

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2002 Supp.

West Group  
Publisher

To amend the Independence of the Chief Financial Officer Establishment Act of 2001 to amend Chapter 3 of Title 47 of the District of Columbia Official Code to include procedures for reprogramming of amounts during non-control years.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Chief Financial Officer Establishment Reprogramming During Non-Control Years Technical Amendment Act of 2002".

Sec. 2. The Independence of the Chief Financial Officer Establishment Act of 2001, signed by the Mayor on July 13, 2001 (D.C. Act 14-89; 48 DCR 7072), is amended by adding a new section 14a to read as follows:

"Sec. 14a. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

"(a) The table of contents is amended by adding after the phrase "Council approval for reprogramming requests for appropriated or estimated nonappropriated authorities; procedure; monthly reprogramming summary; exclusions." the phrase "47-363.01. Procedures for reprogramming of amounts during non-control years."

"(b) Section 47-363(a-1)(2) is amended by striking the phrase "section and" and inserting the phrase "section, § 47-363.01, and" in its place.

"(c) A new section 47-363.01 is added to read as follows:

"§ 47-363.01. Procedures for reprogramming of amounts during non-control years.

"(a) (1) After the adoption of the annual budget for a fiscal year that is not a control year, no reprogramming of amounts in the budget may occur unless:

"(A) The Mayor submits a request for such reprogramming to the Chief Financial Officer of the District of Columbia;

"(B) The Chief Financial Officer transmits to the Council a statement certifying the availability of the funds for such reprogramming and containing an analysis of the effect of the proposed reprogramming on the financial plan and budget for the fiscal year; and

Amend  
§ 47-363

New  
§ 47-363.01

"(C) The Council approves the request after receiving the statement described in subparagraph (B) of this paragraph from the Chief Financial Officer.

"(2) If the Chief Financial Officer does not transmit to the Council the statement described in paragraph (1)(B) of this subsection during the 15-day period, which begins on the date the Chief Financial Officer receives the request for reprogramming from the Mayor, the Chief Financial Officer shall be deemed to have transmitted the statement to the Council. With written notice to the Mayor and Council, the Chief Financial Officer may extend the time period to transmit the statement and analysis to the Council, not to exceed 10 additional days.

"(b) After the adoption of the annual budget for a fiscal year that is a non-control year, no reprogramming of amounts in the budget may occur unless the Mayor submits to the Council a request for such reprogramming and the Council approves the request, but only if any additional expenditures provided under such request for an activity are offset by reductions in expenditures for another activity.

"(c) For the purposes of this section, the term control year has the meaning given such term in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 152; D.C. Official Code § 47-393(4)).".

Sec. 3. 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. 4. 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

**ENROLLED ORIGINAL**

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

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia