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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2015 Budget Support Emergency Act of 2014".

TITLE I. GOVERNMENT DIRECTION AND SUPPORT
SUBTITLE A. BONUS AND SPECIAL PAY LIMITATION

Sec. 1001. Short title.

This subtitle may be cited as the "Bonus and Special Pay Limitation Emergency Act of 2014".

Sec. 1002. Bonus and special pay limitations.

(a) For Fiscal Year 2015, no funds may be used to support the categories of special awards pay or bonus pay; provided, that funds may be used to pay:

- (1) Retirement awards;
- (2) Hiring bonuses for difficult-to-fill positions;
- (3) Additional income allowances for difficult-to-fill positions;
- (4) Agency awards or bonuses funded by private grants or donations;
- (5) Employee awards pursuant to section 1901 of the District of Columbia

Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-619.01);

- (6) Safe driving awards;
- (7) Gainsharing incentives in the Department of Public Works;

Note,
§ 1-611.03

(8) Suggestion or invention awards;
(9) Quality Steps;
(10) Salary incentives negotiated through collective bargaining; or
(11) Any other award or bonus required by an existing contract or collective bargaining agreement that was entered into before the effective date of this subtitle.

(b) No special awards pay or bonus pay may be paid to a subordinate agency head or an assistant or deputy agency head unless required by an existing contract that was entered into before the effective date of this subtitle.

(c) Notwithstanding any other provision of law, no restrictions on the use of funds to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply in Fiscal Year 2015 to employees of the District of Columbia Public Schools who are based at a local school or who provide direct services to individual students.

(d) Notwithstanding this subtitle or any other provision of law, the Office of the Attorney General shall pay employees of the Office of the Attorney General all performance allowance payments to which they are entitled or may become entitled under any approved compensation agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the American Federation of Government Employees, Local 1403, AFL-CIO, for the period from October 1, 2013, through September 30, 2017.

SUBTITLE B. ELECTED ATTORNEY GENERAL IMPLEMENTATION AND LEGAL SERVICE ESTABLISHMENT TECHNICAL AMENDMENT

Sec. 1011. Short title.

This subtitle may be cited as the "Elected Attorney General Implementation and Legal Service Establishment Technical Emergency Amendment Act of 2014".

Sec. 1012. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the year "2014" and inserting the year "2018" in its place.

**Note,
§ 1-608.62**

(b) Section 863 (D.C. Official Code § 1-608.63) is amended by striking the year "2014" and inserting the year "2018" in its place.

**Note,
§ 1-608.63**

(c) Section 864 (D.C. Official Code § 1-608.64) is amended by striking the year "2014" wherever it appears and inserting the year "2018" in its place.

**Note,
§ 1-608.64**

Sec. 1013. Section 401(a) of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60; 60 DCR 15487), is amended by striking the year "2014" and inserting the year "2018" in its place.

**Note,
§ 1-608.51a**

Sec. 1014. (a) The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), as amended by section 1012, is amended as follows:

(1) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the year "2018" and inserting the year "2014" in its place.

Note,
§ 1-608.62

(2) Section 863 (D.C. Official Code § 1-608.63) is amended by striking the year "2018" and inserting the year "2014" in its place.

Note,
§ 1-608.63

(3) Section 864 (D.C. Official Code § 1-608.64) is amended by striking the year "2018" wherever it appears and inserting the year "2014" in its place.

Note,
§ 1-608.64

(b) Section 401(a) of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60; 60 DCR 15487), as amended by section 1013, is amended by striking the year "2018" and inserting the year "2014" in its place.

Note,
§ 1-608.51a

(c) This section shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Delayed
Applicability

SUBTITLE C. PUBLIC SECTOR WORKERS' COMPENSATION BUDGET SAVINGS

Sec. 1021. Short title.

This subtitle may be cited as the "Public Sector Workers' Compensation Budget Savings Emergency Amendment Act of 2014".

Sec. 1022. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding a new section designation after "SEC. 2306a. PERIOD OF DISABILITY PAYMENTS" to read as follows:

"SEC. 2306b. REPORT OF EARNINGS".

(b) Title XXIII is amended as follows:

(1) Section 2306(b) (D.C. Official Code § 1-623.06(b)) is repealed.

Note,
§ 1-623.06

(2) A new section 2306b is added to read as follows:

"Sec. 2306b. Report of earnings.

Note, New
§ 1-623.06b

"(a) The Mayor shall require each employee receiving benefits under this subtitle to report his or her earnings from employment or self-employment by affidavit, including by providing copies of tax returns and authorizing the Mayor to obtain copies of tax documents, within 30 days of a written request for a report of earnings.

"(b) An employee shall forfeit his or her right to workers' compensation with respect to any period for which the report of earnings was required if the employee:

"(1) Fails to file a complete report of earnings within 30 days of a written request for a report of earnings; or

"(2) Knowingly omits or understates any part of his or her earnings.

"(c) Workers' compensation forfeited under this section, if already paid, may be recovered by a deduction from future workers' compensation payments owed to the employee or otherwise recovered under section 2329.

"(d) The Mayor shall notify any employee receiving workers' compensation benefits, on forms prescribed by the Mayor, of that employee's affirmative duty to report earnings and shall specifically notify the employee that a failure to report earnings may subject him or her to termination from the program and civil or criminal liability. The notice by the Mayor may be satisfied by printing the notice on the employee payee statement portion of the indemnity check sent to the employee.

"(e) For the purposes of this section, the term "earnings" includes any cash, wages, or salary received from self-employment or from any other employment aside from the employment in which the worker was injured. The term "earnings" also includes commissions, bonuses, and the cash value of all payments and benefits received in any form other than cash. Commissions and bonuses earned before disability but received during the time the employee is receiving workers' compensation benefits do not constitute earnings that must be reported."

(3) Section 2307 (D.C. Official Code § 1-623.07) is amended as follows:

Note,
§ 1-623.07

(A) Subsection (a)(3) is amended to read as follows:

"(3) In addition to compensation for temporary total or temporary partial disability; provided, that:

"(A) A claimant who has received compensation for temporary total or temporary partial disability under this title shall be eligible for compensation payable under this section only after compensation for the temporary total or temporary partial disability has ceased;

"(B) A claimant shall not receive any further compensation for a single injury for temporary total or temporary partial disability after receiving compensation for the injury under this section; and

"(C) A claimant shall not be entitled to receive multiple awards of compensation under this section for the same permanent disability, but shall only be entitled to receive one award of compensation payable under this section per permanent disability."

(B) Subsection (b) is repealed.

(4) Section 2333(b)(1)(A) (D.C. Official Code § 1-623.33(b)(1)(A)) is amended by striking the phrase "before reaching age 60".

Note,
§ 1-623.33

SUBTITLE D. FLEXIBILITY IN PROVISION OF TECHNOLOGY SERVICES

Sec. 1031. Short title.

This subtitle may be cited as the "Technology Services Support Emergency Amendment Act of 2014".

Sec. 1032. Section 1003(a) of the Technology Services Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-1432(a)) is amended as follows:

Note,
§ 1-1432

(a) Strike the phrase "health care or education".

(b) Strike the phrase "and any open-access" and insert the phrase "any open-access" in its place.

(c) Strike the phrase "neighborhoods in the District of Columbia" and insert the phrase "neighborhoods in the District, and entities designated by the Mayor as necessary to support economic development initiatives of the District government" in its place.

SUBTITLE E. CAPITAL POLICY AND RESERVE ACCOUNT

Sec. 1041. Short title.

This subtitle may be cited as the "Capital Policy and Reserve Account Emergency Amendment Act of 2014".

Sec. 1042. Section 47-392.02 of the District of Columbia Official Code is amended as follows:

Note,
§ 47-392.02

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

(1) Paragraph (2) is amended to read as follows:

"(2) Beginning with the Fiscal Year 2017 budget, and for each subsequent year, the annual proposed budget and financial plan submitted to the Council and the approved budget and financial plan submitted to the Congress of the United States shall include a Pay-as-you-go Capital Account."

(2) Paragraph (3) is amended by striking the phrase "May, 2015" and inserting the phrase "in May of the previous year" in its place.

(b) Subsection (j-1)(2) is amended to read as follows:

"(2) The Fiscal Stabilization Reserve Account may be used by the Mayor for the following purposes:

"(A) Those purposes permitted for use of the Contingency Reserve Fund, specified in § 1-204.50a(b)(4), as certified by the Chief Financial Officer, with approval of the Council by act; and

"(B) Funding for locally approved expenditures during a lapse in regular appropriations; provided, that any amounts used must be replenished immediately at the conclusion of the lapse."

(c) Subsection (j-2) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

"(2) The Cash Flow Reserve Account may be used by the Chief Financial Officer to cover the following:

"(A) Cash-flow needs; provided, that any amounts used must be replenished to the Cash Flow Reserve Account in the same fiscal year; and

"(B) Funding for locally approved expenditures during a lapse in regular appropriations; provided, that any amounts used must be replenished immediately at the conclusion of the lapse."

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

"(4) If at the close of fiscal year, the District has fully funded the Emergency, Contingency, Fiscal Stabilization, and Cash Flow Reserves, all additional uncommitted amounts in the unrestricted fund balance of the General Fund of the District of Columbia as certified by the Comprehensive Annual Financial Report shall be used for the following purposes:

"(A) 50% shall be deposited in the Housing Production Trust Fund; and

"(B) 50% shall be reserved for Pay-as-you-go capital projects.".

Sec. 1043. 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 a new section designation to read as follows:

"47-308.04. Replacement schedule for capital assets."

(b) A new section 47-308.04 is added to read as follows:

**Note, New
§ 47-308.04**

"§ 47-308.04. Replacement schedule for capital assets.

"The Chief Financial Officer of the District of Columbia shall develop a 15-year replacement schedule for the capital assets of the District government. The schedule shall be prepared in a form that reflects both the adopted capital improvements plan and a replacement schedule for District capital assets. The Chief Financial Officer shall report to the Council and the Mayor on the replacement schedule on an annual basis, with the initial report due on October 1, 2015. All agencies shall cooperate with any requests made by the Chief Financial Officer related to this section."

(c) Section 47-335.01 is amended by striking the word "borrowings." and inserting the phrase "borrowings. In determining the amounts to be financed, the Mayor shall consult with the Chief Financial Officer to determine if any funds appropriated for Debt Service, as defined in § 47-334(1), in excess of Debt Service requirements are available to reduce the amount of borrowing for the next bond issuance." in its place.

**Note,
§ 47-335.01**

(d) Section 47-362 is amended by adding a new subsection (f) to read as follows:

**Note,
§ 47-362**

"(f) Notwithstanding § 47-363, any funds appropriated for Debt Service, as defined in § 47-334(1), in excess of Debt Service requirements:

"(1) May not be reprogrammed, unless the Council approves the reprogramming request by resolution; and

"(2) At the end of a fiscal year, any excess shall be transferred to the Capital Fund as Paygo."

SUBTITLE F. GOVERNMENT FAMILY LEAVE PROGRAM

Sec. 1051. Short title.

This subtitle may be cited as the "Government Family Leave Program Emergency Amendment Act of 2014".

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

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

"SEC. 1203a. UNIVERSAL LEAVE PROGRAM

"SEC. 1203b. DONOR LEAVE

"SEC. 1203c. FAMILY LEAVE".

(b) A new section 1203c is added to read as follows:

"Sec. 1203c. Family leave.

**Note, New
§ 1-612.03c**

"(a) An eligible employee shall receive leave with pay for family leave of not more than 8 workweeks within a 12-month period for a single qualifying event.

"(b) Leave authorized by this section for a single qualifying event:

"(1) May be exercised by an eligible employee only within the 12-month period following the qualifying event;

"(2) May be used in no less than one-day increments, either consecutively or intermittently; and

"(3) Shall count against the 16 workweeks of family leave provided under section 3 of the District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-502) ("D.C. FMLA").

"(c) If an employee using leave under this section is serving in a probationary capacity, the employee's probationary period shall be extended by the duration of the leave used.

"(d) An eligible employee using leave under this section shall enjoy the same employment and benefit protections afforded to an employee under section 6 of the D.C. FMLA; provided, that section 6(f) of the D.C. FMLA shall not apply under this section.

"(e) An agency may require that a request for leave under this section be supported by appropriate certification or other supporting documentation. An agency shall keep any information regarding the family relationship confidential.

"(f) Each agency shall maintain an accounting of leave used under this section and any records related to its use.

"(g) For the purposes of this section, the term:

"(1) "Child" means:

"(A) A person under 21 years of age;

"(B) A person, regardless of age, who is substantially dependent upon the employee by reason of physical or mental disability; or

"(C) A person who is under 23 years of age who is a full-time student at an accredited college or university.

"(2) "Eligible employee" means a District government employee eligible to accrue annual leave who has experienced a qualifying event.

"(3) "Family member" means:

"(A) A person to whom the employee is related by blood, legal custody, domestic partnership, or marriage;

"(B) A foster child;

"(C) A child who lives with the employee and for whom the employee permanently assumes and discharges parental responsibility; or

"(D) A person with whom the employee shares or has shared, within the last year, a mutual residence and with whom the employee maintains a committed relationship.

"(4) "Qualifying event" means one of the following:

"(A) The birth of a child of the employee;

"(B) The legal placement of a child with the employee (such as through adoption, guardianship, or foster care);

"(C) The placement with the employee of a child for whom the employee permanently assumes and discharges parental responsibilities; or

"(D) The care of a family member of the employee who has a serious health condition.".

Sec. 1053. Applicability.

An employee may exercise leave under this subtitle for a qualifying event that occurred before the effective date of this act; provided, that the employee otherwise meets the requirements of this subtitle.

Note,
§ 1-612.03c

**SUBTITLE G. OFFICE OF CONTRACTING AND PROCUREMENT SURPLUS
PERSONAL PROPERTY SALES FUND ESTABLISHMENT**

Sec. 1061. Short title.

This subtitle may be cited as the "Office of Contracting and Procurement Surplus Personal Property Fund Establishment Emergency Act of 2014".

Sec. 1062. Surplus Personal Property Sales Fund.

(a) There is established as a special fund the Surplus Personal Property Sales Fund ("Fund"), which shall be administered by the Chief Procurement Officer in accordance with subsection (c) of this section:

(b) Except as provided in subsection (d) of this section, proceeds from the sale of surplus personal property shall be deposited into the Fund.

(c) Money in the Fund shall be used to pay for the cost of online auction contracts for surplus personal property.

(d) Amounts in excess of the money needed to pay for the cost of online auction contracts for surplus personal property shall be deposited into the unrestricted fund balance of the General Fund of the District of Columbia.

Note,
§ 1-325.271

SUBTITLE H. COMMISSION ON FATHERS, MEN, AND BOYS

Sec. 1071. Short title.

This subtitle may be cited as the "Commission on Fathers, Men, and Boys Establishment Emergency Act of 2014".

Sec. 1072. Commission on Fathers, Men, and Boys.

Note,
§ 3-731

The Commission on Fathers, Men, and Boys ("Commission") is established to advise the Mayor, the Council, and the public on issues and needs of fathers, men, and boys in the District of Columbia.

Sec. 1073. Commission members; qualifications; terms of office; removal.

Note,
§ 3-732

(a) The Commission shall consist of 12 members nominated by the Mayor and subject to the consent of the Council in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)). The makeup of the Commission shall reflect the demographics of the District and shall include prominent business and community leaders and individuals certified in fatherhood training or having documented experience working directly with issues of particular interest and concern to fathers, men, and boys.

(b) Members of the Commission shall be residents of the District.

(c) Members shall be appointed to serve terms of 4 years and shall serve until their successors are appointed. A member of the Commission may be reappointed but may serve no more than 2 consecutive terms.

(d) Whenever a vacancy occurs on the Commission, the Mayor shall, within 90 business days of the vacancy, appoint a successor to fill the unexpired portion of the term.

(e) The Mayor shall designate, from among the members appointed, the Chairman, who shall serve in that capacity at the pleasure of the Mayor.

(f) All members of the Commission shall serve without compensation except that expenses incurred by the Commission as a whole, or by a group of its members, shall become an obligation against appropriated District funds designated for that purpose.

(g) The Mayor may remove, after notice and hearing, any member of the Commission for neglect of duty, incompetence, misconduct, or malfeasance in office.

Sec. 1074. Duties of the Commission.

Note,
§ 3-733

(a) The Commission shall:

(1) Serve as an advocate for fathers, men, and boys residing in the District by advising and making recommendations to the Mayor and the Council concerning the needs of District residents related to or concerning fathers, men, and boys;

(2) Research, review, maintain, and disseminate empirical data, statistics, and facts concerning or attributable to fatherhood and family social economic issues;

(3) Stimulate and encourage the dialogue of responsible fatherhood and spur community initiatives to combat fatherlessness;

- (4) Prepare and recommend to the Mayor and the Council an annual plan of programs and services focused on issues directly related to fathers, men, and boys;
 - (5) Work with District agencies, the private sector, and local communities to promote a healthier societal impact on fathers, men, and boys; and
 - (6) Nominate special advisors to serve and provide technical and expert advice on specific and particular matters relevant to the functions of the Commission.
- (b) The Commission shall devise policies and procedures that will effectively address the social economic concerns of fathers, men, and boys, including:
- (1) Employment;
 - (2) Poverty;
 - (3) Fatherlessness and responsible fatherhood;
 - (4) Family law;
 - (5) Health and well-being; and
 - (6) Rehabilitation and reintegration.
- (c) The Commission may apply for and receive grants to fund programs and initiatives in accordance with procedures relating to grants management, District government statutes, regulations, Mayor's Orders, and procedures as specified by the Office of the Chief Financial Officer, the Office of Partnerships and Grant Services, and the Office of Contracting and Procurement and to recommend to the Mayor and Council applications for federal grants-in-aid for fatherhood, children, and family initiatives.
- (d) The Commission may accept private gifts and donations to carry out the purposes of this subtitle in compliance with the procedures and requirements of the Office of Partnerships and Grant Services.

Sec. 1075. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

Note,
§ 1-523.01

- (1) Paragraph (48) is amended by striking the word "and".
- (2) Paragraph (49) is amended by striking the period and inserting the phrase "; and" in its place.
- (3) A new paragraph (50) is added to read as follows:
"(50) The Commission on Fathers, Men, and Boys established pursuant to section 1072 of the Commission on Fathers, Men, and Boys Establishment Emergency Act of 2014."

SUBTITLE I. GRANTS ADMINISTRATION

Sec. 1081. Short title.

This subtitle may be cited as the "Grants Administration Emergency Amendment Act of 2014".

Sec. 1082. Section 1093 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61, D.C. Official Code § 1-328.12), is amended by striking the phrase "shall be administered" and inserting the phrase "or the Fiscal Year 2015 Budget Support Act of 2014,

Note,
§ 1-328.12

as approved by the Committee of the Whole on May 28, 2014 (Committee print of Bill 20-750), shall be administered" in its place.

SUBTITLE J. WORKPLACE WELLNESS

Sec. 1091. Short title.

This subtitle may be cited as the "Workplace Wellness Emergency Act of 2014".

Sec. 1092. Workplace wellness policy.

Note,
§ 1-541.01

(a) The Mayor shall develop and adopt a workplace wellness policy for the District government no later than one year following the effective date of this act. The workplace wellness policy shall be reviewed and updated annually.

(b) The workplace wellness policy required by subsection (a) of this section shall apply to all District agencies, including independent District agencies and the Council of the District of Columbia, but excluding boards and commissions, Advisory Neighborhood Commissions, and the Courts.

(c) The workplace wellness policy required by subsection (a) of this section shall include initiatives that:

- (1) Establish measurable goals for improving the health of District government employees;
 - (2) Improve nutrition in the workplace, including:
 - (A) Expanding opportunities for employees to store lunches and foods in District buildings; and
 - (B) Promoting the availability and consumption of water throughout the day;
 - (3) Improve the physical fitness of employees and physical activity during the work day, including:
 - (A) Providing opportunities for employees to exercise at their desks and offices; and
 - (B) Ensuring that staircases are accessible and their use is encouraged;
 - (4) Promote healthy living and educate employees about physical activity, healthy eating, stress management, and disease prevention;
 - (5) Provide for early detection and screening for key health indicators; and
 - (6) Support changes in the work environment to encourage healthy behaviors and breastfeeding and promote occupational safety and health.
- (d) Each agency shall designate one employee as the agency's wellness coordinator who shall have the responsibility of implementing the wellness policy in the agency and promoting wellness programs.
- (e) It is the goal of the District for each agency to achieve the American Heart Association's gold-level designation as a "Fit-Friendly" workplace or other evidence-based workplace initiatives of national or local health organizations.

Sec. 1093. Healthy food and beverage standards for District government property.

Note,
§ 1-541.02

(a) The Mayor, pursuant to title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §§ 2-501 *et seq.*), shall issue rules establishing healthy food and beverage nutrition and procurement standards that are guided by the General Services Administration document "Health and Sustainability Guidelines for Federal Concessions and Vending Operations" for all District agencies no later than one year following the effective date of this act.

(b) The standards shall consider both positive and negative contributions of nutrients, ingredients, and foods to diets, including calories, portion size, saturated fat, trans fat, sodium, sugar, and the presence of fruits, vegetables, whole grains, and nutrients of concern in Americans' diets.

(c) The standards shall apply to foods and beverages purchased or served by District agencies, including at meetings, events, in vending machines, and through on-site vendors, with the exception of food served by the Department of Corrections and the Department of Behavioral Health to persons who reside at their institutions or are in their direct custody. No less than 50% of all foods and beverages shall be healthy, as guided by the General Services Administration document "Health and Sustainability Guidelines for Federal Concessions and Vending Operations".

(d) The standards shall not apply to food to be served to children in schools, but may apply to food served to adults in schools if that food is separate and different from the food served to children.

(e) Exemptions may be allowed for those circumstances in which the individuals consuming the food have specific dietary needs.

Sec. 1094. Section 601(b)(2) of the Omnibus Spending Reduction Act of 1993, effective November 25, 1993 (D.C. Law 10-65; D.C. Official Code § 10-1301(b)(2)), is amended as follows:

Note,
§ 10-1301

(a) Subparagraph (B) is amended by striking the word "and".

(b) Subparagraph (C) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new subparagraph (D) is added to read as follows:

"(D) Enter into lease or other agreements, with or without monetary consideration, with entities of the District government and with private entities for establishing healthy food retail opportunities within the Property."

SUBTITLE K. EMANCIPATION DAY.

Sec. 1101. Short title.

This subtitle may be cited as the "Emancipation Day Emergency Amendment Act of 2014".

Sec. 1102. The District of Columbia Emancipation Day Parade and Fund Act of 2004, effective March 16, 2005 (D.C. Law 15-240; D.C. Official Code § 1-181 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 1-182) is amended by adding a new sentence at the end to read as follows: “For Fiscal Year 2015 only, the Council committee with oversight related to the District of Columbia Emancipation Day shall continue to coordinate the District of Columbia Emancipation Day activities in consultation with the Office of the Mayor.” .

Note,
§ 1-182

(b) Section 4 (D.C. Official Code § 1-183) is amended by adding a new subsection (e) to read as follows:

Note,
§ 1-183

"(e) Each agency, including the Metropolitan Police Department, the District Department of Transportation, the Department of Public Works, and the Department of Parks and Recreation, shall absorb permitting, staffing, and related costs associated with the conduct of the Emancipation Day Parade."

SUBTITLE L. STATEHOOD INITIATIVES BUDGETING

Sec. 1111. Short title.

This subtitle may be cited as the “Statehood Initiatives Budgeting Emergency Act of 2014”.

Sec. 1112. Beginning in Fiscal Year 2015, the Chief Financial Officer shall assign an individual agency-level code for Statehood Initiatives in the District’s financial system. The agency-level code shall be used to track the operating budget for the District’s efforts to achieve statehood and any funds that are appropriated for that purpose.

Note,
§ 1-301.154

Sec. 1113. Section 47-1812.11c is revived as of January 1, 2009, and amended to read as follows:

Note,
§ 47-1812.11c

“§ 47-1812.11c. Statehood Delegation Fund tax check-off

“(a) There shall be provided on the District of Columbia individual income tax return a voluntary check-off that indicates an individual may contribute a minimum donation or gift of \$ 1 to the Statehood Delegation Fund ("Fund"), established by § 1-129.08. The contribution shall reduce any refund owed to the individual taxpayer or increase the tax owed by the individual taxpayer on the taxpayer's tax return. The funds generated from the tax check-off shall be earmarked for the Fund except that any cost incurred by the Chief Financial Officer in collecting, processing, accounting for, or disbursing the funds generated by the tax check-off shall be reimbursed to the Chief Financial Officer from the funds generated by the tax check-off.

“(b) Except as provided in subsection (c) of this section, the funds generated by the tax check-off established by subsection (a) of this section shall be transferred to the Fund pursuant to rules issued by the Mayor that establish timetables and procedures for transfer of the funds. Check-off funds shall be transferred to the Fund only after the costs to the Mayor described in subsection (a) of this section have been reimbursed.

“(c)(1) Until the District of Columbia Statehood Delegation Fund Commission,

established by § 1-129.02, convenes, the funds generated by the tax check-off shall be deposited in equal amounts in the District of Columbia statehood funds established pursuant to § 1-123(g) .

“(2) Semiannually, each Representative and Senator shall submit to the Mayor, the Chairman of the Council, and the Chairman of the District of Columbia Board of Election and Ethics an accounting of the expenditures made with the tax check-off funds.

“(d)(1) Except as provided in paragraph (2) of this subsection, any unpaid District tax liability on an individual income tax return shall render any voluntary tax check-off election void. Any amount paid for the purpose of contributing to the Fund shall be used first to satisfy any unpaid tax liability, in whole or in part.

“(2) If there is any amount that remains after satisfaction of the unpaid tax liability, the amount shall be transferred to the Fund.”.

SUBTITLE M. HOME RULE ACT 40TH ANNIVERSARY CELEBRATION AND COMMEMORATION COMMISSION EXTENSION

Sec. 1121. Short title.

This subtitle may be cited as the “Home Rule Act 40th Anniversary Celebration and Commemoration Commission Extension Emergency Amendment Act of 2014”.

Sec. 1122. Section 1089 of the Fiscal Year 2013 Budget Support Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-137.08), is amended by striking the phrase “October 1, 2014” and inserting the phrase “January 31, 2015” in its place.

Note,
§ 1-137.08

SUBTITLE N. PAY-FOR-SUCCESS CONTRACT AUTHORIZATION

Sec. 1131. Short title.

This subtitle may be cited as the “Pay-for-Success Contract Authorization Emergency Act of 2014”.

Sec. 1132. Definitions.

For the purposes of this subtitle, the term:

Note,
§ 2-211.01

(1) “Pay-for-success contract” means a contract between the District and a social service intermediary that establishes outcome-based performance standards for social programs performed by nonprofit service providers and initially funded by private investors through a social impact funding instrument and provides a mechanism by which investors shall receive a return of their investment and earnings thereon only if outcome-based performance standards are met by the social service intermediary.

(2) “Social service intermediary” means an organization that is organized and operated pursuant to section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), or an affiliated legal entity thereof that is so organized and operated and that is capable of entering into a pay-for-success contract with the District that sets forth outcome-based performance standards, contracting with service providers to deliver social services, raising capital to finance the delivery of social services via a social

impact funding instrument, and administering the social impact funding instrument by providing ongoing investor relations and project management.

(3) “Social impact funding instrument” means an investment product established by a social service intermediary to raise private investment capital for social programs.

Sec. 1133. Authorization of pay-for-success contracts.

Note,
§ 2-211.02

Notwithstanding any other law, the Mayor may enter into pay-for-success contracts. Each contract shall include:

- (1) A requirement that payment from the District be conditioned on the achievement of specific outcomes based on defined performance targets;
- (2) An objective process by which an independent evaluator will determine whether the performance targets have been achieved;
- (3) A detailed scope of the social service intermediary’s service under the contract;
- (4) A calculation of the amount and timing of payments to the social service intermediary during each year of the contract if performance targets are achieved as determined by the independent evaluator;
- (5) A requirement that the social service intermediary create a social impact funding instrument to obtain the funds required for the social program;
- (6) A sinking fund requirement under which the Mayor shall request a multiyear appropriation for every fiscal year that the contract is in effect, in an amount equal to the expected payments that the District would ultimately be obligated to pay in the future based upon service provided, if performance targets were achieved pursuant to the terms of the contract;
- (7) A process for the District to review payments made by the social service intermediary through reporting requirements pursuant to the contract; and
- (8) A determination by the Mayor that the contract will result in significant performance improvements and budgetary savings to the District across all impacted areas if the performance targets are achieved.

Sec. 1134. Pay-for-Success Contract Fund.

Note,
§ 2-211.03

(a) There is established as a special fund the Pay-for-Success Contract Fund (“Fund”) which shall be administered by the Mayor or his or her designee in accordance with subsection (c) of this section.

(b) Each fiscal year there shall be deposited into the Fund the amount of the annual appropriation estimated to be paid in the next fiscal year for any pay-for-success contract.

(c) The Fund shall be used to fund payments to be made pursuant to pay-for-success contracts. The Chief Financial Officer shall create separate accounts within the Fund for each pay-for-success contract entered into by the District.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

SUBTITLE O. FINANCIAL REPORTING

Sec. 1141. Short title.

This subtitle may be cited as the “Financial Reporting Emergency Act of 2014”.

Sec. 1142. (a) No later than December 1, 2014, and on a quarterly basis thereafter, until the approval of the Fiscal Year 2016 budget and financial plan, the Chief Financial Officer shall provide a report to the Council on the following subjects:

Note,
§ 1-301.155

(1) Progress toward ensuring that the Fiscal Year 2016 budget will be balanced, including:

- (A) Savings achieved to date;
- (B) Additional revenue certified through revised revenue estimates; and
- (C) Additional revenue that may be certified through revenue

enhancements;

(2) An analysis of procurement reform efforts in Fiscal Year 2014, including:

- (A) Contracts reviewed for potential cost savings; and
- (B) Savings secured through the renegotiation of existing contracts; and
- (C) A report from the Office of Contracting and Procurement to the Chief

Financial Officer regarding subparagraphs (A) and (B) of this paragraph.

(3) An analysis of personnel review efforts, including:

- (A) Positions left vacant or eliminated as a result of cost-savings

initiatives; and

- (B) Savings secured through personnel savings; and

(4) Any other operating budget savings achieved or targeted in Fiscal Year 2014.

(b) Agencies shall report on their progress toward limiting personal and nonpersonal expenditures whether one-time or recurring.

Sec. 1143. Applicability.

This subtitle shall apply as of the effective date of this act.

Note,
§ 1-301.155

SUBTITLE P. BEGA ESTABLISHMENT AND COMPREHENSIVE ETHICS REFORM AMENDMENT

Sec. 1151. Short title.

This subtitle may be cited as the “Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Emergency Amendment Act of 2014”.

Sec. 1152. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) Section 224(a) (D.C. Official Code § 1-1162.24(a)) is amended as follows:

Note,
§ 1-1162.24

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

(A) The lead-in language is amended by striking the phrase “Advisory Neighborhood Commissioners and members of the Washington Metropolitan Area Transit Authority Board of Directors appointed pursuant to section 1 of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01)” and inserting the phrase “Advisory Neighborhood Commissioners, members of the Washington Metropolitan Area Transit Authority Board of Directors appointed pursuant to section 1 of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), and candidates for nomination for election, or election, to public office, who are not otherwise required to file pursuant to this paragraph” in its place.

(B) Subparagraph (G)(iv) is amended by striking the phrase “been offered or”.

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

“(3)(A) An Advisory Neighborhood Commissioner who is not otherwise required to file a report pursuant to paragraph (1) of this subsection shall file the certification required by paragraph (1)(G) of this subsection for the preceding year.

“(B) Effective January 1, 2015, a candidate for nomination for election, or election, to public office who is not otherwise required to file a report pursuant to paragraph (1) of this subsection shall file the certification required by paragraph (1)(G) of this subsection for the preceding year.

“(C) A candidate for nomination for election, or election, to public office who, as of May 15, 2014, had not filed a report for calendar year 2013 required by this section and who was not otherwise required to file a report pursuant to paragraph (1) of this subsection shall not be required to do so.”

(b) Section 225(a) (D.C. Official Code § 1-1162.25(a)) is amended by striking the phrase “Advisory Neighborhood Commissioners and members of the Washington Metropolitan Area Transit Authority Board of Directors” and inserting the phrase “members of the Washington Metropolitan Area Transit Authority Board of Directors” in its place.

Note,
§ 1-1162.25

SUBTITLE Q. ATTORNEY GENERAL ELECTION

Sec. 1161. Short title.

This subtitle may be cited as the "Attorney General 2014 Special Election Authorization Clarification Emergency Amendment Act of 2014".

Sec. 1162. Section 8 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 701; D.C. Official Code § 1-1001.08), is amended by adding a new subsection (j-1) to read as follows:

Note,
§ 1-1001.08

“(j-1) Notwithstanding any other provision of law, and pursuant to the June 4, 2014 Order of the District of Columbia Court of Appeals in *Zukerberg v. D.C. Board of Elections and Ethics, et al.*, No. 14-CV-222, the Board shall conduct the 2014 election of the Attorney General

consistent with the procedural requirements for a special election under this act, and shall have the election of the Attorney General coincide with the November 4, 2014, general election.”.

Sec. 1163. Section 102(a) of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.82(a)), is amended by striking the phrase “which time shall not be before January 1, 2018,”.

Note,
§ 1-301.82

Sec. 1164. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE R. COMMISSION ON THE ARTS AND HUMANITIES AGENCY STRUCTURE

Sec. 1171. Short title.

This subtitle may be cited as the “Commission on the Arts and Humanities Structure Emergency Amendment Act of 2014”.

Sec. 1172. Commission on the Arts and Humanities Term Limit Amendment.

Section 4(b) of the Commission on Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-203(b)), is amended by striking the phrase “but may not serve more than 2 consecutive terms.”.

Note,
§ 39-203

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. MANUFACTURER TASTING PERMIT

Sec. 2001. Short title.

This subtitle may be cited as the “Manufacturer Tasting Permit Emergency Amendment Act of 2014”.

Sec. 2002. Title 25 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:

“§ 25-126. On-site sales consumption permit.”.

Note,
§ 25-110

(b) Section 25-110(a)(2)(B) is amended by striking the phrase “The licensee may sell beer to the consumer only in barrels, kegs, and sealed bottles,” and inserting the phrase “Except as provided in § 25-126, the licensee may sell beer to the consumer only in barrels, cans, kegs, and sealed bottles,” in its place.

(c) A new section 25-126 is added to read as follows:

“§ 25-126. On-site sales consumption permit.

Note, New
§ 25-126

“(a) The holder of a manufacturer’s license, class B, may apply for an on-site sales and consumption permit in order to use a portion of the licensed premises for the on-premises sale, service, and consumption of beer brewed by the brewery and purchased by the customer.

“(b) The holder of an on-site sales and consumption permit shall only sell, serve, and permit the consumption of beer brewed by the brewery and purchased by the customer between the hours of 1 p.m. and 9 p.m., 7 days a week.

“(c) The on-premises sales and consumption permit shall not obviate the requirement of the holder of a manufacturer’s license, class B, to obtain a tasting permit pursuant to § 25-118, to be authorized to provide samples of beer to a customer at no cost.

“(d) A violation of this section shall constitute a primary tier violation.”.

(d) Section 25-508 is amended by adding a phrase at the end to read as follows:

“On-site sales and consumption permit \$1,000/year.”.

Note,
§ 25-508

Sec. 2003. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE B. CONSUMER PROCEDURES AND PROTECTIONS ENFORCEMENT

Sec. 2011. Short title.

This subtitle may be cited as the "Consumer Procedures and Protections Enforcement Emergency Amendment Act of 2014".

Sec. 2012. Chapter 39 of Title 28 of the District of Columbia Official Code is amended as follows:

(a) Section 28-3903(a) is amended as follows:

Note,
§ 28-3903

(1) Paragraph (14) is amended by striking the word “and” at the end.

(2) Paragraph (16) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (17) is added to read as follows:

“(17) impose civil fines, pursuant to § 28-3905, as alternative sanctions for any violation of the provisions of this chapter or of any rules issued under the authority of this chapter. Any violation of this chapter, or of any rule issued under the authority of this chapter, shall be a Class 2 infraction pursuant to 16 DCMR § 3200.1(b), unless the violation is classified otherwise pursuant to rules issued by the Department.”.

(b) Section 28-3904(m) is amended to read as follows:

Note,
§ 28-3904

“(m) harass or threaten a consumer with any act other than legal process, either by telephone, cards, letters, or any form of electronic or social media;”.

(c) Section 28-3905(i)(3)(A) is amended to read as follows:

Note,
§ 28-3905

“(3)(A) Any person found to have executed a trade practice in violation of a law of the District within the jurisdiction of the Department may be liable for a civil penalty not

exceeding \$1,000 for each failure to adhere to a provision of an order described in subsection (f), (g), or (j) of this section, or a consent decree described in subsection (h) of this section."

SUBTITLE C. SOLAR PERMITTING FEES

Sec. 2021. Short title.

This subtitle may be cited as the "Solar Permitting Fees Emergency Amendment Act of 2014".

Sec. 2022. Chapter 101.1(a) of Title 12-K of the District of Columbia Municipal Regulations (12-K DCMR § 101.1(a)) is amended by inserting a phrase between the fees for "sign" and "swimming pool" to read as follows:

DCMR

"Solar Photovoltaic	Less than 15 kilowatts	\$250 Residential; \$300 Commercial
"15 - 99 kilowatts	\$300 for first 15 kilowatts and \$11.25 per additional kilowatt	
"100 - 199 kilowatts	\$1,250 for the first 100 kilowatts and \$2.5 per additional kilowatt	
"200 kilowatts or more	\$1,250 for the first 200 kilowatts and \$1 per additional kilowatt	

"Solar Thermal	Fewer than 10 panels	\$250 Residential; \$300 Commercial
"10 - 24 panels	\$300 for first 10 panels and	\$25 per additional panel
"25 - 49 panels	\$650 for the first 25 panels and	\$15 per additional panel
"50 panels or more	\$1,010 for the first 50 panels	\$10 per additional panel."

SUBTITLE D. PUBLIC UTILITIES REIMBURSEMENT FEE AMENDMENT

Sec. 2031. Short title.

This subtitle may be cited as the "Public Utilities Reimbursement Fee Emergency Amendment Act of 2014".

Sec. 2032. Paragraph 42(b)(1), (2), and (3) of section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code §§ 34-912(b)(1), (2), and (3)), is amended to read as follows:

**Note,
§ 34-912**

"(b)(1) All amounts appropriated for the Public Service Commission and the Office of the People's Counsel for each fiscal year shall be repaid during such fiscal year by the public utilities, natural gas suppliers, electricity suppliers, and telecommunications service providers as a reimbursement fee.

"(2) The Public Service Commission shall annually determine the amount of the reimbursement fee to be paid by each natural gas supplier, electricity supplier, and telecommunications service provider authorized to provide service in the District, excluding the local exchange carrier, and the formula by which the amount shall be determined.

"(3)(A) The amount of the reimbursement fee to be paid by each public utility other than those subject to paragraph (2) of this subsection shall be equal to the amounts appropriated, less the amount to be reimbursed by the providers subject to paragraph (2) of this subsection, multiplied by the fraction, as determined by the Mayor, represented by the gross revenues of the public utility derived from utility operations in the District of Columbia that are regulated by the Public Service Commission during the immediately preceding fiscal year (or other 12-month period as the Mayor may designate), divided by the gross revenues of all public utilities from utility operations in the District of Columbia during such period. The fee shall be paid by the public utilities during such fiscal year to the Treasurer of the District of Columbia, at such time or times and in such manner as the Mayor by regulation may require.

"(B) If the total amount paid or obligated by the Public Service Commission and the People's Counsel during such fiscal year pursuant to appropriations for such fiscal year is less than the amounts appropriated by more than 5%, the Mayor shall refund to or credit each public utility, natural gas supplier, electricity supplier, and telecommunications service provider subject to subparagraph (A) of this paragraph and paragraph (2) of this subsection a portion of the difference, rounded to the nearest dollar, as equals the difference multiplied by the fraction, representing the gross revenues of the public utility, natural gas supplier, electricity supplier, or telecommunications service provider, divided by the gross revenues of all public utilities, natural gas suppliers, electricity suppliers, and telecommunications service providers.

"(C) Subparagraph (B) of this paragraph shall apply as of Fiscal Year 2012."

SUBTITLE E. DC FILM INCENTIVE FUND

Sec. 2041. Short title.

This subtitle may be cited as the "DC Film Incentive Fund Emergency Amendment Act of 2014".

Sec. 2042. Section 2 of the Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501), is amended as follows:

(a) The section heading is amended to read as follows:

"Sec. 2. DC Film Incentive Fund."

(b) Subsection (a) is amended to read as follows:

"(a)(1) There is established as a special fund the DC Film Incentive Fund ("Fund"). The Fund shall appear as a separate program line within the budget of the Office of Motion Picture and Television Development. The Fund shall be funded by annual appropriations.

Note,
§ 39-501

“(2)(A) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

SUBTITLE F. FREE TRANSPORTATION FOR SUMMER YOUTH

Sec. 2051. Short title.

This subtitle may be cited as the "Free Transportation for Summer Youth Emergency Amendment Act of 2014".

Sec. 2052. Section 2 of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended by adding a new subsection (g) to read as follows:

Note,
§ 35-233

“(g)(1) Participants in the Summer Youth Employment Program (“SYEP”) administered by the Department of Employment Services pursuant to section 2 of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241), shall be eligible for a summer youth transit subsidy program (“Program”) as established by the Mayor.

“(2) The Program shall allow qualified SYEP participants to travel on Metrobus, Metrorail, and public transportation services offered by the District at subsidized or reduced fares.

“(3) The subsidized or reduced fares established pursuant to this subsection shall be valid only for the transportation of SYEP participants to and from their internships and related activities for the first 3 weeks of the summer 2015 SYEP.”.

SUBTITLE G. FOOD STAMP EXPANSION

Sec. 2061. Short title.

This subtitle may be cited as the "Food Stamp Expansion Emergency Amendment Act of 2014".

Sec. 2062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code §§ 4-261.01 *et seq.*), is amended by adding a new section 5084 to read as follows:

Note, New
§ 4-261.04

"Sec. 5084. Locally funded minimum benefit.

"Beginning on or after January 1, 2015, but beginning no later than October 1, 2015, a family participating in the food stamp program whose federally funded household benefit is less than \$30 per month shall receive locally funded benefits to bring the household's total benefit to \$30 per month.".

SUBTITLE H. CABLE TELEVISION O-TYPE TRANSFER

Sec. 2071. Short title.

This subtitle may be cited as the "Cable Television O-Type Transfer Emergency Amendment Act of 2014".

Sec. 2072. Notwithstanding any other provision of law, for Fiscal Year 2015, the Chief Financial Officer shall transfer to the unrestricted fund balance of the General Fund of the District of Columbia and recognize as local funds \$1,800,000 of Fiscal Year 2014 Cable Television Franchise Fee revenues.

Not Codified

Sec. 2073. Applicability.

This subtitle shall apply as of September 30, 2014.

SUBTITLE I. HOME PURCHASE ASSISTANCE PROGRAM

Sec. 2081. Short title.

This subtitle may be cited as the "Home Purchase Assistance Program Emergency Amendment Act of 2014".

Sec. 2082. Section 14-2503.1(b) of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2503.1(b)) is amended to read as follows:

DCMR

"(b) Downpayment Assistance for eligible very low, low, and moderate income applicants shall be in an amount equal to the Desired Purchasing Power less the Standard Mortgage Qualification Level for each eligible applicant, subject to the Per-Client Downpayment Assistance Cap, and adjusted for household size. The maximum amount of Downpayment Assistance for the lowest income applicant shall be \$50,000 and shall be adjusted based on the applicant's income according to subparagraph (1) of this paragraph."

SUBTITLE J. RETAIL PRIORITY AREA

Sec. 2091. Short title.

This subtitle may be cited as the "Retail Priority Area Emergency Amendment Act of 2014".

Sec. 2092. Section 2(5) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171(5)), is amended by striking the phrase "beginning point" and inserting the phrase "beginning point, and, after October 1, 2014, the Bladensburg Road, N.E., Retail Priority Area, as defined in section 4(g) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73)," in its place.

**Note,
§ 1-325.171**

Not Codified

Sec. 2093. Section 2(4) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended to read as follows:

"(4) Ward 4 Georgia Avenue Priority Area, consisting of the parcels, squares, and lots within the area bounded by a line beginning at the intersection of Kenyon Street, N.W., and Sherman Avenue, N.W.; continuing north along Sherman Avenue, N.W., to New Hampshire Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W., to Spring Road, N.W.; then continuing northwest along the center line of Spring Road, N.W., to Kansas Avenue, N.W.; continuing northeast along Kansas Avenue, N.W., to Georgia Avenue; then continuing north along Georgia Avenue, N.W., to Allison Street N.W., then continuing west along Allison Street N.W., to 14th Street, N.W., then continuing north along 14th Street, N.W., to Longfellow Street, N.W., then continuing east along Longfellow Street, N.W., to Georgia Avenue, N.W., then continuing north along Georgia Avenue, N.W., to Eastern Avenue, N.W., then continuing southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest along Kansas Avenue, N.E., to Blair Road, N.W., then continuing south along Blair Road, N.W., to North Capitol Street, N.E., then continuing south along North Capitol Street, N.E., to Kennedy Street, N.W., then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W., then continuing southwest along Kansas Avenue, N.W., to Varnum Street, N.W.; then continuing east along Varnum Street, N.W., to 7th Street, N.W.; then continuing south along the center line of 7th Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then continuing further south along Warder Street, N.W., to the center line of Kenyon Avenue, N.W.; and then continuing west along Kenyon Avenue, N.W., to the beginning point;"

Sec. 2094. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

Note,
§ 2-1217.73

(a) Subsection (g) is amended to read as follows:

"(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E., to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.; thence south on 19th Street, N.E., to Benning Road, N.E.; thence east on Benning Road, N.E. to Oklahoma Avenue, N.E.; thence southwest on Oklahoma Avenue, N.E. to Clagett Place, N.E.; thence northwest on Clagett Place, N.E. to 20th Street, N.E.; thence northwest along the rear boundaries of all properties with frontage along the southwest side of Benning Road, N.E. to 19th Street, N.E.; thence south on 19th Street, N.E. to Gales Street, N.E.; thence northwest on Gales Street, N.E. to 15th Street, N.E.; thence west on G Street, N.E. to 14th Street, N.E.; thence north on 14th Street, N.E. to Florida Avenue, N.E.; thence west on Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the point of beginning."

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

“(k) There is established the New York Avenue, N.E., Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of New York Avenue, N.E., and Florida Avenue, N.E.; thence southeast on Florida Avenue, N.E., to West Virginia Avenue, N.E.; thence northeast on West Virginia Avenue, N.E. to 17th Street, N.E.; thence southeast on 17th Street, N.E.; thence continuing northeast on 17th Street, N.E. to Montana Avenue, N.E., thence southeast on Montana Avenue, N.E. to Bladensburg Road, N.E.; thence northeast on Bladensburg Road, N.E. to New York Avenue, N.E.; thence east on New York Avenue, N.E.; thence continuing northeast on New York Avenue, N.E.; thence continuing southeast on New York Avenue, N.E. to Fort Lincoln Drive, N.E.; thence north on Fort Lincoln Drive, N.E.; thence continuing northwest on Fort Lincoln Drive, N.E.; thence continuing southwest on Fort Lincoln Drive, N.E. to 33rd Place, N.E.; thence continuing southwest on 33rd Place, N.E. to South Dakota Avenue, N.E.; thence northwest on South Dakota Avenue, N.E. to Channing Place, N.E.; thence west on Channing Place, N.E. to Bladensburg Road, N.E.; thence southwest on Bladensburg Road, N.E. to Queens Chapel Road, N.E.; thence northwest on Queens Chapel Road to Channing Street, N.E.; thence west on Channing Street, N.E. to 21st Place, N.E., thence south on 21st Place, N.E. to Bryant Street, N.E., thence west on Bryant Street, N.E. to Lawrence Street, N.E., then southwest on Lawrence Street, N.E. to Edwin Street, N.E., thence northwest on Edwin Street, N.E.; thence continuing southwest on Edwin Street, N.E. to Montana Avenue, N.E., thence continuing northwest on Montana Avenue, N.E. to W Street, N.E., thence southwest on W Street, N.E., thence west along a line extending W Street, N.E., west to the continuation of W Street, N.E., and continuing west along W Street, N.E., to Brentwood Road, N.E.; thence southwest along Brentwood Road, N.E., to its end at T Street, N.E.; thence southwest to the intersection of a line extending Fourth Street, N.E., south and a line extending R Street, N.E., east; thence west on R Street, N.E. to Eckington Place, N.E., thence southwest on Eckington Place, N.E., to Florida Avenue, N.E., thence southeast on Florida Avenue, N.E. and continuing southeast until the point of beginning.”.

(c) A new subsection (l) is added to read as follows:

“There is established the Good Hope Road, S.E. Retail Priority Area, which shall consist of the parcels, squares, and lots within the following area: Beginning at the intersection of Anacostia Drive and Good Hope Road S.E.; thence southeast on Good Hope Road to Naylor Road S.E.”.

SUBTITLE K. RESIDENTIAL ESSENTIAL SERVICE SUBSIDY STABILIZATION

Sec. 2101. Short title.

This subtitle may be cited as the "Residential Essential Service Subsidy Stabilization Emergency Amendment Act of 2014".

Sec. 2102. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code §§ 8-1773.01 *et seq.*), is amended as follows:

(a) Section 101(6) (D.C. Official Code § 8-1773.01(6)) is amended to read as follows:

Note,
§ 8-1773.01

"(6) "Existing low-income program" means the program operated under the name "LIHEAP Expansion and Energy Education"."

(b) Section 211 (D.C. Official Code § 8-1774.11) is amended as follows:

Note,
§ 8-1774.11

(1) Subsection (b)(1) is amended by striking the number ".006" and inserting the number ".0051" in its place.

(2) Subsection (c) is amended by striking the phrase "programs in the amount of \$2.409 million in fiscal year 2011, and \$2.6 million annually thereafter" and inserting the phrase "program in the amount of \$2.33 million annually, and the Mayor shall have the fund audited every 2 years to ensure that the assessment imposed pursuant to subsection (b)(1) of this section is appropriately set to fund the low-income program funded by the EATF."

(c) A new section 215 is added to read as follows:

Note, New
§ 8-1774.15

"Sec. 215. Discount program for low-income gas customers.

"The Commission shall establish, by order, a discount program for low-income gas customers in the District. The Commission shall establish the eligibility, funding, and administrative guidelines for the program; provided, that the program shall not be funded from existing District funds, District revenue sources, or District assessments."

SUBTITLE L. RENEWABLE ENERGY PORTFOLIO STANDARD

Sec. 2111. Short title.

This subtitle may be cited as the "Renewable Energy Portfolio Standard Emergency Amendment Act of 2014".

Sec. 2112. Section 11(b) of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1439(b)), is amended by striking the phrase "April 1" and inserting the phrase "May 1" in its place.

Note,
§ 34-1439

SUBTITLE M. ADULT LITERACY TASK FORCE

Sec. 2121. Short title.

This subtitle may be cited as the "Adult Literacy Task Force Emergency Act of 2014".

Sec. 2122. Establishment of Adult Career Pathways Task Force.

Note,
§ 32-1661

(a) For the purposes of this act, the term:

(1) "Basic skills program" means a secondary, post-secondary, or alternative education or training program that helps individuals enhance the reading, writing, math, English language, digital literacy, or problem-solving skills that adults need to succeed in a job, occupational training, or postsecondary education.

(2) "Career pathways" means an approach to connecting progressive levels of basic skills and postsecondary education, training, and supportive services in specific sectors or cross-sector occupations in a way that optimizes the progress and success of individuals (including those with limited education, English skills, or work experience) in securing

marketable credentials, family-supporting employment, and further education and employment opportunities.

(3) “High-demand occupations or sectors” means occupations or sectors consistent with the Workforce Investment Council’s current Workforce Investment Act of 1998 Demand Occupation List.

(4) “Task Force” means the Adult Career Pathways Task Force established in subsection (b) of this section.

(b) Beginning October 1, 2014, the Mayor shall establish an Adult Career Pathways Task Force (“Task Force”) that shall have as its purpose development of a city-wide strategic plan for connecting adult basic skills programs administered in the District to career pathways.

(c) The Task Force shall be convened by the Workforce Investment Council, and shall consist of the following 13 members:

- (1) The Chairman of the Council, or his or her designee;
- (2) The Chair of the Workforce Investment Council, or his or her designee;
- (3) The Deputy Mayor for Education, or his or her designee;
- (4) The State Superintendent of Education, or his or her designee;
- (5) The Chancellor of the District of Columbia Public Schools, or his or her designee;
- (6) The Chair of the Public Charter School Board, or his or her designee;
- (7) The Director of the Department of Employment Services, or his or her designee;
- (8) The Director of the Department of Human Services, or his or her designee;
- (9) The Executive Director of the D.C. Public Library, or his or her designee;
- (10) A representative of the University of the District of Columbia Community College, appointed by the President of the University of the District of Columbia; and
- (11) Three community representatives, appointed by the Mayor, as follows:
 - (A) A representative of a District organization engaged in the direct provision of a basic skills program;
 - (B) A representative of a District school engaged in the direct provision of a basic skills program; and
 - (C) A representative of a District job training provider.

(d) No later than June 1, 2015, the Task Force shall submit to the Council and the Mayor the city-wide strategic plan required under this section. In developing the strategic plan, the Task Force shall:

- (1) Review best practices for improving literacy, numeracy, and technology skills for adults;
- (2) Review and analyze adult basic skills programs currently administered by the Office of the State Superintendent of Education, the District of Columbia Public Schools, the District of Columbia Public Charter Schools, the University of the District of Columbia Community College, the District of Columbia Public Library, and other agencies identified by the Task Force, with focus provided to the missions and goals of the various programs, the types

of credentials offered, the degree of funding levels, the age and educational functioning level of students at time of program entry and the rates of gains upon completion, and the degree to which the program partners with job training providers, postsecondary education programs, or employers;

(3) Consult with stakeholders, including the following:

(A) Organizations with research or policy expertise in adult basic skills programs and career pathways;

(B) Organizations focused on adult education and workforce development research or service provision;

(C) Representatives of the District’s business community in high-demand occupations or sectors that the Task Force has identified for potential career pathways; and

(D) Representatives from the philanthropic community;

(4) Perform an analysis of evidence-based approaches for helping adult learners with different needs and skill levels advance in career pathways, with special attention paid to practices for adult learners with basic skills below the 6th grade level;

(5) Develop a city-wide mission statement for ensuring that adult learners have access to career pathways by 2020 and annual benchmarks for measuring progress toward that goal;

(4) Analyze the high-demand occupations or sectors in which career pathways can be developed;

(5) Develop responsibilities among the Task Force agencies for meeting the city-wide goals, including recommendations to better align policies and practices around support services;

(6) Develop common performance definitions and measures that adult basic skills programs will use to track progress, including educational gains, GED or secondary school diploma attainment, employment placement and retention, entrance into postsecondary education or training, and other credential completion; and

(7) Analyze existing professional development opportunities for adult educators and develop a strategy for addressing any identified gaps.

(e) Following the completion of the city-wide strategic plan, the Workforce Investment Council shall convene the Task Force on a quarterly basis to track implementation of the strategy.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. MPD ESCORT AND REIMBURSEMENT

Sec. 3001. Short title.

This subtitle may be cited as the “Police Escort Reimbursement Emergency Amendment Act of 2014”.

Sec. 3002. Reimbursable police escorts and other law enforcement services.

(a) The Chief of Police may charge and collect reimbursement fees, as set forth in the fee schedule established pursuant to subsection (b) of this section, for providing police escorts that are necessary to protect public health and safety. All reimbursement fees collected under this subsection shall be deposited into the fund established by D.C. Official Code § 47-2826(d).

(b) The Chief of Police, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules setting forth a reimbursement fee schedule.

(c) For the purposes of this subtitle, the term “police escort” shall include the assignment of law enforcement personnel and vehicles as necessary to ensure the preservation of public safety, typically either at a specified location or from a point of origin to a specified destination, in a manner consistent with the nature of the persons, material, and the threat posed by the movement or event.

Sec. 3003. Section 47-2826 of the District of Columbia Official Code is amended as follows:

Note,
§ 47-2826

(a) Subsection (b) is amended to read as follows:

"(b) The Mayor may adjust the license fee set in subsection (a) of this section to cover the costs to the District of providing police, fire, and other public services that are necessary to protect public health and safety."

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

"(d)(1) There is established as a special fund the MPD Overtime Reimbursement Fund ("Fund"), which shall be administered by the Metropolitan Police Department ("MPD") in accordance with paragraph (3) of this subsection.

"(2) Except as provided in section 3052 of the FEMS Special Events Fee Fund Establishment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.81), revenue from the following sources shall be deposited in the Fund:

"(A) Fees paid pursuant to this section related to police services; and

"(B) Fees paid pursuant to section 3002 of the Fiscal Year 2015 Budget Support Emergency Act of 2014, passed on emergency basis on June 24, 2014 (Enrolled version of Bill 20-849).

"(3) Money in the Fund shall be used for the purpose of reimbursing MPD for the cost of overtime needed to:

"(A) Staff special events such as parades, carnivals, and movie productions; and

"(B) Provide security details to establishments, such as bars, nightclubs, and sports teams, that pay for extra police coverage."

Sec. 3004. Conforming amendment.

Note,
§ 1-325.81

Section 3052(a) of the FEMS Special Events Fee Fund Establishment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.81(a)), is amended

by striking the phrase “all fees assessed and collected” and inserting the phrase “all fees assessed and collected relating to FEMS service delivery” in its place.

Sec. 3005. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE B. STATE SAFETY OVERSIGHT AGENCY ESTABLISHMENT

Sec. 3011. Short title.

This subtitle may be cited as the “State Safety Oversight Agency Establishment Emergency Amendment Act of 2014”.

Sec. 3012. Section 1a of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401.01), is amended to read as follows:

**Note,
§ 5-401.01**

“Sec. 1a. State safety oversight agency for DC Streetcar.

“(a) For the purposes of this section, the term “DC Streetcar” means the rail-fixed guideway public transportation system operated by the District Department of Transportation pursuant to section 2 of the Department of Transportation Establishment Act of 2002, effective March 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01), or any future rail-fixed guideway public transportation system operated by the District, whichever exists.

“(b) The Fire and Emergency Medical Services Department is designated as the state safety oversight agency, as required by 49 U.S.C. § 53 *et seq.* and implementing regulations, as they may be amended from time to time (hereinafter referred to as “applicable federal law”).

“(c) There is established, within the Fire and Emergency Medical Services Department, a state safety office. The state safety office shall be headed by a Program Manager. The Program Manager shall not be supervised by, or under the direction or control of, any District officer or employee, anyone acting on their behalf, responsible for any aspect of the operation of the DC Streetcar.

“(d) The Program Manager of the state safety office, or his or her designee, shall, in accordance with applicable federal or District law:

“(1) Oversee the operations of the DC Streetcar insofar as those operations affect, or could affect, the safe operation of the DC Streetcar;

“(2) Conduct, or cause to be conducted, investigations, independently or in cooperation with federal or District offices or agencies, into the operations of the DC Streetcar, including any accident or incident involving the operations or assets of the DC Streetcar, insofar as those operations affect, or could affect, the safe operation of the DC Streetcar;

“(3) Audit the DC Streetcar system for compliance with safety-related plans, or for any other purpose the Program Manager concludes would promote the safe operation of the DC Streetcar;

“(4) Issue reports and findings regarding all aspects of the safety and security of the DC Streetcar, including operations and accidents, when:

"(A) The issuance of reports and findings is required by federal or District law; or

"(B) The Program Manager determines that such action would promote the safe operation of the DC Streetcar;

"(5) Require the DC Streetcar to develop and submit safety-related plans to the Program Manager for review. After review, the Program Manager shall approve or disapprove the safety-related plans as appropriate;

"(6) Enforce statutes, regulations, and executive orders related to the safe operation of the DC Streetcar. If the Program Manager concludes that enforcement is required in order to protect or promote public safety, the Program Manager may:

"(A) Order the partial or complete cessation of an activity undertaken by the District government, or any entity acting on the District government's behalf, in connection with the operation of the DC Streetcar; and

"(B) Take any other enforcement actions that are consistent with federal or District requirements related to the safe operation of the DC Streetcar.

"(7) Conduct any other activity and take any other action necessary to implement federal or District laws or regulations related to the functions and responsibilities of a state safety oversight agency;

"(8) Execute and file an application on behalf of the District with the Federal Transit Administration ("FTA") for federal assistance authorized by 49 U.S.C. §53 *et seq.*, Title 23 of the United States Code, or other federal statutes authorizing a project administered by the FTA;

"(9) Execute and file with its application for federal assistance submitted under paragraph (8) of this subsection the annual certifications, assurances, and other documents required by the FTA to award a federal assistance grant or cooperative agreement; and

"(10) Execute grant and cooperative agreements with the FTA on behalf of the District.

"(b) Pursuant to Title I of the District of Columbia Administrative Procedure Act approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), the Program Manager may issue rules to implement the provisions of this section."

Sec. 3013. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE C. MICROSTAMPING IMPLEMENTATION

Sec. 3021. Short title.

This subtitle may be cited as the "Microstamping Implementation Emergency Amendment Act of 2014".

Sec. 3022. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the phrase "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place.

Note,
§ 7-2504.08

(b) Section 503 (D.C. Official Code § 7-2505.03) is amended by striking the phrase "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place.

Note,
§ 7-2505.03

SUBTITLE D. ACCESS TO JUSTICE

Sec. 3031. Short title.

This subtitle may be cited as the "Access to Justice Initiative Administrative Costs Emergency Amendment Act of 2014".

Sec. 3032. The Access to Justice Initiative Establishment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Official Code § 4-1702.01) is amended as follows:

Note,
§ 4-1702.01

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

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

"(b) The provisions of this act shall be exempt from the requirements of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*)".

(b) Section 301(b) (D.C. Official Code § 4-1703.01(b)) is amended as follows:

Note,
§ 4-1703.01

(1) Designate the existing text as paragraph (1).

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

"(2) Any training or evaluation deemed necessary by the Bar Foundation for purposes of the Initiative shall be permitted as a non-administrative expense, with reasonable expenses for these purposes not restricted to the percentage set aside for administrative expenses under paragraph (1) of this subsection."

(c) Section 401 (D.C. Official Code § 4-1704.01) is amended as follows:

Note,
§ 4-1704.01

(1) Subsection (b) is amended by adding a new paragraph (3) to read as follows:

"(3) Any training or evaluation deemed necessary by the Bar Foundation for purposes of the Initiative shall be permitted as a non-administrative expense, with reasonable expenses for these purposes not restricted to the percentage set aside for administrative expenses under subsection (c) of this section."

(2) Subsection (c) is amended as follows:

(A) Paragraph (3) is amended by striking the phrase "The Administer may use" and inserting the phrase "Except as provided in paragraphs (3) and (4) of this subsection, the Administrator may use" in its place.

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

"(4) If the Deputy Mayor has designated the Bar Foundation as Administrator, the Bar Foundation may, in lieu of using a percentage of LRAP grant funding under paragraph (3) of

this subsection, use a portion of funds authorized under section 301(b) of this section for reasonable administrative expenses associated with administering the LRAP.”.

SUBTITLE E. DEPUTY CHIEF MEDICAL EXAMINER

Sec. 3041. Short title.

This subtitle may be cited as the “Deputy Chief Medical Examiner Emergency Amendment Act of 2014”.

Sec. 3042. Section 2903(b) of the Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1402(b)), is amended by striking the phrase “Deputy CME” and inserting the phrase “Deputy CME, to be paid at an annual rate of \$206,000,” in its place.

Note,
§ 5-1402

Sec. 3043. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE F. FEMS OVERTIME LIMITATION

Sec. 3051. Short title.

This subtitle may be cited as the “Fire and Emergency Medical Services Overtime Limitation Emergency Amendment Act of 2014”.

Sec. 3052. Section 1103(f) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1 611.03(f)), is amended as follows:

Note,
§ 1-611.03

(a) Paragraph (2)(B) is amended by striking the phrase “2011, 2012, 2013, and 2014” and inserting the phrase “2011, 2012, 2013, 2014, and 2015” in its place.

(b) Paragraph (4)(A) is amended as follows:

(1) Strike the phrase “2011, 2012, 2013, and 2014” and insert the phrase “2011, 2012, 2013, 2014, and 2015” in its place.

(2) Strike the phrase “\$ 20,000” and insert the phrase “\$ 30,000” in its place.

Sec. 3053. Section 2 of An Act To amend the Act entitled "An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes", approved June 20, 1906, and for other purposes, approved June 19, 1948 (62 Stat. 498; D.C. Official Code § 5-405), is amended as follows:

Note,
§ 5-405

(a) Subsection (f) is amended to read as follows:

“(f)(1) Except as provided in paragraph (2) of this subsection and in subsection (h) of this section, for Fiscal Years 2011, 2012, 2013, and 2014, no member of the Fire and Emergency Medical Services Department, except for officers, shall work more than 204 hours in 2 consecutive pay periods.

“(2) Notwithstanding any other provision of law, beginning on July 1, 2014, no member of the Fire and Emergency Medical Services Department, except for officers, shall work more than 228 hours in 2 consecutive pay periods. This paragraph shall sunset on September 30, 2014.

“(3) For Fiscal Year 2015, no member of the Fire and Emergency Medical Services Department, except for officers, shall work more than 228 hours in 2 consecutive pay periods.”.

(b) Subsection (g) is amended by striking the phrase “2011, 2012, 2013, and 2014” and inserting the phrase “2011, 2012, 2013, 2014, and 2015” in its place.”.

Sec. 3054. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE G. MARIJUANA POSSESSION DECRIMINALIZATION EVIDENCE

Sec. 3061. Short title.

This subtitle may be cited as the “Marijuana Possession Decriminalization Evidence Emergency Amendment Act of 2014”.

Sec. 3062. Section 203(e) of the Marijuana Possession Decriminalization Amendment Act of 2014, enacted on March 31, 2014 (D.C. Act 20-305; 61 DCR 3482), is amended by striking the phrase “a statement from a law enforcement officer on the weight of the seized marijuana,”.

Note,
§ 48-1213

Sec. 3063. Applicability.

This subtitle shall apply as of the effective date of this act.

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS

Sec. 4001. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Emergency Amendment Act of 2014".

Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase "\$9,306 per student for fiscal year 2014" and inserting the phrase "\$9,492 per student for Fiscal Year 2015" in its place.

Note,
§ 38-2903

(b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following chart in its place:

Note,
§ 38-2904

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D.C. Act 20-377, effective July 14, 2014 (Expiration date October 12, 2014)

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Grade Level	Weighting	Per Pupil Allocation in FY 2015
Pre-Kindergarten 3	1.34	\$12,719
Pre-Kindergarten 4	1.30	\$12,340
Kindergarten	1.30	\$12,340
Grades 1-5	1.00	\$9,492
Grades 6-8	1.08	\$10,251
Grades 9-12	1.22	\$11,580
Alternative program	1.44	\$13,668
Special education school	1.17	\$11,106
Adult	0.89	\$8,448

(c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

"(c)(1) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

"Special Education Add-ons:

Note,
§ 38-2905

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,207
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services.	1.2	\$11,390
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$18,699
"Level 4: Special Education	More than 24 hours per week which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$33,127
"Blackman Jones Compliance	Weighting provided in addition to special education level add-on weightings on a per student basis for Blackman Jones compliance.	0.069	\$655
"Attorney's Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per student basis for	0.089	\$845

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	attorney's fees.		
"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	\$15,852

"General Education Add-ons:

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
ELL	Additional funding for English Language Learners	0.49	\$4,651
At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level	0.219	\$2,079

"Residential Add-ons:

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
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	0.368	\$3,493
Level 2: Special Education – Residential	Additional funding to support the after-hours level 2 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	1.337	\$12,691
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	2.891	\$27,438
Level 4: Special Education – Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English	2.874	\$27,280

	proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting		
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	\$6,341

" Special Education Add-ons for Students with Extended School Year ("ESY") Indicated in Their Individualized Education Programs ("IEPs"):

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
"Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$598
"Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,155
"Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.491	\$4,661
"Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.489	\$4,642

"(2) Pursuant to section 106a, allocations in addition to the grade level and supplemental allocations provided pursuant to sections 105 and 106 shall be provided in accordance with section 106a for students identified as at-risk."

(d) Section 106a(c) (D.C. Official Code § 38-2905.01(c)) is amended by striking the period at the end and inserting the phrase "; provided, that for students identified as both as at-

Note,
§ 38-2905.01

risk and as participating in an alternative program or as adult learners, only the alternative program weighting shall apply." in its place.

SUBTITLE B. ALTERNATIVE SCHOOLS

Sec. 4011. Short title.

This subtitle may be cited as the "Alternative Education Emergency Amendment Act of 2014".

Sec. 4012. Section 102(1B) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(1B)), is amended to read as follows:

Note,
§ 38-2901

"(1B) "Alternative program" means specialized instruction for students under court supervision or who have a history of being on short- or long-term suspension or who have been expelled from school, or who meet other criteria as defined by the State Education Office through rulemaking. To qualify as an alternative program, a school must meet the criteria and rules set by the State Education Office. An alternative program may describe an entire school or a specialized program within a school."

Sec. 4013. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE C. DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD FUNDING

Sec. 4021. Short title.

This subtitle may be cited as the "District of Columbia Public Charter School Board Funding Emergency Amendment Act of 2014".

Sec. 4022. Section 2211(b)(2) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.11(b)(2)), is amended by striking the phrase "one-half of one percent" and inserting the phrase "one %" in its place.

Note,
§ 38-1802.11

SUBTITLE D. PREFERENCES IN ADMISSION FOR PUBLIC CHARTER SCHOOL APPLICANTS.

Sec. 4031. Short title.

This subtitle may be cited as the "Preferences in Admission for Public Charter Schools Emergency Amendment Act of 2014".

Sec. 4032. Section 2206(c) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code, § 38-1802.06(c)), is amended to read as follows:

Note,
§ 38-1802.06

"(c) Random selection. - - If there are more applications to enroll in a public charter school from students who are residents of the District of Columbia than there are spaces available, students shall be admitted using a random selection process; except, that a preference in admission may be given to an applicant who is a:

"(1) Sibling of a student already attending or selected for admission to the public charter school in which the applicant is seeking enrollment;

"(2) Child of a member of the public charter school's founding board; provided, that enrollment of such children is limited to no more than 10% of the school's total enrollment or to 20 students, whichever is less; and

"(3) Child of a full-time employee of the public charter school who is a District resident; provided, that enrollment of such children is limited to no more than 10% of the school's total enrollment.".

SUBTITLE E. RESIDENCY EXEMPTION FOR WARDS OF THE STATE

Sec. 4041. Short title.

This subtitle may be cited as the "Educational Continuity Emergency Amendment Act of 2014".

Sec. 4042. Section 2 of the District of Columbia Nonresident Tuition Act, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302), is amended by adding a new subsection (e) to read as follows:

Note,
§ 38-302

"(e) Notwithstanding the provisions of subsection (a) of this section, a child in the care and custody of the District pursuant to D.C. Official Code § 16-2320(a)(3) who, while attending a DCPS or public charter school, ceases to be in that care and custody as a result of being placed in the permanent care and custody of a parent, guardian, or custodian who resides outside the District of Columbia shall be considered a resident of the District of Columbia for the purpose of school attendance and shall be exempt from the requirement to pay tuition for the period of time until the child completes the educational program offered at the school the child currently attends.".

Sec. 4043. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE F. ESTABLISHMENT OF THE COMMON LOTTERY BOARD

Sec. 4051. Short title.

This subtitle may be cited as the "Common Lottery Advisory Board Establishment Emergency Amendment Act of 2014".

COUNCIL OF THE DISTRICT OF COLUMBIA
D.C. Act 20-377, effective July 14, 2014 (Expiration date October 12, 2014)

20 DCSTAT 3737

Sec. 4052. The Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191 *et seq.*), is amended as follows:

(a) Section 202(b) (D.C. Official Code § 38-191(b)) is amended as follows:

Note,
§ 38-191

(1) Paragraph (7) is amended by striking the word "and" at the end.

(2) Paragraph (8) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (9) is added to read as follows:

"(9) Provide administrative and technical support for the Common Lottery Board."

(b) New sections 205 and 206 are added to read as follows:

Note, New
§ 38-194

"Sec. 205. Common Lottery Board.

"(a)(1) There is established a Common Lottery Board ("CLB") within the Department of Education. The purpose of the CLB shall be to develop and maintain a common lottery system for admission to public schools in the District of Columbia and shall:

"(A) Adopt policies and procedures to govern the common lottery system, to be implemented by the Department of Education;

"(B) Develop a 5-year strategic plan for the continuous improvement of the common lottery system;

"(C) Develop an annual budget for the common lottery system;

"(D) Promote participation of local educational agencies in the common lottery system;

"(E) Identify critical entities with which to partner that will enable the CLB to further develop the common lottery system; and

"(F) Solicit input from a Parent Advisory Council as established by the CLB;

"(2) The CLB shall be funded through local appropriations and any private funding that it receives. The CLB may solicit, accept, and use private gifts, grants, or donations to further its stated purposes.

"(3) The CLB shall adopt its own by-laws and rules of procedure.

"(4) The CLB may utilize District public space for its official duties.

"(5) Subject to the availability of appropriations, the Chairperson shall appoint, terminate, and fix the pay of an Executive Director of the CLB; provided, that the CLB shall approve the appointment and termination of the Executive Director.

"(b) The CLB shall consist of the following 10 members:

"(1) Seven voting members as follows:

"(A) The Deputy Mayor for Education, or designee, who shall serve as Chairperson of the CLB;

"(B) The Chancellor of the District of Columbia Public School ("DCPS"), or designee;

"(C) Two representatives from DCPS, as appointed by the Chancellor; and

"(D) Three representatives from public charter schools, each appointed by a vote among charter schools as organized by the Public Charter School Board "(PCSB"); and

"(2) Three non-voting members as follows:

"(A) The State Superintendent of Education, or designee;

"(B) The Chair of the Public Charter School Board "(PCSB"), or designee;

and

"(C) The Executive Director of the CLB.

"(c)(1) Except as provided in paragraph (2) of this subsection, the representatives appointed by DCPS and by a vote organized by the PCSB ("termed members") shall serve 2-year terms and may be reappointed without limitation.

"(2) The initial appointment of the termed members shall be as follows:

"(A) One member appointed by DCPS and one member appointed by a vote organized by the PCSB to serve terms of 2 years, with the term to begin on July 1 and end on June 30; and

"(B) One member appointed by DCPS and 2 members appointed by a vote organized by the PCSB to serve terms of one year, with the term to begin on July 1 and end on June 30.

"(3) When a vacancy occurs in the membership of the CLB for reasons other than the expiration of a term, an appointment to fill the remainder of the vacated term shall be made in the same manner as prescribed in subsection (b)(1)(C) or (D) of this section, whichever is applicable.

"Sec. 206. Common Lottery Board Fund.

**Note, New
§ 38-195**

"(a) There is established as a special fund the Common Lottery Board Fund ("Fund"), which shall be administered by the Deputy Mayor for Education in accordance with subsections (c) and (d) of this section.

"(b) Deposits into the Fund shall include:

"(1) Appropriated funds;

"(2) Gifts,

"(3) Grants; and

"(4) Donations.

"(c) Money in the Fund shall be used for the continued development and improvement of the common lottery system.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

Sec. 4053. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE G. EDUCATION FUNDING FORMULA EQUITY

Sec. 4061 Short title.

This subtitle may be cited as the "Education Funding Formula Equity Emergency Amendment Act of 2014".

Sec. 4062. Section 115 of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 38-2913), is amended by striking the phrase "fiscal year 2015" and inserting the phrase "Fiscal Year 2016" in its place.

Note,
§ 38-2913

SUBTITLE H. HEALTHY TOTS

Sec. 4071. Short title.

This subtitle may be cited as the "Healthy Tots Emergency Act of 2014".

Sec. 4072. Definitions.

For the purposes of this subtitle, the term:

Note, New
§ 38-281

(1) "Child and Adult Care Food Program" or "CACF Program" means the program authorized by section 17 of the National School Lunch Act, approved October 7, 1975 (89 Stat. 522; 42 U.S.C. § 1766).

(2) "Child development facility" means a licensed community-based center, home, or other structure, regardless of its name, that provides care, supervision, guidance, and other services for infants, toddlers, and preschoolers on a regular basis. The term "child development facility" does not include a child development center or program that is sponsored or run by a public or private school.

(3) "Eligible child" means a child who is a District resident who occupies a slot funded in whole or in part by the childcare subsidy program, authorized by section 3 of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-402), the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), or the District of Columbia Public Schools' Head Start program.

(4) "Farm-to-preschool programs" means programs at child development facilities that connect early care and education settings to local food producers, as an extension of the farm-to-school model, which connect children to local foods through meals and snacks, taste tests, lessons, farmer visits, cooking, field trips, growing food, and community and parent engagement.

(5) "Infant" means a child younger than 12 months of age.

(6) "Locally grown" shall have the same meaning as provided in section 101(3) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01(3)).

(7) "OSSE" means the Office of the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601).

(8) "Preschool" or "preschooler" means a child older than 24 months of age but younger than compulsory school attendance age, who is not enrolled in a public, charter, or private school.

(9) "Sustainable agriculture" shall have the same meaning as provided in section 101(9) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01(9)).

(10) "Toddler" means a child between 12 months of age and 24 months of age.

(11) "Unprocessed" shall have the same meaning as provided in section 101(10) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01(10)).

(12) "WIC" means the Special Supplemental Nutrition Program for Women, Infants, and Children, as provided in section 17 of the Child Nutrition Act of 1966, approved September 26, 1972 (86 Stat. 729; 42 U.S.C. § 1786).

Sec. 4073. Healthy Tots Fund.

**Note, New
§ 38-282**

(a) There is established as a special fund the Healthy Tots Fund ("Fund"), which shall be administered by OSSE in accordance with this section.

(b)(1) The Fund shall be funded by annual appropriations, which shall be deposited into the Fund. The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

(c) OSSE shall make funds from the Fund available for the following purposes:

(1) To provide additional funding for healthy meals served by child development facilities participating in the CACF Program by reimbursing the child development facility for each meal that meets the rules issued pursuant to this subtitle as follows:

(A) For meals eligible for reimbursement through the CACF Program served to an eligible child:

- (i) Ten cents for each breakfast;
- (ii) Ten cents for each lunch; and
- (iii) Ten cents for each supper;

(B) For breakfasts served to any child attending the child development facility but not eligible for reimbursement through the CACF Program because child development facilities have maximized the number of allowable reimbursable meals, an amount of local funding equal to the free federal rate as established under the CACF Program; provided, that the breakfasts meet the rules issued pursuant to this subtitle; provided further, that at least 75% of the children attending the child development facility are District residents and at least 50% are eligible to receive free or reduced meals.

(2)(A) To provide additional funding to child development facilities participating in the Child and Adult Care Food Program that use local foods by reimbursing the child development facility an additional \$0.05 per lunch or supper that meets the rules issued pursuant to this subtitle served to eligible children and at least one component of a meal is comprised entirely of locally grown and unprocessed foods; provided, that the child development facility reports to OSSE the name and address of the local farms where the foods were grown.

(B) For the purposes of this paragraph, the term "locally grown and unprocessed foods" shall not include milk.

(3) To provide funding to child development facilities that have partnerships with the Office of the State Superintendent of Education and that follow Early Headstart Standards as defined by 45 C.F.R. § 1304 and that provide comprehensive services, including health, mental health, nutrition, and family services; provided, that the funds shall be used for recruitment into or administration of the Child and Adult Care Food Program, including meal planning and nutrition education to children and their families.

(d) In addition to the requirements set forth in subsection (c) of this section, and subject to available funding, OSSE shall make funds from the Fund available:

(1) To make competitive grants available to child development facilities participating in the Child and Adult Care Food Program to support physical activity, nutrition, gardens, natural play areas, and farm-to-preschool programs; and

(2) As an incentive to increase participation in the Child and Adult Care Food Program, provide a \$300 grant per year to a child development home that participates in the Child and Adult Care Food Program to help pay for costs associated with licensing, renewal, and other related expenses.

(e) A child development facility receiving a reimbursement or other funding pursuant to this section shall provide the meals at no charge to participating infants, toddlers, and preschoolers.

(f)(1) OSSE may, by rule, increase the amount of reimbursements, grants, or other funding provided by this section to further improve the quality and nutrition of meals provided by a child development facility.

(2) OSSE may withhold reimbursements or other funding authorized by this section from a child development facility that does not meet the requirements of this subtitle, or rules issued pursuant to this subtitle.

Sec. 4074. OSSE requirements.

(a) The OSSE shall:

(1) Provide training to support the efforts of a child development facility to meet the requirements of this subtitle;

(2) Monitor the progress of a child development facility in complying with this subtitle during the facility's licensing process and record collected data in each facility's compliance history; and

(3) Provide to the Mayor, the Council, and the Healthy Schools and Youth Commission an annual evaluation of the effect of the implementation of this subtitle on the health, well-being, and school-readiness of participating District children.

(b) Within 60 days of the effective date of this subtitle, the OSSE shall add participation in the Child and Adult Care Food Program to the searchable criteria on the website for the OSSE Child Care Connections, which is the District's child care resource and referral center.

(c) No later than December 30 of each year, the OSSE shall submit, in conjunction with the Department of Health, a report to the Council and the Mayor on the efforts to promote WIC in child development facilities, including data on:

(1) Identifying opportunities to better promote WIC at child development facilities;

(2) The feasibility of the development of a breastfeeding-friendly rating for child development facilities; and

(3) Whether data matching or other means tested programs can be used to identify families receiving child-care subsidies and connect them to WIC if they are eligible for WIC benefits and are not receiving them.

(d) Within 120 days of the effective date of this subtitle, pursuant to the authority granted by section 3(b)(11) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(11)), the OSSE shall issue rules to implement this subtitle, which, at a minimum, shall:

(1) Establish nutritional standards for meals and snacks served at child development facilities;

(2) Establish physical activity standards for child development facilities;

(3) Improve the environmental sustainability of child development facilities;

(4) Increase the use of locally grown and unprocessed foods from growers engaged in sustainable agriculture practices;

(5) Enhance nutrition and healthy eating education programming for infants, toddlers, and preschoolers at child development facilities, including farm-to-preschool programs; and

(6) Ensure that child development facilities provide sufficient training to staff on improving nutrition and increasing the level of physical activity of participating infants, toddlers, and preschoolers.

Sec. 4075. Use of Department of Parks and Recreation facilities.

The Department of Parks and Recreation shall, to the extent feasible, partner with child development facilities to allow the facilities to use District recreation centers, fields, playgrounds, and other facilities on occasions that do not conflict with the Department of Parks and Recreation's existing programming or with on-going community obligations.

**Note, New
§ 38-284**

COUNCIL OF THE DISTRICT OF COLUMBIA
D.C. Act 20-377, effective July 14, 2014 (Expiration date October 12, 2014)

20 DCSTAT 3743

Sec. 4076. Conforming amendment.

Section 3b of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

Note,
§ 38-2602

(a) Paragraph (20)(O)(vi) is amended by striking the word "and" at the end.

(b) Paragraph (21) is amended by striking the period and inserting a semicolon in its place.

(c) New paragraphs (22) and (23) are added to read as follows:

"(22) Administer the Healthy Schools Fund and fulfill its other responsibilities under the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01 *et seq.*); and

"(23) Administer the Healthy Tots Fund and fulfill its other responsibilities under the Healthy Tots Emergency Act of 2014.".

Sec. 4077. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE I. CHARTER SCHOOL FACILITIES ALLOTMENT

Sec. 4081. Short title.

This subtitle may be cited as the "Charter School Facilities Allotment Emergency Amendment Act of 2014".

Sec. 4082. Section 109 of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2908), is amended by adding a new subsection (b-2) to read as follows:

Note,
§ 38-2908

"(b-2)(1) For fiscal years 2015 and 2016, the per pupil facility allowance for Public Charter Schools shall be \$3072.

"(2) For Fiscal Year 2017 and succeeding fiscal years, the per pupil facility allowance for Public Charter Schools shall be \$3100.

"(3) The facility allowance set forth in paragraphs (1) and (2) of this subsection shall be multiplied by the number of students estimated to attend each Public Charter School to determine the actual facility allowance payments to be received by each Public Charter School.".

SUBTITLE J. PCSB DONATIONS

Sec. 4091. Short title.

This subtitle may be cited as the "Public Charter School Board Donation Emergency Amendment Act of 2014".

Sec. 4092. Section 4602(d) of the Acceptance and use of gifts by District Entities Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 1-329.01), is amended to read as follows:

Note,
§ 1-329.01

"(d) This section shall not apply to the Public Charter School Board, which may accept and use gifts to the Public Charter School Board without prior approval by the Mayor."

**SUBTITLE K. DEPUTY MAYOR FOR EDUCATION GRANT-MAKING
AUTHORITY**

Sec. 4101. Short title.

This subtitle may be cited as the "Deputy Mayor for Education Limited Grant-Making Authority Emergency Act of 2014".

Sec. 4102. Deputy Mayor for Education limited grant-making authority.

**Note,
§ 38-191**

For Fiscal Year 2015, the Deputy Mayor for Education shall have grant-making authority solely to provide:

(1) An operational grant of \$2 million for the development of a language immersion public charter school campus serving middle- and high-school students; provided, that the grant shall not be used for the lease, renovation, or development costs of a temporary location; and

(2) An operational grant of \$2 million to support the project development and management of an athletic and community meeting space on the grounds of a public charter school that provides a classical education to students in grades 5 through 12.

Sec. 4103. Grants issued pursuant to this subtitle shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

**Note,
§ 38-191**

SUBTITLE L. JOINTLY OPERATED PUBLIC CHARTER SCHOOL

Sec. 4111. This subtitle may be cited as the "Jointly Operated Public Charter School Emergency Amendment Act of 2014".

Sec. 4112. Section 2201 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; (D.C. Official Code § 38-1802.01), is amended by adding a new subsection (c-1) to read as follows:

**Note,
§ 38-1802.01**

"(c-1) *Jointly Operated School* – The Public Charter School Board shall have the authority to approve one joint program for applicants seeking to establish a jointly operated school where two or more public charter schools that have adopted, for the combined program, identical mission statements, goals, curricula and educational philosophy ("member schools") may combine to create a jointly operated middle and high school. Notwithstanding any other law, the jointly operated school shall have the same duties, powers and responsibilities of a public charter school, shall be funded as if a public charter school, and shall be treated as a single local educational agency under federal and local law. Students matriculating directly from the

highest grade of a member public charter school into the entry grade of the jointly operated school shall be exempt from the requirements of section 2206(c).”.

SUBTITLE M. PUBLIC EDUCATION REFORM EVALUATION

Sec. 4121. Short title.

This subtitle may be cited as the "Public Education Reform Evaluation Emergency Amendment Act of 2014".

Sec. 4122. Section 204 of the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-193), is amended as follows:

Note,
§ 38-193

(a) Subsection (b) is amended by striking the phrase “On September 30, 2014” and inserting the phrase “No later than June 1, 2015” in its place.

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

“(e)(1) There is established as a special fund the PERAA Evaluation Fund (“Fund”), which shall be administered by the Office of the District of Columbia Auditor in accordance with paragraph (3) of this subsection.

“(2) The following shall be deposited in the Fund:

“(A) All excess monies, not to exceed \$600,000, remaining in the local funds operating budget for the Office of the District of Columbia Auditor at the end of each fiscal year; and

“(B) Any interest earned from the monies deposited into the Fund.

“(3) Money in the Fund shall be used for the purpose of contracting for the remaining reports with NRC as required by this section.

“(4) The money deposited in the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

“(5) This subsection shall expire on September 30, 2015”.

Sec. 4123. Applicability.

This subtitle shall apply as of the effective date of this act.

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. DEVELOPMENTAL DISABILITY SERVICE MANAGEMENT REFORM

Sec. 5001. Short title.

This subtitle may be cited as the "Department on Disability Services Emergency Amendment Act of 2014".

Sec. 5002. The Department on Developmental Disabilities Establishment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 7-761.02) is amended as follows:

Note,
§ 7-761.02

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

"(3A) "DHCF" means the Department of Health Care Finance as established by section 3 of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.02).".

(2) Paragraph (8) is repealed.

(3) Paragraph (9) is amended by striking the phrase "Medical Assistance Administration" and inserting the acronym "DHCF" in its place.

(b) Section 105(4) (D.C. Official Code § 7-761.05(4)) is amended by striking the acronym "MAA" and inserting the acronym "DHCF" in its place.

Note,
§ 7-761.05

(c) Section 106(c) (D.C. Official Code § 7-761.06(c)) is amended by striking the phrase "action," and inserting the phrase "action, including issuing grants and stipends," in its place.

Note,
§ 7-761.06

(d) Section 107 (D.C. Official Code § 7-761.07) is amended as follows:

Note,
§ 7-761.07

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

"(a) The Department and DHCF shall enter into an agreement for the Department to direct: policy development and design of services, rate-setting, and support provided under the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities or any other waiver targeted for people with intellectual and developmental disabilities and their families that is approved under section 1915(c) of the Social Security Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1369n); and policies, services, and supports related to the operation of intermediate care facilities for individuals with intellectual disabilities.".

(2) Subsection (b) is amended by striking the phrase "Medical Assistance Administration" and inserting the acronym "DHCF" in its place.

(e) A new section 112 is added to read as follows:

Note, New
§ 7-761.12

"Sec. 112. Family Support Council.

"(a) The Director shall establish a Family Support Council to, within available appropriations, assist the Department and other agencies to develop systems of support for families throughout the lifespan of their family members with intellectual and developmental disabilities.

"(b) The Family Support Council shall be composed of 11 members, of whom the majority shall be people with developmental disabilities and their family members.

"(c) No later than one year following the effective date of the Department on Disability Services Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Department shall publish operating procedures for the Family Support Council, and the Director shall appoint the initial Family Support Council members.".

**SUBTITLE B. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION
AMENDMENTS**

Sec. 5011. Short title.

This subtitle may be cited as the "Department of Health Functions Clarification
Emergency Amendment Act of 2014".

Sec. 5012. The Department of Health Functions Clarification Act of 2001, effective
October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 *et seq.*), is amended as follows:

(a) Section 4907a (D.C. Official Code § 7-736.01) is amended by adding new subsections
(e), (f), and (g) to read as follows:

Note,
§ 7-736.01

"(e)(1) Through Fiscal Year 2015, the Director of the Department of Health may issue
grants totaling \$1,550,000 to District of Columbia HIV prevention programs for a combination
of HIV prevention interventions. These interventions shall include HIV screening in clinical and
non-clinical settings and effective behavioral programs.

"(2) Through Fiscal Year 2015, the Director of the Department of Health may
issue HIV prevention grants for a combination of HIV prevention interventions that include:

"(A) HIV screening;

"(B) Harm reduction;

"(C) Social network HIV screening;

"(D) Partner services;

"(E) Faith-based initiatives;

"(F) Youth peer education; and

"(G) Other health-education services for adolescents and older adults.

"(3) For the purposes of this subsection, the term "faith-based initiative" means a
program to encourage and support places of worship in delivering HIV prevention messages that
promote safe-sex practices, educate people about HIV, and promote HIV screening.

"(4) In Fiscal Year 2015, the Director of the Department of Health shall issue a
competitive grant totaling \$480,000 to a qualified community-based nonprofit corporation or
organization for the creation of a comprehensive concussion care protocol for children.

"(f) For Fiscal Year 2015, the Director of the Department of Health may issue grants to
qualified community organizations to provide:

"(1) Clinical nutritional home delivery services for individuals living with cancer
and other life-threatening diseases;

"(2) Ambulatory health services;

"(3) Poison control hotline and prevention education services;

"(4) Operations and primary care services for school-based health clinics; and

"(5) A teen pregnancy prevention program.

"(g)(1) All grants issued pursuant to subsections (e) and (f) of this section shall be
administered pursuant to the requirements set forth in the Grant Administration Act of 2013,
effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

"(2) The Department of Health shall submit a quarterly report to the Secretary to the Council on all grants issued pursuant to the authority granted in subsections (e) and (f) of this section."

(b) New sections 4907b and 4907c are added to read as follows:

**Note, New
§ 7-736.02**

"Sec. 4907b. Communicable and Chronic Disease Prevention and Treatment Fund.

"(a) There is established as a special fund the Communicable and Chronic Disease Prevention and Treatment Fund ("Fund"), to be administered by the Department of Health in accordance with subsection (c) of this section.

"(b) The Fund shall consist of revenue from the following sources related to the prevention and treatment of communicable and chronic diseases by the Department of Health:

"(1) Third-party payors;

"(2) Sliding-fee scale collections; and

"(3) Other collections.

"(c) The Fund shall be used for operations necessary to provide communicable and chronic disease prevention and treatment services.

"(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

"Sec. 4907c. Communicable disease fees.

**Note, New
§ 7-736.03**

"(a) The Director of the Department of Health may establish a schedule of fees for the prevention and treatment of communicable diseases, including HIV/AIDS, hepatitis, sexually transmitted diseases, and tuberculosis to be provided to any individual who presents for prevention or treatment services, regardless of health insurance coverage or ability to pay. The Director may periodically revise the schedule of fees and may establish a sliding fee scale, based on income, for uninsured individuals. The fees, including any sliding fee scale, shall be published in the District of Columbia Register.

"(b) The Director may seek reimbursement from any third-party payor for services provided relating to the prevention and treatment of communicable diseases."

SUBTITLE C. MEDICAL ASSISTANCE PROGRAM AMENDMENTS

Sec. 5021. Short title.

This subtitle may be cited as the "Medical Assistance Program Emergency Amendment Act of 2014".

Sec. 5022. Section 1 of An Act to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), is amended as follows:

**Note,
§ 1-307.02**

(a) Subsection (a) is amended by adding a new paragraph (8) to read as follows:

"(8) Review and approval by the Council of the Fiscal Year 2015 Budget and Financial Plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any amendment, modification, or waiver of the state plan required to:

"(A) Implement needed amendments to the Elderly and Individuals with Physical Disabilities waiver to ensure compliance with federal law and promote best practices;

"(B) Establish new payment rates for Federally-Qualified Health Centers;

"(C) Establish a new payment method and make other improvements to the payment methodology for hospital inpatient treatment;

"(D) Establish a new payment method and make other improvements to the payment methodology for hospital outpatient services;

"(E) Implement needed amendments to the Intellectual Disabilities/Developmental Disabilities waiver to ensure compliance with federal law and promote best practices;

"(F) Align specialty hospital payments with the complexity of their patient mixes and national best practices and to describe payment standards for sub-acute services for children who are inpatients in private psychiatric specialty hospitals; and

"(G) Update transplantation coverage standards and provide coverage for lung transplantation and autologous bone marrow transplantation.".

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

"(e)(1) The District state plan required under Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), may provide for reimbursement of chiropractic services.".

"(2) The Mayor may develop and implement a reimbursement methodology for chiropractic services.".

SUBTITLE D. DEPARTMENT OF BEHAVIORAL HEALTH ESTABLISHMENT AMENDMENT

Sec. 5031. Short title.

This subtitle may be cited as the "Department of Behavioral Health Establishment Emergency Amendment Act of 2014".

Sec. 5032. Section 5118 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61, D.C. Official Code § 7-1141.07), is amended as follows:

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

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

"(b) The following powers, duties, functions, and responsibilities are hereby transferred to the Department of Health, effective October 1, 2014:

"(1) All property, Career and Excepted Service, Management Supervisory Service, and trainee positions, personnel, assets, records, obligations, unexpended balances of

**Note,
§ 7-1141.07**

appropriations, allocations, and other funds available or to be made available to the Tobacco Control Program.

"(2) The Mayor shall coordinate, as necessary, the transfer from the Department to the Department of Health of any property, positions, personnel, assets, records, obligations, unexpended balances of appropriations, allocations, and other funds required for the management and operation of the Tobacco Control Program."

**SUBTITLE E. DEPARTMENT OF BEHAVIORAL HEALTH ENTERPRISE
FUND**

Sec. 5041. Short title.

This subtitle may be cited as the "Department of Behavioral Health Enterprise Fund Emergency Act of 2014".

Sec. 5042. Department of Behavioral Health Enterprise Fund.

Note,
§ 1-325.281

(a) There is established as a special fund the Department of Behavioral Health Enterprise Fund ("Fund"), which shall be administered by the Department of Behavioral Health ("Department") in accordance with subsection (c) of this section.

(b) The Fund shall consist of revenue from the following fees, proceeds, and revenues collected from the following activities and operations:

(1) Proceeds from the cafeteria managed and operated by the Department on the St. Elizabeths Hospital Campus;

(2) Fees charged for trainings and Continuing Education Units by the Department's Organizational Development- DMH Training Institute; and

(3) Recoupment and collection of housing bridge subsidy payments from individual consumers, representative payees, and landlords by the Department's Adult Services Supported Housing program.

(c) The Fund shall be used for the management and operation of the food cafeteria, DMH Training Institute, and Supported Housing programs managed and operated by the Department.

SUBTITLE F. LIHEAP HEAT AND EAT ELIGIBILITY PRESERVATION

Sec. 5051. Short title.

This subtitle may be cited as the "LIHEAP Heat and Eat Eligibility Preservation Emergency Amendment Act of 2014".

Sec. 5052. Section 5083(c) of the Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.03(c)), is amended by striking the phrase "\$1" and inserting the phrase "\$20.01" in its place.

Note,
§ 4-261.03

SUBTITLE G. HEALTH SERVICES PLANNING AND DEVELOPMENT

Sec. 5061. Short title.

This subtitle may be cited as the "Health Services Planning and Development Emergency Amendment Act of 2014".

Sec. 5062. Section 2(12) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401), is amended as follows:

Note,
§ 44-401

"(12) "Health service" means any medical or clinical related service, including services that are diagnostic, curative, or rehabilitative, as well as those related to inpatient mental health services, home health care, hospice care, medically supervised day care, and renal dialysis. The term "health service" shall not include those outpatient behavioral health services subject to the exclusive regulatory authority of the Department of Behavioral Health and services provided by physicians, dentists, HMOs, and other individual providers in individual or group practice."

SUBTITLE H. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES COST-OF-LIVING ADJUSTMENT

Sec. 5071. Short title.

This subtitle may be cited as the "Temporary Assistance for Needy Families Cost-of-Living Adjustment Emergency Amendment Act of 2014".

Sec. 5072. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

(a) Section 511b (D.C. Official Code § 4-205.11b) is amended by striking the phrase "in the District".

Note,
§ 4-205.11b

(b) Section 552 (D.C. Official Code § 4-205.52) is amended by adding a new subsection (d-1) to read as follows:

Note,
§ 4-205.52

"(d-1)(1) Effective October 1, 2015, the payment levels issued pursuant to section (c) of this subsection shall be adjusted annually for the rate of inflation, except for Fiscal Year 2017, for which the payment level shall be increased by 46%.

"(2) To adjust for the rate of inflation each year, the payment levels from the immediately preceding year shall be multiplied by the CPI percentage increase from the preceding calendar year, as determined by the United States Department of Labor Bureau of Labor Statistics in the Consumer Price Index for Urban Consumers (CPI-U) for all items."

(c) Section 572a(b) (D.C. Official Code § 4-205.72a(b)) is amended to read as follows:

Note,
§ 4-205.72a

"(b) An assistance unit's eligibility for POWER pursuant to subsection (a) of this section shall be subject to periodic review and redetermination as determined by the Mayor or the Mayor's designee."

(d) Section 575 (D.C. Official Code § 4-205.75) is amended by adding a new subsection (c) to read as follows:

Note,
§ 4-205.75

"(c) A POWER recipient who is determined eligible for continuation of one year due to incapacity under section 572(b)(2) shall be informed by the Mayor or the Mayor's designee about

the recipient's potential eligibility for Social Security Disability Insurance ("SSDI") or Supplemental Security Income ("SSI"). If appropriate, the POWER recipient shall submit an application for SSDI or SSI benefits as part of the recipient's self-sufficiency plan. The Mayor or the Mayor's designee shall offer application and advocacy assistance."

SUBTITLE I. INSURANCE REGULATORY TRUST FUND

Sec. 5081. Short title.

This subtitle may be cited as the "Insurance Regulatory Trust Fund Bureau Emergency Amendment Act of 2014".

Sec. 5082. The Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1201 *et seq.*), is amended as follows:

(a) Section 4(b) (D.C. Official Code § 31-1203(b)) is amended by adding a new sentence at the end to read as follows: "The assessment shall be a tax and licensing and regulatory fee for purposes of 45 CFR §§ 158.221(c) and 158.161(b).".

Note,
§ 31-1203

(b) Section 9 (D.C. Official Code § 31-1208) is amended as follows:

Note,
§ 31-1208

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

(2) The newly designated subsection (a) is amended to read as follows:

"(a) All insurers and health maintenance organizations subject to assessments in accordance with this act shall be members of an Insurance Regulatory Trust Fund Bureau, organized and maintained by such insurers and health maintenance organizations at their own expense, for the purpose of advising the Commissioner and the Executive Director of the District of Columbia Health Benefit Exchange Authority as to the need for the proposed assessments, including the assessment of health carriers in section 4(f) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code 31-3171.03(f)), the fairness of the proposed assessments, and any other matters with respect to the administration of the Insurance Regulatory Trust Fund. The Commissioner and the Executive Director of the District of Columbia Health Benefit Exchange Authority shall submit to the Insurance Regulatory Trust Fund Bureau annually, in advance of the Mayor's budget submission to the Council, a detailed budget showing how the proposed assessments are to be expended."

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

"(b) The board of directors of the Insurance Regulatory Trust Fund Bureau shall consist of no fewer than 15 members and shall include at least a majority of the health carriers issuing qualified health plans and some representation from health carriers issuing qualified dental plans as defined in section 2 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code 31-3171.01)."

(c) Section 10 (D.C. Official Code § 31-1209) is amended to read as follows:

Note,
§ 31-1209

"Sec. 10. Annual audit of Insurance Regulatory Trust Fund or District of Columbia Health Benefit Exchange Authority Fund.

"Upon a vote of the Insurance Regulatory Trust Fund Bureau taken in accordance with its bylaws, the Insurance Regulatory Trust Fund Bureau, at its own expense, may annually arrange for an independent audit of the expenditures made in any fiscal year by the Insurance Regulatory Trust Fund or the District of Columbia Health Benefit Exchange Authority Fund established in section 4(a) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code 31-3171.03(a)). The Commissioner, the Department of Insurance, Securities, and Banking, the Executive Director of the District of Columbia Health Benefit Exchange Authority, and all other elements of the District of Columbia government shall cooperate with such an audit and shall make available all documents and records reasonably necessary to the conduct of the audit."

Sec. 5083. Section 4(e) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.03(e)), is amended by adding a new paragraph (3) to read as follows:

Note,
§ 31-3171.03

"(3) The assessment on health carriers pursuant to subsection (f) shall be a tax and licensing and regulatory fee for purposes of 45 CFR §§ 158.221(c) and 158.161(b)."

SUBTITLE J. POWER EXPANSION

Sec. 5091. Short title.

This subtitle may be cited as the "POWER Expansion Emergency Amendment Act of 2014".

Sec. 5092. Section 572a(a) of the District of Columbia Public Assistance Act of 1982, effective April 20, 1999 (D.C. Law 12-241; D.C. Official Code § 4-205.72a(a)), is amended by adding a new paragraph (1A) to read as follows:

Note,
§ 4-205.72a

"(1A) Is a single custodial parent or caretaker with a child under 6 months old; provided, that no parent or caretaker may remain eligible under this paragraph for more than 12 months;"

SUBTITLE K. END YOUTH HOMELESSNESS

Sec. 5101. Short title.

This subtitle may be cited as the "End Youth Homelessness Emergency Amendment Act of 2014".

Sec. 5102. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

(a) Section 5(b)(9) (D.C. Official Code § 4-752.02(b)(9)) is amended to read as follows:

Note,
§ 4-752.02

"(9) By September 1 of each year, develop a plan, consistent with the right of clients to shelter in severe weather conditions, describing how member agencies will coordinate to provide hypothermia shelter, identifying the specific sites that will be used as hypothermia

shelters, and including protocols on how to provide shelter services for unaccompanied minors.”.

(b) A new section 5a is added to read as follows:

**Note, New
§ 4-752.02a**

"Sec. 5a. Plan to end youth homelessness in the District by 2020.

"(a) No later than 300 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Interagency Council, working jointly with organizations providing service to homeless youth within the Continuum of Care as well as homeless or formerly homeless youth and their advocates, shall prepare, publish, and submit to the Council a comprehensive Plan to End Youth Homelessness in the District by 2020.

"(b) The plan required by this section shall:

"(1) Include a community-wide needs assessment that takes into account existing data, including the results of the extended youth count required in section 7(h);

"(2) Include an analysis of strategies that have been successful in reducing youth homelessness;

"(3) Be developed pursuant to a process that includes public hearings and that will identify, prioritize, and target needs for services for homeless youth within the Continuum of Care;

"(4) Include specific recommendations for eradicating youth homelessness in the District by 2020, including recommendations for:

"(A) A grant-based family reunification program, a host-home program, and additional cultural competency training for youth homeless service workers, including intake and drop-in center workers, designed to inform such workers adequately concerning the developmental needs of homeless youth; and

"(B) Other specific culturally-competent and language-accessible programs designed to prevent youth from becoming homeless, identify youth that are homeless or at risk of becoming homeless, and provide counseling, shelter, and appropriate services to the youth so identified (including minor heads of households and minors temporarily without parental supervision); and

"(5) Include estimates of the costs of carrying out various components of the plan.

"(c) The plan required by this section shall identify any new legislation that is necessary to implement its recommendations, and provide recommendations concerning how to fund the provisions of the plan without reducing funding for other social programs.

"(d) The Interagency Council shall revise and submit to the Council the strategic plan required by section 5(b)(2) no later than 390 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), incorporating the provisions of the plan required by this section."

(c) Section 7 (D.C. Official Code § 4-753.01) is amended by adding new subsections (h) and (i) to read as follows:

**Note,
§ 4-753.01**

“(h) No later than 300 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Department of Human Services shall establish a program of street outreach to youth which shall be competitively granted.

“(i) No later than 180 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), and annually thereafter, the Department of Human Services, in coordination with the Interagency Council, shall conduct a youth census, separate from the annual Point-in-Time survey, to determine the needed scale and scope of a comprehensive program to end youth homelessness in the District. The youth census shall:

“(1) Count all children and youth under 18 years of age who are living apart from a parent or guardian, excluding those who are in the physical custody of the District, and all youth between the ages of 18 and 24 years of age who are economically or emotionally detached from their families and lack an adequate or fixed residence, including children and youth who are unstably housed, living in doubled up circumstances, in transitional housing, in shelter, or on the street;

“(2) For each child or youth counted, record basic demographic information including age, race, and gender identification, the location where the child or youth stayed the night before the count, the child or youth’s education and employment status, and membership in pertinent subgroups based on sexual orientation, gender orientation, pregnancy or parenting status, or involvement in the foster care or juvenile or adult criminal justice systems;

“(3) Identify patterns in responses describing factors leading to homelessness;

“(4) Identify patterns in responses describing services used and gaps in service;

“(5) Be conducted over a period of at least one week, controlling for duplication by assigning each child or youth a unique identifier; and

“(6) Include multiple strategies and entry points to identify homeless children and youth.”.

(d) Section 8(c) (D.C. Official Code § 4-753.02(c)) is amended by adding a new paragraph (1C) to read as follows:

Note,
§ 4-753.02

“(1C)(A) No later than 180 days after the effective date of the End Youth Homelessness Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Mayor shall issue a grant to a community-based organization to establish one or more intake and drop-in center for youth, including minors and youth-headed families, for the purposes of:

“(i) Assessing the eligibility of youth for services within the Continuum of Care and making referrals, including to the Child and Family Services Agency as appropriate; provided, that homelessness alone is not a valid reason for an allegation of abuse or neglect;

“(ii) Coordinating as necessary with the intake centers for families operated pursuant to paragraph (1) of this subsection;

“(iii) Contacting the parent or guardian of an unaccompanied minor within 72 hours of the minor’s request for services within the Continuum of Care; and
“(iv) Tracking outcomes, utilization rates, and turn-aways of youth across service providers.

“(B) Grants issued pursuant to this paragraph shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).”.

(d) Section 28 (D.C. Official Code § 4-755.01) is amended by adding a new subsection (d) to read as follows:

Note,
§ 4-755.01

“(e)(1) Notwithstanding subsections (a) and (b) of this section, the Mayor shall fund a minimum of 5 additional shelter beds for homeless youth up to 24 years of age and additional transitional housing capacity for 10 youth ages 18 to 24 years.

“(2) Homeless services for youth shall be provided through 2-year grants to eligible community organizations based in the District with expertise in systems of care for homeless youth.

“(3) Recipients of grants shall establish, maintain, or expand facilities through these grants that protect the safety of homeless youth through facilities that are specifically for homeless youth and separate from any existing homeless services for the general population.

“(4) Grants issued pursuant to this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).”.

SUBTITLE L. HOMELESS PREVENTION PROGRAM ESTABLISHMENT

Sec. 5121. Short title.

This subtitle may be cited as the “Homeless Prevention Program Establishment Emergency Act of 2014”.

Sec. 5122. Homeless Prevention Program.

Note,
§ 4-756.02

(a) There is established within the Department of Human Services (“Department”) a Homeless Prevention Program (“Program”) to conduct community outreach and provide services to families at risk of becoming homeless.

(b) The Department may contract with a qualified community-based nonprofit corporation, organization, or consortia of organizations, with offices located in the District, to operate the Program. The Department shall establish the criteria that an entity must meet to be selected to operate the Program. If the Department is unable to contract with an outside entity that meets the specified criteria, or determines it to not be in the best interest of the District, the Department shall operate the Program.

(c) The Program shall be administered by the Department in consultation with the Interagency Council on Homelessness.

(d) The Program shall:

- (1) Use an evidence-based assessment and evaluation method to target and identify families most at risk of becoming homeless;
 - (2) Connect individuals and families at risk of becoming homeless with housing and financial assistance programs that provide short- and long-term assistance to allow households to remain in their current housing situation, if appropriate;
 - (3) Have multiple locations in communities identified as being at-risk of homelessness;
 - (4) Conduct educational campaigns and outreach to inform District residents about the services available to prevent homelessness;
 - (5) Conduct family or tenant-landlord mediation to assist families in remaining in their current housing situation or provide referrals to other organizations that can provide this assistance, if appropriate;
 - (6) Provide classes in skills critical to maintaining housing, including household budgeting, financial management, and financial literacy or provide referrals to other organizations that can provide this assistance;
 - (7) Provide job training and placement referrals to employment services or provide referrals to other organizations that can provide this assistance, including connecting families with resources available at District agencies;
 - (8) Assist families in applying for public benefits, including child care, SNAP, tax credits, and Medicaid or provide referrals to other organizations that can provide this assistance; and
 - (9) Provide other counseling, case management, or services, including mental or behavioral health services or referrals to mental or behavioral health programs, to assist families in preventing homelessness.
- (e) No later than January 1, 2016, and annually thereafter, the Program shall submit a report to the Council on the operations and services of the Program during the preceding fiscal year.

Sec. 5123. Conforming amendment.

Note,
§ 4-752.02

Section 5 of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-752.02), is amended by adding a new subsection (e) to read as follows:

“(e) The Department of Human Services shall administer the Homeless Prevention Program, established pursuant to the Homeless Prevention Program Establishment Emergency Act of 2014, passed on emergency basis on June 24, 2014 (Enrolled version of Bill 20-849), in consultation with the Interagency Council on Homelessness.”.

SUBTITLE M. TOBACCO PRODUCT MANUFACTURER RESERVE FUND

Sec. 5131. Short title.

This subtitle may be cited as the “Tobacco Product Manufacturer Reserve Fund Emergency Amendment Act of 2014”.

Sec. 5132. Section 6(b) of the Tobacco Product Manufacturer Reserve Fund Complementary Procedures Act of 2004, effective April 22, 2004 (D.C. Law 15-150; D.C. Official Code § 7-1803.05(b)), is amended as follows:

Note,
§ 7-1803.05

(a) Strike the phrase “Corporation Counsel” wherever it appears and insert the phrase “Attorney General” in its place.

(b) A new sentence is added at the end to read as follows:

“The Attorney General may also disclose the information received under this act with the data clearinghouse created to implement the term sheet agreed to by the District and Participating Manufacturers, and given effect by a March 12, 2013, arbitral award.”.

SUBTITLE N. SOAR PILOT PROGRAM ESTABLISHMENT

Sec. 5141. Short title.

This subtitle may be cited as the “SSI/SSDI Outreach, Access, and Recovery (SOAR) Pilot Program Establishment Emergency Act of 2014”.

Sec. 5142. SOAR Pilot Program.

Note,
§ 4-271.01

(a) There is established within the Department of Human Services (“Department”) a SSI/SSDI Outreach, Access, and Recovery, or SOAR Pilot Program (“Program”) to provide application assistance for individuals applying to receive Supplemental Security Income (“SSI”) and Social Security Disability Insurance (“SSDI”).

(b)(1) The Department may contract with, or provide a grant to, a qualified community-based nonprofit corporation, organization, or consortia of organizations, with offices located in the District, to operate the Program. The Department shall establish the criteria that an entity must meet to be selected to operate the Program. If the Department is unable to contract with an outside entity that meets the specified criteria, or determines it to not be in the best interest of the District, the Department shall operate the Program.

(2) A grant issued under this subsection shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

(c) The Program shall conduct outreach to homeless individuals to provide intensive assistance and support with completing an SSI or SSDI application with the federal Social Security Administration.

SUBTITLE O. TEEN PREGNANCY PREVENTION FUND

Sec. 5151. Short title.

This subtitle may be cited as the “Teen Pregnancy Prevention Fund Establishment Emergency Act of 2014”.

Sec. 5152. Definitions.

For the purposes of this subtitle, the term:

Note, New
§ 1-325.321

(1) "Fund" means the Teen Pregnancy Prevention Fund established in section 5153.

(2) "Grant-managing entity" means the DC Campaign to Prevent Teen Pregnancy, as authorized by section 5156.

Sec. 5153. Teen Pregnancy Prevention Fund.

**Note, New
§ 1-325.322**

(a) There is established a Teen Pregnancy Prevention Fund ("Fund") to provide subgrants to nonprofit organizations.

(b) The Department of Health shall make a grant to a single grant-managing entity of which at least 90% shall be used to make subgrants for the purpose of teen pregnancy prevention. The remaining 10% shall be utilized for administrative expenses and evaluation of the Fund. The grant-managing entity is limited to spending any funds received from the Fund on administrative costs only, and not any substantive work related to teen pregnancy prevention.

(c) The Fund is designed to provide subgrants to nonprofits in health services for teens, reproductive health education, professional development and training, research and policy development, and public education and awareness. The funds shall be available for conveyance to a grant-managing entity for the purposes identified in subsection (b) of this section.

(d) Subgrants shall be awarded, subject to the availability of funding, as follows:

(1) All subgrants shall be awarded on a competitive basis;

(2) The subgrants shall not exceed \$100,000 per year;

(3) Subgrants are one-time;

(4) The subgrant funds shall be used exclusively to serve District of Columbia residents; and

(5) All subgrants shall be subject to District transparency requirements, such as Freedom of Information Act requests.

(e) The Fund shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

Sec. 5153. Required information before approval.

**Note, New
§ 1-325.323**

(a) To be eligible to receive a subgrant from the grant-managing entity pursuant to section 5153, a subgrantee shall submit the following required documentation to the grant-managing entity, as well as any additional information required by the grant-managing entity:

(1) Internal Revenue Service certification that the organization is tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A 24 Stat. 163; 26 U.S.C. § 501(c)(3));

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

(B) A recent financial statement, not more than one year old, prepared 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, if any; and
- (iii) Pending and final judgments, if any.

(3) Internal Revenue Service Form 990 covering the organization's most recently completed fiscal year;

(4) A notarized statement from the subgrantee certifying that:

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

(B) The grant-managing entity is authorized to verify the organization's tax status with the Office of Tax and Revenue and the Office of Tax and Revenue is authorized to release this information to the grant-managing entity;

(C) The grant-managing entity shall have access to the subgrantee's financial, administrative, and operational records, including specific consent for the grant-managing entity to access its books, accounts, records, findings, and documents related to the subgrant; and

(D) The subgrantee is registered with the Department of Consumer and Regulatory Affairs; and

(5) A comprehensive program statement that includes a detailed:

(A) Scope of work; and

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

Sec. 5154. Reporting requirements.

**Note, New
§ 1-325.324**

Beginning December 1, 2014, the grant-managing entity shall submit a bimonthly report to the Council of all District funds allocated, which includes:

- (1) Detailed subgrantee data;
- (2) Performance measures and performance outcomes under each subgrant;
- (3) The specific services provided under each subgrant;
- (4) The entity providing the services, if one other than the subgrantee;
- (5) The time period of delivery of the services;
- (6) The type of service provided;
- (7) The actual amount paid for the services; and
- (8) The amount of other expenditures under the subgrant, if any.

Sec. 5155. Authorization for grant-managing entity.

**Note, New
§ 1-325.325**

For Fiscal Year 2015, the DC Campaign to Prevent Teen Pregnancy ("DC Campaign") is designated as the grant-managing entity. The DC Campaign shall be required to enter into a Memorandum of Understanding ("MOU") with the District of Columbia government. The MOU shall set forth certain administrative requirements for the DC Campaign to abide by when it obtains District funds and awards subgrants involving District funds, and will clarify and

reaffirm the DC Campaign's responsibility and obligation with respect to District funds, including the monitoring of the use of District funds.

Sec. 5156. Limitation on duplicative projects.

Note, New
§ 1-325.326

(a) The grant-managing entity shall take steps to avoid awarding subgrants to a nonprofit that has been awarded or is being awarded funds from another District agency for the same or similar program purposes for which it is applying for funding from the Fund.

(b) Within 30 days after the effective date of the MOU, the grant-managing entity shall provide to the Department of Health and the Council a plan that sets forth procedures for avoiding the award of duplicative funds.

SUBTITLE P. UNITED MEDICAL CENTER TRANSFORMATION INITIATIVE

Sec. 5161. Short title.

This subtitle may be cited as the “United Medical Center Transformation Initiative Emergency Act of 2014”.

Sec. 5162. Findings and policy.

NA

(a) It is the policy of the District government that there shall be an enduring, full service hospital east of the Anacostia River. To effect this policy the government is committed to improving the United Medical Center (“UMC”) with the expectation that its improved financial condition (i.e., solvency) will enable eventual divestiture of UMC from District ownership and management.

(b) The government recognizes and supports the proposition that maintaining full hospital service may likely entail more than renovation of the current facility on Southern Avenue, SE.

(c) Substantial funding has been made available to UMC in the Capital Improvement Plan accompanying the fiscal year 2015 budget. Although most of these dollars are strategic investment in facilities, equipment, and information technology, the Council would be supportive of utilizing these dollars toward a viable proposal, which may involve a public-private-partnership, to construct a new hospital facility rather than renovation of the existing facility.

(d) The Council affirmatively approved a contract in 2012 with Huron Consulting Group in part to improve the operations of UMC and to assist with the divestiture of UMC from District ownership and management. Huron is urged to solicit bidders for ownership and management without constraint as to a particular business model or financing structure other than to obtain an offer that is both in the best interest of the District government and the policy to maintain an enduring, full service hospital east of the Anacostia River.

(e) The Executive is urged to move forward expeditiously with improving UMC operations and soliciting proposals for private sector takeover of the ownership and management of the United Medical Center.

SUBTITLE Q. LOCAL RENT SUPPLEMENT PROGRAM REFERRALS

Sec. 5171. Short title.

This subtitle may be cited as the “Local Rent Supplement Program Referrals Emergency Amendment Act of 2014”.

Sec. 5172. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16- 35; D.C. Official Code § 4-751.01 *et seq.*), is amended by adding a new section 8d to read as follows:

“Sec. 8d. Notwithstanding section 8c, in Fiscal Year 2015, 75 tenant-based Local Rent Supplement vouchers, established by section 26a of the District of Columbia Housing Authority Act, effective March 2, 2007 (D.C. Law 13-105; D.C. Official Code § 6-226), shall be filled through referrals by the Department of Human Services. The referrals shall be based on special eligibility criteria established in 29 DCMR § 2557.1, or shall consist of families currently in the Department of Human Services Permanent Supportive Housing Program who the Department determines no longer need intensive services.”.

**Note, New
§ 4-753.07**

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT
SUBTITLE A. VAULT RENT

Sec. 6001. Short title.

This subtitle may be cited as the "Vault Rent Emergency Amendment Act of 2014".

Sec. 6002. The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10–1101.01 *et seq.*) ("Public Space Act"), is amended as follows:

(a) Section 103 (D.C. Official Code § 10-1101.01) is amended as follows:

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

"(1B) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

"(1C) "Condominium unit owners' association" shall have the same meaning as the unit owner's association described in section 301 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.01), or a master association as defined in section 102(19A) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.02(19A)), as the context may require.

"(1D) "Declarant" shall have the same meaning as provided in section 102(11) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.02(11)).".

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

"(6A) "Responsible condominium unit owners' association" means a condominium unit owners' association if vault rent was an obligation of the condominium as a

**Note,
§ 10-1101.01**

whole before there was a unit owner other than the declarant, or the condominium unit owners' association or its predecessor entered into an agreement with the Mayor relating to the occupation of vault space."

(3) A new paragraph (9) is added to read as follows:

"(9) "Vault rent year" means the period beginning July 1st each year and ending June 30th of each succeeding year."

(b) Section 202 (D.C. Official Code § 10-1102.02) is amended as follows:

Note,
§ 10-1102.02

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

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

"(b) Notwithstanding the requirements of subsection (a) of this section, the District shall not charge a fee to a nonprofit organization for occupying public space to operate a farmers market."

(c)(1) Section 303 (D.C. Official Code § 10-1103.02) is amended to read as follows:

Note,
§ 10-1103.02

"Sec. 303. (a)(1) The Chief Financial Officer shall assess and collect rent and charges from the owner or owners of abutting property for any vault located in the public space abutting such property, unless such vault has been removed, filled, sealed, or otherwise rendered unusable in a manner satisfactory to the Mayor.

"(2) Bills and notices shall be deemed to be properly served when mailed via first class mail to the abutting property owner's mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(b)(1) Notwithstanding section 104 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code §42-1901.04), or any provision of other law that imposes liability for vault rent that is contrary to this subsection, vault rent shall be assessed against a responsible condominium unit owners' association.

"(2) The responsible condominium unit owners' association shall be billed for vault rent as a separate and distinct taxable entity with its own vault rent account, as designated by the Chief Financial Officer, and, unless the context requires otherwise, for purposes of this title shall be deemed to be the owner of the property abutting public space in which any vault is located.

"(3) A notice of proposed land assessment relating to the vault rent account shall be given to the responsible condominium unit owners' association by March 1st before the beginning of the applicable vault rent year.

"(4) The assessed value of the land derived for purposes of billing the vault rent may be appealed as provided under D.C. Official Code § 47-825.01a(d), (e), and (g); except, that for the purposes of this section any references in that section to an owner shall be deemed to be references to a responsible condominium unit owners' association.

"(5) Provided that the land values of comparable multi-family residential properties shall only be used in determining land values for vault rent purposes in residential condominiums, the Chief Financial Officer may correct or change any land assessment relating

to the vault rent account for which a responsible condominium unit owners' association is responsible as under the circumstances and subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to:

"(A) Tax years shall be deemed to be a reference to vault rent years;

"(B) Owner shall be deemed to be a reference to a responsible condominium unit owners' association; and

"(C) The owner's address of record shall be deemed to be a reference to the responsible condominium unit owners' mailing address of record as maintained by the Chief Assessor of the Office of Tax and Revenue.

"(c) Where vault rent is assessed against any owner other than a responsible condominium owners' association, the Mayor may adjust any utilization factor or area of the vault level under the circumstances, subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the reference to tax years shall be deemed to be a reference to vault rent years .".

(d) Section 305 (D.C. Official Code § 10-1103.04) is amended as follows:

Note,
§ 10-1103.04

(1) Subsection (a) is amended by striking the phrase "shall pay the rent established in accordance with this part for such vault. Such rent shall be payable annually for the year commencing July 1st and ending on the following June 30th, and shall be payable in full prior to the beginning of such year." and inserting the phrase "shall pay the rent established in accordance with this part for such vault and any charges levied under § 308(a). Such rent and charges shall be payable annually for the vault rent year and shall be payable in full on or before the later of 30 days after the date the vault rent bill was mailed or September 15 of the vault rent year." in its place.

(2) Subsection (c) is amended by striking the second sentence.

(3) A new subsection (c-1) is added to read as follows:

"(c-1) Notwithstanding subsection (c) of this section, rent per fuel oil tank shall be \$100; provided, that the Council may adjust the amount of rent per fuel oil tank pursuant to section 401."

(e) Section 305a (D.C. Official Code § 10-1103.04a) is amended by striking the word "Mayor" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

Note,
§ 10-1103.04a

(f) Section 308 (D.C. Official Code § 10-1103.07) is amended by adding subsections (c), (d), (e), and (f) to read as follows:

Note,
§ 10-1103.07

"(c)(1) For vault years beginning after June 30, 2015, the Mayor, in the Mayor's discretion, may seal off, remove in whole or in part, fill, reconstruct, repair, or close a vault or vault opening, or perform any other service in connection with a vault or vault opening that the Mayor considers necessary or appropriate; provided, that should the subject vault contain utility infrastructure, the Mayor shall confer with the affected utility before any modification to the vault about whether the planned activity would compromise the operations of the utility infrastructure system.

"(2) The Chief Financial Officer shall levy a charge against the abutting property for the reasonable cost of action by the Mayor.

"(d)(1) For periods beginning after June 30, 2015, interest on unpaid vault rent and the charges authorized under subsection (a) of this section shall accrue at the rate set forth in D.C. Official § 47-811(c) per month or part thereof after the due date prescribed in section 305.

"(2) Except as provided in subsection (f) of this section, the abutting property for any vault located in the public space shall be sold by the Chief Financial Officer at a tax sale held under Chapter 13A of Title 47 of the District of Columbia Official Code for vault rent, charges, and interest that are delinquent as of the October 1st before the tax sale.

"(3) Notwithstanding any other provision of law, delinquent vault rent, charges, and interest shall not be required to be certified for purposes of the tax sale and the lien priority of vault rents, charges, and interest shall be immediately junior to real property taxes.

"(e) Payments shall be applied to the oldest vault year owed, and within such year first to interest, then to charges, and then to rent.

"(f)(1) When a responsible condominium unit owners' association is billed for vault rent, charges, and interest and the rent, charges, and interest are not timely paid, the rent, charges, and interest shall constitute a delinquent tax to be collected against the responsible condominium unit owners' association in accordance with Chapter 44 of Title 47 of the District of Columbia Official Code, notwithstanding section 104 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision to the contrary. Liability shall follow to any subsequent or successor responsible condominium unit owners' association or the resulting owners of any termination of the condominium, as the case may be, notwithstanding any other law to the contrary."

(g) A new subsection 308a is added to read as follows:

**Note, New
§ 10-1103.07a**

"Sec. 308a. Waiver and compromise; authority of the Chief Financial Officer.

"The Chief Financial Officer may:

"(1) Waive, in whole or in part, interest assessed pursuant to the Public Space Rental Act in the interest of equity or in the public interest; or

"(2) Compromise any charge or vault rent assessed pursuant to the Public Space Rental Act when, in the Chief Financial Officer's judgment, there is reasonable doubt as to the liability of the owner against whom the vault rent was assessed or the collectability of the tax."

(h) A new section 311 is added to read as follows:

**Note, New
§ 10-1103.10**

"Sec. 311. Rules.

"The Chief Financial Officer, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this title."

Sec. 6003. Applicability.

(a) Section 6002 (a), (c), (d), (e), and (f) shall apply as of July 1, 2015.

(b) Section 6002(b), (g), and (h) shall apply upon the effective date of this act.

**Delayed
Applicability**

**SUBTITLE B. CAPITAL BIKESHARE CORPORATE SPONSORSHIP
ESTABLISHMENT**

Sec. 6021. Short title.

This subtitle may be cited as the "Private Sponsorship of Capital Bikeshare Emergency Amendment Act of 2014".

Sec. 6022. Section 5(a) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)), is amended as follows:

**Note,
§ 50-921.04**

(a) Paragraph (4)(G)(iv) is amended by striking the period and inserting the phrase "; provided, that proceeds related to advertisements on bicycles, equipment, or facilities used for the purposes of the Bicycle Sharing program shall be deposited into the Bicycle Sharing Fund established by section 9h." in its place.

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

"(4A) Rights-of-Way Management Administration may enter into agreements to allow the private sponsorship of bicycles, equipment, and facilities used in the Bicycle Sharing program, the placement of a corporate logo, slogan, or other indicia on the bicycles or facilities, and on related websites and social media; provided, that that an agreement that would modify the name or design of any part of the Capital Bikeshare system, including equipment, or facilities, shall be submitted to the Council for a 30-day period of passive review before execution. The agreement submitted to the Council shall include detailed information about a proposed name or design. All proceeds collected from a private sponsorship agreement shall be deposited into the Bicycle Sharing Fund established by section 9h."

SUBTITLE C. DDOT MANAGED LANE AUTHORIZATION

Sec. 6031. Short title.

This subtitle may be cited as the "District Department of Transportation Managed Lane Authorization Emergency Amendment Act of 2014".

Sec. 6032. Section 5(a)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)(2)), is amended as follows:

**Note,
§ 50-921.04**

(a) Subparagraph (M) is amended by striking the word "and" at the end.

(b) Subparagraph (N) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new subparagraph (O) is added to read as follows:

"(O) Implement managed lane policies, including lane pricing, vehicle eligibility, and access control; provided, that at least one lane of traffic on a street with managed lanes shall be free of charge; provided further, that the Department shall submit to the Council any policy created pursuant to this subparagraph for approval by act before implementation."

SUBTITLE D. INTEGRATED PREMIUM TRANSIT SYSTEM AMENDMENT

Sec. 6041. Short title.

This subtitle may be cited as the "Integrated Premium Transit System Emergency Amendment Act of 2014".

Sec. 6042. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

(a) Section 5 (D.C. Official Code § 50-921.04) is amended as follows:

Note,
§ 50-921.04

(1) The lead-in language is designated as subsection (a).

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

(A) Subparagraph (C) is amended by striking the word "and" at the end.

(B) Subparagraph (D) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(E) Plan, manage, and contract for all, or any part of, the design, engineering, construction, operation, and maintenance of any element of the Integrated Premium Transit System."

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

(A) Subparagraph (L) is amended by striking the phrase "Operate, develop, and finance" and inserting the phrase "Operate, maintain, and regulate" in its place.

(B) Subparagraph (N) is amended by striking the phrase "Operate, develop, regulate, and finance" and inserting the phrase "Operate, maintain, and regulate" in its place.

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

"(b) For the purposes of this section, the term:

"(1) "DC Streetcar" means a fixed guideway transit network offering rail passenger service operated by the District government or its agent.

"(2) "Integrated Premium Transit System" means an integrated transit system composed of any or all of the DC Streetcar, bus service operated or managed by, or on behalf of, the District government consistent with the Washington Metropolitan Area Transit Regulation Compact, and facilities including buildings, other structures, and parking areas appurtenant to the DC Streetcar and bus service."

(b) Section 11n (D.C. Official Code § 50-921.72) is amended as follows:

Note,
§ 50-921.72

(1) Paragraph (1) is amended by striking the word "and" at the end.

(2) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(3) Enter into contracts with third parties for the design, construction, operation, and maintenance of the DC Streetcar."

Sec. 6043. Section 47-392.02 of the District of Columbia Official Code is amended as follows:

Note,
§ 47-392.02

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

(1) Paragraph (5)(A) is amended by striking the phrase "Beginning in the fiscal year following the completion of the capital construction of the Streetcar Project," and inserting the phrase "Beginning in Fiscal Year 2045," in its place.

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

"(6) All funds in the Pay-as-you-go Capital Account shall be budgeted for the Integrated Premium Transit System until Fiscal Year 2045."

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

"(l) For the purposes of this section, the term:

"(A) "DC Streetcar" shall have the same meaning as provided in section 5(b)(1) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b)(1)).

"(B) "Integrated Premium Transit System" shall have the same meaning as provided in section 5(b)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b)(2))."

Sec. 6044. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as follows:

(a) Section 104 (D.C. Official Code § 2-351.04) is amended as follows:

Note,
§ 2-351.04

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

"(2A) "Alternative technical concept" means a proposed change to an agency-supplied base design configuration, project scope, design criterion, or construction criterion that the agency determines is equal to or better than a requirement in a request for proposals."

(2) Paragraph (13) is amended to read as follows:

"(13) "Construction" means the process of building, altering, repairing, improving, or demolishing any public infrastructure facility. The term "construction" does not include the routine operation, routine repair, or routine maintenance of an existing public infrastructure facility."

(3) A new paragraph (37A) is added to read as follows:

"(37A) "Public infrastructure facility" includes any public structure, public building, any element of the Integrated Premium Transit System, as that term is defined in section 5(b)(2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b)(2)), and other public improvements of any kind to real property."

(b) Section 201(d) (D.C. Official Code § 2-352.01(d)) is amended by striking the phrase "roads and bridges" and inserting the phrase "roads, bridges, other transportation systems, and facilities and structures appurtenant to roads, bridges, and other transportation systems" in its place.

Note,
§ 2-352.01

(c) Section 403 (D.C. Official Code § 2-354.03) is amended by adding a new subsection (d-1) to read as follows:

Note,
§ 2-354.03

"(d-1) An RFP for the construction of a road, bridge, other transportation system, or a facility or structure appurtenant to a road, bridge, or other transportation system, may allow prospective offerors or contractors to submit alternative technical concepts as a part of their proposals. The agency's determination on the alternative technical concepts may be considered by the contracting officer as part of the evaluation and ranking of proposals.".

Sec. 6045. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE E. PESTICIDE REGISTRATION FUND AMENDMENT

Sec. 6051. Short title.

This subtitle may be cited as the "Pesticide Registration Fund Emergency Amendment Act of 2014".

Sec. 6052. Section 9a(c) of the Pesticide Education and Control Amendment Act of 2012, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 8-438.01(c)), is amended by striking the word "pesticide" and inserting the phrase "pesticide, chemical, tank, land remediation, and wildlife protection" in its place.

Note,
§ 8-438.01

SUBTITLE F. DISTRIBUTED GENERATION AMENDMENT

Sec. 6061. Short title.

This subtitle may be cited as the "Distributed Generation Emergency Amendment Act of 2014".

Sec. 6062. Section 4(e) of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1432(e)), is amended as follows:

Note,
§ 34-1432

(a) Paragraph (1) is amended by striking the phrase "serving the District" and inserting the phrase "serving the District; provided, that renewable energy credits from solar energy systems larger than 5MW in capacity located on property owned by the District, or by any agency or independent authority of the District, may be used to meet the solar requirement" in its place.

(b) Paragraph (2) is amended to read as follows:

"(2) As of January 1, 2015, notwithstanding paragraph (1) of this subsection, an electricity supplier may meet the remaining non-solar tier one renewable source requirement of the renewable energy portfolio standard by obtaining the equivalent amount of renewable energy credits from solar energy systems that do not satisfy the requirements under paragraph (1) of this subsection.".

SUBTITLE G. CLEAN AND AFFORDABLE ENERGY AMENDMENT

Sec. 6071. Short title.

This subtitle may be cited as the “Clean and Affordable Energy Emergency Amendment Act of 2014”.

Sec. 6072. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

(a) Section 201(d)(4) (D.C. Official Code § 8-1774.01(d)(4)) is amended to read as follows:

Note,
§ 8-1774.01

"(4) Improve the energy efficiency or increase the renewable energy generating capacity of low-income housing, shelters, clinics, or other buildings serving low-income residents in the District of Columbia;"

(b) Section 202(a) (D.C. Official Code § 8-1774.02(a)) is amended by striking the phrase "5 years" and inserting the phrase "5 years. Upon the expiration of the initial SEU contract, including any option years, subsequent SEU contracts shall be multiyear contracts of not less than 4 years. If options to extend the SEU contract are included in subsequent SEU contracts, the option periods shall be for not less than 2 years" in its place.

Note,
§ 8-1774.02

(c) Section 210 (D.C. Official Code § 8-1774.10) is amended as follows:

Note,
§ 8-1774.10

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

(A) Paragraph (1) is amended by striking the word "nonlapsing" and inserting the word "special" in its place.

(B) Paragraph (2) is amended to read as follows:

"(2) The money deposited into the Fund, and any interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time."

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

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

(2) Subsection (c) is amended as follows:

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

"(1) The SEU contract in an amount of at least \$20 million annually;"

(B) Paragraphs (5), (6), (7), and (8) are repealed.

Sec. 6073. Section 8 of the Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1436), is amended as follows:

Note,
§ 34-1436

(a) Subsection (b) is amended by striking the phrase "shall receive" and inserting the phrase "may receive" in its place.

(b) Subsection (c) is amended by adding a new sentence at the end to read as follows: "The Fund may be used to supplement programs supporting the creation of new solar energy sources in the District of Columbia through the Sustainable Energy Utility contract established

by the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*)".

SUBTITLE H. ATHLETIC FIELD PERMIT COORDINATION COMMITTEE

Sec. 6081. Short title.

This subtitle may be cited as the "Athletic Field Permit Coordination Committee Emergency Amendment Act of 2014".

Sec. 6082. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq.*), is amended by adding a new section 7b to read as follows:

“Sec. 7b. Athletic Field Permit Coordination Committee.

Note, New
§ 10-308

“(a)(1) Within 90 days of the effective date of the Fiscal Year 2015 Budget Support Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750), the Department shall establish an Athletic Field Permit Coordination Committee (“Committee”) to advise the Department on how to develop a collaborative permitting system for athletic fields located on property owned by the District of Columbia.

“(2) The Committee shall include representatives from the following:

“(A) The Department;

“(B) The Department of General Services;

“(C) The District of Columbia Public Schools;

“(D) The District of Columbia Public Charter School Board; and

“(E) The National Park Service.

“(3) The Department shall assign an employee from the Department to perform duties, including the following:

“(A) Coordinating and securing a location for Committee meetings;

“(B) Ensuring administrative support for the Committee, such as circulating meeting notices and keeping meeting minutes; and

“(C) Developing an agenda for meetings and ensuring that the Committee issues the comprehensive report described in subsection (b) of this section.

“(b) By March 31, 2015, the Committee shall transmit to the Mayor and to the Council, and make publicly available, a comprehensive report containing the following:

“(1) An analysis of public field availability throughout the District;

“(2) An analysis of whether it is feasible to create a singular office for permitting public athletic field space located throughout the District;

“(3) A recommendation of how to proportionately allocate permit revenue to the District government entities whose fields are being used, as opposed to all funds being deposited into the General Fund of the District of Columbia; and

“(4) A list of underutilized public fields that the Department, in collaboration with the Department of General Services, may convert to usable and sustainable fields.

“(c) By March 31, 2016, and each year thereafter, the Committee shall transmit to the Mayor and to the Council, and make publicly available, a report containing the following:

“(1) An update on the progress of the analysis conducted and recommendations provided in previous reports created by the Committee;
“(2) Actions taken by the Committee in the preceding year; and
“(3) Recommendations for methods to develop and provide a collaborative permitting system for athletic fields owned by the District of Columbia.”.

SUBTITLE I. COMPETITIVE GRANTS

Sec. 6091. Short title.

This subtitle may be cited as the "Competitive Grants Emergency Act of 2014".

Sec. 6092. In Fiscal Year 2015, the Council shall award a grant on a competitive basis to a regional organization, in an amount not to exceed \$500,000, to produce a comprehensive rail plan for the District, including plans to accommodate future increases in passenger, commuter, and freight rail traffic. The Council shall consult with the Office of Planning and the District Department of Transportation before awarding the grant.

NA

Sec. 6093. In Fiscal Year 2015, the District Department of the Environment shall award a grant on a competitive basis, in an amount not to exceed \$50,000, for recycling education at public housing.

Sec. 6094. In Fiscal Year 2015, the Department of Parks and Recreation shall award a grant on a competitive basis, in an amount not to exceed \$250,000, to improve the Kenilworth Parkside Community Park.

Sec. 6095. In fiscal years 2015 to 2018, the Office of the State Superintendent of Education shall award a grant on a competitive basis, in an amount not to exceed \$63,000, to one or more nonprofit organizations to support school pantries at low-income schools in the District.

Sec. 6096. In fiscal years 2015 to 2018, the District Department of the Environment shall award a grant on a competitive basis, in an amount not to exceed \$200,000, to provide wildlife rehabilitation services.

Sec. 6097. (a) Of the funds appropriated in fiscal years 2015 and 2016 to the Department of Small and Local Business Development for Clean Teams, the amount of \$600,000 shall be awarded as a competitive grant over a 2-year period to include \$300,000 in Fiscal Year 2015 and \$300,000 in Fiscal Year 2016 to a Business Improvement District that can provide clean team services to, at minimum, the following areas, with funds divided equally:

(1) In Ward 7: Pennsylvania Avenue, S.E., from Fairlawn Street, S.E., to Naylor Road, S.E.;

(2) In Ward 3: Wisconsin Avenue, N.W., from Lowell Street, N.W., to Davenport Street, N.W.; and

(3) In Ward 5: Penn Street, N.E., between 6th Street, N.E., and 4th Street, N.E.; 4th Street, N.E., between Penn Street, N.E., and New York Avenue, N.E.; New York Avenue, N.E., between 4th Street, N.E., and Fenwick Street, N.E.; Fenwick Street, N.E., between New York Avenue, N.E., and West Virginia Avenue, N.E.; West Virginia Avenue, N.E., between Fenwick Street, N.E., and Mount Olivet Road, N.E.; Capitol Avenue, N.E., between Fenwick Street, N.E., and Mount Olivet Road, N.E.; Gallaudet Street, N.E., between Fenwick Street, N.E., and Corcoran Street, N.E.; Fairview Avenue, N.E., between New York Avenue, N.E., and Gallaudet Street, N.E.; Corcoran Street, N.E., between Gallaudet Street, N.E., and Mount Olivet Road, N.E.; Kendall Street, N.E., between New York Avenue, N.E., and Capitol Avenue, N.E.; Central Place, N.E., between Gallaudet Street, N.E., and West Virginia Avenue, N.E.; Providence Street, N.E., between Gallaudet Street, N.E., and Capitol Avenue, N.E.; Okie Street, N.E., between Fenwick Street, N.E., and Kendall Street, N.E.; and the 1100 block of Okie Street, N.E.

(b) The BID must further have experience in:

- (1) Providing clean team services;
- (2) Providing job training services to its employees;
- (3) Hiring District residents; and
- (4) Providing additional social support services to its Clean Team employees."

(c) Section 6082 of the Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12541), is amended by striking the phrase "Cathedral Avenue" and inserting the phrase ""Devonshire Place" in its place.

Sec. 6098. All grants issued pursuant to this subtitle shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

Sec. 6099. Notwithstanding section 6119 or section 1091 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11), in Fiscal Year 2015, the Deputy Mayor for Planning and Economic Development shall award a grant of \$5,000,000 for the improvement of facilities and operations of the Animal Care and Control Agency selected pursuant to section 3 of the Animal Control Act of 1979, effective October 17, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1802).

SUBTITLE J. ANACOSTIA RIVER TOXICS REMEDIATION

Sec. 6101. Short title.

This subtitle may be cited as the "Anacostia River Toxics Remediation Emergency Act of 2014".

Sec. 6102. By June 30, 2018, the Director of the District Department of the Environment shall adopt and publish a record of decision in the District of Columbia Register choosing the remedy for remediation of contaminated sediment in the Anacostia River. The remedial choice

**Note, New
§ 8-104.31**

shall be based on the remedial investigation and feasibility study results and shall be consistent with the National Contingency Plan set forth in 40 C.F.R. Part 300, and with section 121 of the Comprehensive Environmental Response Compensation and Liability Act, approved October 17, 1986 (100 Stat. 1672; 42 U.S.C. § 9621).

TITLE VII. FINANCE AND REVENUE
SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS

Sec. 7001. Short title.

This subtitle may be cited as the "Subject to Appropriations Emergency Amendment Act of 2014".

Sec. 7002. Section 47-4304.01(3) of the District of Columbia Official Code is amended to read as follows:

Note,
§ 47-4304.01

“(3) The tax credit shall be applied over a 3-year period in equal amounts in tax years beginning on or after January 1, 2019.”.

Sec. 7003. Section 3 of the Earned Sick and Safe Leave Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-89; 61 DCR 317), is repealed.

Implement
Law 20-89

Sec. 7004. Section 3 of the Minimum Wage Amendment Act of 2013, effective March 11, 2014 (D.C. Law 20-91; 61 DCR 3746), is repealed.

Implement
Law 20-91

Sec. 7005. Section 4(c) of the Small and Certified Business Enterprise Development and Assistance Amendment Act of 2014, enacted on April 8, 2014 (D.C. Act 20-307; 61 DCR 3892), is repealed.

Implement
Law 20-108

Sec. 7006. Section 5 of the Fair Student Funding and School-Based Budgeting Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-87; 61 DCR 3742), is repealed.

Implement
Law 20-87,
§ 4(b)

Sec. 7007. Section 4 of the Smoking Restriction Amendment Act of 2013, effective December 13, 2014 (D.C. Law 20-48; 61 DCR 15145), is repealed.

Implement
Law 20-48

Sec. 7008. Section 13 of the Wildlife Protection Act of 2010, effective March 8, 2011 (D.C. Law 18-289; 57 DCR 11499), is repealed.

Implement
Law 18-289

Sec. 7009. Section 5 of the Traffic Adjudication Amendment Act of 2014, passed on 2nd reading on May 6, 2014 (Enrolled version of Bill 20-324), is amended to read as follows:

Implement
Law 20-127

“Sec. 5. Applicability.

“This act shall apply as of October 1, 2014.”.

Sec. 7010. Section 501 of the Electric Company Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102; 61 DCR 5193), is repealed.

**Implement
Law 20-102**

SUBTITLE B. TAX REVISION COMMISSION IMPLEMENTATION

Sec. 7021. Short title.

This subtitle may be cited as the “Tax Revision Commission Implementation Emergency Amendment Act of 2014”.

Sec. 7022. Title 47 of the District of Columbia Official Code is amended as follows:

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

“Chapter 1C . Tax Revision Implementation.”.

(b) A new Chapter 1C is added to read as follows:

“Chapter 1C . Tax Revision Implementation.”.

“§ 47-181. Tax reform procedure and priority.

**Note,
§ 47-181**

“(a) If local Fiscal 2015 or Fiscal Year 2016 recurring annual revenues included in the quarterly revenue estimate issued in February 2015 exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2015:

“(1) The first \$181 million shall be recognized as Fiscal Year 2016 revenue; and

“(2) Any additional recurring revenue remaining after paragraph (1) of this subsection has been addressed shall be used to implement the provisions set forth in the Tax Revision Commission Implementation Amendment Act of 2014, passed on 2nd reading on June 24, 2014 (Enrolled version of Bill 20-750) (“TRC act”), according to the priority set forth in subsection (c) of this section, for taxable years beginning or deaths occurring, as applicable, after December 31, 2015.

“(b) After the Fiscal Year 2016 budget and financial plan has been approved, any recurring revenues in a quarterly revenue estimate preceding any subsequent fiscal year, net of the dedication required by § 47-392.02(f), that exceed the local revenue incorporated in the approved budget and financial plan for that year shall be used to continue implementation of the TRC act according to the priority set forth in subsection (c) of this section for taxable years beginning or deaths occurring, as applicable, after December 31 of the year of the applicable February estimate.

“(c) The tax reform provisions of section 7012 of the TRC act shall be implemented in the following priority:

“(A) Reduce the rate on the new individual income tax middle bracket of \$40,000 - \$60,000 from 7.0% to 6.75%;

“(B) Create new individual income tax brackets of \$350,000 to \$1 million at 8.75% and in excess of \$1million at 8.95%;

“(C) Reduce the unincorporated and incorporated business franchise tax from 9.4% to 9.2%;

“(D) Reduce the rate on the new individual income tax middle bracket of \$40,000 - \$60,000 from 6.75% to 6.5%;

“(E) Reduce the unincorporated and incorporated business franchise tax from 9.2% to 9.0%;

“(F) Raise the estate tax threshold from \$1 million to \$2 million;

“(G) Raise the standard deduction from \$5,200 for singles, \$6,650 for Head of Household, \$8,350 for married to \$5650 for singles, \$7,800 for Head of Household, and \$10,275 for married;

“(H) Increase the personal exemption from \$1,675 to \$2,200;

“(I) Raise the standard deduction from \$5,650 for singles, \$7,800 for Head of Household, and \$10,275 for married to conform to the federal level;

“(J) Increase the personal exemption from \$2,200 to \$2,700;

“(K) Reduce the unincorporated and incorporated business franchise tax from 9.0% to 8.75%;

“(L) Increase the personal exemption from \$2,700 to \$3,200;

“(M) Raise estate threshold from \$2 million to conform to the federal level;

“(N) Reduce unincorporated and incorporated business franchise tax from 8.75% to 8.5%;

“(O) Increase the personal exemption from \$3,200 to \$3,700;

“(P) Reduce unincorporated and incorporated business franchise tax from 8.5% to 8.25%; and

“(Q) Increase the personal exemption from \$3,700 to conform to the federal level, and repeal the low income credit.

“(d) Except for those provisions of the TRC act that are funded in the approved budget and financial plan for Fiscal Year 2015, the currently unfunded provisions of the TRC act shall not apply until their fiscal effect is provided for pursuant to this section.

“(e) The cost of the tax policy reforms authorized by subsections (a) and (b) of this section shall be recalculated on an annual basis and reported in each February revenue estimate.”.

(c) Chapter 18 is amended as follows:

(1) Section 47-1801.04 is amended as follows:

(A) Paragraph (11)(A) is amended by striking the phrase "paragraph (44)(A) and (B)" and inserting the phrase "paragraph (44)(A), (B), and (C)" in its place.

(B) Paragraph (43) is amended by striking the phrase "section." and inserting the phrase "section. The term "sales" does not include receipts of a taxpayer from hedging transactions and from the maturity, redemption, sales, exchange, loan, or other disposition of cash or securities." in its place.

(C) Paragraph (44) is amended to read as follows:

"(44) "Standard deduction" means:

Note,
§ 47-1801.04

"(A) In the case of a return filed by a single individual or married individual filing a separate return:

"(i) For taxable years beginning before January 1, 2015, the amount of \$4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50);

"(ii) For taxable years beginning after January 1, 2015, the highest of:

“(I) \$5,200 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50);

“(II) Subject to availability of funding and in accordance with § 47-181, \$5,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

“(III) Subject to availability of funding and in accordance with § 47-181, the amount of the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986 (26 USC § 63(c));

"(B) In the case of a return filed by a head of household:

"(i) For taxable years beginning before January 1, 2015, the amount of \$4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50);

"(ii) For taxable years beginning after January 1, 2015, the highest of:

“(I) \$6,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50);

“(II) Subject to availability of funding and in accordance with § 47-181, \$7,800 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

“(III) Subject to availability of funding and in accordance with § 47-181, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

"(C) In the case of a return filed by married individuals filing a joint return, or a surviving spouse:

"(i) For taxable years beginning before January 1, 2015, the amount of \$4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50);

"(ii) For taxable years beginning after January 1, 2015, the highest of:

“(I) \$6,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50);

“(II) Subject to availability of funding and in accordance with § 47-181, \$7,800 increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

“(III) The standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986 (26 USC § 63(c)); and

“(D) In the case of an individual who is a resident, as defined in paragraph (42) of this section, for less than a full 12-month taxable year, the amounts specified in subparagraph (A), (B), or (C) of this paragraph prorated by the number of months that the individual was a resident.”.

(2) Section 47-1803.02(a)(2)(N) is amended as follows:

Note,
§ 47-1803.02

(A) Sub-subparagraph (i) is amended by striking the word "and" at the end.

(B) Sub-subparagraph (ii) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(iii) This paragraph shall apply for taxable years beginning before January 1, 2015.”.

(3) Section 47-1803.03(b-1) is amended by striking the phrase "An individual" and inserting the phrase "For taxable years beginning before January 1, 2015, an individual" in its place.

Note,
§ 47-1803.03

(4) Section 47-1806.02 is amended as follows:

Note,
§ 47-1806.02

(A) Subsection (c) is amended to read as follows:

“(c) Before January 1, 2015, there shall be allowed an additional exemption for a taxpayer who qualifies as a head of household.”.

(B) Subsection (d) is amended by striking the phrase “There shall” and inserting the phrase “Until § 47-181(c)(I) is implemented, there shall” in its place.

(C) Subsection (e) is amended by striking the phrase “There shall” and inserting the phrase “Until § 47-181(c)(I) is implemented, there shall” in its place.

(D) Subsection (f)(1)(A) is amended to read as follows:

“(A) Whose gross income for the calendar year in which the year of the taxpayer begins is less than the higher of:

“(1) \$ 1,675, increased annually, beginning January 1, 2013, by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$ 50, rounded to the next lowest multiple of \$ 50); or

“(2) The amount set forth in subsection (i) of this section; or”.

(E) Subsection (i) is amended to read as follows:

“(i) For the purposes of this section, the deduction for personal exemptions shall be:

“(1) For taxable years beginning after December 31, 2012, \$1,675, increased annually by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

"(2) Subject to availability of funding and in accordance with § 47-181 and subject to § 47-1806.04(e), the amount shall be:

“(A) \$2,200;

“(B) \$3,200; or

“(C) The prescribed personal exemption amount in section 151 of the Internal Revenue Code of 1986 without reduction for the phaseout of subsection (d)(3) of section 151.”.

(F) A new subsection (h-1) is added to read as follows:

"(h-1) (1) The amount of the personal exemption otherwise allowable for the taxable year in the case of an individual whose adjusted gross income exceeds the applicable amount shall be reduced by 2% for every \$2,500 of the excess of the adjusted gross income over \$150,000.

"(2) No amount of the personal exemption in excess of the amount provided in paragraph (1) of this subsection shall be available for an adjusted gross income in excess of \$275,000.”.

(5) Section 47-1806.03(a) is amended as follows:

**Note,
§ 47-1806.03**

(A) Paragraph (8)(B) is amended by striking the phrase "January 1, 2016" and inserting the phrase "January 1, 2015" in its place.

(B) New paragraphs (9) and (10) are added to read as follows:

"(9) In the case of the taxable year beginning after December 31, 2014, there is imposed on the taxable income of every resident a tax determined in accordance with the following table:

"If the taxable income is:....	The tax is:
"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 7% of the excess over \$ 40,000.
"Over \$ 60,000 but not over \$ 350,000	\$3,600, plus 8.5% of the excess over \$ 60,000.
"Over \$350,000	\$28,250, plus 8.95% of the excess above \$350,000.

"(10) In the case of taxable years beginning after December 31, 2015, there is imposed on the taxable income of every resident a tax determined in accordance with the following table:

“(A) "If the taxable income is:	The tax is:
"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; and
“(B) “Subject to availability of funding and in accordance with § 47-181,	
“If the taxable income is:	The Tax is:
"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 \$ 350,000	\$3,500, plus 8.5% of the excess over \$ 60,000.
"Over \$350,000 but not over \$1,000,000	\$28,150, plus 8.75% of the excess above \$350,000.
"Over \$1,000,000	\$85,025, plus 8.95% of the excess above \$1,000,000

“(C) Paragraph (9) of this subsection shall continue to apply for taxable years beginning after December 31, 2015, except where superseded by any funded provision of § 47-181, until subparagraph (B) of this paragraph is fully applicable.”.

(6) Section 47-1806.04 is amended as follows:

Note,
§ 47-1806.04

(A) Subsection (e) is amended by adding a new paragraph (4) to read as follows:

"(4) The credit provided for in paragraph (1) of this subsection shall no longer be allowed upon the personal exemption being increased to conform to the federal level.

(B) Subsection (f) is amended as follows:

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

(I) Designate the existing text as subparagraph (A).

(II) New subparagraphs (B) and (C) are added to read as

follows:

"(B) If a return is filed for a full calendar or fiscal year beginning after December 31, 2014, an individual with a qualifying child who is eligible for and claimed an earned income tax credit on their federal tax return under section 32 of the Internal Revenue Code of 1986 shall be allowed a credit against the tax imposed by this chapter for the taxable year in an amount equal to 40% of the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986.

"(C)(i) If a return is filed for a full calendar or fiscal year beginning after December 31, 2014, an individual without a qualifying child who is eligible for an earned income tax credit on their federal tax return under section 32 of the Internal Revenue Code of 1986 (without regard to the limit in section 32(a)(2) of the Internal Revenue Code of 1986) shall be allowed a credit against the tax imposed by this chapter in an amount equal to the credit percentage of so much of a taxpayer's earned income as does not exceed the earned income amount.

"(ii) The amount of the credit allowable to a taxpayer under subparagraph (i) of this subparagraph for any taxable year shall not exceed the credit percentage of the earned income amount, over the phaseout percentage of 8.48% of so much of the adjusted gross income (or, if greater, the earned income) of the taxpayer for the taxable year as exceeds the phaseout amount of \$17,235, increased annually by the cost-of-living adjustment."

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

"(4) For the purposes of this subsection, credit percentage, earned income, earned income amount, and qualifying child shall have the same meaning as provided in section 32 of the Internal Revenue Code of 1986."

(C) Subsection (g)(1) is amend by striking the phrase “under subsection” and inserting the phrase “under subsection (f)(1)(C) of this section or subsection” in its place.

(7) Section 47-1807.02(a) is amended by adding new paragraphs (5) and (6) to read as follows:

Note,
§ 47-1807.02

"(5) For the taxable year beginning after December 31, 2014, a tax at the rate of 9.4% upon the taxable income of every corporation, whether domestic or foreign; and

"(6) Subject to availability of funding and in accordance with § 47-181, upon the taxable income of every corporation, whether domestic or foreign, a tax at the rate of 9%, 8.75%, 8.5%, or 8.25%."

(8) Section 47-1808.01 is amended as follows:

Note,
§ 47-1808.01

(A) Paragraph (4) is amended by striking the word "or" at the end.

(B) Paragraph (5) is amended by striking the period at the end and inserting the phrase "; or" in its place.

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

"(6) A trade or business that arises solely by reason of the purchase, holding, or sale of, or the entering, maintaining, or terminating of positions in, stocks, securities, or commodities for the taxpayer's own account; provided, that this paragraph shall not apply to:

"(A) A taxpayer that holds property, or maintains positions, as stock in trade, inventory, or for sale to customers in the ordinary course of the taxpayer's trade or business;

"(B) A taxpayer that acquires debt instruments in the ordinary course of the taxpayer's trade or business for funds loaned or services rendered; or

"(C) A taxpayer that holds any of the following that is not traded on an established securities market:

"(i) Stock in a real estate investment trust; or

"(ii) A partnership interest."

(9) Section 47-1808.03(a) is amended by adding new paragraphs (5) and (6) to read as follows:

Note,
§ 47-1808.03

"(5) For the taxable year beginning after December 31, 2014, a tax at the rate of 9.4% upon the taxable income of every unincorporated business, whether domestic or foreign; and

"(6) Subject to availability of funding and in accordance with § 47-181, upon the taxable income of every unincorporated business, whether domestic or foreign, a tax at the rate of 9%, 8.75%, 8.5%, or 8.25%."

(10) Section 47-1810.02 is amended as follows:

Note,
§ 47-1810.02

(A) Subsection (d) is amended by striking the phrase "(d-1), all" and inserting the phrase "(d-1) or (d-2), whichever is applicable, all" in its place.

(B) Subsection (d-1)(2) is amended by striking the phrase "beginning after December 31, 2010." and inserting the phrase "beginning after December 31, 2010, and before January 1, 2015." in its place.

(C) A new subsection (d-2) is added to read as follows:

"(d-2) Apportionment of business income.

"(1) All business income shall be apportioned to the District by multiplying the income by the sales factor.

"(2) This subsection shall be applicable for the tax years beginning after December 31, 2014."

(D) Subsection (g)(3) is amended to read as follows:

" (3)(A) Sales, other than sales of tangible personal property, are in the District if the taxpayer's market for the sales is in the District. The taxpayer's market for sales is in the District:

"(i) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in the District;

"(ii) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in the District;

"(iii) In the case of the sale of a service, if and to the extent the service is delivered to a location in the District; and

"(iv) In the case of intangible property:

"(I) That is rented, leased, or licensed, if and to the extent the property is used in the District; provided, that intangible property utilized in marketing a good or service to a consumer is used in the District if that good or service is purchased by a consumer who is in the District; and

"(II) That is sold, if and to the extent the property is used in the District; provided, that:

"(aa) A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is used in the District if the geographic area includes all or part of the District;

"(bb) Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under sub-sub-subparagraph (I) of this sub-subparagraph; and

"(cc) All other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the sales factor.

"(B) If the state or states of assignment under subparagraph (A) of this paragraph cannot be determined, the state or states of assignment shall be reasonably approximated.

"(C) If the taxpayer is not taxable in a state in which a sale is assigned under subparagraph (A) or (B) of this paragraph, or if a state of assignment cannot be determined under subparagraph (A) of this paragraph or reasonably approximated under subparagraph (B) of this paragraph, the sale shall be excluded from the denominator of the sales factor.

"(D) The Chief Financial Officer may prescribe regulations as necessary or appropriate to carry out the purposes of this subsection."

(11) Section 47-1810.04(c) is amended as follows:

(A) The lead-in text is amended by striking the phrase "The taxpayer's share" and inserting the phrase " Except as provided in paragraph (3), the taxpayer's share" in its place.

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

Note,
§ 47-1810.04

"(3) For taxable years beginning after December 31, 2014, the apportionment provisions of § 47-1810.02(d-2) shall apply."

(d) Section 47-2001 is amended as follows:

Note,
§ 47-2001

(1) A new subsection (e-1) is added to read as follows:

"(e-1) "e-cigarette" means an electronic vaporizer that produces an aerosol that simulates tobacco smoking."

(2) Subsection (h-3) is amended to read as follows:

"(h-3) "Other tobacco product" means any product containing, made, or derived from tobacco, other than a cigarette or a premium cigar, that is intended or expected to be consumed. The term "other tobacco product" does not include an e-cigarette or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, a tobacco dependence product, or for other medical purposes and is being marketed and sold solely for the approved purpose."

(3) Subsection (n) is amended as follows:

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

(i) Subparagraph (T) is amended by striking the word "or" at the end.

(ii) Subparagraph (U) is amended by striking the period at the end and inserting a semicolon in its place.

(iii) New subparagraphs (V), (W), (X), (Y), (Z), and (AA) are added to read as follows:

"(V) The sale by a bottled water delivery service of bottled water by the gallon generally for use with and to be dispensed from a water cooler or similar type of water dispenser;

"(W) The sale of or charge for the service of the storage of household goods through renting or leasing space for self-storage, including rooms, compartments, lockers, containers, or outdoor space, except general merchandise warehousing and storage and coin-operated lockers;

"(X) The sale of or charge for the service of carpet and upholstery cleaning, including the cleaning or dyeing of used rugs, carpets, or upholstery, or for rug repair;

"(Y)(i) The sale of or charge for health-club services or a tanning studio;

"(ii) For the purposes of this subparagraph, the term:

"(I) "Health-club services" includes the use of, access to, or membership to, an athletic club, fitness center, gym, recreational sports facilities featuring exercise and other active physical fitness conditioning or recreational sports activities including swimming, skating, or racquet sports, or other facility for the purpose of physical exercise. The term "health club services" do not include the use of facilities for non-fitness-related purposes, including room rentals, or for other services or charges covered by a separate contract with the user, such as a lease or occupancy agreement.

“(II) "Tanning studio" means a business the purpose of which is to provide individuals a manmade tan, including sun tanning salons and spray tanning salons;

"(Z) The sale of or charge for the service of car washing, including cleaning, washing, waxing, polishing, or detailing an automotive vehicle, except not for coin-operated self-service carwashes; or

"(AA)(i) The sale of or charge for the service of a bowling alley or a billiard parlor;

"(ii) For the purposes of this subparagraph, the term

“(I) "Billiard parlor" means the structure where the game of striking balls on a cloth-covered table with a cue stick for amusement and recreation takes place, including a billiard room, pool room, and pool parlor.

“(II) "Bowling alley" means a structure where the game of rolling a ball down a wooden alley to knock down pins for amusement and recreation takes place, including candle-pin, duck-pin, five-pin, and ten-pin bowling.”.

(B) Paragraph (2)(J) is amended to read as follows:

"(J) Sales of cigarettes, as defined in § 47-2401(1A) and other tobacco product, as defined in § 47-2401(5A).".

(e) Chapter 24 is amended as follows:

(1) The chapter heading is amended to read “Tobacco Tax.”.

(2) Section 47-2401 is amended as follows:

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

“(1) The term “cigar” means any roll for smoking, other than a cigarette, where both the roll and wrapper or cover of the roll are composed entirely of tobacco.”.

(B) Paragraph (2) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco products” in its place.

(C) Paragraph (5) is amended by striking the phrase “cigarettes, cigars, or other tobacco products” and inserting the phrase “cigarettes or other tobacco products” in its place.

(D) Paragraph (5A) is amended to read as follows:

“(5A) The term "other tobacco product" means any product containing, made from, or derived from tobacco, other than a cigarette or premium cigar, that is intended or expected to be consumed. The term “other tobacco product” does not include an e-cigarette (as that term is defined in § 47-2001(e-1)) or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and that is being marketed and sold solely for such an approved purpose.”.

(E) A new paragraph (7A) is added to read as follows:

“(7A) The term "premium cigar" means any cigar with a retail cost of \$ 2.00 or more, or packaged units of cigars averaging \$ 2.00 or more per packaged cigar at retail.”.

**Note,
§ 47-2401**

(F) Paragraph (8) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco products” in its place.

(G) Paragraph (8A) is repealed.

(H) Paragraph (10) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco product” in its place.

(I) A new paragraph (11) is added to read as follows:

“(11) The term “wholesale price” means the price for which a licensed wholesaler sells other tobacco products. The wholesale price includes the applicable federal excise tax, freight charges, or packaging costs, regardless of whether they were included in the purchase price, but excludes any discount, trade allowance, rebate, or other reduction.”.

(3) Section 47-2402 is amended by striking the word “payment” in the section designation and inserting the phrase “payment of cigarette tax” in its place.

Note,
§ 47-2402

(4) Section 47-2402.01 is amended as follows:

(A) The section heading is amended to read “Tax on other tobacco products”.

Note,
§ 47-2402.01

(B) Subsection (a) is amended to read as follows:

“(a)(1)(A) A tax is levied and imposed on the sale or possession of other tobacco products in the District.

“(B)(i) Other tobacco products on which the taxes levied and imposed by this section have been paid shall not be subject to additional taxation under this section; provided, that the burden of proof that the taxes levied and imposed by this section have been paid shall be upon the person who sells or possesses other tobacco products in the District, against whom a tax assessment has been made, who has submitted an application for a refund, or whose other tobacco products have been seized.

“(ii) For the purposes of this subparagraph, the term “person” includes any officer or employee of a corporation responsible for payment of the tax, or any member of a partnership or association responsible for the payment of the tax.

“(C) The tax rate for other tobacco products shall be equal to the cigarette tax and surtax under §47- 2402(a)(1)-(2) on a pack of 20 cigarettes, expressed as a percentage of the average wholesale price of a package of 20 cigarettes, for the March 31 preceding the September 1 announcement of the change in rates, or in the case of retailers upon whom this tax is imposed, at a rate prescribed in regulations promulgated by the Mayor. The first calculation shall be made and applicable for calendar quarters beginning after September 30, 2014.

“(D) The rate shall be applied against gross receipts from sales of or charges for such other tobacco products subject to the tax under this section.

“(2)(A) Beginning as of March 31, 2015, and on March 31 of each year thereafter, the Mayor shall reevaluate the percentage calculation in paragraph (1) of this subsection on the basis of the § 47-2402 cigarette tax and surtax to be effective on the following October 1 on a pack of 20 cigarettes and shall recompute the tax rate on other tobacco product as defined in this chapter.

“(B) The Mayor shall provide notice of any change in the tax rate for other tobacco products on or before September 1 of that year, and the change shall be effective as of the following October 1.”.

(5) Section 47-2403 is amended as follows:

Note,
§ 47-2403

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

(i) Paragraph (1) is amended by striking the word “cigarettes” wherever it appears and inserting the phrase “cigarettes or other tobacco products” in its place.

(ii) Paragraph (5) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco products” in its place.

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

“(6) Possession of other tobacco product by licensed wholesalers for sale outside of the limits of the District or for sale to other licensed wholesalers as provided for in § 47-2402.01(g), sales of other tobacco products by licensed wholesalers to other licensed wholesalers as provided for in § 47-2402.01(g), and possession by authorized licensed retailers and vending machine operators of other tobacco products on which the tax rate for any other state or jurisdiction has been paid, for sale in such other state or jurisdiction; provided, that such authorized licensed retailers and vending machine operators are licensed under the laws of such other state or jurisdiction to engage in the business of selling other tobacco products therein.”.

(B) Subsection (b) is amended by striking the word “cigarettes” wherever it appears and inserting the phrase “cigarettes or other tobacco products” in its place.

(6) Section 47-2404(3)(B) is amended by striking the word “cigarettes” wherever it appears and inserting the phrase “cigarettes or other tobacco products” in its place.

Note,
§ 47-2404

(7) Section 47-2405 is amended as follows:

Note,
§ 47-2405

(A) The heading is amended by striking the phrase “cigarettes.” and inserting the phrase “cigarettes and other tobacco products.” in its place.

(B) Subsections (a) and (b) are amended to read as follows:

“(a) Any person, other than a consumer, who transports cigarettes not bearing District cigarette tax stamps or other tobacco products over the public highways, roads, streets, waterways, or other public space of the District, shall have in his actual possession invoices or delivery tickets for such cigarettes or other tobacco products, which show the true name and address of the consignor or seller, the true name and address of the consignee or purchaser, and the quantity and brands of the cigarettes or other tobacco products so transported.

“(b) If the cigarettes or other tobacco products are consigned to or purchased by any person in the District, such purchaser or consignee must be a person authorized by this chapter to possess unstamped cigarettes or untaxed other tobacco products in the District. If the invoice or delivery ticket specifies that the cigarettes or other tobacco products are to be delivered to any person in any state or jurisdiction other than the District, such person must be licensed under the laws of such other state or jurisdiction to engage in the business of selling cigarettes or other tobacco products within that state or jurisdiction. Any cigarettes or other tobacco products transported in violation of any of the provisions of this section shall be deemed contraband cigarettes and other tobacco products and such cigarettes or other tobacco products, the

conveyance in which such cigarettes or other tobacco products are being transported, and any equipment or devices used in connection with, or to facilitate, the transportation of such cigarettes or other tobacco products shall be subject to seizure and forfeiture as provided for in § 47-2409.”.

(8) Section 47-2408 is amended as follows:

Note,
§ 47-2408

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

(i) Paragraph (3)(B) is amended by striking the word “cigarette” both times it appears and inserting the phrase “cigarettes or other tobacco product” in its place.

(ii) Paragraph (4) is amended to read as follows:

“(4) Stop any conveyance that the Mayor has knowledge or reasonable cause to believe is carrying more than 200 cigarettes or other tobacco products with a value exceeding the wholesale price of 200 cigarettes and, upon presenting appropriate credentials to the operator of the conveyance, examine the invoices or delivery tickets for such cigarettes or other tobacco products and inspect the conveyance for contraband cigarettes or other tobacco products.”.

(B) Subsection (c) is amended by striking the word “cigarettes” wherever it appears and inserting the phrase “cigarettes or other tobacco product” in its place.

(C) Subsection (g) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco product” in its place.

(9) Section 47-2422(a) is amended by striking the word “cigarette” and inserting the phrase “cigarette or other tobacco product” in its place.

Note,
§ 47-2422

(10) Section 47-2425(b) is amended by striking the word “cigarettes” and inserting the phrase “cigarettes or other tobacco products” in its place.

Note,
§ 47-2425

(f) Chapter 37 is amended as follows:

(1) Section 47-3701 is amended as follows:

(A) Paragraph (4)(C) is amended to read follows:

Note,
§ 47-3701

“(C) For a decedent dying after December 31, 2002, but before January 1, 2016:”.

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

“(6) “Internal Revenue Code” means the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 1 *et seq.*), in effect for federal estate tax purposes on January 1, 2001, unless a different meaning is clearly required by the provisions of this chapter; provided, that if the federal estate tax is not in effect at the time of the decedent's death, it means the Internal Revenue Code as in effect immediately before the federal estate tax ceased to be in effect.”.

(C) Paragraph (12) is amended as follows:

(i) Subparagraph (B) is amended by striking the phrase “decedent whose death occurs on or subsequent to January 1, 2008, the meaning defined in section 2501” and inserting the phrase “decedent dying after December 31, 2007, but before January 1, 2015, the meaning defined in section 2051” in its place.

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

"(C) For a decedent dying after December 31, 2014, the meaning defined in section 2051 of the Internal Revenue Code, but without reduction for the deduction provided in section 2058 of the Internal Revenue Code, and calculated as if the federal estate tax recognized a domestic partner in the same manner as a spouse."

(D) Paragraph (13) is repealed.

(E) New paragraphs (14), (15), and (16) are added to read as follows:

"(14) "Taxable situs" means with regard to:

"(A) Real property, the place where the property is situated;

"(B) Tangible personal property, the place where the property is customarily located at the time of the decedent's death; and

"(C) Intangible personal property, the domicile of the decedent at the time of the decedent's death; provided, that intangible personal property used in a trade or business in the District shall have a taxable situs in the District regardless of the domicile of the owner.

"(15) "Value" means value as finally determined for federal estate tax purposes, or otherwise defined under the Internal Revenue Code.

"(16) (A) "Zero bracket amount" means, subject to available funding and in accordance with § 47-181:

"(i) \$2 million; or

"(ii) \$5 million increased by an amount equal to \$5 million multiplied by the cost-of-living adjustment for the calendar year.

"(B) For the purposes of this paragraph, the term:

"(i) "Cost-of-living adjustment" means for a calendar year the percentage (if any) by which the CPI for the preceding calendar year exceeds the CPI for the calendar year 2010; provided, that for any amount as adjusted under the preceding sentence that is not a multiple of \$10,000, the amount shall be rounded to the nearest \$10,000.

"(ii) "CPI" means the consumer price index as defined in sections 1(f)(4) and (5) of the Internal Revenue Code."

(2) Section 47-3702 is amended as follows:

(A) Subsection (a) is amended by striking the phrase "resident dying on or after April 1, 1987, subject" and inserting the phrase "resident decedent dying after March 31, 1987, but before January 1, 2015, subject" in its place.

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

"(a-1) The tax imposed on the taxable estate of every resident decedent dying after December 31, 2015, as follows:

"(1) The rate of tax shall be 16%; except, that if the taxable estate does not exceed the zero bracket amount, the tax rate shall be 0%, and if the taxable estate exceeds the zero bracket amount, the following tax rates shall be applied to the incremental values of the taxable estate:

"(A) The rate of tax on the taxable estate over \$2 million but not over \$2.5 million shall be 8.0%;

Note,
§ 47-3702

“(B) The rate of tax on the taxable estate over \$2.5 million but not over \$3 million shall be 8.8%;

“(C) The rate of tax on the taxable estate over \$3 million but not over \$3.5 million shall be 9.6%;

“(D) The rate of tax on the taxable estate over \$3.5 million but not exceeding \$4 million shall be 10.4%;

“(E) The rate of tax on the taxable estate over \$4 million but not exceeding \$5 million shall be 11.2%;

“(F) The rate of tax on the taxable estate over \$5 million but not exceeding \$6 million shall be 12%;

“(G) The rate of tax on the taxable estate over \$6 million but not exceeding \$7 million shall be 12.8%;

“(H) The rate of tax on the taxable estate over \$7 million but not exceeding \$8 million shall be 13.6%;

“(I) The rate of tax on the taxable estate over \$8 million but not exceeding \$9 million shall be 14.4%; and

“(J) The rate of tax on the taxable estate over \$9 million but not exceeding \$10 million shall be 15.2%.

"(2) If any real or tangible personal property of a resident decedent has a taxable situs outside the District, the amount of the tax due under this section shall be reduced by the proportion that the value of the real or tangible property outside the District bears to the amount of the gross estate of the resident decedent."

(C) Subsection (b) is amended by striking the word "If" and inserting the phrase "For a decedent dying before January 1, 2015, if" in its place.

(D) Subsection (c) is repealed.

(3) Section 47-3703 is amended as follows:

**Note,
§ 47-3703**

(A) Subsection (b) is amended by striking the word "The" and inserting the phrase "For every nonresident decedent dying before January 1, 2016, the" in its place.

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

"(b-1) For every nonresident decedent dying after December 31, 2015, the tax shall be an amount computed by multiplying the tax determined under § 47-3702(a-1) by a fraction, the numerator of which shall be the value of that part of the gross estate that has its taxable situs in the District and the denominator of which shall be the value of the nonresident decedent's gross estate."

(C) Subsection (c) is repealed.

(4) Section 47-3705(a)(2) is amended to read as follows:

**Note,
§ 47-3705**

"(2) A personal representative shall not be required to file a return if the gross estate does not exceed \$1 million or the zero bracket amount, whichever is higher."

(5) Section 47-3723 is repealed.

**Note, Repeal
§ 47-3723**

Sec. 7023. Section 7 of the Government Employer-Assisted Housing Amendment Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2506), is amended by adding a new subsection (c) to read as follows:

**Note,
§ 42-2506**

"(c) This section shall apply for taxable years beginning after October 1, 2006, through the taxable year ending December 31, 2014."

SUBTITLE C. URBAN INSTITUTE REAL PROPERTY TAX REBATE

Sec. 7031. Short title.

This subtitle may be cited as the "The Urban Institute Real Property Tax Rebate Emergency Amendment Act of 2014".

Sec. 7032. Section 47-4624 of the District of Columbia Official Code is amended to read as follows;

**Note,
§ 47-4624**

"§ 47-4624. The Urban Institute tax rebate.

"(a) If The Urban Institute leases and occupies a building or a portion of a building that is subject to real property taxation under Chapter 8 of Title 47 of the District of Columbia, The Urban Institute shall receive a rebate of its proportionate share of the real property tax paid with respect to the building, if:

"(1) It is liable under the lease for its proportionate share of the real property tax;

"(2) It applies for the rebate of real property tax by September 15 of the calendar year in which the tax was payable as provided under § 47-811; and

"(3) The real property tax was paid.

"(b) The rebate shall be the amount of the portion of the real property tax that was paid, either directly or indirectly, by The Urban Institute under its lease with the lessor.

"(c) The application for the rebate shall include:

"(1) A copy of the lease with the lessor; and

"(2) Documentation that the tax has been paid.

"(d) If a proper application has been made, the Chief Financial Officer shall rebate the tax on or before December 31 of the same calendar year.

"(e) The real property tax rebate established by this section shall begin no earlier than January 1, 2015, and shall be effective for a 10-year period. The first year of the 10-year period shall be the year that The Urban Institute occupies a building or a portion of a building that is subject to real property taxation under Chapter 8 of Title 47 pursuant to a signed lease with the lessor of that building or building portion. The amount of the rebate shall not exceed \$1 million per tax year."

**SUBTITLE D. INDUSTRIAL REVENUE BOND SECURITY INTEREST
INSTRUMENT RECORDATION TAX EXEMPTION**

Sec. 7041. Short title.

This subtitle may be cited as the "Industrial Revenue Bond Security Interest Instrument Recordation Tax Exemption Emergency Amendment Act of 2014".

Sec. 7042. Section 302 of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

**Note,
§ 42-1102**

(a) Paragraph (31) is amended by striking the word "and".

(b) Paragraph (32) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (33) is added to read as follows:

"(33) A security interest instrument executed by a borrower in connection with a loan under the Industrial Revenue Bond Forward Commitment Program authorized by Subchapter II-B of Chapter 3 of Title 47 of the D.C. Official Code; provided, that unless waived by regulation, a certification by the Mayor that the security interest instrument is entitled to this exemption accompanies the security interest instrument at the time it is presented for recordation.".

SUBTITLE E. FISCAL YEAR 2014 BUDGET SUPPORT ACT AMENDMENTS

Sec. 7051. Short title.

This subtitle may be cited as the "Fiscal Year 2014 Budget Support Act Emergency Amendment Act of 2014".

Sec. 7052. The Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12472), is amended as follows:

(a) Section 4092 is repealed.

(b) Section 4122 is repealed.

**Note,
§ 38-191
Note,
§ 38-2971.01**

Sec. 7053. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-2002(c) is repealed.

**Note,
§ 47-2002**

(b) Section 47-2402(l) of the District of Columbia Official Code is amended as follows:

**Note,
§ 47-2402**

(1) Paragraph (1) is amended by striking the phrase "Department of Behavioral Health" and inserting the phrase "Department of Health" in its place.

(2) Paragraph (2)(A) is amended to read as follows:

"(A) Such funds as may be appropriated from time to time; and".

(3) Paragraph (4) is repealed.

Sec. 7054. Section 6a of the Commission on the Arts and Humanities Act, effective January 29, 1998 (D.C. Law 12-42; D.C. Official Code § 39-205.01), is amended as follows:

Note,
§ 39-205.01

- (a) Subsection (a-1)(1) is repealed.
- (b) Subsection (a-2) is repealed.
- (c) Subsection (f) is repealed.

SUBTITLE F. SENIOR CITIZEN REAL PROPERTY TAX RELIEF

Sec. 7061. Short title.

This subtitle may be cited as the "Senior Citizen Real Property Tax Relief Emergency Amendment Act of 2014".

Sec. 7062. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 8 is amended as follows:

(1) Section 47-845.03(c) is amended to read as follows:

Note,
§ 47-845.03

“(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than \$12,500 of household interest and dividend income, and has owned a residence in the District for at least 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section.”.

(2) Section 47-863(a) is amended by adding a new paragraph (6) to read as follows:

Note,
§ 47-863

“(6) “20 consecutive tax years” shall include no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days.”.

(b) Section 47-1806.06 is amended as follows:

Note,
§ 47-1806.06

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

(A) Paragraph (2)(C) is amended by striking the phrase "for all claimants" and inserting the phrase "for all claimants other than eligible senior claimants" in its place.

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

"(2A) For taxable years beginning after December 31, 2014, the percentage required under paragraph (1) of this subsection to be determined for eligible senior claimants shall be 100% of property tax or of rent constituting property taxes accrued exceeding 3.0% of adjusted gross income of the tax filing unit."

(2) Subsection (b) is amended by adding a new paragraph (9) to read as follows:

"(9) The term "eligible senior claimant" means a claimant who is 70 years or older at any time during the tax year and whose adjusted gross income does not exceed \$60,000."

(3) Subsection (r) is amended by striking the phrase "\$50,000 shall be" and inserting the phrase "\$50,000 (\$60,000 for eligible senior claimants) shall be" in its place.

SUBTITLE G. WHITMAN-WALKER TAX REAL PROPERTY TAX REBATE

Sec. 7071. Short title.

This subtitle may be cited as the "Whitman-Walker Tax Rebate Emergency Act of 2014".

Sec. 7072. Chapter 46 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:

"47-4662. Whitman-Walker Clinic, Inc.; Lot 129, Square 241."

(b) A new section 47-4662 is added to read as follows:

"§ 47-4662. Whitman-Walker Clinic, Inc.; Lot 129, Square 241."

Note, New
§ 47-4662

"(a) Real property taxes paid with respect to Lot 129, Square 241 shall be rebated to the Whitman-Walker Clinic, Inc. ("WWC"), to the extent of WWC's proportionate share of the real property tax incurred if:

"(1) The WWC is liable under the lease for its proportionate share of the real property tax;

"(2) The WWC applies for the rebate of real property tax by September 15 of the calendar year in which the tax was payable as provided under § 47-811; and

"(3) The real property tax was paid.

"(b) The rebate shall be the amount of the real property tax passed through to WWC under a lease with the lessor that was paid, directly or indirectly, by WWC.

"(c) The application for the rebate shall include:

"(1) A copy of the lease with lessor; and

"(2) Documentation that the real property tax has been paid.

"(d) If a proper application as required by this section has been submitted, the Chief Financial Officer shall rebate the real property tax on or before December 31 of the same calendar year.

"(e) The rebate provided pursuant to this section shall apply beginning with tax year 2015.

"(f) The rebate provided pursuant to this section shall be in addition to, and not in lieu of, any other tax, financial, or development incentive, or tax credit, or any other type of incentive provided to WWC under any District or federal program."

**SUBTITLE H. ENCOURAGING ALTERNATIVE FUEL VEHICLES AND
INFRASTRUCTURE INSTALLATION THROUGH TAX INCENTIVES**

Sec. 7081. Short title.

This subtitle may be cited as the "Alternative Fuel Vehicle and Infrastructure Installation Through Tax Incentives Emergency Act of 2014".

Sec. 7082. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended as follows:

(1) New section designations 47-1806.12 and 47-1806.13 are added to subchapter VI to read as follows:

"47-1806.12. Tax on residents and non-residents — Credits — Alternative fuel infrastructure credit.

"47-1806.13. Tax on residents and non-residents – Credits – Alternative fuel vehicle conversion credit.”.

(2) New section designations 47-1807.10 and 47-1807.11 are added to subchapter VII to read as follows:

"47-1807.10. Tax on corporations — Credits — Alternative fuel infrastructure credit.

"47-1807.11. Tax on corporations – Credits – Alternative fuel vehicle conversion credit.”.

(3) New section designations 47-1808.10 and 47-1808.11 are added to subchapter VIII to read as follows:

"47-1808.10. Tax on unincorporated businesses — Credits — Alternative fuel infrastructure credit.

"47-1808.11. Tax on unincorporated businesses – Credits – Alternative fuel vehicle conversion credit.”.

(b) New sections 47-1806.12 and 47-1806.13 are added to read as follows:

"§ 47-1806.12. Tax on residents and non-residents — Credits — Alternative fuel infrastructure credit.

**Note, New
§ 47-1806.12**

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed on an eligible applicant by § 47-1806.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the purchase and installation of alternative fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle refueling property or in a qualified private residence; provided, that the credit shall not exceed:

“(1) For a qualified private residence, \$1,000 per vehicle charging station; or

“(2) For a qualified alternative fuel vehicle refueling property, \$10,000 per qualified alternative fuel vehicle refueling property or vehicle charging station.

"(b) The equipment and labor costs for which a tax credit may be claimed under this section shall not include costs associated with the:

"(1) Purchase of land, or access to land, to be used as a qualified alternative fuel vehicle refueling property;

"(2) Purchase of an existing qualified alternative fuel vehicle refueling property;

or

"(3) Construction or purchase of any structure.

"(c) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1806.03 for that year.

"(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise due under § 47-1806.03, the amount of the credit not used may be carried forward for up to 2 tax years. The credit shall not be refundable.

"(e) If the alternative fuel storage and dispensing equipment or charging equipment on a qualified alternative fuel vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not claim a tax credit for the portion of the tax year after the date on which the alternative fuel storage and dispensing equipment or charging equipment was no longer used to dispense or sell alternative fuel to the public.

"(f) For the purposes of this section, the term:

"(1) "Alternative fuel" means a fuel used to power a motor vehicle that consists of one or more of the following:

"(A) At least 85% ethanol;

"(B) Natural gas;

"(C) Compressed natural gas;

"(D) Liquefied natural gas;

"(E) Liquefied petroleum gas;

"(F) Biodiesel, excluding kerosene;

"(G) Electricity provided by a vehicle-charging station; or

"(H) Hydrogen.

"(2) "Eligible applicant" means a resident who is an owner or lessee of a qualified alternative fuel vehicle refueling property or a qualified private residence.

"(3) "Qualified alternative fuel vehicle refueling property" means a property in the District that contains equipment available for use by the public for storing and dispensing alternative fuel, including charging electrically.

"(4) "Qualified private residence" means a property that is the dwelling of a person that has a vehicle-charging station.

"§ 47-1806.13. Tax on residents and non-residents – Credits – Alternative fuel vehicle conversion credit.

**Note, New
§ 47-1806.13**

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1806.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum derived gasoline to a motor vehicle that operates on an alternative fuel, not to exceed \$19,000 per vehicle.

"(b) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1806.03 for that year. The credit shall not be refundable.

"(c) For the purposes of this section, the term "alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1)."

(c) New sections 47-1807.10 and 47-1807.11 are added to read as follows:

"§ 47-1807.10. Tax on corporations — Credits — Alternative fuel infrastructure credit.

**Note, New
§ 47-1807.10**

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed on an eligible applicant by § 47-1807.02 a credit in the amount of 50% of the equipment and labor costs

directly attributable to the purchase and installation of alternative fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle refueling property.

"(b) The equipment and labor costs for which a tax credit may be claimed under this section shall not include costs associated with the:

"(1) Purchase of land, or access to land, to be used as a qualified alternative fuel vehicle refueling property;

"(2) Purchase of an existing qualified alternative fuel vehicle refueling property;
or

"(3) Construction or purchase of any structure.

"(c) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1807.02 for that year.

"(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise due under § 47-1807.02, the amount of the credit not used may be carried forward for up to 2 tax years. The credit shall not be refundable.

"(e) If the alternative fuel storage and dispensing equipment or charging equipment on a qualified alternative fuel vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not claim a tax credit for the portion of the tax year after the date on which the alternative fuel storage and dispensing equipment was no longer used to dispense or sell alternative fuel to the public.

"(f) For the purposes of this section, the term:

"(1) "Alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).

"(2) "Eligible applicant" means a corporation that is the owner or lessee of a qualified alternative fuel vehicle refueling property.

"(3) "Qualified alternative fuel vehicle refueling property" shall have the same meaning as provided in § 47-1806.12(f)(3).

"§ 47-1807.11. Tax on corporations – Credits – Alternative fuel vehicle conversion credit.

**Note, New
§ 47-1807.11**

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1807.02 a credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum derived gasoline to a motor vehicle that operates on an alternative fuel, not to exceed \$19,000 per vehicle.

"(b) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1807.02 for that year. The credit shall not be refundable.

"(c) For the purposes of this section, the term "alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1)."

(d) New sections 47-1808.10 and 47-1808.11 are added to read as follows:

**Note, New
§ 47-1808.10**

"§ 47-1808.10. Tax on unincorporated business — Credits — Alternative fuel infrastructure credit.

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed on an eligible applicant by § 47-1808.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the purchase and installation of alternative fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle refueling property, not to exceed \$10,000 per qualified alternative fuel vehicle refueling property or per vehicle-charging station.

"(b) The equipment and labor costs for which a tax credit may be claimed under this section shall not include costs associated with the:

"(1) Purchase of land, or access to land, to be used as a qualified alternative fuel vehicle refueling property;

"(2) Purchase of an existing qualified alternative fuel vehicle refueling property;

or

"(3) Construction or purchase of any structure.

"(c) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1808.03 for that year.

"(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise due under § 47-1808.03, the amount of the credit not used may be carried forward for up to 2 tax years. The credit shall not be refundable.

"(e) If the alternative fuel storage and dispensing equipment or charging equipment on a qualified alternative fuel vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not claim a tax credit for the portion of the tax year after the date on which the alternative fuel storage and dispensing equipment was no longer used to dispense or sell alternative fuel to the public.

"(f) For the purposes of this section, the term:

"(1) "Alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1).

"(2) "Eligible applicant" means an unincorporated business that is the owner or lessee of a qualified alternative fuel vehicle refueling property.

"(3) "Qualified alternative fuel vehicle refueling property" shall have the same meaning as provided in § 47-1806.12(f)(3).

"§ 47-1808.11. Tax on unincorporated businesses – Credits – Alternative fuel vehicle conversion credit.

**Note, New
§ 47-1808.11**

"(a) Beginning with the taxable year after December 31, 2013, through the taxable year ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1808.03 a credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum derived gasoline to a motor vehicle that operates on an alternative fuel.

"(b) The credit claimed under this section in any one tax year may not exceed the taxpayer's tax liability under § 47-1808.03 for that year. The credit shall not be refundable.

"(c) For the purposes of this section, the term "alternative fuel" shall have the same meaning as provided in § 47-1806.12(f)(1)."

SUBTITLE I. REAL PROPERTY TAX CALCULATED RATE CLARITY

Sec. 7091. Short title.

This subtitle may be cited as the "Real Property Tax Calculated Rate Clarity Emergency Amendment Act of 2014".

Sec. 7092. Section 47-812 of the District of Columbia Official Code is amended as follows:

Note,
§ 47-812

(a) Subsection (b-8) is amended as follows:

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

(A) Sub-sub-subparagraph (I) is amended by striking the phrase ", as certified in the latest revenue estimate,".

(B) Sub-sub-subparagraph (II) is amended to read as follows:

"(II) By January 5 of the tax year, the Mayor shall submit to the Council the real property tax rate computed under sub-sub-subparagraph (I) of this sub-subparagraph."

(2) Paragraph (2) is repealed.

(b) Subsection (b-9) is amended as follows:

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

"(A) For the first \$3 million of assessed value, \$1.65 of each \$100 of assessed value; and".

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

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

"(i) For the first \$3 million of assessed value, the rate as established in subparagraph (B) of this paragraph; provided, that for the tax year beginning October 1, 2011, the tax rate shall be \$1.65 of each \$100 of assessed value; and".

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

(i) Sub-subparagraph (ii)(I) is amended by striking the word "received" and inserting the phrase "estimated to be received" in its place.

(ii) Sub-subparagraph (ii)(II) is amended by striking the phrase "for Class 2 Properties based upon a rate of \$1.85 of each \$100 of assessed value" and inserting the phrase "in the tax year based upon the applicable rates in effect for Class 2 Properties during the prior tax year" in its place.

(iii) Sub-subparagraph (iii) is amended by striking the phrase "Before September 16 of each year" and inserting the phrase "By January 5 of each tax year" in its place.

(c) A new subsection (f) is added to read as follows:

"(f)(1) When the last day prescribed under this section for performing any act falls on Saturday, Sunday, or a legal holiday, the performance of the act shall be considered timely if it is performed on the next succeeding day that is not a Saturday, Sunday, or a legal holiday.

"(2) The last day for the performance of any act shall be determined by including any authorized extension of time.

"(3) For the purposes of this subsection, the term "legal holiday" means a legal holiday in the District of Columbia."

**SUBTITLE J. CARVER 2000 SENIOR MANSION REAL PROPERTY TAX
ABATEMENT**

Sec. 7101. Short title.

This subtitle may be cited as the "Carver 2000 Senior Mansion Real Property Tax Abatement Emergency Amendment Act of 2014".

Sec. 7102. Section 47-4605(d) of the District of Columbia Official Code is amended as follows:

Note,
§ 47-4605

(a) Paragraph (2) is amended by striking the number "16".

(b) Paragraph (3) is repealed.

**SUBTITLE K. RESIDENTIAL REAL PROPERTY EQUITY AND
TRANSPARENCY AMENDMENT**

Sec. 7111. Short title.

This subtitle may be cited as the "Residential Real Property Equity and Transparency Revised Emergency Amendment Act of 2014".

Sec. 7112. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 8 is amended as follows:

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

"47-805. Office of Real Property Tax Ombudsman."

(2) Section 47-802(5) is amended as follows:

Note,
§ 47-802

(A) Subparagraph (D) is amended by striking the word "or" at the end.

(B) Subparagraph (E) is amended by striking the period and inserting the phrase "; or" in its place.

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

"(F) For purposes of appealing the assessment of real property sold under § 47-1353(b), the tax sale purchaser or the purchaser's assignee, as applicable; provided, that the Mayor shall not be required to mail notices or bills issued under this chapter to the tax sale purchaser or assignee; provided further, that the owner of record is not appealing the assessment for the same tax year."

(3) A new section 47-805 is added to read as follows:

"§ 47-805. Office of Real Property Tax Ombudsman.

**Note, New
§ 47-805**

"(a) There is created within the Office of the Mayor the Office of the Real Property Tax Ombudsman ("Office"), which shall be headed by the Real Property Tax Ombudsman ("Ombudsman"), who shall be appointed by the Mayor pursuant to § 1-523.01(a), as a statutory employee in the Excepted Service pursuant to § 1-609.08. The Ombudsman shall serve for a term of 5 years. The Ombudsman shall serve at the pleasure of the Mayor.

"(b) The Ombudsman shall appoint staff and additional personnel as provided for in an approved budget and financial plan for the District.

"(c) The Ombudsman shall:

"(1) Consult with and advise Class 1 real property owners on any real property tax matter arising under Chapter 8 or 13A of this title or under Chapter 31A of Title 42;

"(2) Receive and investigate concerns and complaints from Class 1 real property owners related to real property tax matters;

"(3) Provide counsel and assistance to Class 1 real property owners relating to real property taxes, including referring Class 1 real property owners to appropriate:

"(A) Legal service providers;

"(B) Public interest organizations; and

"(C) Government offices;

"(4) Maintain a list of organizations that provide free or reduced-price legal services to District of Columbia residents and a list of housing counseling agencies approved by the U.S. Department of Housing and Urban Development;

"(5) Protect the confidentiality of records and comply with all applicable confidentiality provisions, including § 47-821(d)(2); and

"(6) Prepare and submit to the Council and the Mayor an annual report on the activities of the Office that the Mayor shall make available to the public on the Mayor's website.

"(d) The Ombudsman may assist an owner with matters concerning an abutting lot where the abutting lot and the Class 1 property are owned by the same owner.

"(e) The Ombudsman shall not appear on behalf of Class 1 real property owners in any court, administrative, or quasi-judicial proceeding.

"(f) The Office of the Chief Financial Officer may share confidential tax information with the Ombudsman.

"(g) For purposes of this section, the term "Class 1 real property owner" shall have the same meaning as contained in § 47-813(c-3)(1); provided, that the term owner as used in § 47-813(c-3)(1) shall be construed broadly and include the persons defined as owners in § 47-802 as well as other persons with an equitable interest in the property, and any other persons the Ombudsman determines to be appropriate representatives of the property owner (or, if applicable, the property owner's estate), or any other persons the Ombudsman determines to be consistent with the purposes of this section."

(4)(A) Section 47-811(c) is amended by striking the phrase "plus interest on the unpaid amount" and inserting the phrase "plus simple interest on the unpaid amount" in its place.

**Note,
§ 47-811**

(B) This paragraph shall apply as of October 1, 2014.

(5) Section 47-845.03 is amended as follows:

Note,
§ 47-845.03

(A) Subsection (c) is amended to read as follows:

"(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years of age or older, has less than \$12,500 of household interest and dividend income, and has owned a residence in the District for at least 25 years (including no more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred under this section."

(B) Subsection (g) is amended to read as follows:

"(g) If a properly completed and approved application is filed, the applicant may choose to have the deferral apply to past years; provided, that the amount deferred shall comply with subsection (d) of this section and the periods of applicability are stated in the application; provided further, that the applicant is responsible for accrued attorneys' fees."

(C) Subsection (p) is repealed.

(6) Section 47-895.31(8) is amended to read as follows:

Note,
§ 47-895.31

"(8) "Lot" means real property as defined in § 47-802(1) where such real property for billing and collection purposes under this subchapter shall be further described with the letters "PC" preceding the sequence of square, suffix and lot, or parcel and lot, numbers under § 47-802(1)."

(7) Section 47-895.33 is amended by adding a new subsection (b-1) to read as follows:

Note,
§ 47-895.33

"(b-1) A notice, bill, or other correspondence under this subchapter or § 47-1336 shall be mailed to the owner's specifically designated mailing address as provided in the energy efficiency loan closing documents and as may be updated from time to time by the Chief Financial Officer, which may be different from the general mailing address provided pursuant to § 42-405, or as provided in the transfer and recordation tax return."

(b) Section 47-902 is amended by adding a new paragraph (26) to read as follows:

Note,
§ 47-902

"(26) Transfers of property transferred to a named beneficiary of a revocable transfer on death deed under subchapter IV of Chapter 6 of Title 19, by reason of the death of the grantor of the revocable transfer on death deed."

(c) Chapter 13A is amended as follows:

(1) The table of contents is amended as follows:

(A) A new section designation is added to read as follows:

"47-1353.01. Post-sale notice."

(B) A new section designation is added to read as follows:

"47-1382.01. Equity distribution post-judgment – owner-occupant properties."

(C) A new section designation is added to read as follows:

"47-1390. Office of Real Property Tax Sale Review."

(2) Section 47-1330 is amended as follows:

Note,
§ 47-1330

(A) Paragraph (2) is amended to read as follows:

"(2) "Tax" means unpaid real property tax and vault rent owing as of October 1, and unpaid business improvement district tax owing as of September 1, including penalties, interest, and costs, as calculated by the Mayor. The term "tax" includes an assessment or charge due at any time to the District and certified to the Mayor for collection under this chapter in the same manner as a real property tax, along with permitted penalties, interest, and costs, as calculated by the Mayor."

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

"(2A) "Tax sale date" or "date of the tax sale" means for purposes of the tax sale held under § 47-1346 the date when the tax sale during which the real property was sold concluded."

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

"(4A) "Premises address" means the address, if any, for the square, suffix, and lot numbers, or parcel and lot numbers, of real property as reflected in the records in the Office of Tax and Revenue."

(3) Section 47-1332 is amended to read as follows:

Note,
§ 47-1332

"§ 47-1332. Sale of properties by Mayor; exemptions from sale.

"(a) Except as provided in subsections (c) and (d) of this section or as provided in other law, the Mayor shall sell all real property on which the tax is in arrears.

"(b) The Mayor shall designate a single agency to conduct tax sales.

"(c) The Mayor shall not sell any real property if:

"(1) A forbearance authorization has been approved in writing by the Mayor for the applicable tax sale;

"(2) For improved Class 1 Property, the tax amount to be sold is less than \$2,500;
or

"(3) The real property is a Class 1 Property that is receiving a homestead deduction, with respect to which there is an outstanding non-void certificate of sale; provided, that no real property shall be excluded from sale solely pursuant to this paragraph if the non-void certificate of sale has been outstanding for 3 years or more.

"(d) The Mayor, in the Mayor's discretion, may decline to sell any Class 1 Property or any real property for a delinquency in the payment of a non-real property tax that does not have to be certified.

"(e)(1) An application for a forbearance authorization, utilizing the form of application as shall be devised by the Mayor, may be submitted to the Mayor up to 30 days before the first day of the tax sale.

"(2) The Mayor shall review and approve or deny the application within 90 days of receipt of the application.

"(3)(A) The Mayor shall approve an application if the real property receives a homestead deduction and the tax amount to be sold is less than or equal to \$7,500.

"(B) The Mayor may, in the Mayor's discretion, approve an application that does not meet the criteria for demonstrated hardship set forth in subparagraph (A) of this paragraph.

"(4) Upon approving an application for forbearance authorization, the Mayor shall remove the real property from the tax sale to which the forbearance corresponds or, if the tax sale has occurred with respect to the real property, cancel the tax sale pursuant to § 47-1366."

(4) Section 47-1334 is amended to read as follows:

Note,
§ 47-1334

"§ 47-1334. Interest rate.

"(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid, excluding surplus; provided further, that interest on the amount sold at tax sale, excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

"(b) The purchaser shall receive simple interest of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following when the real property was sold or the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no interest for expenses or the reasonable value of improvements."

(5) Section 47-1336 is amended as follows:

Note,
§ 47-1336

(A) Subsection (a) is amended by adding a new sentence at the end to read

as follows:

"The special assessment shall be collectible under this chapter notwithstanding any provision to the contrary granting a tax exemption, and the real property formerly described under § 47-895.31(8) shall revert back to its description under § 47-802(1) for purposes of collection under this chapter."

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

(i) Strike the word "transaction" and insert the word "sale" in its place.

(ii) Strike the phrase "§§ 47-1341 and 47-1342" and insert the phrase "§§ 47-1341, 47-1342, and 47-1353.01" in its place.

(C) Subsection (e) is amended as follows:

(i) Paragraph (1) is amended by striking the phrase "contrary," and inserting the phrase "contrary, provisions in this section excepted," in its place.

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

(I) The lead-in language is amended by striking the phrase "record owner" and inserting the phrase "record owner at the mailing address provided in § 47-895.33(b-1)" in its place.

(II) Subparagraph (C) is amended by striking the word "and".

(III) Subparagraph (D) is amended to read as follows:

"(D) Once the complaint is filed, expenses under § 47-1377 shall be owed; and".

(IV) A new subparagraph (E) is added to read as follows:

"(E) The real property described under § 47-895.31(8) and billed as such (with account number) for purposes of subchapter IX of Chapter 8 of this title and the correlating description under § 47-802(1) (with square, suffix, and lot numbers, or parcel and lot numbers, as applicable) is under which the complaint shall be filed.".

(6) Section 47-1340 is amended as follows:

**Note,
§ 47-1340**

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

(i) Strike the phrase "Each of the taxing" and insert the phrase "Subject to the limitation set forth in § 34-2407.02, each of the taxing" in its place.

(ii) Strike the phrase "notice of delinquency required by §47-1341" and insert the phrase "notices required by § 47-1341 and § 47-1353.01" in its place.

(B) Subsection (c) is amended to read as follows:

"(c) If a taxing agency does not certify a tax that is due to the District as of the date of the Mayor's notice under subsection (a) of this section, the tax shall not be collected through such tax sale.".

(C) Subsection (d) is amended by striking the phrase "Unpaid real property taxes" and inserting the phrase "Unpaid real property taxes, business improvement district taxes, and vault rents" in its place.

(D) Subsection (f) is amended to read as follows:

"(f)(1) If a taxing agency certifies taxes (for which real property is offered for sale) to the Mayor under subsection (a) of this section, and the payment of taxes to the Mayor as specified in § 47-1361(a) or by a purchaser under § 47-1382(c) has occurred for the real property, or the amount in the notices under § 47-1341 is paid before the tax sale, the taxing agency may submit an accounting to the designated agency under § 47-1332(b) in the form that the Mayor requires.

"(2) Upon receipt of the accounting and verification of the payment of taxes to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by a purchaser under § 47-1382(c), or the amount in the notices under § 47-1341 is paid before the tax sale, the amount of taxes collected that are not imposed under Chapter 8 of this title shall be disbursed regardless of lien priority from the General Fund for the purpose designated by, and in accordance with, the law creating the obligation for such taxes; provided, that, in the case of a sale under § 47-1353(b), the disbursement shall be limited to the amount available after application of lien priorities to such taxes before certification.".

(7) Section 47-1341 is amended as follows:

**Note,
§ 47-1341**

(A) Subsection (a) is amended to read as follows:

"(a)(1) On or before May 1, the Mayor shall send a notice of tax delinquency by first class mail, postage prepaid, bearing a postmark from the United States Postal Service, to the person who last appears as the owner of the real property on the tax roll, at the last mailing address shown on the tax roll, as updated by the filing of a change of address in accordance with

§ 42-405. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form:

"THIS IS A NOTICE OF DELINQUENCY

"FAILURE TO PAY TAXES WILL HAVE SERIOUS CONSEQUENCES

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

Total Amount Due on the Account: \$.....

"TO AVOID TAX SALE YOU MUST PAY \$[Amount Subject to Sale] by May 31, 20__)

"This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property.

"You must act now to avoid additional costs and significant expenses.

"If payment is not made before May 31, 20__, the amount listed on this notice may no longer be accurate. In that case, you must contact the Office of Tax and Revenue at to obtain an updated payoff amount.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com or at any District branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

"RESOURCES FOR REAL PROPERTY TAXPAYERS
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"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at

"Office of Tax Sale Review. If there are special circumstances that should keep the real property out of the upcoming sale, contact the Office of Tax Sale Review at for information on how to petition the Mayor to exempt the real property from sale.

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.....

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at..... for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above)."

(B) Subsection (b) is amended by striking the phrase "Failure of the Mayor to mail the notice of delinquency as provided in subsection (a) of this section, or to include" and inserting the phrase "Subject to the Mayor's authority to cancel the sale under § 47-1366(b)(3)(A) and (B), the failure of the Mayor to mail the notices of delinquency as provided in subsections (a) and (b-1) of this section, or to include" in its place.

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

"(b-1)(1) At least 2 weeks before real property is offered at a tax sale under this chapter, the Mayor shall send a final notice of delinquency, by first class mail, postage prepaid, bearing a postmark from the United States Postal Service, to the person who last appears as the owner of the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form:

**"THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY
MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO
THE PROPERTY**

**"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number,
and by premises address, the real property to be sold]**

"Total Amount Due on the Account: \$.....

"TO AVOID TAX SALE YOU MUST PAY \$[Amount Subject to Sale] by [Last Business Day before tax sale]

"This amount may include fees or fines due to other District agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Official Code § 47-1340.

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

"If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

"Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com, at any District branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of your proof of payment in case there is a later dispute about the payment.

"If payment is made less than 10 calendar days before [the last business day before tax sale], you must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure that your property is removed from the tax sale.

- "You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the Customer Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

- "Do not mail your paid receipt.

"YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

"Should you have additional questions, please call the Customer Service Center for the Office of Tax and Revenue at (202) 727-4TAX (4829).

**"RESOURCES FOR REAL PROPERTY TAXPAYERS
IN THE DISTRICT OF COLUMBIA**

"Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or related property tax matters, contact the Real Property Tax Ombudsman at

"Office of Tax Sale Review. If there are special circumstances that should keep the real property out of the upcoming sale, contact the Office of Tax Sale Review at for information on how to petition the Mayor to exempt the real property from sale.

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department

of Consumer and Regulatory Affairs at for information on how to appeal the property classification.

"Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due amount. For information on how to apply for this deferral, please contact the Office of Tax and Revenue at.....

"Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may have additional rights to defer property taxes. If think you may be eligible for this tax relief, please contact the Office of Tax and Revenue at..... for more information.

"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.

"Additional Legal Services. Free and reduced-cost legal services may be available to low- and moderate-income households. You can get a list of service providers from the Real Property Tax Ombudsman (above).

"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above)."

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

"(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section."

(8) Section 47-1342 is amended as follows:

Note,
§ 47-1342

(A) Subsection (a) is amended to read as follows:

"(a) At any time after 30 days from the mailing of the notice of delinquency required by § 47-1341(a), the Mayor shall, simultaneously:

"(1) Cause to be advertised, at least once in not less than 2 newspapers of general circulation in the District that are published at least once every 2 weeks, a public notice stating that listed real property will be sold at public auction because of taxes on the date and at the place named in the public notice; and

"(2) Post the list of real property in the public notice on the Office of Tax and Revenue's website."

(B) Subsection (b)(1)(A) is amended by striking the phrase "by taxation square," and inserting the phrase "by premises address, taxation square," in its place.

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

"(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section."

(9) Section 47-1343 is amended to read as follows:

"§ 47-1343. Real property to be sold in its entirety.

Note,
§ 47-1343

"Subject to § 47-1345, each real property for sale shall be sold in its entirety, which shall be the parcel of real property as assessed in the assessment records under § 47-802(1) or as described under § 47-895.31(8) as related to a sale under § 47-1336."

(10) Section 47-1345 is amended to read as follows:

Note,
§ 47-1345

"§ 47-1345. Sale of real property subject to possessory interest.

"(a) Whether or not any real property subject to sale under this chapter is subject to an estate for life, or a lease or ground rent for a term (with renewals) that is at least 30 years, the Mayor shall sell the entire fee simple estate; provided, that after the judgment of foreclosure of the right of redemption, no claim for rent unpaid, due, or accruing before the date of the judgment of foreclosure of the right of redemption shall be made by the purchaser (or assignee).

"(b) Notwithstanding subsection (a) of this section or any other provision to the contrary, when a real property subject to sale under this chapter is subject to a ground lease and the ground lessor is the District of Columbia, or an instrumentality of the District, the Washington Metropolitan Area Transit Authority, or an entity whose real property is exempt from real property taxation or the enforced collection thereof under the laws of the United States of America, the Mayor shall sell the real property's improvements only. Any additional representation related to what is being sold shall be ineffectual and shall not affect the validity of the sale.

"(c) The termination of claims on real property sold under this section shall not foreclose any personal claims against previous holders of the interest sold for any damages including rent unpaid, due, or accruing before the date of the judgment of foreclosure."

(11) Section 47-1346(a)(5) is amended to read as follows:

Note,
§ 47-1346

"(5)(A) A potential purchaser, including a natural person or business entity, who is delinquent in payment of taxes to the District or who has been convicted of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior may not bid on real property offered at a sale held under this chapter or otherwise acquire an interest in real property sold under this chapter.

"(B) A potential purchaser, including a natural person or business entity, shall certify under oath, subject to the penalties of perjury, that the potential purchaser is not more than one year in arrears in any jurisdiction in payment of taxes not being contested in good faith and has not been convicted in any jurisdiction of a felony involving fraud, deceit, moral turpitude, or anti-competitive behavior.

"(C) A certificate of sale held by a purchaser that willfully and materially violates the provisions of this paragraph shall be voidable at the discretion of the Mayor; provided, that after the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption, the certificate is no longer voidable. A certificate that is voided by the Mayor pursuant to this subparagraph shall be subject to the provisions of § 47-1355(b).

"(D) The intent of this paragraph shall not be circumvented by a purchaser through the use of one or more business entities to avoid its intended application.

"(E) For the purposes of this paragraph, a potential purchaser shall include a person owning a 10% or more equity interest in, or an officer of, an entity that owns a 10% or more equity interest in real property on which taxes are delinquent."

(12) Section 47-1348 is amended as follows:

Note,
§ 47-1348

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

(i) Paragraph (3) is amended by striking the phrase "date of the original public tax sale" and inserting the phrase "date of the tax sale" in its place.

(ii) Paragraph (4) is amended by striking the phrase "purchaser;" and inserting the phrase "purchaser, which shall be the same date as in paragraph (3) of this subsection, if the purchaser purchased the real property at the tax sale held under § 47-1346;" in its place.

(iii) Paragraph (10) is amended to read as follows:

"(10)(A) A statement that the rate of simple interest, upon redemption, shall be 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor.

"(B) This paragraph shall apply upon its fiscal effect being included in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register."

(B) Subsection (b) is repealed.

(C) Subsection (c) is amended as follows:

(i) Strike the phrase "telephone number." and insert the phrase "telephone number. If notice is not provided within 30 days of the assignment, the certificate shall be voidable at the discretion of the Mayor." in its place.

(ii) Strike the phrase "On redemption, the purchaser will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 18% per annum from the date the real property was sold to the date of redemption; provided, that the purchaser shall not receive interest on any surplus." and insert the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the date of the tax sale or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus." in its place.

(13) Section 47-1349(c) is amended by adding a new sentence at the end to read as follows:

Note,
§ 47-1349

"If notice is not provided within 30 days of the assignment, the certificate shall be voidable at the discretion of the Mayor; provided, that after the issuance of a final order by the

Superior Court of the District of Columbia foreclosing the right of redemption, the certificate shall no longer be voidable. A certificate that is voided by the Mayor pursuant to this subsection shall be subject to the provisions of § 47-1355(b).".

(14) Section 47-1352(a), is amended by striking the phrase "from the date the real property was bid off," and inserting the phrase "thereon accruing from the first day of the month following the date of the tax sale where the real property was bid off," in its place.

Note,
§ 47-1352

(15) Section 47-1353 is amended as follows:

Note,
§ 47-1353

(A) Subsection (a)(1)(B) is amended by striking the word "May" both times it appears and inserting the word "Mayor" in its place.

(B) Subsection (b)(1)(G) is amended by striking the phrase "by square," and inserting the phrase "by premises address, taxation square," in its place.

(C) Subsection (c)(2) is amended by striking the phrase "date of the original tax sale" and inserting the phrase "applicable date of the tax sale" in its place.

(D) Subsection (d) is amended to read as follows:

"(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase price, together with simple interest thereon at the rate of 1% per month or portion thereof on the amount paid for the real property, excluding surplus, beginning on the first day of the month immediately following the day of the tax sale to the purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.".

(16) A new section 47-1353.01 is added to read as follows:

Note, New
§ 47-1353.01

"§ 47-1353.01. Post-sale notice.

"(a) Within 30 days after the date of the tax sale, the Mayor shall send notice of the sale by first class mail, postage prepaid, bearing a postmark from the United States Postal Service to the last known address of the owner. If the premises address is different from the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address, addressed to "Property Owner."

"(b) The notice required pursuant to subsection (a) of this section shall be in substantively the following form:

"ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE

"Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address]

"Tax Sale Date: [July __, 20__]

"According to the Mayor's tax roll, you own or may have an interest in the real property listed above. Please follow the below instructions to redeem your property from tax sale and prevent a foreclosure lawsuit.

- "To redeem your property from the tax sale, you must pay all taxes owed, as well as any legal fees and expenses that may become due.

- "A tax bill is mailed to you during the last week of August. You should pay the bill in full and on time.
- "If you are receiving this notice after October 31, 20__, or if you have not already paid your tax bill in full, you should contact the Office of Tax and Revenue ("OTR") at for a current tax bill and up-to-date payoff amount.
- "After you have paid your taxes, you should call OTR to confirm that you have redeemed your property. Keep a copy of your proof of payment in case there is a later dispute about the payment.
- "If you have not paid all taxes within four months after the Tax Sale Date stated above, an additional \$381.50 may be added to reimburse the purchaser for some costs.
- "If you do not redeem the property within six months of the Tax Sale Date stated above, the tax sale purchaser may file a lawsuit against you to obtain title to the property.
- "If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees and expenses that may total thousands of dollars. You may also lose title to the property.
- "For further information on how to redeem, please read our Real Property Owner's Guide to the Tax Sale Redemption Process, available on our Web site at www.taxpayerservicecenter.com by clicking on "Real Property." You may also request a copy by visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

"YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE. SEE THE NEXT PAGE FOR MORE INFORMATION.

"Should you have additional questions, please call OTR's Customer Service Center at (202) 727-4TAX (4829).

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"Office of Tax Sale Review. If there are special circumstances that should have kept the real property from being included in the tax sale, contact the Office of Tax Sale Review at for information on how to petition the Mayor to cancel the sale.

"Classification Disputes. If your real property is classified as vacant or blighted and you believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department of Consumer and Regulatory Affairs at for information on how to appeal the property classification.

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"Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.

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"Housing Counseling Services. The U.S Department of Housing and Urban Development ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).

"(c) The tax sale purchaser shall cause a copy of the notice referred to in subsection (b) of this section to be posted on a place on the premises of the real property where it may be conveniently read. The copy of the notice shall be posted no sooner than 4 months after the date of the tax sale but at least 45 days before the filing of a complaint under § 47-1370.

"(d) Subject to the Mayor's authority to cancel the sale under § 47-1366(b)(3)(A) and (B), the failure of the Mayor to mail the notice as provided in subsections (a) and (b) of this section, or to include any tax amounts in the notice, shall not:

"(1) Invalidate or otherwise affect a tax;

"(2) Invalidate or otherwise affect a sale made under this chapter to enforce payment of taxes;

"(3) Prevent or stay any proceedings under this chapter; or

"(4) Affect the title of a purchaser.

"(e) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the notice requirements of this section."

(17) Section 47-1354(b) is amended to read as follows:

**Note,
§ 47-1354**

"(b) Upon payment as specified in § 47-1361(a) or by another purchaser under § 47-1382(c), the purchaser shall receive a refund of its payment made under this section, with interest as required to be paid by the redeemer or the other purchaser. The purchaser shall receive interest only on the principal tax amount paid and not on the interest or penalties paid. The purchaser is entitled to the refund only if the purchaser's certificate of sale is not void and the purchaser provides proof satisfactory to the Mayor that the purchaser made the payment."

(18) Section 47-1355(a)(2) is repealed.

**Note,
§ 47-1355**

(19) Section 47-1361 is amended as follows:

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

**Note,
§ 47-1361**

(i) The lead-in text is amended by striking the phrase "the Mayor, for deposit" and inserting the phrase "the Mayor, except as set forth in paragraph (6A) of this subsection, for deposit" in its place.

(ii) Paragraphs (2) and (3) are amended to read as follows:

"(2) If the real property was bid off to the District, the sale amount with interest thereon beginning on the first day of the month following the date of the tax sale where the real property was bid off;

"(3) If the real property was bid off to the District and subsequently sold or the certificate of sale assigned to a purchaser:

"(A) The original sale amount with interest thereon beginning on the first day of the month following the date of the tax sale where the real property was bid off; plus

"(B) Interest accruing thereafter on the sale amount in subparagraph (A) of this paragraph from the first day of the month following the date the real property was subsequently sold or the certificate of sale assigned to the purchaser;"

(iii) Paragraph (4) is amended by striking the phrase "taxes provided, that the certificate of sale of the purchaser is not void;" and inserting the phrase "taxes;" in its place.

(iv) Paragraph (5) is amended to read as follows:

"(5) All other real property taxes, business improvement district taxes, and vault rents to bring the real property current; provided, that any such amounts that become due and owing after receipt of the payment that permits a refund to issue to the purchaser under subsection (e) of this section shall not be required to be paid to redeem the real property;"

(v) A new paragraph (5A) is added to read as follows:

"(5A) Any delinquent special assessment owed pursuant to an energy efficiency loan agreement under subchapter IX of Chapter 8 of Title 47; provided, that any such assessment that becomes due and owing after receipt of the payment that permits a refund to issue to the purchaser under subsection (e) of this section shall not be required to be paid to redeem the real property;"

(vi) Paragraph (6) is amended to read as follows:

"(6) All expenses for which each purchaser is entitled to reimbursement under § 47-1377(a)(1)(A); and"

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

"(6A) Where an action to foreclose the right of redemption has been properly filed, the person redeeming shall pay directly to the applicable purchaser all expenses to which the purchaser is entitled to reimbursement under § 47-1377(a)(1)(B); and"

(viii) Paragraph (7) is repealed.

(B) New subsections (b-1) and (b-2) are added to read as follows:

"(b-1) The redeeming party shall not be required to pay any tax that is required to be certified by § 47-1340 unless the tax has been certified by a taxing agency and sold as a lien at a tax sale.

"(b-2) Notwithstanding subsection (a) of this section, the remaining amounts that are payable to the Mayor, including tax, interest, penalties, and expenses, for the real property shall be deemed to have been brought current for purposes of redemption if, at any time, the balance falls below \$100; provided, that the remaining balance shall remain due and owing and any remaining expense shall be thereafter deemed a real property tax."

(C) Subsection (c) is amended by striking the second sentence.

(D) Subsection (d) is amended to read as follows:

"(d)(1) Subject to the liability threshold set forth in subsection (b-1) of this section, after receipt of the payment set forth in subsection (a)(1) through (6) of this section, the Mayor shall notify the purchaser of the payment. The purchaser shall receive from the Mayor the refund to which the purchaser is entitled, subject to the purchaser's compliance with all procedures for issuance of the refund, as may be established by the Mayor.

"(2) If a complaint under § 47-1370 has been properly filed, a purchaser may continue to prosecute the complaint until receipt of the expenses owed to the purchaser and payable to the purchaser by the redeeming party as set forth in subsection (a)(6A) of this section, but shall dismiss the complaint upon receipt thereof.

"(3) A complaint to foreclose the right of redemption shall not be maintained solely to await the administrative refund under this subsection.

"(4) Notification by the Mayor under this subsection may be accomplished by making the information publicly available through an electronic medium, including by posting on a website."

(E) Subsection (e) is amended as follows:

(i) Strike the phrase "Upon request and subject to the payment of a fee," and insert the phrase "Upon request, within 60 days of the request," in its place.

(ii) Add a new sentence at the end to read as follows:

"The Recorder of Deeds shall waive all fees relating to the recordation of a certificate of redemption."

(F) A new subsection (f) is added to read as follows:

"(f) The Mayor may abate interest or penalties or compromise taxes, whether arising before or after the tax sale, in the same manner as set forth in § 47-811.04; provided, that the abatement or compromise shall not affect the refund due to the purchaser."

(20) Section 47-1362 is amended as follows:

Note,
§ 47-1362

(A) Subsection (a) is amended by striking the phrase "If the real property is redeemed after an action to foreclose the right of redemption is filed and there is a dispute regarding redemption, the" and inserting the phrase "If there is a dispute regarding redemption after an action to foreclose the right of redemption is filed, the" in its place.

(B) Subsection (c) is repealed.

(21) Section 47-1363(a) is amended by striking the phrase "date of the sale" and inserting the phrase "date of the tax sale" in its place.

Note,
§ 47-1363

(22) Section 47-1366 is amended to read as follows:

Note,
§ 47-1366

"§ 47-1366. Cancellation of sale by Mayor.

"(a) The Mayor, in the Mayor's discretion, may cancel a sale before the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption to prevent an injustice to the owner or person with an interest in the real property.

"(b) The Mayor shall cancel a sale before the issuance of a final order by the Superior Court of the District of Columbia foreclosing the right of redemption where:

"(1) The record owner or other interested party timely pays the amount set forth in the notice of delinquency to avoid the tax sale as required under § 47-1341(a) or otherwise pays the outstanding taxes before the tax sale;

"(2) The real property meets the qualifications to be exempt from sale under § 47-1332(c);

"(3) In a sale involving Class 1 property with 5 or fewer units that a record owner (or a person with an interest in the property as heir or beneficiary of the record owner, if the record owner is deceased) occupies as his or her principal residence, the record owner or other interested person proves:

"(A) A failure of the Mayor to mail any of the notices required by §§ 47-1341(a), 47-1341(b), or 47-1353.01; or

"(B) That the mailing address of the person who last appears as the record owner of the real property on the tax roll, as properly updated by the record owner by the filing of a change of address with the Office of Tax and Revenue in accordance with § 42-405, was not correctly or substantively updated by the Office of Tax and Revenue notwithstanding proper filing; or

"(4) A properly filed application for a forbearance authorization was filed at least 30 days before the sale and was approved within 60 days after the sale.

"(c) Subject to the limitations set forth in § 47-1377(b), (c), (d), and (e), if the Mayor cancels a sale pursuant to this section, the Mayor shall pay to the purchaser the amount that the purchaser would have received if the real property had been redeemed, but no part of the amount shall be considered a payment of tax on behalf of the real property. A certificate of redemption, if necessary, shall be executed and filed by the Mayor with the Recorder of Deeds for no fee."

(23) Section 47-1370 is amended as follows:

Note,
§ 47-1370

(A) Subsection (a) is amended by striking the phrase "date of sale" and inserting the phrase "date of the tax sale" in its place.

(B) Subsection (c) is amended by adding a new paragraph (4) to read as follows:

"(4) Proof of the posting required under § 47-1353.01 shall be attached to and made part of the complaint. The posting shall be held to the same standard as the proof of posting required under § 47-1372(f)."

(C) A new subsection (e) is added to read as follows:

"(e) The purchaser shall immediately notify the Chief Financial Officer and the Real Property Tax Ombudsman, established by § 47-805, upon the filing of a complaint under this section."

(24) Section 47-1371(b) is amended by adding a new paragraph (2A) to read as follows:

Note,
§ 47-1371

"(2A) The plaintiff shall certify to the Superior Court of the District of Columbia, under penalties of perjury, that a search was conducted for the record owner in bankruptcy records."

Note,
§ 47-1372

(25) Section 47-1372(a)(1)(C) is amended by striking the phrase "date of sale" and inserting the phrase "date of the tax sale" in its place.

(26) Section 47-1374 is amended as follows:

Note,
§ 47-1374

(A) Subsection (c) is amended by striking the third sentence.

(B) Subsection (e) is amended to read as follows:

"(e)(1) A final judgment may not be entered earlier than the later of:

"(A) One year following the initial scheduling conference in the foreclosure action; or

"(B) Four months following the completion of service on the owner and all parties identified as defendants in § 47-1371.

"(2) Paragraph (1) of this subsection shall not apply to any final judgment in which all interested parties have disclaimed any interest in the property subject to the judgment or in a case where a real property was sold under § 47-1353(a)(3) or (b).".

(27) Section 47-1377 is amended to read as follows:

Note,
§ 47-1377

"§ 47-1377. Purchaser reimbursed by redeeming party for expenses.

"(a)(1) Except as provided in subsection (b) of this section, upon redemption, a purchaser is entitled to be reimbursed by the redeeming person for the following expenses incurred in an action, or in preparation for an action, to foreclose the right of redemption:

"(A) If an action to foreclose the right of redemption has not been filed and the property is redeemed more than 4 months after the applicable tax sale's tax sale date, the purchaser may be reimbursed for the following pre-complaint legal expenses:

"(i) The amount of \$50 for any posting required by § 47-1353.01;

"(ii) Costs for recording the certificate of sale; and

"(iii) The cost of a title search, not to exceed \$300.

"(B) If an action to foreclose the right of redemption has been filed, the purchaser may also be reimbursed for:

"(i) Reasonable attorneys' fees as follows:

"(I) In a case in which the property is redeemed before the fifth status hearing, reasonable attorneys' fees not to exceed \$1,500;

"(II) In a case requiring 5 or more status hearings, reasonable attorneys' fees not to exceed \$1500, plus \$75 for the fifth status hearing and each additional status hearing thereafter; and

"(III) In a case in which a motion for judgment is filed with the court, additional attorneys' fees in the amount of \$300;

"(ii) Notwithstanding sub-subparagraph (i) of this subparagraph, in cases requiring prolonged or complex representation not typically necessary to resolve an action filed under this chapter, including cases in which the purchaser incurs attorneys' fees and expenses under § 47-1382.01(a), other reasonable attorneys' fees incurred and specifically requested by the purchaser and approved by the court, on a case-by-case basis; provided, that additional attorneys' fees shall not be awarded if a tax sale is cancelled by the Mayor under § 47-

1366, or where a purchaser is required to show good cause under subsection (c) of this section; and

"(iii) Expenses actually incurred as follows:

"(I) Filing fee charged by the Superior Court of the District of Columbia;

"(II) Service of process fee, including fees incurred attempting to serve process;

"(III) If a second title search is conducted more than 6 months after the initial title search, a title search update fee, not to exceed \$75;

"(IV) Publication fee charged by a newspaper of general circulation in the District;

"(V) Posting fees;

"(VI) Postage and certified mail costs;

"(VII) Substantial repair order fee, not to exceed the fee charged by the government agency issuing the certificate of substantial repair; and

"(VIII) Any court approved expense for stabilization or conversion of, or to make safe and compliant with Chapter 31A of Title 42, the property under § 47-1363 or to comply with an action taken against the property by the Mayor in accordance with the applicable building, fire, health, or safety code.

"(2)(A) In calculating the number of hearings in a case for the purposes of paragraph (1)(B)(i) of this subsection, any status hearing held before the redeeming party was served shall be excluded from the calculation.

"(B) For purposes of paragraph (1)(B)(i) of this subsection, an initial scheduling conference shall be deemed a status hearing.

"(C) Nothing in paragraph (1) of this subsection shall be construed as prohibiting the purchaser from settling attorneys' fees in a lesser amount than the purchaser may be eligible for under this section.

"(b) No purchaser of a certificate of sale shall be reimbursed for expenses incurred within 4 months after the date of the tax sale. A purchaser other than the District shall not be reimbursed for any expenses if the certificate becomes void under this chapter.

"(c) The purchaser shall not be entitled to be reimbursed for any expenses or attorney's fees not included in this section. Expenses or attorneys' fees incurred by a purchaser who appeals the assessment or the vacant status of the property are not reimbursable.

"(d) If the purchaser fails to satisfy the requirements for posting under § 47-1353.01 or fails to provide proof of posting required under § 47-1370(c)(4), the purchaser shall not be entitled to collect the legal expenses set forth in subsection (a) of this section; provided, that upon a showing to the Superior Court of the District of Columbia of good cause for the failure to meet the posting requirements of § 47-1353.01 or § 47-1370(c)(4), the purchaser shall be entitled to collect those expenses, not to exceed the amounts set forth in subsection (a) of this section, that the Superior Court of the District of Columbia considers reasonable.

"(e) Notwithstanding subsection (d) of this section, if the tax sale is cancelled by the Mayor under § 47-1366, the purchaser shall not be entitled to reimbursement of the expenses permitted under subsection (a)(1)(B) of this section if the purchaser fails to specifically disclose to the Mayor, at least 45 days before the filing of a complaint to foreclose the right of redemption, information that is obtained or should have been obtained from the pre-complaint investigation, including the title examination and review of bankruptcy records under § 47-1371(b)(2) and (2A), that evidences a violation of § 47-1332(c), a violation of a bankruptcy stay, or errors, as prescribed by the Mayor through regulation."

(28) Section 47-1380(d) is amended by striking the phrase "the sale." and inserting the phrase "the sale and the purchaser shall not receive any amounts otherwise due under this chapter." in its place.

Note,
§ 47-1380

(29) Section 47-1382(a) is amended as follows:

Note,
§ 47-1382

(A) The lead-in text is amended by striking the phrase "A final" and inserting the phrase "Except as provided in § 47-1382.01, a final" in its place.

(B) Paragraph (1) is amended to read as follows:

"(1) A taxing agency lien that is recorded in the Office of the Recorder of Deeds;"

(C) Paragraph 4 is amended by striking the word "and".

(D) Paragraph (5) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(6) A ground lease described in § 47-1345(b), any recorded covenant, agreement, or other instrument, and any other document incorporated by reference into a recorded covenant, agreement, or other instrument, to which a ground lessor as described in § 47-1345(b) is a party or beneficiary."

(30) A new section 47-1382.01 is added to read as follows:

Note, New
§ 47-1382.01

"§ 47-1382.01. Equity distribution post-judgment – owner-occupant properties.

"(a) This section shall apply to any Class 1 property with 5 or fewer units in which a record owner (or a person with an interest in the property as heir or beneficiary of the record owner, if deceased), was occupying as his or her principal residence when the complaint to foreclose the right of redemption was filed. The purchaser shall bear the burden of establishing that this section is not applicable to the real property.

"(b) Upon issuing a final judgment foreclosing the right of redemption, the Superior Court of the District of Columbia shall appoint a trustee and shall order that the trustee sell the property pursuant to Rule 308 of the D.C. Rules of Superior Court, Rules of Civil Procedure, or its equivalent.

"(c) The trustee shall sell a fee simple interest in the property, subject to the encumbrances set forth in § 47-1382(a).

"(d) The court shall order the trustee to distribute the proceeds of the sale in priority order as follows:

"(1) Reasonable compensation and reasonable expenses due to the trustee or to any other person (including an auctioneer) who provided services relating to the sale of the property, and all other payments the court deems to have been necessary to effect the sale of the real property, including recordation and transfer taxes;

"(2) Payment to the Mayor of:

"(A) All amounts payable to the Mayor for deposit into the General Fund of the District of Columbia under § 47-1361 as of the date of the court's order regarding distribution;

"(B) Any promissory note executed pursuant to § 47-1353(a)(3); and

"(C) Any lien certified under § 47-1340;

"(3) Payment to the purchaser of all amounts provided for in § 47-1377, as fixed by the court; and

"(4) Any remaining amounts as follows:

"(A) Ten percent or \$20,000, whichever is less, to the purchaser; and

"(B) The remainder to the person or persons (including, when appropriate, a decedent's estate) entitled to the balance, in proper proportion as determined by the trustee, or, when necessary, a court.

"(e)(1) The trustee shall notify the purchaser once payment is made to the Mayor pursuant to subsection (d)(2) of this section, at which time the purchaser shall surrender the certificate of sale and receive from the Mayor the amount to which the purchaser would have been entitled had redemption occurred in accordance with § 47-1361.

"(2) For purposes of calculating the refund due to the purchaser, the date of the court's order providing for distribution or the sale proceeds in accordance with subsection (d) of this section shall be deemed the date of redemption.

"(f)(1) If the trustee in the trustee's best judgment determines that a sale of the real property will not generate proceeds sufficient to fund the distributions required under subsection (d)(1) and (2) of this section, the trustee shall timely inform the court of that determination.

"(2) Upon receipt of the trustee's determination as described in paragraph (1) of this subsection, the court shall:

"(A) Rescind the trustee's appointment and the order to sell the real property;

"(B) Issue a final judgment foreclosing the right of redemption in accordance with the provisions of § 47-1382; and

"(C) Require the purchaser to pay such fees and expenses of the trustee as the court determines appropriate."

(31) Section 47-1384 is amended by striking the phrase "Notwithstanding any other law, the provisions of this chapter" and inserting the phrase "Notwithstanding any other law, if a court determines that any provision of this chapter is ambiguous, the provision" in its place.

Note,
§ 47-1384

COUNCIL OF THE DISTRICT OF COLUMBIA
D.C. Act 20-377, effective July 14, 2014 (Expiration date October 12, 2014)

20 DCSTAT 3821

Sec. 7113. Conforming amendments.

(a) Section 908 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.08), is amended as follows:

Note,
§ 1-609.08

(1) Paragraph (15) is amended by striking the word "and" at the end.

(2) Paragraph (16) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (17) is added to read as follows:

"(17) The Real Property Tax Ombudsman of the Office of the Real Property Tax Ombudsman."

(b)(1) Section 15(f) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.15(f)), is amended by striking the phrase "plus interest on the unpaid amount at the rate of 1 1/2%" and inserting the phrase "plus simple interest on the unpaid amount at the rate of 1%" in its place.

Note,
§ 2-1215.15

(2) This subsection shall apply as of October 1, 2014.

Note,
§ 2-1215.15

(c) Section 499d of An Act To establish a code of law for the District of Columbia, effective October 23, 1997 (D.C. Law 12-34; D. C. Official Code § 42-405), is amended to read as follows:

"Sec. 499d. Notice of address and name change.

Note,
§ 42-405

"(a) Any owner, as defined under D.C. Official Code § 47-802(5), of real property entitled to receive notices under Chapter 8 of Title 47 shall notify the Office of Tax and Revenue of a name change or address change within 30 days.

"(b) Any name change shall be evidenced by the recording of a confirmatory deed with the Recorder of Deeds and submission of supporting documents with and as required by the Recorder of Deeds relating to the applicable property.

"(c) Any address change shall be filed with the Office of Tax and Revenue on the form and in the manner as may be prescribed.

"(d) The Chief Financial Officer may issue rules to implement the provisions of this section."

(d) Section 302 of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended by adding a new paragraph (33) to read as follows:

Note,
§ 42-1102

"(33) Deeds to property transferred to a named beneficiary of a revocable transfer on death deed under the Uniform Real Property Transfer of Death Act of 2012, effective March 19, 2013 (D.C. Law 19-230; D.C. Official Code § 19-604.01 *et seq.*), by reason of the death of the grantor of the revocable transfer on death deed."

(e) Section 5(4) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3131.05(4)), is amended by striking the phrase "Office of Tax and Revenue" and inserting the phrase "Office of Tax and Revenue, and a tax sale purchaser under § 47-1353(b) or the purchaser's assignee, as applicable, except where the owner

Note,
§ 42-3131.05

of record is challenging or appealing the vacant status of the real property for the same period" in its place.

Sec. 7114. Repealer.

The Residential Real Property Equity and Transparency Amendment Act of 2014, passed on 2nd reading on May 6, 2014 (Enrolled version of Bill 20-23), is repealed.

NA

SUBTITLE L. KELSEY GARDENS REDEVELOPMENT

Sec. 7121. Short title.

This subtitle may be cited as the "Kelsey Gardens Redevelopment Emergency Amendment Act of 2014".

Sec. 7122. Section 47-4625(a)(2) of the District of Columbia Official Code is amended to read as follows:

Note,
§ 47-4625

"(2) Beginning December 17, 2009, contain approximately 13,363 square feet of ground-level retail space; and".

Sec. 7123. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE M. UNDERPAYMENT OF ESTIMATED TAX

Sec. 7131. Short title.

This subtitle may be cited as the "Underpayment of Estimated Tax Emergency Amendment Act of 2014".

Sec. 7132. Chapter 42 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 subchapter designation to read as follows:

“Subchapter I-A. Underpayment.

“47-4203. Underpayment of estimated tax by individuals.

“47-4204. Underpayment of estimated tax by corporations, financial institutions, and unincorporated businesses.”.

(b) New sections 47-4203 and 47-4204 are added to read as follows:

"§ 47-4203. Underpayment of estimated tax by individuals

Note, New
§ 47-4203

"(a) An individual shall pay 4 installments of estimated tax on the dates as provided in § 47-1812.08(i)(4) in the amounts provided under subsection (b) of this section.

"(b)(1) The amount of each installment of estimated tax shall be the lesser of:

"(A) The amount required under the annualized income method under paragraph (2) of this subsection, or

"(B) Twenty-five percent of the lesser of:

"(i) Ninety percent of the tax shown on the return for the taxable year (or, if no return is filed, 90% of the tax for the taxable year);

"(ii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-subparagraph, 100% of the tax shown on the return of the individual for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(II) For tax years beginning after December 31, 2011, 110% of the tax shown on the return of the individual for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(iii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-subparagraph, 100% of the tax computed on the basis of the facts shown on the individual's return for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(II) For tax years beginning after December 31, 2011, 110% of the tax computed on the basis of the facts shown on the individual's return for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months.

"(2)(A) The required payments under the annualized income method shall be, on a cumulative basis, as follows:

"(i) On the first installment date, 22.5% of the tax for the taxable year based upon the annualized income of the individual for the first 3 months of the taxable year;

"(ii) On the second installment date, 45% of the tax for the taxable year based upon the annualized income of the individual for the first 5 months of the taxable year;

"(iii) On the third installment date, 67.5% of the tax for the taxable year based upon the annualized income of the individual for the first 8 months of the taxable year; and

"(iv) On the fourth installment date, 90% of the tax for the taxable year.

"(B) The annualized income method shall not apply to individuals filing a return for part of a taxable year except under regulations as the Mayor may prescribe.

"(c)(1) Except as otherwise provided in this section, in the case of an underpayment of estimated tax by an individual, there shall be added to the tax imposed under § 47-1806.03(a) an amount of interest determined by applying the underpayment rate set forth in § 47-4201 to the amount of the underpayment for the period of the underpayment.

"(2) For the purposes of this subsection:

"(A) The amount of the underpayment shall be the excess of the required installment, over the amount, if any, of the installment paid on or before the due date for the installment; and

"(B) The period of the underpayment shall run from the due date for the installment to the earlier of the 15th day of the 4th month following the close of the taxable year

or the date on which the amount of the underpayment is made; provided, that an underpayment that is unpaid during part of a month shall be considered to be paid at the end of the month.

"(d) For the purposes of this section:

"(1) A payment of estimated tax shall be credited against unpaid required installments in the order in which the installments are required to be paid.

"(2) The term "tax" means the tax imposed by § 47-1806.03, less the amount of credit allowed against the tax (other than the credit under § 47-1806.04(b) for withholding of wages).

"(3) The amount of the credit allowed under § 47-1806.04(b) for withholding of wages shall be deemed a payment of estimated tax. An equal part of such amount shall be deemed paid on each due date for the payment of estimated tax for the taxable year unless the taxpayer establishes the dates on which all amounts were actually withheld, in which case the amounts withheld shall be deemed payments of estimated tax on the dates on which such amounts were actually withheld.

"(4) The amount of a refund of a prior year's tax applied against the tax during the taxable year shall be deemed a payment of estimated tax.

"(e) Interest shall not be imposed under subsection (c) of this section for a taxable year if:

"(1) The tax shown on the return for the taxable year (or, if no return is filed, the tax), reduced by applicable credits and payments of estimated tax that are timely made, is less than \$ 100;

"(2) The individual did not have any liability for tax for the preceding taxable year;

"(3) The Mayor determines that:

"(A) The taxpayer retired after having attained 62 years of age or developed a disability in the taxable year for which estimated payments were required to be made or in the taxable year preceding such taxable year; and

"(B) The underpayment was due to reasonable cause and not to willful neglect;

"(4) The Mayor determines that, by reason of casualty, disaster, or other unusual circumstances, the imposition of the addition to tax would be against equity and good conscience; or

"(5) The taxpayer dies during the taxable year.

"§ 47-4204. Underpayment of estimated tax by corporations, financial institutions, and unincorporated businesses.

**Note, New
§ 47-4204**

"(a) A corporation, financial institution, or unincorporated business shall pay 4 installments of estimated tax as provided in § 47-1812.14 in the amount provided under subsection (b) of this section.

"(b)(1) The amount of each installment of estimated tax shall be the lesser of:

"(A) The amount required under the annualized income method under paragraph (2) of this subsection; or

"(B) Twenty-five percent of the lesser of:

"(i) Ninety percent of the tax shown on the return of the entity for the taxable year (or, if no return is filed, 100% of the tax for the taxable year); or

"(ii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-subparagraph, 100% of the tax shown on the return of the entity for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months; or

"(II) For tax years beginning after December 31, 2011, 110% of the tax shown on the return of the entity for the preceding taxable year if the individual filed a return for the preceding taxable year consisting of 12 months.

"(2) (A) The required payments under the annualized income method shall be, on a cumulative basis, as follows:

"(i) On the first installment date, 22.5% of the tax for the taxable year based upon the annualized income of the entity for the first 3 months of the taxable year;

"(ii) On the second installment date, 45% of the tax for the taxable year based upon the annualized income of the entity for the first 5 months of the taxable year;

"(iii) On the third installment date, 67.5% of the tax for the taxable year based upon the annualized income of the entity for the first 8 months of the taxable year; and

"(iv) On the fourth installment date, 90% of the tax for the taxable year based upon the annualized income of the entity for the first 9 months of taxable year.

"(B) The annualized income method shall not apply to entities filing a return for part of a taxable year except under regulations as the Mayor may prescribe.

"(c)(1) Except as otherwise provided in this section, in the case of an underpayment of estimated tax by a corporation, financial institution, or unincorporated business, there shall be added to the tax imposed under Chapter 18 of this title an amount of interest determined by applying the underpayment rate set forth in § 47-4201 to the amount of the underpayment for the period of the underpayment.

"(2) For the purposes of this subsection:

"(A) The amount of the underpayment shall be the excess of the required installment over the amount, if any, of the installment paid on or before the due date for the installment; and

"(B) The period of the underpayment shall run from the due date for the installment to the earlier of the 15th day of the 3rd month following the close of the taxable year or the date on which the amount of the underpayment is made; provided, that an underpayment that is unpaid during part of a month shall be considered to be paid at the end of the month.

"(d) For the purposes of this section:

"(1) A payment of estimated tax shall be credited against unpaid required installments in the order in which the installments are required to be paid.

"(2) The term "tax" means the tax imposed by § 47-1807.02 or § 47-1808.03, less the amount of credit allowed against the tax (other than the credit with respect to payments of tax).

“(3) The amount of a refund of a prior year's tax applied against the tax during the taxable year shall be deemed a payment of estimated tax.

“(e) Interest shall not be imposed under subsection (c) of this section for a taxable year if:

“(1) The tax shown on the return for the taxable year (or, if no return is filed, the tax) reduced by applicable credits and estimated payments that are made timely, is less than \$1,000; or

“(2) The preceding taxable year was a taxable year of 12 months, and the entity did not have any liability for tax for the preceding taxable year.”.

(c) Sections 47-4214 and 47-4215 are repealed.

Note, Repeal
§§ 47-4214,
47-4215

Sec. 7133. Applicability.

This act shall be applicable for tax years beginning after December 31, 2014.

Note,
§§ 47-4203,
47-2404

SUBTITLE N. TAX TRANSPARENCY AND EFFECTIVENESS

Sec. 7141. Short title.

This subtitle may be cited as the "Tax Transparency and Effectiveness Emergency Act of 2014".

Sec. 7142. Definitions.

For the purposes of this subtitle, the term:

Note, New
§ 1-301.156

(1) "Categorical preference" means a tax preference that sets eligibility criteria and is potentially available to all entities that meet the criteria, subject to any funding limitations.

(2) "CFO" means the Chief Financial Officer of the District of Columbia.

(3) "Economic development purpose" means a goal to increase or retain business activity, including attracting new businesses or retaining existing ones, encouraging business expansion or investment, increasing or maintaining hiring, or increasing sales.

(4) "Individual preference" means a tax preference, such as a tax abatement, applied to one entity, project, or associated projects.

(5) "On-cycle tax preference" means a tax preference being reviewed in a current year.

(6) "Tax preference" shall have the same meaning as the phrase “tax expenditures” as defined in section 47-318(6) of the District of Columbia Official Code.

Sec. 7143. Tax preference review.

Note, New
§ 1-301.157

(a) The CFO shall review all locally adopted tax expenditures on a 5-year cycle and publish annually a report complying with the requirements of this section.

(b) By October 1, 2015, and by October 1 of every year thereafter, the CFO shall submit for publication in the District of Columbia Register a report for on-cycle tax preferences that complies with the requirements of this section.

(d) An on-cycle individual preference shall be analyzed and reported in the following manner:

(1) An individual preference shall be analyzed and reported in groupings of similarly purposed preferences, with the report focusing on collective effects or trends that emerge.

(2) The report shall include the stated purpose of the of tax preferences within the grouping, if clarified in the authorizing legislation.

(3) The report shall include the amount of lost revenue due to the tax preferences within the grouping.

(4) The report shall include an assessment of the general effects on the District resulting from the preferences.

(5) The report on groupings of individual preferences shall include recommendations on how to improve similar preferences in the future.

(6) For groupings of individual tax preferences with an economic development purpose, the analysis shall consider the economic impact of the preferences, and where sufficient data are available, take into account factors including:

(A) Whether the economic impact of the tax preferences would have been expected without the preferences;

(B) The extent to which the economic impact of the tax preferences was offset by economic losses elsewhere;

(C) The average economic impact for a level of direct expenditures equal to the cost of the tax preferences;

(D) The indirect economic impact of the tax preferences;

(E) The number of jobs created by the preference;

(F) The wages of the jobs created;

(G) The percentage of jobs filled by District residents; and

(H) Whether any terms of the tax preferences have been or are being satisfied.

(e) Except as provided in subsection (f) of this section, on-cycle categorical preferences shall receive a full review that, where sufficient data are available, includes:

(1) The purpose of the tax preference, if clarified in the authorizing legislation;

(2) The tax preference's cost in terms of lost revenue;

(3) An assessment of whether the tax preference is meeting its goals;

(4) An assessment of whether the tax preference is achieving other goals;

(5) Recommendations for improving the effectiveness of the tax preference;

(6) Recommendations for whether the tax preference should be modified, discontinued, or remain in its existent state; and

(7) For tax preferences with an economic development purpose, an analysis that measures the economic impact of the preference, including:

(A) Whether the economic impact of the tax preference would have been expected without the preference;

(B) The extent to which the economic impact of the tax preference was offset by economic losses elsewhere;

(C) The average economic impact for a level of direct expenditures equal to the cost of the tax preference; and

(D) The indirect economic impact effect of the tax preference.

(f) For on-cycle categorical tax preferences that the CFO determines do not merit a full review, the CFO shall instead perform a summary review. In determining which tax preferences are appropriate for a summary review, the CFO shall consider factors including, at a minimum:

(1) The revenue lost due to the tax preference and the number of potential or actual claimants;

(2) Whether the revenue lost due to the preference has increased or decreased since the preference was last reviewed;

(3) Whether the preference has been included in legislative or administrative proposals to modify or repeal; and

(4) Whether the preference is required by the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code §1-201.01 *et seq.*).

(g) A report on a categorical preference designated for summary review shall include:

(1) A narrative summary of the preference, including its purpose;

(2) The source and year of statutory authorization;

(3) The fiscal impact of the preference; and

(4) A description of the beneficiaries of the tax preference.

(h) All District agencies, offices, and instrumentalities shall cooperate with the CFO and shall provide any records, information, data, and data analysis needed to complete the reviews and reports required by this section.

SUBTITLE O. LOW-INCOME HOUSING TAX CREDIT

Sec. 7151. Short title.

This subtitle may be cited as the "Low-Income Housing Tax Credit Emergency Act of 2014".

Sec. 7152. Title 47 of the District of Columbia Official Code is amended as follows:

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

"Chapter 48. District of Columbia Low-Income Housing Tax Credit."

(b) A new Chapter 48 is added to read as follows:

"CHAPTER 48. DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX CREDIT.

"Sec.

"47-4801. Definitions.

"47-4802. Credit established.

"47-4803. Eligibility.

"47-4804. Recapture.

"47-4805. Additional filings.

"47-4806. Transfer, sale or assignment.

"47-4807. Compliance.

"47-4808. Expiration of credits.

"47-4809. Efficiency.

"47-4810. Fees.

"47-4811. Look-back requirement.

"47-4812. Rules.

"§ 47-4801. Definitions.

**Note, New
§ 47-4801**

"For the purposes of this chapter, the term:

"(1) "Administrative costs" means the costs of the Department to administer, manage, and monitor the low-income housing tax credit program, including personnel costs.

"(2) "Department" means the Department of Housing and Community Development, or its successor agency.

"(3) "Developer" means a person or entity that proposes to cause the construction of affordable housing using tax credits provided under the District of Columbia Low-Income Housing Tax Credit Program.

"(4) "Director" means the Director of the Department.

"(5) "Low-Income Housing Tax Credit Program" means the program authorized by section 42 of the Internal Revenue Code, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 42) ("1986 Internal Revenue Code").

"(6) "Pilot period" means the initial year of the credit program established under this chapter.

"(7) "Qualified project" means a rental housing development that receives an allocation of federal Low-Income Housing Tax Credits from the Department.

"(8) "User fee" means a fee charged by the Department to a developer in connection with the District of Columbia Low-Income Housing Tax Credit Program, including application, reservation, allocation, and monitoring fees.

"§ 47-4802. Credit established.

**Note, New
§ 47-4802**

"(a)(1) There is established a District of Columbia low-income housing tax credit. Subject to available funds, the Department may authorize annually under this chapter total tax credits equal to the credit ceiling allocated to the District of Columbia by the federal Internal Revenue Service in accordance with 26 U.S.C. § 42(h)(3)(c).

"(2) For the pilot period, the Department shall make available \$1,000,000 in credits in tax year 2015.

"(b) Unless otherwise provided in this section, the Department shall authorize, allocate, administer, and determine eligibility for the District of Columbia low-income housing tax credit and allocate the credit in accordance with the standards and requirements as set forth in section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year; provided, that the combined federal and District of Columbia low-income housing tax credit shall be the least amount necessary to ensure financial feasibility of a project.

"(c) The Department shall allocate the total available District of Columbia low-income housing tax credit among as many qualified District of Columbia projects as fiscally feasible, with the goal of increasing the stock of affordable housing units.

"(d) Only qualified projects are eligible for a District of Columbia low-income housing tax credit award.

"§ 47-4803. Eligibility.

Note, New
§ 47-4803

"(a) A taxpayer may receive a District of Columbia tax credit with respect to a qualified project; provided, that the Department issues an eligibility statement for that qualified project. This credit shall be termed the District of Columbia low-income housing tax credit.

"(b) The total District of Columbia low-income housing tax credit available to a qualified District of Columbia project shall be authorized and allocated by the Department based on the qualified project's need for the credit for economic feasibility.

"(c) The District of Columbia low-income housing tax credit shall be taken against the income, insurance premium, or franchise taxes imposed under this title, claimed equally for 10 years, subtracted from the amount of District of Columbia tax otherwise due for each taxable period and shall not be refundable; provided, that the credit may not be taken against any tax that is dedicated in whole or in part to the Healthy DC and Health Care Expansion Fund established by section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02). Any amount of the low-income housing tax credit that exceeds the tax due for a taxable year may be carried forward to any of the 10 remaining subsequent taxable years.

"(d)(1) All or any portion of District of Columbia tax credits issued in accordance with the provisions of this section may be allocated to parties who are eligible under the provisions of subsection (a) of this section.

"(2) An owner of a qualified project shall certify to the Chief Financial Officer the amount of credit allocated to the owner. The owner of the qualified project shall provide to the Chief Financial Officer appropriate information so that the low-income housing tax credit can be properly allocated.

"(e) If the recapture of District of Columbia low-income housing tax credits is required pursuant to § 47-4804(a) or (b), any statement submitted to the Chief Financial Officer as provided in this section shall include the:

"(1) Proportion of the District of Columbia credit required to be recaptured;

"(2) Identity of each taxpayer subject to the recapture; and

"(3) Amount of credit previously allocated to such taxpayer.

"(f)(1) A tax credit allowed under this section shall not be denied to the taxpayer with respect to any qualified project merely by reason of a right of first refusal held by the tenants, in cooperative form or otherwise, or resident management corporation of such building or by a qualified nonprofit organization, as defined in section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, or government agency to purchase the qualified District of Columbia project after the close of the compliance period for a price which is not less than the minimum purchase price determined under paragraph (2) of this subsection.

"(2) The minimum purchase price shall be an amount equal to the sum of the principal amount of outstanding indebtedness secured by the building, other than indebtedness incurred within the 5-year period ending on the date of the sale pursuant to paragraph (1) of this subsection, and all federal and District taxes attributable to the sale.

"§ 47-4804. Recapture.

Note, New
§ 47-4804

"(a) The owner of a qualified project eligible for the District of Columbia low-income housing tax credit shall submit a copy of the eligibility statement issued by the Department with respect to the qualified project at the time of filing the project owner's state tax return. In the case of failure to attach the eligibility statement, a credit under this section shall not be allowed with respect to such qualified project for that year until the copy is provided to the Office of Tax and Revenue.

"(b) If under section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, a portion of any federal low-income housing tax credits taken on a low-income qualified project is required to be recaptured, the District of Columbia low-income housing tax credit authorized by this chapter with respect to such qualified District of Columbia project shall also be recaptured. The District of Columbia recapture amount shall be equal to the amount of the District of Columbia low-income housing tax credits previously claimed times a fraction, the numerator of which shall be the amount of recaptured federal low-income housing tax credits and the denominator of which shall be the amount of federal low-income housing tax credits previously claimed.

"§ 47-4805. Additional filings.

Note, New
§ 47-4805

"The Chief Financial Officer or the Department may require the filing of additional documentation necessary to determine the eligibility or accuracy of a tax credit claimed under the provisions of this chapter through the promulgation of regulations.

"§ 47-4806. Transfer, sale, or assignment.

Note, New
§ 47-4806

"(a) All or any portion of tax credits issued in accordance with the provisions of this section may be transferred, sold, or assigned.

"(b) An owner or transferee desiring to make a transfer, sale, or assignment shall submit to the Chief Financial Officer a statement that describes the amount of District of Columbia low-income housing tax credit for which such transfer, sale, or assignment of District of Columbia low-income housing tax credit is eligible. The owner shall provide to the Chief Financial Officer appropriate information so that the low-income housing tax credit can be properly allocated.

"(c) If the recapture of District of Columbia low-income housing tax credits is required pursuant to § 47-4804, any statement submitted to the Chief Financial Officer as required in subsection (b) of this section shall include the:

“(1) Proportion of the District of Columbia low-income housing tax credit required to be recaptured;

“(2) Identity of each transferee subject to recapture; and

“(3) Amount of credit previously transferred to such transferee.

"§ 47-4807. Compliance.

Note, New
§ 47-4807

"(a) The Department, in consultation with the Chief Financial Officer, shall monitor and oversee compliance with the District of Columbia low-income housing tax credit program and may promulgate regulations requiring the filing of additional documentation considered necessary to determine continuing eligibility for the District of Columbia low-income housing tax credit.

"(b) The Department or the Chief Financial Officer shall report specific occurrences of noncompliance to appropriate state, federal, and local authorities.

"§ 47-4808. Expiration of credits.

**Note, New
§ 47-4808**

"Except for unused credits carried forward pursuant to § 47-4803(c) and for credits claimed under regulations promulgated by the Department consistent with the special rule set forth in section 42(f)(2) of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, a qualified District of Columbia project shall not be eligible for any District of Columbia low-income housing tax credits for more than 11 taxable years.

"§ 47-4809. Efficiency.

**Note, New
§ 47-4809**

"The Department may pursue methods of enhancing the efficiency of the District of Columbia low-income housing tax credit program, including,

"(1) Pursuing opinions from the United States Department of Treasury's Internal Revenue Service in the form of:

"(A) General Counsel memoranda;

"(B) Private letter rulings and other notices,;

"(C) Rulings; or

"(D) Guidelines; and

"(2) Reviewing other state low-income housing tax programs that have an option for taxpayers to receive such tax credit in the form of a loan generated by transferring the credit to a designated state entity.

"§ 47-4810. Fees.

**Note, New
§ 47-4810**

"The Department may charge a user fee equal to up to 1% of the District of Columbia low-income housing tax credits awarded to a qualified project to pay for the administrative costs associated with the establishment of a District of Columbia low-income housing tax credit. The user fee will be deposited into the Low-Income Housing Tax Credit Fund, as established in D.C. Official Code § 42-2853.02.

"47-4811. Look-back requirement.

**Note, New
§ 47-4811**

"As soon as practicable after the first tranche of credits is sold during the pilot period, the Department shall provide a report to the Mayor and the Council on the credit program, including:

"(1) A list of projects financed with the low-income housing tax credits;

"(2) The number of affordable units per transaction and the level of affordability per unit;

"(3) Copies of the basic development budget or budgets, also known as the "DHCD 202"; and

"(4) The syndication rate for each credit sold.

"§ 47-4812. Rules.

**Note, New
§ 47-4812**

"(a) The Mayor shall issue rules to implement this chapter.

"(b) The Chief Financial Officer shall issue rules to implement § 47-4805.".

**SUBTITLE P. IPW FUND, DESTINATION DC MARKETING FUND, AND
WMATA MOMENTUM FUND ESTABLISHMENT**

Sec. 7161. Short title.

This subtitle may be cited as the "IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Support Fund Establishment Emergency Act of 2014".

Sec. 7162. IPW Fund.

Note, New
§ 1-325.291

(a) There is established as a special fund, the IPW Fund ("Fund"), which shall be administered by Destination DC in accordance with subsection (c) of this section.

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

(1) Upon approval of the settlement by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc.*, et al., Nos. 14-CV-308, 14-CV-309 and subject to subsection (d) of this section, \$3.5 from the \$60.9 million settlement the District obtained, and

(2) In private-sector matching funds, \$3.5 million to be raised by Destination DC.

(c) Money in the Fund shall be used to pay for the costs associated with hosting the U.S. Tourism Association's annual international tourism conference, known as the IPW. In 2017.

(d) The portion of the Fund described in subsection (b)(1) of this section will be available for expenditure only if Destination DC raises private-sector matching funds on a one-to-one basis. Destination DC shall return to the District any settlement funds for which a private-sector match is not secured.

(e) Destination DC shall submit an annual report by the end of each fiscal year to the Mayor and Council, which shall include the amount of private-sector matching funds raised and the amount expended from the Fund.

(f) (1) The money deposited into the Fund, and any interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

Sec. 7163. Destination DC Marketing Fund.

Note, New
§ 1-325.301

(a) There is established as a special fund the Destination DC Marketing Fund ("Fund"), which shall be established under the auspices of and administered by Destination DC, and which shall be used by Destination DC for the purposes of marketing the District.

(b) The amount of \$1.5 million shall be deposited into the Fund from the \$60.9 million settlement the District obtained with online travel companies to recover unpaid hotel-room taxes, only upon approval of the settlement by the District of Columbia Court of Appeals, *District of Columbia v. Expedia, Inc.*, et al., Nos. 14-CV-308, 14-CV-309.

(c)(1) The money deposited into the Fund, and any interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

Sec. 7164. WMATA Momentum Support Fund.

**Note, New
§ 1-325.311**

(a) There is established as a special fund the WMATA Momentum Support Fund ("Fund"), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

(b) Upon approval of the settlement by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc.*, et al., Nos. 14-CV-308, 14-CV-309, \$55.9 million from the \$60.9 million settlement the District obtained shall be deposited in the Fund.

(c) Upon execution of an inter-jurisdiction funding agreement for implementation of the Washington Metropolitan Area Transit Authority Momentum Strategic Plan ("Momentum"), any monies in the Fund shall be made available to finance the District's share of the implementation costs of Momentum.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

SUBTITLE Q. LAHDO ESTOPPELS

Sec. 7171. Short title.

This subtitle may be cited as the "LAHDO Estoppels Emergency Amendment Act of 2014".

Sec. 7172. Section 47-1005.01(c-1) of the District of Columbia Official Code is amended to read as follows:

**Note,
§ 47-1005.01**

"(c-1)(1) Effective June 9, 2001, an existing or future lease entered into under the provisions of the Land Acquisition for Housing Development Opportunities Program, set forth in Chapter 45 of Title 10 of the District of Columbia Municipal Regulations (10 DCMR § 45) ("LAHDO"), shall be exempt from all taxes, assessments, and public charges related to the leased land, including any possessory interest tax, for periods for which the Department of Housing and Community Development ("DHCD") certifies in writing to the lessee and the Chief Financial Officer that the lessee is in compliance with its LAHDO lease and the lessee is in good standing with DHCD.

"(2) As to any property for which a written certification of compliance is issued, DHCD shall notify the lessee and the Chief Financial Officer if the lessee no longer is in compliance with its lease or is not in good standing with DHCD.

“(3) The exemption provided in this subsection shall end at the beginning of the first month following the date that the lessee did not comply with its lease or was not in good standing with DHCD, whichever occurs first.”.

Sec. 7173. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE R. QUALIFIED HIGH TECHNOLOGY CLARIFICATION

Sec. 7181. Short title.

This subtitle may be cited as the "Qualified High Technology Clarification Emergency Amendment Act of 2014".

Sec. 7182. Section 47-1817.01 (5) of the District of Columbia Official Code is amended as follows:

Note,
§ 47-1817.01

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

(1) Sub-subparagraph (i) is amended by striking the phrase “maintaining an office, headquarters, or base of operations” and inserting the phrase “leasing or owning an office” in its place.

(2) Sub-subparagraph (ii) is amended by striking the word “employees” and inserting the phrase “qualified employees” in its place.

(3) Sub-subparagraph (iii) is amended as follows:

(A) Sub-sub-subparagraph (II) is amended by striking the phrase “digital media. Such technologies shall include” and inserting the phrase “digital media, including” in its place.

(B) Sub-sub-subparagraph (III) is amended by striking the phrase “medical processes. Such materials and technologies shall include” and inserting the phrase “medical processes, including” in its place.

(C) Sub-sub-subparagraph (IV) is amended as follows:

(i) By striking the word “biotechnology” and inserting the phrase “biotechnology,” in its place;

(ii) By striking the phrase “or propulsion” and inserting the word “propulsion” in its place; and

(iii) By striking the phrase “equipment. Such technologies shall include” and inserting the phrase “equipment, including” in its place.

(D) Sub-sub-subparagraph (V) is amended by striking the phrase “media content. Such technologies shall include” and inserting the phrase “media content, including” in its place.

(b) Subparagraph (B)(i) is amended as follows:

(1) Sub-sub-subparagraph (I) is amended to read as follows:

“(I) An on-line or brick and mortar retail store;”

(2) Sub-sub-subparagraph (II) is amended by striking the phrase “facility;” and inserting the phrase “facility; or” in its place.

(3) By adding a new sub-sub-subparagraph (III) to read as follows:

“(III) A building or construction company.”

SUBTITLE S. EMERGING BUSINESS DISTRICT DEMONSTRATION

Sec.7191. Short title.

This subtitle may be cited as the "Emerging Business District Demonstration Emergency Act of 2014".

Sec. 7192. Emerging Business District Demonstration Projects.

Note, New
§ 2-1210.31

(a) The Mayor shall authorize the creation of Emerging Business District Demonstration Projects for business development purposes and provide financial assistance, beginning in fiscal year 2016, for up to 5 years while a business tax base is further established. These funds shall be distributed through a grant program by the Office of the Deputy Mayor for Planning and Economic Development.

(b)(1) To be eligible for these funds, applicants must demonstrate property owner commitment to the program through matching grants of at least 25% of the proposed program's total budget.

(2) Business Improvement Districts with budgets under \$1 million as well as eligible 501(c)(3) and 501(c)(6) organizations may apply and be awarded these funds.

(c) Within 45 days of the effective date of this subtitle, the Mayor shall publish draft regulations regarding the criteria and awarding of grants; provided, that if no regulations are published, organizations will be entitled to apply as of November 1, 2015.

(c) Regulations shall include:

(1) The ability to establish and assemble a panel of reviewers for applications;

(2) A formula to determine what level of seed funding is sufficient to establish operations and allows the pursuit of matching funds from the private sector or otherwise;

(3) The ability for applicants to be eligible for technical assistance, training, and mentoring opportunities; and

(4) Eligible uses of funds, which shall include:

(A) Economic research; or

(B) Community or business outreach.

Sec. 7193. The grant program established by this subtitle shall not prevent an entity or a neighborhood from receiving any other form of District or federal assistance, including loans or other grants.

Note, New
§ 2-1210.32

Sec. 7194. Conforming amendment.

The Howard Town Center Real Property Tax Abatement Act of 2012, effective April 20, 2013 (D.C. Law 19-257; 60 DCR 992), is amended by adding a new section 3a to read as follows:

"Sec. 3a. Applicability.

"This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register."

Note,
§ 47-4656
Delayed
Applicability

SUBTITLE T. SOUTHWEST WATERFRONT PROJECT CLARIFICATION

Sec. 7201. Short title.

This subtitle may be cited as the "Southwest Waterfront Project Clarification Emergency Amendment Act of 2014".

Sec. 7202. Section 101(3) of the Southwest Waterfront Bond Financing Act of 2008, effective October 22, 2008 (D.C. Law 17-252, D.C. Official Code § 2-1217.131(3)), is amended to read as follows:

Note,
§ 2-1217.131

"(3) "Available Sales Tax Revenues" means the revenues in excess of \$208,549 generated in the Southwest Waterfront PILOT/TIF Area in any fiscal year of the District commencing on the Commencement Date resulting from the imposition of the sales tax under Chapter 20 of Title 47, including penalty and interest charges, exclusive of the portion required to be deposited in the Washington Convention Center Fund established pursuant to the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.08). The term "Available Sales Tax Revenues" includes sales tax revenues from any business existing in the Southwest Waterfront PILOT/TIF Area on October 22, 2008, only after the business has re-opened as a result of the development of any portion of the project."

SUBTITLE U. NON-DEPARTMENTAL FUND ADMINISTRATION

Sec. 7211. Short title.

This subtitle may be cited as the "Non-Departmental Fund Administration Emergency Act of 2014".

Sec. 7212. In Fiscal Year 2015, of the funds allocated to the Non-Departmental agency, an amount up to \$1 million shall be transferred to the University of the District of Columbia ("UDC") if, by January 1, 2015, UDC raises the amount of \$1 million from private donations for the purpose of meeting accreditation standards. The amount transferred under this section shall be matched dollar-for-dollar from the amount raised up to \$1 million.

Sec. 7213. In Fiscal Year 2015, and beginning no later than the effective date of the Transportation Reorganization Act of 2014, as introduced on April 8, 2014 (Bill 20-759) ("Act"), the City Administrator shall convene and lead a multi-agency working group to plan for and

implement the agency restructuring required by the Act. The City Administrator may use up to \$500,000 from the Non-Departmental agency for this process.

**SUBTITLE V. UNITED HOUSE OF PRAYER FOR ALL PEOPLE EQUITABLE
REAL PROPERTY TAX RELIEF**

Sec. 7221. Short title.

This subtitle may be cited as the “United House of Prayer for All People Equitable Real Property Tax Relief Emergency Act of 2014”.

Sec. 7222. United House of Prayer for All People equitable real property tax relief.

The Council orders that:

(1) Real property taxes, interest, penalties, fees, or other related charges assessed against the real property formerly designated as Lots 88 and 982, Square 5861, and paid by the United House of Prayer for All People, for tax years 2001 through 2013, shall be forgiven and refunded; and

(2) Real property taxes, interest, penalties, fees, or other related charges assessed against the real property formerly designated as Lot 988, Square 5861, for the first 2 months of tax year 2014, shall be forgiven and any payments by the United House of Prayer for All People shall be refunded.

**SUBTITLE W. MERIDIAN INTERNATIONAL CENTER REAL PROPERTY
TAX EXEMPTION ACT**

Sec. 7231. Short title.

This subtitle may be cited as the “Meridian International Center Real Property Tax Exemption Emergency Act of 2014”.

Sec. 7232. 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. Meridian International Center.”

(b) A new section 47-1092 is added to read as follows:

“§ 47-1092. Meridian International Center.

“(a)(1) Beginning on the effective date of this section, the real property designated as Lots 806, 808, and 809 in Square 2568, known as the Meridian House and the White-Meyer House, and Lots 2369 through 2401, 2413 through 2417, 2423, 2441, and 2442 in Square 2567, together with any improvements and furnishings (“Property”) shall be exempt from all taxation; provided, that the Property is:

“(A) Owned by the Meridian International Center, a District of Columbia nonprofit corporation;

**Note, New
§ 47-1092**

“(B) Used for the purposes and activities of the Meridian International Center; and

“(C) Not used for any commercial purposes, except as provided in subsection (b) of this section.

“(2) Use of the premises by agencies of the United States of America or by any organization exempt from federal income taxation shall not affect the exemption from taxation provided for in this section.

“(b) Section 47-1005 shall apply with respect to the Property; provided, that a portion of the Property may be rented out to another person or entity as long as the rent or other income generated shall be used for the maintenance and preservation of the Property.

“(c) Meridian International Center shall comply with the reporting requirement of § 47-1007 and have the appeal rights provided by § 47-1009.”.

Sec. 7233. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the Property for the period beginning with tax year 2006 through the effective date of this subtitle be forgiven and that any payments made be refunded.

SUBTITLE X. SCOTTISH RITE TEMPLE REAL PROPERTY TAX ACT

Sec. 7241. Short title.

This subtitle may be cited as the “Scottish Rite Temple Real Property Tax Emergency Act of 2014”.

Sec. 7242. 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:

“47-1094. Supreme Council of Scottish Rite Free Masonry of the Southern Jurisdiction of the United States; Lot 108, Square 192.”.

(b) A new section 47-1094 is added to read as follows:

“§ 47-1094. Supreme Council of Scottish Rite Free Masonry of the Southern Jurisdiction of the United States; Lot 108, Square 192.

“The real property described as Lot 108 in Square 192 shall be exempt from real property taxation so long as the real property is owned by The Supreme Council (Mother Council of the World) of the Inspectors General Knights Commanders of the House of the Temple of Solomon of the Thirty-Third Degree of the Ancient and Accepted Scottish Rite of Free Masonry of the Southern Jurisdiction of the United States of America (“Supreme Council”) or its subsidiaries, including the House of the Temple Historic Preservation Foundation, Inc., and is used by the Supreme Council or its subsidiaries to carry on their purposes and activities, and is not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007 and 47-1009 as if the exemption had been granted administratively under this chapter.”.

**Note, New
§ 47-1094**

**SUBTITLE Y. AMERICAN ACADEMY OF ACHIEVEMENT REAL PROPERTY
TAX EXEMPTION ACT**

Sec. 7251. Short title.

This subtitle may be cited as the “American Academy of Achievement Real Property Tax Exemption Emergency Act of 2014”.

Sec. 7252. 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:

“47-1093. American Academy of Achievement.”.

(b) A new section 47-1093 is added to read as follows:

“§ 47-1093. American Academy of Achievement.

**Note, New
§ 47-1093**

“(a)(1) Beginning on the effective date of this section, the real property designated as Lot 0829 in Square 0182, known as the American Academy of Achievement building, together with any improvements and furnishings (“Property”) shall be exempt from all taxation; provided, that the Property is:

“(A) Owned by the American Academy of Achievement, a nonprofit corporation;

“(B) Used for the purposes and activities of the American Academy of Achievement; and

“(C) Not used for any commercial purposes, except as provided in subsection (b) of this section.

“(2) Use of the premises by agencies of the United States of America or by any organization exempt from federal income taxation shall not affect the exemption from taxation provided for in this section.

“(b) Section 47-1005 shall apply with respect to the Property; provided, that a portion of the Property may be rented out to another person or entity as long as the rent or other income generated shall be used for the maintenance and preservation of the Property.

“(c) The American Academy of Achievement shall comply with the reporting requirement of § 47-1007 and have the appeal rights provided by § 47-1009.”.

Sec. 7253. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the Property for the period beginning with tax year 2006 through the effective date of this subtitle be forgiven and that any payments made be refunded.

SUBTITLE Z. AFFORDABLE HOUSING REAL PROPERTY TAX RELIEF

Sec. 7261. Short title.

This subtitle may be cited as the "Affordable Housing Real Property Tax Relief Emergency Act of 2014".

Sec. 7262. Section 47-1002(20)(A)(ii) of the District of Columbia Official Code is amended by striking the phrase "and for which an exemption was granted;" and inserting a semicolon in its place.

Note,
§ 47-1002

Sec. 7263. Applicability.

(a) This subtitle shall apply with respect to renewal contracts entered into before, on, or after the effective date of this act.

Note,
§ 47-1002

(b) This subtitle shall apply as of the effective date of this act.

SUBTITLE BB. TANF CONTINGENCY APPROPRIATION

Sec. 7271. Short title.

This subtitle may be cited as the "TANF Contingency Appropriation Emergency Amendment Act of 2014".

Sec. 7272. Pursuant to the Fiscal Year 2015 Budget Request Act of 2014, passed on final reading on May 28, 2014 (Enrolled version of Bill 20-749), \$5,771,880.64 of local revenues certified in the June 2014 revenue estimate that exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2015 shall be allocated to the Department of Human Services to expand POWER eligibility, for Fiscal Year 2015, to include families who have been on TANF longer than 60 months, are enrolled with a TANF Employment Program vendor, and are not the subject of a sanction as of October 1, 2014, pursuant to section 7273.

Sec. 7273. (a) Section 572a(a)(6) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.72a(A)(6)), is amended to read as follows:

Note,
§ 4-205.72a

"(6) Is the head of an assistance unit who is meeting the full requirements of his or her Individual Responsibility Plan and can show that he or she is enrolled in an accredited postsecondary education program or a Department of Employment Services approved job training program in which he or she is working towards the attainment of a degree, certificate, or official credential, or for fiscal year 2015, has been on TANF over 60 months, is enrolled with a TANF Employment Program vendor, and is not the subject of a sanction as of October 1, 2014."

(b) Subsection (a) of this section shall apply upon an allocation of \$5,771,880.64 made pursuant to section 7272.

TITLE VIII. CAPITAL BUDGET

SUBTITLE A. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY

Sec. 8001. Short title.

This subtitle may be cited as the "Department of Transportation Capital Budget Allocation Authority Emergency Amendment Act of 2014".

Sec. 8002. Section 3(e) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)), is amended by adding a new paragraph (3) to read as follows:

Note,
§ 50-921.02

"(3) The Director may submit requests to OBP to re-allocate funds from any Related Project to the applicable capital project created in Fiscal Year 2012 or later funded from the District of Columbia Highway Trust Fund. The Director, following re-allocation of funds by OBP from a Related Project to its applicable capital project, shall have the authority to submit requests to OBP to allocate these funds to another Related Project."

SUBTITLE B. DDOT CAPITAL PROJECT REVIEW AND RECONCILIATION

Sec. 8011. Short title.

This subtitle may be cited as the "Department of Transportation Capital Project Review and Reconciliation Emergency Amendment Act of 2014".

Sec. 8012. Section 11j(a) of Title IV of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.53(a)), is amended to read as follows:

Note,
§ 50-921.53

"(a) Funds resulting from the closure of a capital project pursuant to section 11i(a) shall be allocated to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund, established by section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), up to an annual level of \$1.5 million and then equally among the Local Streets Ward-based capital projects; provided, that funds specific to non-participating costs shall be allocated to the non-participating Highway Trust Fund Support project."

**SUBTITLE C. FISCAL YEAR 2015 CAPITAL PROJECT FINANCING
REALLOCATION APPROVAL**

Sec. 8021. Short title.

This subtitle may be cited as the "Fiscal Year 2015 Capital Project Reallocation Approval Emergency Act of 2014".

Sec. 8022. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate \$ 84,463,423 in general obligation bond proceeds from District capital projects listed in Table A to the District capital projects, in the amounts specified, listed in Table B.

(b) The current allocations were made pursuant to the Fiscal Year 2009 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2009, effective March 3, 2009 (Res. 18-0034; 56 DCR 2082), the Fiscal Year 2010 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of 2009, effective December 4, 2009 (D.C. Act 18-240; 56 DCMR 9265), the Fiscal Year 2011 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of 2010, effective November 17, 2010 (D.C. Act 18-607; 57 DCR 11054), and the Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011, effective December 6, 2011 (Res. 19-0315; 58 DCR 10556).

TABLE A.

Owner Agency Title	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Department of General Services	EA7	DGS	Neighborhood Revitalization	2009E	9,629
Office of the Attorney General	EN2	OAG	Child Support Enforcement System - CSED	2009D	20,885
Metropolitan Police Department	FRI	MPD	Base Building Renovation	2009D	4,848,843
Metropolitan Police Department	ITI	MPD	Information Technology Initiative - MPD	2010A	11,039
Department of General Services	AA9	DGS	Procurement of 225 Virginia Avenue	2011A - IT	13,792
DC Public Library	CWM	DCPL	African American Civil War Memorial	2011A - IT	1,118,561
Deputy Mayor for Economic Development	AWT	DMPED	Walter Reed Redevelopment	2011A - IT	402,214
Fire and Emergency Medical Services	LC7	FEMS	Engine Company 25 Renovation	2009D	4,066
Fire and Emergency Medical Services	LC7	FEMS	Engine Company 25 Renovation	2010A	787
Fire and Emergency Medical Services	LE3	FEMS	Engine Company 5 Renovation	2010A	6,321
Fire and Emergency Medical Services	LE3	FEMS	Engine Company 5 Renovation	2011A - IT	7,337
District of Columbia	GM0	DGS	Woodrow Wilson	2009E	4,039,764

COUNCIL OF THE DISTRICT OF COLUMBIA**20 DCSTAT 3844****D.C. Act 20-377, effective July 14, 2014 (Expiration date October 12, 2014)**

Public Schools			Natatorium/Pool		
University of the District of Columbia	ET9	UDC	Higher Education Back Office - Banner	2011A - IT	302,363
Department of Parks and Recreation	QK1	DPR	Renovation Of The S & T St NW Park	2010A	425,476
Department of Parks and Recreation	QS6	DPR	Renovation Of The S & T St NW Park	2009D	73,312
Department of Human Services	SH1	DGS	Oak Hill Youth Facility	2010A	501
District Department of Transportation	GFL	DDOT	SE Salt Dome	2010A	21,288
District Department of Transportation	BRI	DDOT	Pedestrian Bridge	2010A	4,987,554
Office of the Chief Technology Officer	N16	OCTO	District Reporting System	2010A	472,381
Office of the Chief Technology Officer	N16	OCTO	District Reporting System	2011A - IT	3,351
DC Public Library	NL6	DCPL	Reconstruction/Renovation Neighborhood Libraries	2012 FG	3,955,680
Fire and Emergency Medical Services	LC4	FEMS	Engine Company 22 Replacement	2012 FG	1,525,115
Fire and Emergency Medical Services	LE5	FEMS	Engine Company 27 Renovation	2012 FG	1,956,335
Fire and Emergency Medical Services	LE7	FEMS	Engine Company 27 Renovation	2012 FG	1,000,000
District of Columbia Public Schools	PR3	DGS	Ron Brown ES Modernization	2012 FG	4,050,000
Department of Parks and Recreation	QJ8	DPR	Friendship Park	2012 FG	1,629,830
Mass Transit Subsidies	SA4	WMATA	Metrorail Construction	2012 FG	53,577,000
TOTAL					\$84,463,423

TABLE B.

Agency	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Mass Transit Subsidies	TOP	WMATA	Transit Operations & Dedicated Facilities	N/A	25,787,055
District of Columbia Public Schools	MH1	DGS	Dunbar SHS Modernization	N/A	29,453,153
District of Columbia Public Schools	NX3	DGS	Cardozo HS Modernization	N/A	29,223,215
TOTAL					\$84,463,423

SUBTITLE D. H STREET STREETCAR PRIORITY

Sec. 8031. Short title.

This subtitle may be cited as the “H Street Streetcar Priority Emergency Act of 2014”.

Sec. 8032. (a) The Mayor shall include the full replacement of the H Street Bridge in the Regional Transportation Improvement Program for completion before Fiscal Year 2018.

(b) The Mayor and the District Department of Transportation (“DDOT”) shall prioritize the full replacement of the H Street Bridge under DDOT capital project SA306C, H Street/Benning/K Street Line. The full replacement of the bridge shall be completed before Fiscal Year 2018.

**TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND
AMENDMENTS AND TRANSFERS**

SUBTITLE A. LOCAL AND O-TYPE FUND AMENDMENTS

Sec. 9001. Short title.

This title may be cited as the "Local and Special Purpose Revenue Fund Emergency Amendment Act of 2014".

Sec. 9002. RFK & DC Armory Maintenance Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 1440 within the Department of General Services shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9003. Facilities Service Request Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 1500 within the Department of General Services shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9004. Distribution Fees.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 1243 within the Office of the Secretary shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9005. Copy Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0651 within the Public Service Commission shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9006. DCPS PEPCO.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0604 within the District of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9007. DCPS Security.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0609 within the District of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9008. DCPS Custodial.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0607 within the District of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9009. DPR Enterprise Fund.

Notwithstanding any other law, the fund which is designated for accounting purposes by the Office of the Chief Financial Officer as fund 0602 within the Department of Parks and Recreation shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9010. Pedestrian and Bicycle Safety and Enhancement Fund.

Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "nonlapsing" and inserting the phrase "lapsing" in its place.

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

"(c)(1) All funds deposited into the Fund but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 9011. DMV Out-of State Vehicle Registration Fee.

Note,
§ 50-1501.03a

Section 3a(a) of the District of Columbia Revenue Act of 1937, effective March 28, 2008 (D.C. Law 17-130; D.C. Official Code § 50-1501.03a(a)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "nonlapsing" and inserting the phrase "lapsing" in its place.

(b) Paragraph (3) is amended to read as follows:

"(3) All funds deposited into the Fund but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 9012. OCTO SERVUS Program.

Note,
§ 1-1433

Section 1004(d) of the Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-1433(d)), is amended to read as follows:

"(d) All funds deposited into the Fund but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.".

Sec. 9013. Healthcare Forfeiture.

Notwithstanding any other law, the fund which is designated for accounting purposes by the Office of the Chief Financial Officer as the Healthcare Forfeiture fund shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9014. Child SPT – Title IV Incentive Fees.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Child SPT – Title IVC

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20 DCSTAT 3848

Incentive Fees fund within the Office of the Attorney General shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9015 Adult Training Fund.

**Note, Repeal
§ 32-1671**

Section 2261 of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 32-1671), is repealed.

Sec. 9016. Youth Jobs Fund.

**Note, Repeal
§ 2-1516.01**

Section 1009 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 2-1516.01), is repealed.

Sec. 9017. Neighborhood Investment Fund.

**Note, Repeal
§§ 6-1071 –
6-1073**

(a) The Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071 *et seq.*), is repealed

**Note,
§ 2-218.75**

(b) Section 2375(d)(2) of the Fiscal Year 2006 Budget Support Act of 2005, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 2-218.75(d)(2)), is amended as follows:

(1) Subparagraph (A) is amended by adding the word "or" at the end.

(2) Subparagraph (B) is repealed.

**Note,
§ 31-5231**

(c) Section 2(16)(C)(i) of the Certified Capital Companies Act of 2003, effective March 10, 2004 (D.C. Law 15-87; D.C. Official Code § 31-5231(16)(C)(i)), is repealed.

**Note, Repeal
§ 38-1011.02**

(d) Section 2172 of the Fiscal Year 2010 Budget Support Act of 2009, effective March 30, 2012 (D.C. Law 18-111; D.C. Official Code § 38-1011.02), is repealed.

Sec. 9018. Senior Citizens Housing Modernization Grant Fund.

**Note, Repeal
§§ 1-325.161 –
1-325.164**

The Senior Housing Modernization Grant Fund Act of 2010, effective August 12, 2010 (D.C. Law 18-218; D.C. Official Code § 1-325.161 *et seq.*), is repealed

Sec. 9019. Shaw Community Development Fund.

**Note,
§ 10-1202.04**

Section 204(l) of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.04(l)), is repealed.

Sec. 9020. AWC Integration.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 0626 within the Deputy Mayor for Planning and Economic Development shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective

date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9021. Commercial Revitalization Assistance Fund.

(a) Section 2376 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 2-218.76), is repealed.

**Note, Repeal
§ 2-218.76**

(b) Section 20(b) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20(b)), is repealed.

**Note,
§ 2-1215.20**

Sec. 9022. TDL Career Cluster.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the TDL Career Cluster fund within the District of Columbia Public Schools shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9023. Pre-k for All.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Pre-k for All fund within the Office of the State Superintendent of Education shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9024. Air Quality Construction Permits.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Air Quality Construction Permits fund within the Department of Health shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9025. DDOT Operating (Unified) Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 6900 within the District Department of Transportation shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9026. Parking Meter Fund.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as fund 6906 within the District Department of Transportation shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9027. Prison Diversion.

Notwithstanding any other law, the funds which are deposited in the fund designated for accounting purposes by the Office of the Chief Financial Officer as the Prison Diversion fund within the Department of Behavioral Health shall be deposited in the General Fund of the District of Columbia and shall not be accounted for by a separate fund or account within the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of Columbia.

Sec. 9028. Integrated Service Fund.

The Integrated Funding and Services for At-Risk Children, Youth, and Families Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 4-1345.01 *et seq.*), is repealed.

Note, Repeal
§§ 4-1345.01 –
4-1345.03

Sec. 9029. Applicability.

This subtitle shall apply as of September 30, 2014.

Note,
§§ 4-1345.01 –
4-1345.03

SUBTITLE B. LOCAL AND O-TYPE FUND TRANSFERS

Sec. 9101. Short title.

This subtitle may be cited as the "Local and Special Purpose Revenue Fund Transfer Emergency Act of 2014".

Sec. 9102. Before the end of Fiscal Year 2014, the Chief Financial Officer shall transfer the following amounts from the accounts listed below to the Contingency Cash Reserve Fund,

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20 DCSTAT 3851

established by section 450A (b) of the District of Columbia Home Rule Act, approved November 22, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a(b)):

Agency Code	Agency	Fund Name	Amount
AM0	DGS	Fixed Cost Commodity Reserve	\$22,288,649
CF0	DOES	Adult Training Fund	\$10,156,624
CF0	DOES	Youth Jobs Fund	\$6,431,374
EB0	DMPED	Neighborhood Investment Fund	\$60,226
EB0	DMPED	Senior Housing Modernization grant Fund Act of 2010	\$100,000
EB0	DMPED	AWC Integration	-\$6,146
EN0	DSLBD	Commercial Revitalization Assistance Fund	\$1,245,199
HT0	DHCF	Hospital Assessment Tax	\$715,707
KA0	DDOT	DDOT Operating (Unified) Fund	\$65,084
KA0	DDOT	Parking Meter Fund	\$534,282
RM0	DBH	Prison Diversion	\$128,000
XXX	OCFO	Integrated Service Fund	\$4,576,805
GD0	OSSE	Healthy Schools Act	\$4,349,170
XXX	OCFO	Healthcare Forfeiture	\$1,176,069
TOTAL			\$51,821,042

Sec. 9103. Notwithstanding any other provision of law, for Fiscal Year 2015, the Chief Financial Officer shall transfer to the unrestricted fund balance of the General Fund of the District of Columbia and recognize as local funds revenue \$3,000,000 of fund balance from the Recorder of Deeds Automation and Infrastructure Improvement Fund.

Sec. 9104. Applicability.

This subtitle shall apply as of September 30, 2014.

TITLE X. REPORTING REQUIREMENTS

Sec. 10001. Short title.

This title may be cited as the “Council Reporting Requirements Emergency Act of 2014”.

Sec. 10002. For purposes of this title, unless otherwise provided, reports made to the Council shall be made to the Secretary to the Council.

PUBLIC EDUCATION

Sec. 10003. State Board of Education reporting requirements.

By October 1, 2014, the State Board of Education shall submit to the Council:

(1) An implementation plan for the establishment of the Office of the Student Advocate, which is to be fully operational by January 1, 2015;

(2) A report on the accomplishments of the Office of the Ombudsman for Public Education during Fiscal Year 2014 and a strategic plan for the Office for Fiscal Year 2015; and

(3) A report on the status of development and approval of high school graduation requirements for District of Columbia students, including the proposed standard diploma, diploma of distinction, a career credential aligned with CTE standards, and an achievement diploma for students with severe cognitive disabilities.

Sec. 10004. Office of the State Superintendent of Education reporting requirements.

By October 1, 2014, the Office of the State Superintendent of Education (“OSSE”) shall submit to the Council:

(1) A report on the status of the opening the Youth Re-Engagement Center (“Center”). The report shall include, at a minimum:

(A) A summary of activities undertaken during Fiscal Year 2014 in support of the Center;

(B) A description of Center programs and activities underway or planned for Fiscal Year 2015 that will support re-engagement of youth; and

(C) The name of the staff members working at the Center and their qualifications;

(2) A report on OSSE’s efforts to improve access to college entrance exams for District of Columbia students. The report shall include, at a minimum:

(A) The number of District public school students who took the Scholastic Aptitude Test (“SAT”) and the ACT test during school year (“SY”) 2013-2014, by school and local education agency (“LEA”), and whether or not those students took advantage of free or reduced-price vouchers;

(B) The average and median score for District public school students on the SAT and ACT in SY2013-2014 by LEA;

(C) The type of preparation courses offered to students free of charge for both the SAT and ACT and the number of students who participated during SY2013-2014; and

(D) Information regarding planned efforts for Fiscal Year 2015, including the projected number of students who will participate in test preparation courses and who will utilize free or reduced vouchers for college entrance exams, and the projected cost;.

(3) A report on the development of an information management system to ensure that the District is able to provide necessary services to homeless students;

(4) A report on the identification of at-risk students for the purposes of developing the Fiscal Year 2016 budget, including the methodology that will be used to project the number of at-risk students at each LEA and school and an update on OSSE’s at-risk early warning system, including a timetable for its implementation;

(5) A plan to increase Medicaid reimbursement for services rendered to students with individualized education Programs (“IEP”), including:

(A) A list of all services provided to students with IEPs that the District does not currently include under its Medicaid state plan as an eligible service;

(B) For each of the services identified in subparagraph (A) of this paragraph, the actual Fiscal Year 2014 local expenditures, projected Fiscal Year 2015 local

expenditures, and estimated local savings available to the District if the services were included in the Medicaid state plan; and

(C) Recommended amendments to the District Medicaid state plan and other policy options to expand federal reimbursement for services provided to students with IEPs;

(6) A report on the status of centralizing non-resident student investigations within OSSE, including the status of transferring nonresident tuition funds from DCPS to OSSE, as part of the implementation of sections 15a, 15b, and 15c of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.01 *et seq.*); and

(7) The status of the development of a memorandum of understanding with the Department of Employment Services to provide adult workforce training.

Sec. 10005. District of Columbia Public Schools reporting requirements.

By October 1, 2014, the District of Columbia Public Schools (“DCPS”) shall submit to the Council:

(1) A report on efforts to work with youth educators, including the Young Women’s Project, to supplement health-education services, along with a delineation of Fiscal Year 2015 funding dedicated to supporting youth educators;

(2) A report on implementation of a restorative justice pilot program, including a list of participating schools and a Fiscal Year 2015 spending plan;

(3) A report on DCPS’ summer school program, including:

(A) The number of students served in Fiscal Year 2014 and total program expenditures;

(B) Projected number of students to be served in Fiscal Year 2015, and the total program budget;

(4) A report on efforts undertaken in Fiscal Year 2014 and planned for Fiscal Year 2015 to ensure full implementation of the Focused Student Achievement Act of 2013, effective February 22, 2014 (D.C. Law 20-84; 61 DCR 178);

(5) All student promotion and attendance data by school and grade for school year 2013-2014;

(6) A report on the current inventory of DCPS library collections and resources available at each DCPS school, and efforts planned for Fiscal Year 2015 to expand access to library materials and resources, including efforts to:

(A) Provide at least 20 library items per student in each DCPS school;

(B) Balance the collections at DCPS Libraries between content areas; and

(C) Ensure that the average age of materials in each DCPS Library is less than 10 years old;

(7) A report on fixed costs, including:

(A) A comparison of projected and actual Fiscal Year 2014 fixed-costs expenditures by DCPS facility;

(B) Projected Fiscal Year 2015 fixed-costs expenditures by DCPS facility and actual fixed-costs expenditures incurred during school year 2014-2015;

(C) Implementation of the Sustainable DC Initiative; and

(D) Efforts to coordinate with the Department of General Services on a regular basis to review fixed costs projections and actual expenditures;

(8) A plan to ensure full implementation of the Fair Funding and Student-Based Budgeting Act of 2013, effective February 22, 2014 (D.C. Law 20-87; 61 DCR 3742) ("Fair Funding Act"), for the Fiscal Year 2016 budget;

(9) A report on the effort undertaken and planned for Fiscal Year 2015 related to the re-opening of Van Ness elementary school and the opening of an application middle school east of the Anacostia River;

(10) A report on implementation of the budget recommendations included in the Committee on Education budget report for Fiscal Year 2015, including detailed information by school of the services or programs each of the allocations supported:

(A) The \$2,563,500 to be used to supplement those schools most impacted by the budgetary discrepancy between DCPS' allocation of at-risk funds and the requirements set forth in the Fair Funding Act; and

(B) The \$236,500 to augment the at-risk allocation at Anacostia High School, which has the highest percentage of special education students among those schools that did not receive their estimated at-risk allotment pursuant to the Fair Funding Act.

Sec. 10006. Public Charter School Board reporting requirements.

By October 1, 2014, the Public Charter School Board ("PCSB") shall submit to the Council:

(1) Recommendations on how the PCSB will incorporate students' educational and programmatic needs as part of its application review for new and expanding public charter schools in school year 2014-2015. The recommendations may include how the agency and potential applicants are collaborating with the Deputy Mayor for Education, other appropriate agencies, and incorporating school enrollment, demand, and need as part of the application process; and

(2) A report on the current inventory of library collections and resources available at District public charter schools.

Sec. 10007. Deputy Mayor for Education reporting requirements.

By October 1, 2014, the Deputy Mayor for Education shall submit to the Council:

(1) A report on its continued implementation of the South Capitol Street Memorial Amendment Act of 2012, effective June 7, 2012 (D.C. Law 19-141; D.C. Official Code § 2-1517.01 *et seq.*), including a Fiscal Year 2015 spending plan;

(2) Recommendations on expanding transportation subsidies to students between the ages of 21-24 years old enrolled in DCPS or a public charter school;

Note,
§ 2-1517.01

(3) An update on the activities and Fiscal Year 2015 goals of the State Early Childhood Development Coordinating Council; and

(4) A report on implementation of the Graduation Pathways Project and how it will identify students who are off-track, assess current programs, and create or expand programs in both sectors that have demonstrated success at reducing truancy and keeping students on track to graduate on time.

HEALTH AND HUMAN SERVICES

Sec. 10008. Feasibility and assessment study.

(a) The Department of Human Services shall commission a feasibility and assessment study to determine the housing and space needs for the residents and service providers within the building located at 425 2nd Street, N.W.

(b) The study shall be conducted by a policy, planning, or design firm.

(c) In keeping with the recommendations of the CCNV Task Force, the study shall:

(1) Consider and address the existence of a need for new facilities to replace the existing building;

(2) Identify the service and support needs of current residents;

(3) Develop and design shelter for the newly homeless and housing options for current residents based on identified service needs of the population;

(4) Identify opportunities for funding for shelter for the newly homeless and housing options for current residents;

(5) Propose a timeline for development and provision of shelter for the newly homeless and housing options for current residents;

(6) Provide specific recommendations regarding shelter for the newly homeless and housing options for current residents; and

(7) Estimate capital and operational costs of completing the recommendations.

(d) The study shall be completed no later than 180 days from the date that the contract is awarded.

Sec. 10009. Department of Health reporting requirements.

By October 1, 2014, the Department of Health ("DOH") shall submit to the Council:

(1) A quarterly report on all grants administered by the DOH, which shall include, at a minimum, the:

(A) Grant title and number;

(B) Source of the funding;

(C) Approved budget authority;

(D) Expenditures, including encumbrances and pre-encumbrances;

(E) Purpose of the grant;

(F) Name of grantees and subgrantees for each grant;

(G) Date of grant funding expiration; and

(H) DOH employees responsible for overseeing the grant;

(2) An annual report on all federal grants for health services that DOH is aware of being in jeopardy of being cut at the conclusion of that fiscal year, when that funding has supported 3 or more community organizations that have history of providing services in the District;

(3) A biannual report on how existing District teenage pregnancy prevention programs are evaluated. The report should include information regarding the following:

- (A) The rate of teen pregnancy in the wards that the program services;
- (B) The number of girls served;
- (C) The number of girls that have successfully completed the program;

and

(D) Any other information DOH deems critical to critiquing the success of the program; and

(4) A bi-monthly report regarding the efficiency of the medical marijuana program in the District, the number of medical marijuana applications received from patients and doctors, the time it took to process each application, the names of the individuals in charge of processing the application, the average overall wait time for processing doctor and patient applications, and any other information critical to analyzing the program's efficiency.

Sec. 10010. Department of Health Care Finance reporting requirements.

(a) By October 1, 2014, the Department of Health Care Finance ("DHCF") shall submit to the Council a report on:

(1) DHCF's reevaluation of the Alliance recertification process and recommendation for whether recertification rules need to be modified; and

(2) Description and timeline for implementation of DHCFs coordination of care plan.

(b) Starting on October 1, 2014 and ending on September 31, 2015, DHCF shall submit to the Council a quarterly report on:

(1) The progress of Early and Periodic Screening, Diagnostic, and Treatment ("EPSDT") coding changes and provider compliance with EPSDT screens and reporting;

(2) The eligibility and enrollment in the Elderly and Persons with Disabilities ("EPD") waiver including the:

- (A) Number of people currently enrolled in the EPD waiver;
- (B) Number of people currently on the waitlist;
- (C) Number of people who lost the benefit because they did not timely

recertify;

(D) Community engagement activities that are planned for that quarter;

and

(E) Status of implementation of EPD waiver state plan amendments;

(3) Emergency and acute care utilization in the managed care and fee-for-service populations;

(4) Assessing the performance of the long term care contractor, including data on its reduction of fraud and abuse of the Personal Care Aid ("PCA") benefit;
(5) Reflecting PCA benefit utilization and enrollment; and
(6) The performance of each Managed Care Organization ("MCO"), which shall include, at a minimum, the following information:

(A) A listing of the provider network for each MCO identifying each provider by name;

(B) The number of newly eligible beneficiaries auto-assigned to each MCO that quarter, along with the total number of members enrolled in each MCO;

(C) An assessment of each MCO's compliance with each contractual network adequacy requirement and performance objective, including a description of any threatened or assessed corrective action plans or penalties; and

(D) EPSDT data for each MCO, including the following:

(i) Number of EPSDT providers in each MCO network;

(ii) Number of screens and percentage of children screened per quarter;

(iii) Number of mental health screens and percentage of children receiving mental health screens per quarter; and

(iv) Plans to address unsatisfactory screening rates in the next quarter.

Sec. 10011. Not-For-Profit Hospital Corporation reporting requirements.

By October 1, 2014, the Not-For-Profit Hospital Corporation ("NFPHC") shall submit to the Council a bi-monthly report on the progress made by Huron Healthcare at the NFPHC, including the:

(1) Milestones completed;

(2) Scheduled work and the expected completion date of such work;

(3) Unexpected issues that have arose and plans to address those issues;

(4) Issues that were scheduled to be completed before the due date of the next report, but were not, and the plan to complete them; and

(5) Answers to any documented questions sent over by the Council to the NFPHC.

Sec. 10012. Health Benefit Exchange Authority reporting requirements.

(a) By October 1, 2014, the Health Benefit Exchange Authority ("Authority") shall submit to the Council a report on the effectiveness of the In-Person Assistor program, including:

(1) The number of individuals enrolled by each grantee organization; and

(2) Recommendations for continuing the program, including potential costs and sources of funding, in Fiscal Year 2015.

(b) By December 31, 2014, the Authority shall submit to the Council a report on the reduction of the uninsured population in the District through enrollment in plans offered through the Authority, including:

(1) The estimated number of uninsured individuals in the District as of October 1, 2014;

(2) The number of uninsured individuals who purchased plans between October 1, 2013 and April 30, 2014;

(3) A comprehensive plan to conduct outreach and enroll the uninsured population in the District in Fiscal Year 2015 and Fiscal Year 2016; and

(4) A comprehensive plan to monitor fluctuations in uninsured populations in the District in Fiscal Year 2015 and Fiscal Year 2016.

TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

Sec. 10013. Department of Parks and Recreation reporting requirements.

By October 1, 2014, the Department of Parks and Recreation ("DPR") shall submit to the Council a detailed report on:

(1) The agency's workforce strategic plan to address the number of critical vacancies within DPR, including a timeline for implementation, recruitment actions, benchmark goals, and strategies for retention;

(2) The development of a comprehensive complaint in-take database system, which shall include, at a minimum:

(A) A detailed description of the compliant in-take database system;

(B) A timeline for development and the estimated launch date;

(C) A recommendation for a data governance policy; and

(D) A detailed explanation on how the complaint in-take database system will interact with existing systems; and

(3) The development of a comprehensive system for performance metrics that tracks quantitative performance measures, including, at a minimum a timeline for development and the estimated launch date.

FINANCE AND REVENUE

Sec. 10014. Office of the Chief Financial Officer reporting requirements.

By October 1, 2014, the Office of the Chief Financial Officer ("OFCO") shall submit to the Council a report on recommendations for improving transparency of the OCFO agency budget, including a plan for implementing improvements by the submission of the Fiscal Year 2016 budget to the Council.

Sec. 10015. Applicability.

This title shall apply as of the effective date of this act.

**TITLE XI. APPLICABILITY, FISCAL IMPACT STATEMENT, AND
EFFECTIVE DATE**

Sec. 11001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2014.

Sec. 11002. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 11003. Effective date.

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