

COUNCIL OF THE DISTRICT OF COLUMBIA

20 DCSTAT 1449

D.C. Act 20-88, effective June 19, 2013 (Expiration date August 26, 2013)

(Applicable as of May 28, 2013)

AN ACT

Bill 20-304

**Emergency
Declaration
Res. 20-142
20 DCStat 1561**

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

**Codification
District of
Columbia
Official Code
2001 Edition**

**YMCA
Community
Investment
Initiative Real
Property Tax
Exemption
Emergency
Act of 2013**

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

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

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

“47-1089. YMCA Community Investment Initiative, Lot 2010, Square 234.”.

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

“§ 47-1089. YMCA Community Investment Initiative, Lot 2010, Square 234.

“(a) The real property located at 1325 W Street, N.W., Washington, D.C., and described as Lot 2010, Square 234, shall be exempt from real property taxation, and interests in such property shall be exempt from possessory interest taxation so long as the real property continues to be used and occupied by the Young Men’s Christian Association of Metropolitan Washington (“YMCA DC”), even if it is owned by the Young Men’s Christian Association Community Investment Initiative (“YMCA CII”), and is used for carrying out the charitable functions of the YMCA DC, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009 as if the exemption had been granted administratively.

“(b)(1) Any transfer, assignment, or other disposition of all or any portion of the real property described in subsection (a) of this section to YMCA DC or YMCA CII, any security interest instrument with respect to such property given by YMCA DC or YMCA CII to a third party lender, or a lease of such property between YMCA DC and YMCA CII, shall be exempt from the tax imposed by section 303 of the District of Columbia Deed Recordation Tax Act of 1962, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1103), so long as the real property continues to be used and occupied by YMCA DC; and

“(2) Any transfer, assignment, or other disposition of all or any portion of the real property described in subsection (a) of this section by YMCA DC or YMCA CII, including a

**Note,
§ 47-1089**

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lease of such property between YMCA DC and YMCA CII, shall be exempt from the tax imposed by § 47-903, so long as the real property continues to be used and occupied by YMCA DC.

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

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

Sec. 3. Applicability.

This act shall apply as of May 28, 2013.

**Applicable as
of May 28,
2013**

Sec. 4. 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. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), 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)).