund” and insert the phrase “Southeast Tennis and Learning Center” in its place.

(ii) Strike the phrase “program at the Southeast Tennis and Learning Center” and insert the word “program” in its place.

(2) Section 8003 is amended to read as follows:

“Sec. 8003. Grant allocations requirements.

“(a) To receive a grant pursuant to section 8002, each named grantee shall be required to submit the following, postmarked or hand delivered to the Council’s Office of the Budget

Director no later than September 25, 2008:

“(1) The organization’s Articles of Incorporation;

“(2) Internal Revenue Service certification that the organization is tax-exempt under section 501(c) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c));

“(3)(A) The organization’s most recent financial audit, not more than 2 years old; or

“(B) A current financial statement by a certified accountant that shows that the organization is in good financial standing and which delineates its:

“(i) Existing assets and liabilities;

“(ii) Pending lawsuits; and

“(iii) Pending and final judgments;

“(4) Internal Revenue Service Form 990 covering the organization’s most recently completed fiscal year;

“(5) A notarized statement from the grantee certifying that:

“(A) The organization is current on District and federal taxes;

“(B) The Council of the District of Columbia is authorized to verify the organization’s tax status with the District of Columbia Office of Tax and Revenue;

“(C) The organization focuses primarily on services to District of Columbia residents and will serve only District of Columbia residents with this grant; and

“(D) The District government shall have access to its financial, administrative, and operational records, including specific consent for the District of Columbia Auditor to access its books, accounts, records, findings, and documents related to the grant; and

“(6) A comprehensive program statement that includes a detailed:

“(A) Scope of work; and

“(B) Budget that describes how the grant funds shall be spent.

“(b) Grantees shall be notified that the District of Columbia Auditor will randomly audit grant recipients.

“(c) The District of Columbia Auditor’s report shall be issued no later than January 1st of the fiscal year immediately following the year for which the grant was awarded.

“(d) Nothing in this title shall be construed as waiving the requirements to submit information required of all grantees by the grantor agencies or organizations.”.

“(e)(1) If an organization cannot meet the submission requirements established in subsection (a) of this section, the organization shall be required to submit a notarized statement designating a nonprofit organization, which does meet the criteria, to serve as its fiscal agent or fiscal sponsor postmarked or hand delivered to the Council’s Office of the Budget Director no later than September 25, 2008.

“(2) The fiscal agent or fiscal sponsor shall be required to submit the following, postmarked or hand delivered to the Council’s Office of the Budget Director no later than

September 25, 2008:

“(A) A notarized statement agreeing to serve as fiscal agent or fiscal sponsor; and

“(B) The information required by subsection (a) of this section.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 4. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia